

CHAPTER 12
UNIFORM ALLOWANCE
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TABLE OF CONTENTS

<u>UNIFORM ALLOWANCE</u>	12-3
Legal Authority	12-3
Clothing Allowance	12-3
Definitions	12-3
Requirements	12-3
Eligibility	12-3
Payment Date and Procedures	12-4
Uniform Allowance	12-5
Uniform Accessories	12-5
Reimbursement Procedure for Accessories	12-5
<u>REPAIR OR REPLACEMENT OF DAMAGED UNIFORMS AND</u>	
<u>PRIVATELY-OWNED SAFETY EQUIPMENT</u>	12-6
Damage to Uniforms and Privately-Owned Safety Equipment	12-6
Privately-Owned Safety Equipment	12-6
Replacement Cost	12-7
<u>PROCEDURE FOR REIMBURSEMENT FOR UNIFORMS AND</u>	
<u>PRIVATELY-OWNED EQUIPMENT</u>	12-7
Review of Damaged Uniform or Equipment Item	12-7
CHP 130, Claim for Reimbursement–Uniform or Equipment Damage	12-7
Review of Claim by Commander	12-7
Departmental Reviewing Officer	12-7
Disposition of Damaged Uniform/Equipment Item	12-7
Repair Invoices Required	12-8
Cleaning	12-8
Amortization	12-8
<u>BOOT ALLOWANCE</u>	12-8
 <u>ANNEXES</u>	
<u>A</u> – CHP 130, CLAIM FOR REIMBURSEMENT–UNIFORM OR EQUIPMENT DAMAGE	12-9
<u>B</u> – AMORTIZATION TABLE	12-11

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CHAPTER 12

UNIFORM ALLOWANCE

1. UNIFORM ALLOWANCE.

a. Legal Authority. The uniform allowance is authorized by Government Code Sections 19850.1 through 19850.3 and administered under the provisions of Board of Control Rules 897 through 897.8 and the Unit 5 Bargaining Agreement.

b. Clothing Allowance. Board of Control Rules 897 through 897.8 provide for an allowance to state employees for the replacement of distinctive uniforms.

c. Definitions.

(1) "Uniform," for the purpose of this chapter, includes outer garments, excluding shoes, required to be worn exclusively while performing the duties and responsibilities of the position and is different from the design or fashion of the general population. This definition includes items that serve to identify the person, agency, functions performed, rank, or time in service.

(2) "Replacement allowance" is defined as the amount established as the annual cost of replacing uniform items.

d. Requirements. Employees must comply with the following requirements to qualify for a uniform allowance:

(1) The uniform is clearly necessary for visual identification by the public for law enforcement, public safety, or other closely related purposes.

(2) The employee must be required by the Commissioner to wear the uniform for the regular full-time performance of duties.

(3) The uniform is authorized exclusively in an official capacity.

e. Eligibility.

(1) All uniformed employees who have completed one full year of employment (including any probationary period) are eligible for the uniform replacement allowance.

(2) Reduction Due to Sick Leave, Injury, or Military Leave. Uniformed employees who are absent 30 or more consecutive calendar days due to sick

leave, injury time, or military leave will have their uniform allowance decreased one month on a proportional basis for each full 30-day period. Vacation time in lieu of sick leave shall be counted as normal sick leave for probation purposes, if it is taken immediately following the expiration of Labor Code Section 4800 time or sick leave credits prior to resignation/retirement.

(3) Reduction Due to Suspension or Leaves of Absence. Uniformed employees who are absent 11 or more days during a pay period due to suspension or nonmilitary leaves of absence will have their uniform allowance decreased one month on a proportional basis for each such pay period.

f. Payment Date and Procedures.

(1) Payment of uniform replacement allowances will be effective on the uniform allowance anniversary date for those eligible uniformed employees who have such date already established. For all other eligible uniformed employees, the payment will be effective one year after their graduation from the Academy.

(2) Established Uniform Allowance Anniversary (Eligibility) Dates.

(a) Uniformed employees hired after July 1, 1977, are eligible for their uniform allowance on the anniversary of their graduation from the Academy.

(b) Uniform allowance anniversary dates established prior to July 1, 1982, may have been changed because of sick leave, Labor Code Section 4800 time, military leave, or injury.

