

MILPERSMAN 1050-010

LEAVE POLICY

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Reference	(a) 10 U.S.C. §701 (b) DoD Instruction 1327.06 of 16 Jun 09 (c) 10 U.S.C. §972 (d) 37 U.S.C. §501 (e) SECNAVINST 1920.6C (f) DJMS, Procedures Training Guide (PTG)
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1. **Definition of Leave.** Leave, as defined by reference (a), is the authorized absence of a Service member from a place of duty, chargeable against such member, per reference (b), as amended.

2. **Types of Leave.** The following is a classification of leave types in terms of leave accrued, chargeable, non-chargeable, and subject to checkage:

TYPES OF LEAVE TABLE 1-1	
TYPE OF LEAVE	DEFINITION
a. Earned (Accrued) Leave:	<p>Earned leave is the term used to describe leave accrued to a Service member's credit as of any given date.</p> <p>(1) Minus Leave Credit. Earned leave may indicate a minus leave credit, but such amount of minus leave credit must not exceed the amount of leave that would normally be earned during the remaining period of obligated Active Duty (ACDU).</p> <p>(2) Excess Leave. A minus leave credit on date of discharge, effective date of first extension of an enlistment, or separation from ACDU is excess leave and is subject to checkage.</p>

TYPE OF LEAVE	DEFINITION
<p>Earned (Accrued) Leave (cont):</p>	<p>(3) Ordinary Accrual Limit. The account balance of ordinary earned or accrued leave must be reduced to 60 days at the end of the fiscal year (FY), except in the case of special accrual. However, effective 1 October 2008 through 30 September 2015, a Service member's earned or accrued leave must be reduced to 75 days at the end of the FY.</p> <p>(4) Special Accrual Limit. Personnel are authorized special leave accrual up to 120 days while assigned to duty under special circumstances as defined in MILPERSMAN 1050-070.</p>
<p>b. Chargeable Leave:</p>	<p>(1) Annual (Ordinary) Leave - Leave granted in execution of a command's leave program, chargeable to the Service member's leave account.</p> <p>(2) Emergency Leave - Leave granted for a personal or family emergency involving members of their household, immediate family, or a sole surviving relative which requires the Service member's presence whenever the circumstances warrant and the military situation permits. It is chargeable to the Service member's leave account.</p> <p>(3) Advance Leave - Leave granted to a Service member with limited or no accrued leave prior to its accrual to the Service member's leave account, based on a reasonable expectation that it will be earned by the Service member during the remaining period of obligated ACDU. This leave may be granted to resolve urgent, personal, or emergency situations. See MILPERSMAN 1050-130.</p> <p>(4) Reenlistment Leave - Leave granted to a Service member incident to reenlistment. Up to 90 days may be authorized to Service members, and this leave should begin immediately upon reenlistment. It is chargeable to the Service member's leave account.</p> <p>(5) Leave in Conjunction with Permanent Change of Station (PCS) - Leave authorized in conjunction with PCS movement for no less than 30 days delay en route, whenever feasible. It is chargeable to the Service member's leave account. See MILPERSMAN 1050-150.</p> <p>(6) Consecutive Overseas Tour Leave - Leave authorized for Service members stationed outside the continental United States (OCONUS) who are ordered to a consecutive overseas tour at the same duty station or who are reassigned PCS to another OCONUS duty station. It is chargeable to the Service member's leave account. See MILPERSMAN 1050-410.</p>

