



IDAHO AIR NATIONAL GUARD
JOINT FORCE HEADQUARTERS
HUMAN RESOURCE OFFICE
4794 GENERAL MANNING AVE, BLDG 442
BOISE, IDAHO 83705-8112



12 December 2019

MEMORANDUM FOR IDAHO NATIONAL GUARD FEDERAL EMPLOYEES

FROM: JFHQ-ID/HRO

SUBJECT: HR Policy Letter 19-001; Federal Employee Military Leave

References: (a) NDAA 2017, Section 513, 23 December 2016, *National Defense Authorization Act*
(b) 5 USC § 6323 (a)(1), *Military Leave; Reserves and National Guardsmen*
(c) 10 USC § 101 (d)(6), *Duty Status*
(d) 32 USC § 328 (a), *Active Guard and Reserve duty; Governor's authority*
(e) 32 USC § 502, *Required drills and field exercises*

1. Based on reference (a), as of 23 December 2016, all Idaho Army and Air National Guard Federal Technicians serving on (1) Full – time National Guard Duty (FTNGD) as an Active Guard Reserve (AGR) member, (2) Occasional Tour, or (3) Active Duty Operational Support (ADOS) tours, for a period of 180 consecutive days or more (either through the original order or as amended), are not eligible to use Federal Technician Military Leave.

2. Active Guard and Reserve duty is defined in 10 USC § 101 (d)(6), as “active duty performed by a member of a reserve component of the Army, Navy, Air Force, or Marine Corps, or full-time National Guard duty performed by a member of the National Guard pursuant to an order to full-time National Guard duty, for a period of 180 consecutive days or more **for the purpose of organizing, administering, recruiting, instructing, or training the reserve components.**” Exceptions to this law include:

(a) Duty performed as a property and fiscal officer under section 708 of title 32.

(b) Duty performed for the purpose of interdiction and counter-drug activities for which funds have been provided under section 112 of title 32.

(c) Duty performed under title 10 USC 12301(d) for purposes other than organizing, administering, recruiting, instructing, or training the reserve components.

3. Military leave eligibility examples are listed in the attachment.

4. The point of contact is Mrs. Judy M. Knoelk at (208) 272-3809.

KEVIN K. DAWKINS, Colonel, IDANG
Human Resource Officer

Attachment:

1. Military Leave Eligibility Examples

Military Leave Eligibility Examples

1. A member is on a stat tour with NGB or another guard or reserve unit under 10 USC 12301(d) for less than 180 days:

Member is eligible to use military leave

If the member is on the same tour for more than 180 days:

Member is not eligible to use military leave

2. A member is on a contingency deployment (10 USC 12301(d)) for any amount of time:

Member is eligible to use military leave

3. A member is on a Title 10 or Title 32 ADOS tour for more than 180 days for the purposes of organizing, administering, recruiting, instructing, or training the reserve components:

Member is not eligible to use military leave

If the member is on the same order for less than 180 days:

Member is eligible to use military leave

4. A member is placed on an AGR order as defined in paragraph 2, and then receives an amendment to that order:

Original order is less than 180 days, member is eligible to use military leave.

Original order is amended and length of tour is now 180 days or greater: On the date of amendment, member is no longer eligible to use military leave for the duration of that order.

Original order is greater than 180 days, member is not eligible to use military leave.

Original order is amended and length of tour is now less than 180 days: On the date of amendment, member becomes eligible to use military leave.

In this scenario, the member could use military leave for the remainder of the order and/or retroactively change their timecard to use military leave.

5. A member is on an ADOS tour for interdiction and counter-drug activities:

Member is eligible to use military leave