


# TEXARKANA POLICE DEPARTMENT

## GENERAL ORDERS MANUAL

<b>SUBJECT</b>	<b>Departmental Employee Change of Status</b>		
<b>NUMBER</b>	<b>1101.09</b>	<b>EFFECTIVE DATE</b>	<b>July 1, 2010</b>
<b>Scheduled Review Date</b>	<b>June 18, 2021</b>	<b>ISSUE DATE</b>	<b>July 1, 2010</b>
<b>Date Reviewed</b>	<b>June 18, 2019</b>	<b>REVISION DATE</b>	
<b>APPROVED BY</b>		<b>ALEAP Standards</b>	

### I. Purpose and Scope

- A. The Texarkana Police Department recognizes circumstances surrounding individual employees change from time to time, and at times, a member's employment status with the Agency may end due to a reduction in authorized strength, a resignation, retirement, dismissal for cause, circumstances surrounding health problems or death. It is the Department's intent to establish guidelines and procedures that further define a response to such events by the affected employee and the Agency.

### II. Policy

- A. It shall be the policy of the Texarkana Police Department to establish clear procedural guidelines that serve to govern the Agency's response and related courses of action incumbent of all employees in light of changes that affect the employment status of all Departmental members. All Agency members shall recognize and adhere to the following guidelines.

### III. Procedures

#### A. Reduction in Authorized Strength

1. The reduction of authorized strength is an administrative action tethered to management decisions brought forth through municipal government, and incidents of staffing reductions are very rare. The reduction of authorized strength is strictly governed by seniority in accordance with established Civil Service Rules and Regulations as outlined in Arkansas State Statutes.

#### B. Voluntary Resignation

1. Any employee desiring to voluntarily end their employment with the Department shall submit a written Letter of Resignation and forward that documentation to the appropriate Division Commander through the employee's chain-of-command.
2. Once submitted, a request to voluntarily resign can only be recalled or otherwise withdrawn upon the approval of the Chief of Police and/or his designee.
3. If practical—and whenever possible as a courtesy to the Agency—all Letters of Resignation shall be submitted at least fourteen (14) days prior to the resignation's effective date.

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**C. Retirement from Service**

1. Service related and medically related retirement from the Agency shall be governed by established statutory law as well as rules, regulations and procedural guidelines unique to the appropriate retirement plan and related pension benefits. Additional commentary and guidelines are discussed in greater detail in the City Personnel Handbook.

**D. Dismissal for Cause**

1. An employee's dismissal from service for cause may be appealed as defined in the procedural guidelines set forth in the General Orders Manual, and the dismissal process shall at all times remain concurrent with established statutory law governing such dismissal.
2. During initial probationary periods that follow appointment to service, an employee is subject to dismissal for cause with no right to appeal. Such probationary employees are not afforded civil service protection nor may the employee serving in a probationary period at the Texarkana Police Department seek an appeal with the Civil Service Commission.
3. When an employee is no longer capable of fulfilling the basic requirements of their position due to mental and/or physical incapacities or limitations, the Texarkana Police Department may terminate the affected member's employment.
  - a. The Texarkana Police Department shall determine if another position within the Department—or positions within other city departments—is available; and
  - b. Should such a position be available, and should the affected employee be capable of fulfilling the basic job requirements of the position, the employee shall be afforded the opportunity to accept the position pursuant to city policy.
  - c. The Department recognizes there will be times when an employee becomes injured or falls ill, and the injury or illness might interfere with the employee's ability to perform his/her assigned duties. Whenever an employee encounters such circumstances, reasonable accommodations shall be provided to employees who are suffering from circumstances surrounding an injury, temporary disability or illness wherein the affected employee expects reach to a point that finds the employee in a condition to return to full duty status without restrictions.
    - (1) All decisions surrounding light duty assignments shall be made after addressing and considering the needs of the Agency while balancing those needs of the Agency with the circumstances and needs of the affected employee.
  - d. Those employees who are considered permanently disabled may qualify for disability and/or pension benefits afforded by established statutory law as well as rules, regulations and procedural guidelines unique to the appropriate retirement plan and related pension benefits.
    - (1) The Texarkana Police Department shall operate within the guidelines established within the *Americans with Disabilities Act of 1990 (ADA)* located within *Title 42 of the United States Code [ 42 U. S. C. ]*; however, a police officer must be able to perform the essential functions of his/her job description as outlined in the Department's General Order's Manual to remain employed.

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**E. Death**

1. In the event of employee's death, the employee's survivors and beneficiaries may be entitled to LOPFI benefits in accordance with established statutory law as well as rules, regulations and procedural guidelines unique to the retirement plan and related pension benefits.
2. Members hired after 1983 are covered under the State of Arkansas LOPFI Retirement System and have specific benefits available to them.

**F. Change in Personal Status**

1. Members employed with the Texarkana Police Department shall submit written notification to the Chief of Police through the employee's chain-of-command whenever the employee experiences a change in address or telephone numbers within twenty-four (24) hours of the change.
2. The Agency requires notification of changes in marital status, births and deaths of the employee's dependents to ensure current contact information is on-file in the Department.

**G. Personal Problems**

1. When officers or non-commissioned employees of the Texarkana Police Department begin experiencing personal problems which may interfere with their duty assignment, the affected employee shall inform the Department through the appropriate chain-of-command.
2. Supervisory personnel shall be required to remain alert for signs indicative of potential problems associated with their subordinates. Supervisors shall at all times remain concerned about the well-being of their employees and shall intervene if personal problems appear disruptive to the Department's efficiency and effectiveness.

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