(3) Uniform Replacement Allowance Claims. Human Resources Section will certify that all uniformed employees shown on the claim have served the required time for eligibility for the allowance payments.

(4) Distribution of Uniform Allowance Payments. Warrants in payment of the uniform allowance will normally be distributed by the tenth of the second month after employees' established uniform allowance anniversaries.

(5) Separations and Reinstatements.

(a) Uniformed employees who separate from the Department prior to their uniform allowance anniversary date shall not receive their annual uniform replacement allowance.

(b) Uniformed employees who are reinstated are generally eligible for the uniform allowance one year after their reinstatement date. Exceptions may be made to give credit for the number of months worked after the last anniversary date and before separation. Only uniformed employees who separate within three years prior to the date of the request will be eligible for an exception. To request an exception, the uniformed employee shall submit a memorandum to Fiscal Management Section (FMS) describing:

- 1 The circumstances of separation and reinstatement.
- 2 The original anniversary date.
- 3 The separation date.

g. Uniform Allowance. As determined by the Department, all uniformed employees, regardless of rank, will receive an allowance in accordance with rates described in the current Unit 5 Bargaining Agreement, Memorandum of Understanding, or as determined by the Office of the Commissioner.

h. Uniform Accessories. Reimbursement for uniform accessories shall be made to the appropriate uniformed employees during any one fiscal year (July 1 through June 30) as follows:

(1) Officers.

- (a) Four sets of shoulder patches.
- (b) Four sets of service stripes.

(2) Sergeants.

- (a) Four sets of shoulder patches.
- (b) Four sets of service stripes.
- (c) Four sets of cloth chevrons (upon promotion) and four sets of cloth chevrons each fiscal year thereafter.

(3) Lieutenants, Captains, Assistant Chiefs, Chiefs.

- (a) Two sets of metal insignia of rank (upon promotion).
- (b) Four sets of shoulder patches.
- (c) Four sets of service stripes.

(4) Cadets. Four sets of shoulder patches (upon graduation).

i. Reimbursement Procedure for Accessories. Submission for reimbursement for specific uniform items shall be completed on the California Automated Travel Expense Reimbursement System. Once signed in, select the “Expenses” tab. Next, select the “Misc. Expenses” tab and click on “Business Expense – other.” The amount claimed must be entered on the correct line and annotated in the “Purpose” box. Click on the “Submission” tab to send the claim to the approver.

2. REPAIR OR REPLACEMENT OF DAMAGED UNIFORMS AND PRIVATELY-OWNED SAFETY EQUIPMENT.

a. Damage to Uniforms and Privately-Owned Safety Equipment. Section 2259 of the California Vehicle Code (CVC) requires the Department to reimburse members, or their estate, for required uniform and equipment items which are damaged in the line of duty.

(1) Reimbursement. Reimbursement shall be either payment for cost of repairs or the actual cash value of items damaged beyond repair.

(2) Value. Value of items damaged beyond repair will be computed on the actual value at the time damage occurred in accordance with the Amortization Table contained in Annex B of this chapter.

b. Privately-Owned Safety Equipment. Except as noted in Highway Patrol Manual (HPM) 11.2, Materials Management Manual, Chapter 10, Police Protective and Safety Equipment-Uniformed Employees, uniformed employees may substitute certain pieces of privately-owned equipment for state-issued safety equipment. When permitted, the following regulations shall apply:

(1) Risk. Uniformed employees electing to continue to carry their own personal equipment do so at their own expense and risk.

(2) Maintenance. The Department will not repair or maintain privately-owned equipment except as provided for in Section 2259 CVC and HPM 11.2, Chapter 10. Section 2259 CVC states: “The Department of the California Highway Patrol shall pay to the member, or his estate, the cost of repairing the uniforms and equipment of the member of the California Highway Patrol which are damaged in the line of duty. If the uniforms or equipment are damaged beyond repair, the department shall pay an amount equal to the actual value thereof at the time the damage occurred, which shall be determined by the commissioner. The term ‘equipment,’ as used in this section, shall include

equipment required by the department or personal accoutrements necessary for the patrol member to perform his duty.”

