

**DEPARTMENT OF THE ARMY AND AIR FORCE**  
**HEADQUARTERS, STATE AREA COMMAND**  
**NEW HAMPSHIRE NATIONAL GUARD**  
**STATE MILITARY RESERVATION, 4 PEMBROKE ROAD**  
**CONCORD, NEW HAMPSHIRE 03301-5652**

**Revised 1 July 2001**

1 April 2001

NHAG-HR

MEMORANDUM: Interim NHNG Policy of Military Leave (ML) Entitlement for Federal Title 32 Civilian Employees (Technicians)

TO: All NHNG Federal Employees and Supervisors

1. Public Law 106-554, December 21, 2000 recently changed how Military Leave is charged. ML is now to be charged by the hour vs. by the day. And now ML is not charged for non-workdays (i.e., weekends, holidays and AWS down days). Though it may be a few months before this change is reflected in the National Guard Bureau (NGB) Technician Personnel Regulations and in turn NH TPR 630, this change was effective 31 December 2000. Another change in the law which was effective fall of 1999 (also not changed in the NGB TPRs or NH TPR 630) authorizes technicians to take military leave when performing Inactive Duty.

2. This Interim Policy supercedes specified paragraphs in Chapter 9, "Military Leave" in NH TPR 630, dated 1 February 1999. Eventually these changes will be made to NH TPR 630 through a published change.

3. Interim Policy:

a. Paragraph 9-2, Earning Military Leave: A full-time employee working a 80-hour pay period will accrue 120 hours (15 days x 8 hours) of military leave at the beginning of a fiscal year. For part-time employees military leave earned will be prorated proportionally based on the number of hours in the employee's regularly scheduled biweekly pay period. Employees working AWS and longer shifts will quickly realize that the concept of "15 days" of military leave is not going to hold true depending how AT and IDT are scheduled. But most technicians will realize this change to hourly as an improvement.

b. Paragraph 9-3, Maximum Accumulation: Unused military leave may be accumulated for use in the succeeding fiscal year until it totals 120 hours at the beginning of a fiscal year. This gives a full-time employee the potential of 240 hours of military leave during a fiscal year (i.e., 120 hours carried over plus 120 hours for the current fiscal year).

c. Paragraph 9-4, Granting Military Leave:

1). Upon request, an eligible technician is granted any military leave available whenever ordered to federal active or inactive duty (unit training periods, additional training periods, or equivalent training). Technicians are offered the option of using other available leave first, i.e.,

annual, compensatory time, time-off award, or leave without pay for the performance of such duty.

2). ML is chargeable on a hourly basis for time in military status during a normal workday. ***(1 July 2001 addition [from the OPM Web page] - Employees who request military leave for inactive duty training (which generally is 2, 4, or 6 hours in length) will now be charged only the amount of military leave necessary to cover the period of training and necessary travel.)***

3). Dual Compensation: Under normal circumstances, a period of technician duty and a period of active duty may not be credited on the same calendar day. However, should a requirement become known during the technician's duty day requiring the technician to perform federal active duty that calendar day, the military orders should be annotated as such. And the technician is to be placed in an appropriate leave status from technician status for the remainder of the technician duty day.

4). In no circumstance will military leave be granted to cover absence due to state active duty or state inactive duty.

#### 4. Timekeeping Requirements and Procedures:

a. Due to a delay in the reprogramming of the Defense Finance and Accounting System (DFAS) computer, ML can not yet be automatically tracked by the hour and reflected on biweekly Leave and Earning Statements (LES). Therefore, timekeepers and supervisors must keep paper records of ML taken "by the hour" since 31 December 2000.

1. Starting with the pay period which started 31 December 2000, all military leave taken should be recorded on a Standard Form 71, "Request for Leave of Approved Absence" with a copy of the certified orders or pay document attached.

2. When completing the SF71, the block titled "Other Paid Absence" on the SF71 should have a "X" in the box with the date **and** the duty hours when the ML was taken. In the "Remarks" box, write "ML".

3. We anticipate corrected timecards will be required when the DFAS system allows ML entries by the hour vs. the day. That's why this accurate documentation is a must.

4. It's recommended a summary sheet be used to monitor ML used by the hour to ensure technicians do not take more hours of ML than accumulated. This will be discontinued when the computer is reprogrammed to track ML by the hour.

b. Should there be questions about the new program that were not answered above, please contact HRO/Larry Colby (DSN 684-9330 or x1330) or MAJ Hill/ANG Finance office x3369 or MSG Czarnosz/ARNG USPFO x1223.

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