<p>Chargeable Leave (cont):</p>	<p>(7) Terminal Leave - Leave authorized for Service members at the time of retirement, separation, or release from ACDU. It is chargeable to the Service member's leave account. See MILPERSMAN 1050-120.</p> <p>(8) Environmental Morale Leave - Leave granted to a Service member assigned to an overseas duty location that includes extraordinarily difficult living conditions or adverse environmental conditions that would offset the full benefits of annual leave programs. It is chargeable to the Service member's leave account. See MILPERSMAN 1050-210.</p> <p>(9) Rest and Recuperation (R&R) Leave - Leave granted (to include Government-funded transportation) to Service members who qualify under conditions designated by the Principal Deputy Under Secretary of Defense (PSUSD) for personnel and readiness (P&R). It is chargeable to the Service member's leave account. The associated leave program, Non-Chargeable R&R Program, is not chargeable to a Service member's leave account. See MILPERSMAN 1050-200 for qualifying criteria.</p> <p>(10) Court Determination and or Child Support Leave - Leave granted when a Service member requests leave on the basis of need to attend hearings to determine biological relationship (paternity or maternity) to a child or to determine an obligation to provide child support. Leave shall be granted unless the Service member is serving in or with a unit deployed in a contingency operation, or exigencies of military service require a denial of such a request. It is chargeable to a Service member's leave account.</p>
<p>c. Non-Chargeable Leave:</p>	<p>(1) Convalescent Leave - A period of authorized absence granted to persons while under medical care which is part of the care and treatment prescribed for a Service member's recuperation or convalescence (to include maternity leave). The Service member's commanding officer (CO) or the hospital commander may grant convalescent leave to patients not yet fit for duty per MILPERSMAN 1050-180. Convalescent leave is not chargeable to a Service member's leave account.</p> <p>(2) Graduation Leave - A period of authorized absence granted as a delay in reporting to the first duty station in the case of graduates of the U.S. Naval Academy who are appointed commissioned officers in the Armed Forces. Graduation leave is not chargeable to a Service member's leave account and must be used within 3 months of the officer's graduation and before the officer reports to the first duty location or port of embarkation (for permanent duty or with deployed units).</p>

TYPE OF LEAVE	DEFINITION
<p>Non Chargeable Leave (cont):</p>	<p>(3) Adoption Leave - A period of authorized absence up to 21 days granted to a Service member who adopts a child under a qualifying adoption. Adoption leave is not chargeable to a Service member's leave account. See MILPERSMAN 1050-420.</p> <p>(4) Paternity Leave - A period of authorized absence up to 10 days granted to a married Service member whose wife gives birth to a child and is subsequently used in connection with this birth. Paternity leave is not chargeable to a Service member's leave account. See MILPERSMAN 1050-430.</p> <p>(5) Recruiting Assistance Leave - A period of authorized absence up to 14 days to Service members who provide assistance to recruiting. Recruiting assistance leave is not chargeable to a Service member's leave account. See MILPERSMAN 1050-220.</p> <p>(6) Emergency Leave of Absence - Non-chargeable leave period of up to 14 days for a qualifying emergency. An emergency leave of absence may only be granted by the Secretary of the Navy and is only authorized once during a career. Emergency leave of absence is not chargeable to a Service member's leave account. Emergency leave of absence is subject to the limitations outlined in reference (b).</p> <p>(7) Rest and Recuperation Leave - Leave granted (to include Government-funded transportation) to Service members who qualify under conditions designated by PSUSD (P&R). Non-chargeable R&R is not chargeable to a Service member's leave account. See MILPERSMAN 1050-200 for qualifying criteria.</p>
<p>d. Leave Subject to Checkage - Excess Leave</p>	<p>Excess Leave is the term used to describe leave granted in excess of earned leave and advance leave, and a period during which the Service member is not entitled to pay and allowances.</p> <p>(1) A minus leave balance at the time of discharge, first extension of an enlistment, separation from ACUD, desertion, or death shall be considered as excess leave without regard to the authority under which the minus leave balance was granted.</p> <p>(2) The pay and allowances received while on excess leave shall be checked upon the Service member's return from such leave.</p>

3. **Entitlement to Leave.** Each member serving in the Navy on ACDU shall be entitled to accrue leave at the rate of 2- $\frac{1}{2}$ calendar days for each month of ACDU service, except for periods listed in paragraph 4 below.

