

**STATE OF OHIO
ADJUTANT GENERAL'S DEPARTMENT
2825 West Dublin Granville Road
Columbus, Ohio 43235-2789**

AGOH-HRO-TN-ER

2 February 2004

MEMORANDUM FOR ALL Federal ARNG/ANG Technicians

SUBJECT: 22 Days (176 hrs) of Additional Military Leave **UPDATE**

1. In addition to the standard 15 days of annual paid military leave, there are two conditions under which technician employees may be entitled to an additional 22 days of military leave with some pay benefits. These additional 22 days of military leave (a.k.a. Law Enforcement Leave or LEL) are authorized under the provisions of 5 U.S.C. 6323(b). Technician Reservists or National Guard members who perform military duty in support of civil authorities in the protection of life and property have been eligible for these additional 22 workdays of military leave. Effective November 24, 2003, technician Reservists or National Guard members 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, United States Code, are also entitled to these 22 days of military leave (i.e., LEL) under 5 U.S.C. 6323(b). Unlike the 15 days of annual military leave, LEL **is not** a dual compensation leave, and the 22 days of military leave is managed in hourly increments resulting in a total of 176 hours of eligible military LEL.

2. Under provisions of military LEL, an employee is entitled to the greater of his civilian or military pay, not both. For military LEL under 5 U.S.C. 6323(b), the employee's civilian pay is reduced by the amount of military pay for the days of military LEL. The total military compensation received by a technician who has been activated in support of a contingency operation [as defined in 10 U.S.C. 101(a)(13)] must be credited (less any travel, transportation, or other per diem allowances) against the federal civilian pay the employee was eligible to receive during the 22 workdays of military LEL. The servicing finance office may calculate the amount of military compensation (less any travel, transportation, or per diem allowances) an employee will receive for the time period that corresponds to the 22 workdays of military leave and reduce the employee's civilian pay by that amount. Alternatively, the servicing finance office may choose to continue to pay the employee his or her full civilian pay during the 22 workdays of military LEL; however, in this case the employee will be required to refund an amount equal to the amount of military pay received (less any travel, transportation, or per diem allowances) up to the amount of his or her civilian pay for the time period that corresponds to the 22 workdays of military LEL.

3. Questions regarding this memorandum may be addressed to 1LT Eric D. Kaiser at (614) 336-7389 or DSN 346-7389.

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Chief Human Resource Officer

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