

Military Leave

Only a permanent full-time or a permanent part-time employee and a temporary full-time or temporary part-time employee whose appointment exceeds 1 year are eligible to use military leave.

Employees who are called to active duty in support of an ongoing national emergency are entitled to military leave under two separate provisions.

- 5 U.S.C. 6323(a) allows a Federal employee who is a member of the National Guard or Reserves is entitled to 15 days (120 hours) of paid military leave each fiscal year for active duty, active duty training, or inactive duty training. An employee on military leave under section 6323(a) receives his or her full civilian salary, as well as military pay. This leave accrues at the beginning of each fiscal year, and all Guard or Reserve members, including those on extended active duty, should be credited with 15 days of paid military leave on October 1 of each year.
- 5 U.S.C. 6323(b) allows employees who perform full-time military service as a result of a call or order to active duty in support of a contingency operation* as defined in section 101(a)(13) of title 10, United States Code, to 22 days of military leave. Under this provision the employee is entitled to the greater of his military or civilian pay. This became effective November 24, 2003.

5 U.S.C. 6323(c) provides unlimited military leave to members of the National Guard of the District of Columbia for certain types of duty ordered or authorized under title 39 of the District of Columbia Code.

5 U.S.C. 6323(d) provides that Reserve and National Guard Technicians only are entitled to 44 workdays of military leave for duties overseas under certain conditions.

Employees also are entitled to use any accrued or accumulated annual leave for periods of active military duty. Employees using annual leave will receive their full civilian pay, as well as compensation for their military service.

Uniform Service Status

Military leave can be processed through a T&A only if one of the appropriate codes shown below is entered in the Uniform Service Status field on an employee's personnel action. If one of the codes below is not entered in the Uniform Service Status field, the T&A rejects and military leave balances are not updated.

- 1 - Ready Reserve

- 2 – Standby
- 3 - National Guard
- 6 - Ret Mil (Reg) and Reserves/National Guard
- 7 - Ret Mil (Non-Reg) and Reserves/National Guard
- 8 - Ret Mil and DC National Guard
- 9 - DC National Guard

This information should be provided on the accession action; however, on occasion this may be several years old. In situations where it is not practical to process a HCUP package, the Uniform Service Status field is updated via the 006 Update Action. The effective date and authentication date of the 006 Update Action must match the effective date and authentication date of the employee's last non-exception action on the database (i.e., actions other than details, bonuses, and awards). This information can be obtained from the employee's information on Information/Research Inquiry System (IRIS) Program IR122, SF 50-B Data Elements.

15 Days of Paid Military Leave

A full-time employee working a 40-hour workweek accrues 120 hours (15 days x 8 hours) of military leave in a fiscal year, or the equivalent of three 40-hour workweeks. An employee can carry over up to 120 hours of unused military leave from the prior fiscal year.

Military leave under 6323(a) is prorated for part-time employees and for employees on uncommon tours of duty based proportionally on the number of hours in the employee's regularly scheduled biweekly pay period. To calculate the number of days used, divide 40 into the weekly tour of duty hours and multiply the result by 15. Carry out to 3 decimal places. To this total, add the military leave carryover from the database.

The employee's timekeeper should use Transaction Code 65, on the employee's time and attendance report to pay the employee for the 15 days of military leave. Holidays and non-duty weekends do not count against the 15 day regular military leave ceilings.

Regular military leave is recorded by fiscal year. If an employee uses military leave in the pay period of the fiscal year change, a split T&A is required. The fiscal year ends/begins September 30/October 1.

22 Days of Paid Military Leave

There are two conditions under which employees are entitled to an additional 22 days of military leave under the provisions of 5 U.S.C. 6323(b).

- Reservists or National Guard members who perform military duty in support of civil authorities in the protection of life and property are eligible for an additional 22 workdays of military leave.
- In addition, effective November 24, 2003, employees who perform full-time military service as a result of a call or order to active duty in support of a contingency operation* as defined in section 101(a)(13) of title 10, United States Code, are entitled to 22 days of military leave under 5 U.S.C. 6323(b).