4. **Exceptions.** Periods of

- a. ACDU of less than 30 consecutive days;
- b. ACDU for training with pay of less than 30 consecutive days;
- c. Absence from duty without leave;
- d. Absence over leave;
- e. Unauthorized absence;
- f. Confinement as the result of a sentence of a court martial;
- g. Lost time per reference (c) and MILPERSMAN 1600-100;
- h. Appellate leave; and
- i. Excess leave or other periods where member is in a non-pay status.

5. **Forfeiture of Accrued Leave.** Any Service member who is discharged under other than honorable conditions shall forfeit all accrued leave to his or her credit at the time of discharge per reference (d), section 501(e)(1). Additionally, per reference (d), section 501(e)(2), Service members who are discharged before completing 6 months of ACDU service because of a failure to serve satisfactorily are subject to the forfeiture of all accrued leave. This provision applies to all Service members, including those with prior military service (breaks in military service of more than 90 or more consecutive days) who are separated for:

a. **Enlisted Separation Reasons:**

(1) Defective enlistments and inductions (minority and fraudulent entry only);

(2) Entry-level performance and conduct;

- (3) Unsatisfactory performance;
- (4) Drug and or alcohol abuse rehabilitation failure;
- (5) Misconduct (moral and or professional dereliction);
- (6) Separation in lieu of trial by court-martial; or
- (7) Security (unless the Service member receives an honorable discharge).

b. Officer Separation Reasons:

- (1) Separation for cause (e.g., officers separated for substandard performance of duty);
- (2) Dropped from the rolls;
- (3) Misconduct (moral and or professional dereliction);
- (4) Separation in lieu of trial by court-martial; or
- (5) Security (unless the Service member receives an honorable discharge).

6. Earned Leave Limits

a. Limits on earned leave are defined in references (a) and (b). Earned leave may exceed 60 days during a fiscal year (FY), but any earned leave balance exceeding 60 days shall be reduced to 60 days as of the first day of the new FY. During the period beginning on 1 October 2008 through 30 September 2015, earned leave up to 75 days may be retained as of the first day of the new FY.

b. Leave not to exceed 120 days may be accumulated as defined in MILPERSMAN 1050-070. Except for leave accumulated from 1 October 2008 until 30 September 2015, leave in excess of 60 days that has been accrued, per MILPERSMAN 1050-070, shall be lost unless it is used before the end of the third FY after the FY in which it was earned. Special leave accrual earned from 1 October 2008 until 30 September 2015 may be retained until the fourth FY after the FY in which it was earned.

c. Unused leave accumulated in excess of the above stipulated limitations is irrevocably lost and may not be

compensated for with cash. As this policy is based on public law, no waiver authority exists.

d. A Reserve Component (RC) member who accumulates leave during a period of active service may carry over any leave accumulated subject to the limitations in references (a) and (b).

7. Limits when Separating, Enlisting, Reenlisting, or Extending. Use the rules specified in the table below to determine earned leave limits during separation, enlistment, reenlistment, or extension:

<p style="text-align: center;">RULES TO DETERMINE EARNED LEAVE LIMITS TABLE 1-2</p>		
WHEN ...	AND ...	THEN ...
any person is discharged under other than honorable conditions (OTH),		that person shall forfeit all earned leave at time of discharge.
commands desire to maintain the highest standards of conduct and performance,		the commands may authorize Service members in a pay status leave with pay and allowances not to exceed the amount of leave accumulated to date plus any leave the members will earn while in a pay status.
enlisted members on ACDU who signify their intention to enlist or reenlist in the Regular Navy or Navy Reserve on a date immediately following the date of discharge and remain on ACDU,	members who first extend an enlistment, and who are entitled to lump-sum leave payments for unused leave standing to their credit,	the members may elect to sell a portion of the accrued leave and carry forward the remainder to the new or extended enlistment.
personnel are not entitled to a cash settlement,		they shall have unused leave carried over into a new enlistment or an extension of enlistment. This carryover may exceed 60 days.
a minus leave credit balance exists,		that balance shall not be carried over into a new enlistment or first extension of an enlistment, but shall be considered as excess leave and checked accordingly, except as provided in the article concerning checkage of pay for excess leave.

