



Felicia Neale
National President

Legislation to Increase Military Leave

5 U.S.C. §6323(a) entitles federal employees to 15 days of paid leave, per fiscal year, for use while absent from work performing military duty. Currently this paid leave is for the military duty authorized under Title 32 and Title 10 statutes.

Congress enacted the military leave statute decades ago. 15 days of military leave is normally used in for periods of National Guard training i.e., two weeks of annual training, 12 weekends per year and occasional extra duty. 15 days of military paid leave in the “past” was adequate to cover the federal employee’s absence for military duty.

However, after 9/11 and beginning of the Global War on Terror, operational tempo and training requirements for the National Guard has dramatically increased. The traditional Saturday and Sunday “drill weekend” has morphed into some months being a “Super Drill.” Super drills often start on Thursday and end on Sunday. The traditional two-week annual training in many cases has routinely been extended for periods totaling three weeks or four weeks. Additionally, over the past 2 years the National Guard has been activated to assist in an increasing number of natural disasters, riots, and in support of the COVID pandemic. Unfortunately, Congress has not updated the military leave statute to reflect the new reality requiring increased absences from work for military duty.

The requirements for increased National Guard support, moreover, fall disproportionately on the federal employees (Technicians) who are employed by and must be members of the National Guards as a condition of employment. Why? Because Guard Commanders realize that the increased absences from work for Traditional Guard members may cause strain in the employee/ employer relationship. or on the employer/Guard relationship. The Guard wants to ensure that employer support continues. This strain may affect the willingness for Traditional Guard members to reenlist. Commanders, to mitigate that risk of losing traditional Guard members rely on Technicians to perform the extra military duty. Additionally, the Guard needs support of civilian employers. To keep this support Commanders also rely on the Technician Workforce to perform the extra military duty.

The Technicians are proud of the role they play in support of their state and active duty missions but should not have to utilize vacation leave or be in be in a frequent non-pay status to support the new normal extended training periods and missions that must be supported.

To remedy this situation, we are asking you to introduce or support legislation that will increase military leave authorized under 5 U.S.C. §6323(a) from the current rate of 15 days per fiscal year to 30 days per fiscal year and eliminate the current limitation on carrying over from one fiscal year to another. In addition, the amendment would allow military leave to be utilized for State Active Duty (SAD).



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Please see proposed amendments to 5 USC §6323(a)(1) below.

Bill Language for Amended 5 U.S.C. § 6323(a)(1)

SEC. ____ . AMENDMENTS TO SECTION 6323(a)(1) OF TITLE 5, UNITED STATES

CODE.

Section 6323(a)(1) of title 5, United States Code, is amended—

- (a) by inserting in the first sentence after “for” “state military service,”
- (b) by striking “of 15” and inserting “of 30”; and
- (c) by striking “until it totals 15 days at the beginning of a fiscal year”