



Joint Task Force National Capital Region Medical INSTRUCTION

NUMBER 1205.01
NOV 08 2011

J-1

SUBJECT: Civilian Employment and Reemployment of Military Service Members

- References:
- (a) JTF CAPMED-D 5101.01, "Administrative/Personnel Decision Making Committee (APDMC) Charter," May 20, 2010
 - (b) DoD Instruction 1205.12, "Civilian Employment and Reemployment Rights of Applicants for, and Service Members and Former Service Members of the Uniformed Services," April 4, 1996
 - (c) Chapter 43 of title 38, United States Code

1. PURPOSE. This Instruction, in accordance with the authority in Reference (a) and the guidance in Reference (b):

a. Establishes and implements policy, assigns responsibilities, and prescribes procedures for informing Service members who are covered by the provisions of Reference (c) and individuals who apply for uniformed service of their civilian employment and reemployment rights, benefits, and obligations.

b. Implements Reference (c), which updates, codifies, and strengthens the civilian employment and reemployment rights and benefits of Service members and individuals who apply for uniformed service; and specifies the obligations of Service members and applicants for uniformed service.

2. APPLICABILITY. This Instruction applies to Joint Task Force National Capital Region Medical (JTF CapMed) and all Joint Medical Treatment Facilities and Centers in the National Capital Region (i.e., Fort Belvoir Community Hospital, Walter Reed National Military Medical Center, and the Joint Pathology Center).

3. POLICY. It is JTF CapMed policy to support members' service by taking appropriate actions to inform and assist uniformed Service members and former Service members who are covered by the provisions of Reference (c), and individuals who apply for uniformed service, of their rights, benefits, and obligations under Reference (c). Such actions include:

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a. Advising non-career Service members and individuals who apply for uniformed service of their employment and reemployment rights and benefits provided in Reference (c), as implemented by this Instruction, and the obligations employees must meet to exercise those rights.

b. Providing assistance to Service members, former Service members, and individuals who apply for uniformed service in exercising employment and reemployment rights and benefits.

c. Providing assistance to Service members within the Joint Operations Area in addressing issues involving uniformed service as it relates to civilian employment or reemployment.

d. Considering requests from civilian employers of members of the National Guard and Reserve to adjust a Service member's scheduled absence from civilian employment because of uniformed service or make other accommodations to such requests when it is reasonable to do so.

e. Documenting periods of uniformed service that are exempt from a Service member's cumulative 5-year absence from civilian employment to perform uniformed service as provided in Reference (c) and implemented by this Instruction.

f. At the Service member's request, provide necessary documentation concerning a period or periods of service, or provide a written statement that such documentation is not available, that will assist the Service member in establishing civilian reemployment rights, benefits, and obligations.

4. RESPONSIBILITIES

a. Military Personnel Branch. The Military Personnel Branch within the JTF CapMed organization will monitor compliance with Reference (b).

b. Human Resources (HR), JTF CapMed. HR, JTF CapMed will work any adverse action matters in coordination with the Command's Legal Advisor including but not limited to U.S. Merit Systems Protection Board proceedings or grievance procedures.

5. PROCEDURES. See Enclosure

6. RELEASABILITY. UNLIMITED. This Instruction is approved for public release and is available on the Internet from the JTF CapMed Web Site at: www.capmed.mil.

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7. EFFECTIVE DATE. This Instruction is effective immediately.



SCOTT WARDELL

Executive Director for Administrative Operations

By direction of the Commander

Enclosure
Procedures

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ENCLOSURE

PROCEDURES

1. JOINT MTF COMMANDERS AND CENTER DIRECTORS. Joint MTF commanders and Center directors shall:

a. Inform individuals who apply for uniformed service, and members of a Reserve component who perform or participate on a voluntary or involuntary basis in active duty, active duty for special work, initial active duty for training, active duty for training, inactive duty training, annual training, and full-time National Guard duty, of their employment and reemployment rights, benefits, and obligations as provided under Reference (c).

b. Advise that employees are strongly encouraged to provide advance notice in writing to their employers of pending uniformed service or any absence for the purpose of an examination to determine the person's fitness to perform uniformed service. Providing written advance notice is preferable to verbal advance notice since it is easier to establish that this basic prerequisite to retaining reemployment rights was fulfilled. Regardless of the means of providing advance notice, whether verbal or written, it should be provided as early as practicable.

c. Annually, and whenever called to duty for a contingency operation, advise Service members who are participating in a Reserve component of:

(1) The requirement to provide advance written or verbal notice to their employers for each period of military training, active and inactive duty, or full-time National Guard duty.

(2) Providing advance notice, whether written or verbal, as early as practicable. Employees are strongly encouraged to provide at least 30 days advance notice to employers prior to departure for any period of uniformed service.

2. HUMAN RESOURCES, JTF CAPMED.

a. Provide support to the JTF Commander, Center Directors, and employees by providing guidance and information on the employment and re-employment after military service.

b. Assist employees in notifying appropriate personnel of military service and projected duration of service.

c. Collect and consolidate information for reporting to DoD in accordance with Reference (b).