8. **Authority to Grant Leave.** Subject to such supplementary regulations as may be issued by higher authority:

a. COs or officers-in-charge may grant leave and liberty to officers and enlisted personnel under their command or in their charge, subject to such limitations as are set forth in this article and pursuant to regulations prescribed by the Chief of Naval Operations.

b. The chief or commander of a bureau, command, or office of the Navy department is authorized to grant leave and liberty to Service members on duty in their respective bureau, command, or office, pursuant to regulations.

9. **Aggressive Leave Program Rationale.** Experience has shown that vacations and short periods of rest from duty provide benefits to morale and motivation which are essential to maintaining maximum command effectiveness and morale. The lack of such respite from the work environment adversely affects Service member's health, availability, and performance. It also intensifies the separation from home and family that is a normal result of military duties and operational deployments. Thus, it adversely affects the attitudes of the family and influences the morale and performance of the Service member. Promoting periodic annual use of leave is a major consideration in the effort to increase efficiency while reducing manpower and to reduce costs. Persuasive pursuit of these policies at all levels will make a positive contribution to cost savings, morale, and performance.

10. **Annual Leave Program**

a. Officers authorized to grant leave shall establish and regulate schedules to provide for maximum use of earned leave consistent with:

(1) Operational and training requirements; and

(2) The desires of the individual Service members.

b. All personnel shall be provided an opportunity to take leave annually in these programs.

c. COs must include positive programs to encourage the use of leave as it is earned as respite from the work environment.

d. COs shall ensure that Service members do not bear the responsibility of locating and arranging for necessary leave reliefs or any other type of duty standby for periods of leave of 4 days or more which have been requested and granted prior to the publication of any conflicting duty list or watch bill.

11. **Frequency and Length.** When possible, COs should provide the opportunity to take frequent periods of leave, including an opportunity to take one annual leave period of at least 14 consecutive days, to obtain maximum benefit from the objectives of the command's annual leave program.

12. **Using Leave as Accrued.** Officers in command shall encourage and assist all Service members to use, on the average, their 30 days of accrued leave each year.

a. Congress has provided the authority for Service members to carry over 60 days of leave annually (75 days during the period of 1 October 2008 to 30 September 2015) due to the arduous nature of military duties and the understanding that operational schedules at time do not allow Service members to take their full 30 days of earned leave annually.

b. Congress has provided compensation for Service members who, upon separation, were not able to use their leave because military requirements had prevented it. Service members should not be required to expend leave immediately prior to separation simply for the purpose of reducing leave balances.

c. Using the leave system as a source of additional pay through leave sell-back programs, either as a method of compensation or as a career continuation incentive, defeats the intent of Congress to provide for the health and welfare of service personnel.

d. It is specifically intended that large leave balances shall not be accrued expressly for settlement upon separation or release from ACDU.

13. **Refusal to Take Leave.** Personnel who refuse to take leave when the opportunity is afforded by the command, shall be counseled regarding the benefits of taking leave and the rationale of the leave program. Members should further be cautioned that such refusal may result in the loss of earned leave at a later date.

14. **Circumstances for Special Emphasis to Grant Leave.** In pursuing maximum use of leave, particular emphasis shall be placed on granting leave in the following circumstances:

- a. Upon PCS;
- b. After periods of particularly arduous duty, protracted periods of deployment from homeport, or when there is evidence of deteriorating health or morale;
- c. Within the constraints of the command's unit manning document and operational requirements, emergency leave may be authorized when members or their families have been personally affected by natural disasters (i.e. floods, hurricanes, etc.);
- d. During the traditional national holiday periods of Thanksgiving and Christmas;
- e. For attendance at spiritual retreats or for other religious observances for which liberty is inadequate;
- f. Upon reenlistment and augmentation from Reserve component to ACDU;
- g. During the pre-processing period incident to release from ACDU to the extent of unused leave; and
- h. Immediately preceding retirement, when requested, and to the extent of unused leave.

