DEFENSE FINANCE AND ACCOUNTING SERVICE
ARLINGTON
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ARLINGTON VA 22240-5291

APR - 9 2004

DFAS-DFC

MEMORANDUM FOR DISTRIBUTION

SUBJECT: Military Leave for Mobilized Federal Civilian

This is to notify you of a new provision authorized under section 1113 of the National Defense Authorization Act, effective November 24, 2003. This law entitles 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, an additional 22 days of leave from his/her civilian duties. Title 5, United State Code, Section 6323 will be updated with this change.

Unlike the 120 hours of military leave for active duty, the employee is not authorized to retain both payments. Since the Reservist or National Guard member is excused from civilian duty, this means that the member/employee will be receiving concurrent pay from military and civilian employment. The gross amount of military pay received for any day(s), not-to-exceed 22-days per calendar year, must be deducted from the civilian compensation received for this excused period. However, if the military pay is greater than the civilian pay, the member/employee can retain that portion of the military pay that exceeds the civilian pay.

Reservists or National Guard members requesting this contingency leave must provide a copy of his or her military orders, a certificate of attendance and a leave and earnings statement(s) to the Customer Service Representative who in turn will provide information to the civilian payroll office. These documents in combination with civilian payroll records will become the basis for calculations. Specific guidance for this entitlement (including retroactive 2003 processing) and examples of the calculations for military contingency operations/law enforcement military leave are attached.

Jerry S. Hinton
Director for Finance

Attachment: As stated

cc: Director, Military and Civilian
Pay Services
Director, Civilian Pay Services
Department of Energy
National Security Agency (Laneita Kisamore)

DISTRIBUTION:

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