(3) Negligence. The Department will not reimburse an employee for personal property lost or damaged due to negligence.

c. Replacement Cost. When a uniformed employee elects to substitute privately-owned equipment for a similar item or items available through state issue, no more than the current replacement cost of the state-issued item or items will be allowed when computing reimbursement for equipment destroyed.

(1) Expensive Personal Items. Uniform damage claims for expensive personal items (e.g., watches, briefcases) are subject to reimbursement at an amount less than the replacement cost.

(2) Claims. Claims for items not within the intent of Section 2259 CVC will not be allowed.

3. PROCEDURE FOR REIMBURSEMENT FOR UNIFORMS AND PRIVATELY-OWNED EQUIPMENT.

d. Review of Damaged Uniform or Equipment Item. Any damaged uniform or equipment item for which a reimbursement claim will be submitted shall be examined by the claimant’s supervisor prior to being cleaned, repaired, or replaced.

e. CHP 130, Claim for Reimbursement–Uniform or Equipment Damage.

(1) A CHP 130, Claim for Reimbursement–Uniform or Equipment Damage, (Annex A of this chapter) shall be submitted in triplicate.

(2) Claimant shall enter all necessary information in the spaces provided. The column titled “Amount Allowed” is for headquarters use and shall be left blank.

f. Review of Claim by Commander. The immediate commander shall review and either approve or disapprove the claim. If the claim is disapproved, the reason(s) shall be stated on the back of the form.

(1) Original. The original and one copy shall be forwarded to FMS.

(2) Copy. The second copy shall be retained at the originating command.

g. Departmental Reviewing Officer. The FMS commander is the departmental reviewing officer and shall review and either approve or disapprove the claim. If the claim is disapproved, the claimant shall be informed.

h. Disposition of Damaged Uniform/Equipment Item. Whenever a uniform or equipment item is surveyed as damaged beyond repair, the immediate commander shall take custody of such article upon submission of a claim and shall hold it until the claimant is reimbursed. The uniform/equipment item shall then be destroyed.

i. Repair Invoices Required. When an article is repaired or cleaned, the original plus one copy of the invoice for costs of the service shall accompany the claim for reimbursement. Uniform/equipment items repaired or cleaned shall be itemized and the cost of each article listed on the invoice.

j. Cleaning. Uniform cleaning is a cost to be incurred by the employee and is not reimbursable. However, the portion of cleaning associated with “special handling” is subject to reimbursement if it meets the following criteria:

- (1) The uniform was soiled or stained in a specific incident in the line of duty.
- (2) The soiling or staining was not the fault of the employee.
- (3) The uniform cannot be cleaned through the normal cleaning process but must be cleaned by special handling at the cleaners.

k. Amortization. Amortization is computed as follows (refer to Annex B of this chapter):

(1) Divide the replacement cost by the use life which determines the monthly rate. “Use life” is defined as duration of time over which an item of property decreases in value due to wear, age, or other cause.

(2) Multiply the monthly rate by the number of months used in service.

NOTE: Months used in service does not necessarily equate to months of ownership. For example, if four shirts are rotated for one year, then months used in service are three for each shirt (i.e., $12 \text{ months} / 4 \text{ shirts} = 3 \text{ months} / 1 \text{ shirt}$).

(3) Subtract results obtained in Step (2) from the replacement cost.

