

## 22 Days of Additional Military Leave for Contingency Operations

Federal employees who are members of the Guard and Reserve and who are ordered to active military duty for certain contingency operations are authorized 22 days of additional military leave (effective November 24, 2003). Here are some of the key differences between the military leave newly authorized for certain contingency operations and the 15 days of military leave, which has been in effect for many years.

1. **The members receive the greater of their military pay or their Federal civilian pay.** They will not receive their full civilian pay and their full military pay as they do during the 15 days of military leave covered by 5 USC 6323(a). The Reservists or members of the Guard who have been activated for one of the specified contingency operations, such as the one in Iraq, will receive the higher of the two salaries, military or Federal civilian, for the 22 work days. Of course, they can take annual leave or compensatory time instead of military leave and receive both their civilian salary and their military pay.
2. This 22 days of military leave newly authorized ***for contingency operations*** is available on an annual year basis, not a fiscal year basis like the 15 days of military leave covered under 5 USC 6323(a). Employees became eligible for this military leave on November 24, 2003. So, in calendar year 2003, they had 22 days of this type of military leave available to them. On January 1, 2004, they have another 22 days of this type military leave (under 5 USC 6323(b)) available for use during the 2004 calendar year. There is no balance to carry over from one calendar year to the next.

The OPM has updated their Military Leave Facts Sheet <http://www.opm.gov/oca/leave/html/MILITARY.ASP> to include a paragraph on the 22 days of military leave newly authorized for contingency operations. However, to obtain a clearer understanding of the newly authorized leave, you must go to their revised "Frequently Asked Questions on Military Leave," <http://www.opm.gov/oca/LEAVE/HTML/MILQA.asp>. See, in particular, the answers to questions 1, 3, 4, and 6.

The Defense Finance and Accounting Service (DFAS) has waited until employees returned from active military duty to civilian employment to settle pay matters related to this general type (under 5 USC 6323(b)) of military leave in the past. When different, more current or more specific information on this subject is received from DFAS, it will be provided.