15. **Successive Leave.** Except under emergency or other unusual circumstances, personnel should not be granted two or more successive periods of leave without performing duty between the termination of one leave and the commencement of the other. This policy is applicable to both regular and holiday weekends.

Example: If a Service member has an approved leave period which terminates on a Friday and has requested another period of leave to commence the following Monday, then the two leave periods shall be combined into one, or the second period of leave disapproved, unless the Service member performs duty on the Saturday or Sunday between the two leave periods.

16. **Granting Emergency Leave.** When responding to emergency leave requests, COs may judiciously authorize up to 30 days of emergency leave. Requests for leave in excess of 30 days must

be authorized by the Secretary of the Navy via the Office of the Chief of Naval Operations (OPNAV), Pay and Compensation Branch (N130). See MILPERSMAN 1050-030 for additional guidance concerning emergency leave.

GRANTING LEAVE IN AN EMERGENCY TABLE 1-3		
WHEN ...	THEN ...	AND ...
the aggregate of all leave granted (earned plus advance) does not exceed 30 days,	COs may grant leave in emergencies.	
in the CO's judgment, emergency leave exceeding 30 days is warranted,	emergency leave in excess of 30 days must be authorized by the Secretary of the Navy via OPNAV (N130).	
the Service member has expended all accrued and advance leave,	the Secretary of the Navy may grant a Service member a non-chargeable emergency leave of absence for a qualifying emergency,	this leave is only authorized once in a Service member's career.
emergencies require an absence from duty in excess of 60 days,	the Service member will be considered for humanitarian reassignment of a permanent or temporary nature.	
the emergency is considered appropriate by the CO,	officers serving their initial term of obligated service, or enlisted personnel with less than 8 years of service, may be considered for hardship discharges. See reference (e) (officers) and MILPERSMAN 1910-110 (enlisted).	

17. **Granting Advance Leave.** Advance leave is a means whereby Service members with limited leave accrued may be granted leave to resolve emergency or urgent personal or morale problems. When advance leave has been taken and not fully earned back, an additional advance leave period may be granted, but only in such an amount as will ensure that the total unearned leave does not exceed 30 days.

ADVANCE LEAVE TABLE 1-4	
WHEN ...	THEN ...
advance leave is authorized,	such advance leave shall normally be limited to the lesser of: <ul style="list-style-type: none"> • 30 days; • leave that will be earned during the remaining period of ACDU (current enlistment, not including extensions, for enlisted members); or • the amount of leave that will be accrued prior to date of separation while serving an extension.
advance leave in excess of 30 days is considered necessary,	such advance leave must be authorized by the Secretary of the Navy via OPNAV (N130).
a Service member is separated more than 3 months before expiration of their enlistment, including those who reenlist within 24 hours,	advance leave will be treated as excess leave upon separation.
excess leave is authorized in conjunction with advance leave,	care must be taken that leave is not calculated to accrue during the period of excess leave involved. Accrued leave shall be expended prior to advance leave.

NOTE: Advance leave may not be authorized in conjunction with excess leave authorized for a professional degree or an officer procurement program, or for Service members involved in an administrative, disability, or punitive discharge process.