4. BOOT ALLOWANCE. Refer to the Unit 5 Bargaining Agreement for information regarding boot allowance.

ANNEX A

CHP 130, CLAIM FOR REIMBURSEMENT—UNIFORM OR EQUIPMENT DAMAGE

STATE OF CALIFORNIA DEPARTMENT OF CALIFORNIA HIGHWAY PATROL		CLAIM FOR REIMBURSEMENT—UNIFORM OR EQUIPMENT DAMAGE		<i>Requested in accordance with Section 2259 CVC Refer to Uniform Manual, HPM 73.5, Chapter 12, before completing.</i>	
ARTICLE	DATE PURCHASED	MONTHS USED	DAMAGED <small>(Cost of repairs must be substantiated by a paid receipt)</small>	DESTROYED <small>(Current replacement cost plus sales tax)</small>	AMOUNT ALLOWED <small>(Accounting Section use only)</small>
1. One pair of pants	May 2, 2016	6	\$75.00		
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
DATE OF LOSS AND/OR DAMAGE 11/10/2016	DATE HIRED 11/03/2014			TOTAL	
<small>THE CLAIMANT CERTIFIES THE LOSS AND/OR DAMAGE OCCURRED IN THE FOLLOWING MANNER (IF MORE SPACE IS REQUIRED, USE REVERSE OR ATTACH SEPARATE SHEET(S))</small> The damage occurred while I was in foot pursuit of a suspect. During routine patrol, I stopped a vehicle that was reported stolen. Upon exiting the vehicle, the suspect gave chase. I immediately ran after him and subsequently tripped over debris, landing on my knees in gravel and grease. The gravel cut the fabric and the grease caused permanent stains.					
					<input type="checkbox"/> See reverse
CLAIMANT John Smith	I.D. NUMBER 43000	RANK Officer	CLAIMANT'S SIGNATURE		DATE
ASSIGNMENT		LOCATION CODE	EXAMINED BY (SUPERVISOR)		DATE
OFFICE MAILING ADDRESS (CHECK WILL BE MAILED TO OFFICE)			COMMANDER		DATE
			DEPARTMENTAL REVIEWING OFFICER		DATE

CHP 130 (Rev. 1-00) OPI 071 (Page 1 of 2) Use previous editions until depleted c130_100.pdf

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ANNEX B

AMORTIZATION TABLE

ITEMS	USE LIFE
Aiguillette (shoulder cord)	60 months
Attache Case (up to \$65.00 with receipt)	60 months
Baton Ring (state's cost)	Indefinite
Belt Loops, Keepers	90 months
Belt, Velcro	Indefinite
Boots (Motorcycle: up to \$255.00 with receipt) (Flight: up to \$100.00 with receipt)	36 months
Campaign Hat	
(1) Felt	60 months
(2) Straw	24 months
Cap	
(1) Chief and above	24 months
(2) Baseball Cap	Indefinite
(3) Cold Weather Cap	Indefinite
Citation Book Holder	48 months
Clipboard (state's cost)	Indefinite
Cold Weather Jumpsuit	Indefinite
Dickey	12 months
Duty Belt	144 months
Flashlight (state's cost)	48 months
Glasses	
(1) Nonprescription Sunglasses (replacement or repair costs up to \$35.00 with a receipt)	Indefinite
(2) Prescription, Clear or Sunglasses (replacement or repair costs up to \$120.00 with a receipt)	Indefinite

ANNEX B

AMORTIZATION TABLE (continued)

<u>ITEMS</u>	<u>USE LIFE</u>
Gloves	36 months
Goggles (motorcycle only)	60 months
Handcuffs (actual cost up to \$15.00)	Indefinite
Handcuffs Case	144 months
Holster	144 months
Jacket	
(1) Black leather	90 months
(2) Blue, patrol (regular/modified)	48 months
(3) Call-Out	Indefinite
(4) Dress, green	30 months
(5) Cold Weather Parka	Indefinite
Key Strap *	Indefinite
Magazine Pouch (state's cost)	144 months
Pen (state's cost)	Indefinite
Posse Box *	Indefinite
Radio, Holster	Use life
Rainwear (state's cost)	60 months
Scarf	12 months
Secondary Weapon (actual cost up to \$105.00)	Indefinite
Shirt	
(1) Synthetic, long- and short-sleeve	6 months
(2) Wool gabardine, long-sleeve	12 months
(3) Turtleneck	Indefinite
Shoes/Boots	36 months

ANNEX B

AMORTIZATION TABLE (continued)

<u>ITEMS</u>	<u>USE LIFE</u>
Tape Measure and Holder (state's cost)	60 months
Templates *	Indefinite
Tie Bar or Tack	60 months
Tie, Bow Tie	6 months
Trousers/Breeches	6 months
Underwear, Thermal	24 months
Utility Uniform, Two-Piece Ripstop	6 months
Vest Carrier	60 months
Watch (actual cost up to \$100.00 with a receipt)	Indefinite
Watch Band (actual cost up to \$12.00)	Indefinite

* Actual cost up to the amount stated in the Academy Recreation Fund Catalog.

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