An employee is entitled to the greater of his civilian or military pay, not both. Under 5 U.S.C. 5519, the military pay received by an individual who has been activated in support of civil authorities or a contingency operation must be credited (less any travel, transportation, or other per diem allowances) against any Federal civilian pay the employee received during the 22 workdays of military leave.

Authority Code, MIL, is used with the 903 NOAC to enter the hourly rate by which the employee's civilian salary must be off-set. The following entry guidelines should be used for entering NOAC 903 MIL:

- A NOAC 903 MIL is not processed for reemployed annuitants or cooperators. Submit a SPPS Web request for payment of the 22-day off-set military leave for these employees.
- The Salary Share Amount is entered in the Salary Share Amount field (7 positions) as an hourly salary rate. Please note that leading zeros must be entered in this field.
- When using NOAC 903 MIL, only the values of 0 (None) or 9 (Military Hourly Rate-Used in Off-set) may be entered in the Salary Share Code field. If a 9 is entered, a Salary Share Amount must be entered. When resetting the value from 9 to 0, the Salary Share Amount must be 0.
- The Salary Share Amount for NOAC 903 MIL is calculated by the Agency personnel office.
 - The Agency personnel office must calculate the Department of Defense's (DOD) gross hourly salary rate based upon data recorded on the employee's DOD pay statement for the period of service that corresponds to the dates for which the employee is scheduled to use the 22-day off-set military leave.
 - Click here to view an [excel spreadsheet](#) containing the formula for calculation.
 - Because DOD salary payments may vary from pay period to pay period, the Agency is required to have a copy of each DOD pay statement covered by a corresponding request for 22-day off-set military leave and re-compute this value for each pay period in question.
 - When NFC runs the pay calculations for Transaction Code 68 for an employee with a higher calculated military hourly rate than his/her civilian hourly rate, the system will not issue payment nor will a debt be established.

- The employee's salary share code and the calculated DOD gross hourly rate is on IRIS 102, Dates & Misc Sal/Pers Data.
- When the calculated DOD gross hourly rate for the processing period differs from the database, the Agency must process a new NOAC 903 MIL to record the appropriate rate.

The employee's timekeeper should use Transaction Code 68, on the employee's time and attendance report to pay the employee for the 22 days of military leave. Holidays and non-duty weekends do not count against the 22 day emergency military leave ceilings.

Emergency military leave must be charged to the calendar year in which the hours are used. A split T&A must be prepared to charge this leave to the appropriate calendar year whenever the calendar year ends on a day other than the beginning or end of a pay period.

DC National Guard

DC Parade and Encampment is recorded with Transaction Code 68, Emergency Military Leave, Descriptor 01, DC Parade and Encampment Military Leave, and any applicable prefix/suffix combinations assigned to Transaction Code 68. Transaction Code 68 with Descriptor 01 can only be used if the employee's uniform service status code is 8 (retired military and DC National Guard) or 9 (DC National Guard). Transaction Code 68 used with Descriptor Code 01 permits employees that have a Uniform Service Status code of 8 or 9 to use an unlimited amount of emergency military leave per calendar year.

DC Parade and Encampment leave balances are tracked on a calendar year basis and will be reset to zero in Pay Period 1 of each year.

44 Days of Paid Leave

Up to 44 days of military leave each calendar year may be used by military reserve technicians who are on active duty without pay, as authorized pursuant to section 12315 of title 10, under section 12301(b) or 12301(d) of title 10 (other than active duty during a war or national emergency declared by the President or Congress). The use of this leave is for participation in operations outside the United States, its territories, and possessions.

As of the writing of this guidance, the NFC System is not programmed to automatically accumulate and pay more than 22 days of military leave. A SPSS Web request must be submitted to pay military leave in excess of 22 days.