18. **Granting PCS Leave.** See table below for granting PCS related leave and exceptions thereto:

PCS LEAVE TABLE 1-5	
WHEN ...	THEN ...
a Service member has been issued PCS orders to a new duty station,	30 days of leave will be authorized, consisting of earned and advance leave only, no excess leave will be allowed.

the following situations occur:	exceptions to the 30 day authorized leave may be made.
<ul style="list-style-type: none"> • immediate availabilities from hospitals, or alcohol or drug rehabilitation centers; • decommissioning; • separation orders; • a second PCS move within a 12 month period; • a need to meet key deployment; • to or from an SSBN; or • such unusual circumstances as death, illness, or detachment for cause, 	
personnel are returning from overseas isolated duty stations or, in certain instances, upon a Service member's request,	leave up to 60 days may be granted.

19. **Proceed and Travel Time Concurrent with Leave.** Proceed and travel time should only be granted concurrent with leave when in conjunction with an authorized PCS movement.

20. **Granting Graduation Leave.** Use the rules in the table below when granting graduation leave to midshipmen graduates of the U.S. Naval Academy:

GRADUATION LEAVE TABLE 1-6		
WHEN ...	THEN ...	AND ...
midshipmen are commissioned as officers after graduation from the U.S. Naval Academy,	graduation leave may be granted not to exceed 60 days, to the extent consistent with service requirements and other exigencies,	this leave is not chargeable to the officer's leave account, but must be used within 3 months of the officer's graduation and before the officer reports to the first duty location or port of embarkation (for permanent duty OCONUS or with deployed units).
extensions of this graduation leave period are necessary,	the extensions will be charged to the officer's leave account.	
assigning the former midshipmen to their first duty station,	the number of days for graduation leave will be stipulated in the orders, issued by the department concerned.	

midshipmen are assigned to temporary duty at the U.S. Naval Academy immediately upon graduation,	graduation leave may be granted by the Superintendent, U.S. Naval Academy commencing on the date determined by the superintendent.	
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Note: The Department of the Navy currently limits graduation leave to 30 days. Graduation leave may not be carried forward as credit.

21. **Granting Officer Candidate Leave.** Upon graduation of officer candidate training, newly commissioned officers may be authorized 30 days leave, in advance (if necessary) en route to their first permanent duty station.

22. **Granting Reenlistment Leave.** Reenlistment leave applies to enlistments or reenlistments within 24 hours after discharge. Reenlistment leave will be for one period only and shall not exceed either the Service member's earned leave plus 30 days of advance leave, or a maximum of 90 days.

REENLISTMENT LEAVE TABLE 1-7		
WHEN ...	AND ...	THEN ...
ACDU or RC Sailors enlist or reenlist in the Navy or Navy Reserves within 24 hours of discharge,	are retained on ACDU upon enlistment or reenlistment,	leave may be granted as reenlistment leave.
reenlistment leave is requested to commence immediately upon reenlistment,		leave may be granted as reenlistment leave.
a course of instruction begins within 30 days of reenlistment,		reenlistment leave may be delayed to commence upon completion of the course of instruction.
incident to enlistment,		reenlistment leave may be delayed to commence upon transfer from an overseas station.
duty requirements do not permit reenlistment leave,		reenlistment leave may be delayed to commence at the earliest practical date thereafter.
a member requests his first leave period after reenlistment (with the exception of emergency leave),		that leave is considered reenlistment leave.

23. **Leave Program Administration.** Submit leave request forms via NSIPS ESR e-leave or the command leave administrator (CLA) as a "by direction" request. The NAVCOMPT 3065 Leave Request/Authorization will only be used by commands without a current operating version of NSIPS e-Leave and is available at:
[https://navalforms.daps.dla.mil/formsDir/ NAVCOMPT 3065 2901.pdf](https://navalforms.daps.dla.mil/formsDir/NAVCOMPT%203065%202901.pdf)

a. NSIPS ESR e-Leave and NAVCOMPT 3065 forms **will be** used to grant all types of leave (see note) and record the necessary data for service record and pay record entries.

Note: NSIPS ESR e-Leave and NAVCOMPT 3065 forms **will not** be used to grant leave in connection with transfer orders or to grant liberty.

b. When leave has been requested and approved, the procedures outlined in reference (f) shall be followed.