

MILPERSMAN 1050-070

SPECIAL LEAVE ACCRUAL

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References	(a) OPNAV 1050.3 (b) DoD Instruction 1327.06 of 16 Jun 09 (c) 10 U.S.C. 701 (d) 37 U.S.C. 501 (e) DFAS-DJMS, Procedures Training Guide (DFAS-PTG)
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1. **Applicability**. The provisions of this article are applicable to all active duty Navy members per reference (a).
2. **Policy**. It is Navy policy to authorize members to accrue up to 120 days earned leave when assigned to duty under any of the circumstances specified under the "Eligibility Criteria" table.
3. **Eligibility Criteria**. Use the rules in the table below to determine member eligibility for special leave accrual:

ELIGIBILITY CRITERIA FOR SPECIAL LEAVE ACCRUAL (Page 1 of 2)		
WHEN members are ...	AND ...	THEN ...
on active duty for a continuous period of at least 120 days in an area in which they are continuously entitled to hostile fire or imminent danger pay,		members are authorized to accrue up to 120 days earned leave.
serving in a deployable ship, mobile unit, or similar duty,	<p>which, because of operational mission requirements, deploys or operates away from its designated home port or home base for a continuous period of:</p> <ul style="list-style-type: none"> • at least 60 days, thus preventing normal use of earned leave before it is lost at the end of the fiscal year (FY), • less than 60 days, 	<p>members are eligible for special leave accrual.</p> <p>members are not eligible for special leave accrual.</p>
Serving in a deployable ship, mobile unit, or similar duty, permanently home ported or home based outside of the 50 United States, which is required to maintain a higher than normal condition of readiness in port or at home base,	<ul style="list-style-type: none"> • have deployed or operated away from home port or home base more than 50 percent of the time, thus preventing normal use of earned leave before it is lost at the end of the FY, • personnel have been assigned to a ship or unit for less than 6 months of the FY, 	<p>members are eligible for special leave accrual.</p> <p>members are not eligible for special leave accrual.</p>

ELIGIBILILTY CRITERIA FOR SPECIAL LEAVE ACCRUAL (Page 2 of 2)		
WHEN members are ...	AND ...	THEN ...
<p>serving on other prescribed duty, normally for a continuous period of 60 days or more during the FY,</p>	<p>the situation that is preventing members assigned to such duty from using leave must have been caused by unscheduled operational commitment, national emergency or crisis or operations in defense of national security. Furthermore, the duty should preclude members from taking leave to reduce their leave balance to 60 days before the end of the FY, or 75 days from 1 October 2008 through 30 September 2013,</p>	<p>members are authorized the special leave accrual.</p>
<p>serving on unit, headquarters, and supporting staffs are prohibited from taking leave because of their involvement to support a designated contingency operation,</p>		<p>the provisions of the above authority may be extended to these members.</p>
<p>serving in Joint organizations,</p>		<p>determination of eligibility shall be made by the Joint organization in which the member is serving, as authorized by reference (b).</p>
<p>not losing leave at the end of the FY in which the qualifying period terminates,</p>		<p>these members are not affected by this entitlement regardless of the number of days they served on a qualifying assignment.</p>

4. Verification Process

a. **Declaring Eligibility:** Personnel, who believe they are eligible for the special leave accrual, should declare their eligibility to their commanding officer (CO)/officer in charge (OIC).

b. **CO/OIC Responsibilities:**

(1) Ensuring personnel under their command are informed of this entitlement.

(2) Ensuring an appropriate service record entry is made for unit deployment dates of departure and arrival for qualifying assignments as described in "Eligibility Criteria" table.

(3) Verifying member's eligibility by service record review. In the absence of adequate documentation, an individual's signed sworn statement based on the "Eligibility Criteria" table is acceptable.

5. Limitations

a. Special leave accrual shall not be used to authorize accumulation of leave in excess of 60 days (or 75 days during the period beginning on 1 October 2008 through 30 September 2013) for personnel who do not manage their leave properly.

(1) Members are expected to take advantage of authorized leave periods and use leave authorized incident to permanent changes of duty.

(2) Leave balances that would have been lost at the end of the FY, regardless of whether the member was assigned to prescribed duty, will not be carried over.

b. The rules in table below specifies when special leave accruals are creditable and when they will be lost, with cross-reference to the "Eligibility Criteria" table:

WHEN SPECIAL LEAVE ACCRUAL IS CREDITABLE AND WHEN LOST	
WHEN ...	THEN ...
special leave accrual is under "Hostile Fire/Imminent Danger," "Deployable Ship/Mobile Unit," or "Other Duty" criterion,	accrual is creditable in the FY in which the required continuous period of duty is reached, but the qualifying duty need not have commenced in that FY.
members are assigned to units permanently home ported or home based outside of the 50 United States as described by the "Deployable Ship/Mobile Unit Overseas" criterion,	special leave accrual is creditable only in a FY during which the member was assigned for at least 6 months.
leave is accrued in excess of 60 days, or 75 days during the period beginning on 1 October 2008 through 30 September 2013,	it is lost if not used before the end of the third FY following the FY in which the qualifying duty, i.e., deployment, is terminated; however, if the leave in this instance is accrued from 1 October 2008 until 30 September 2013, the carryover period would terminate on the fourth FY after the FY in which the qualifying duty terminated.
personnel are assigned to a deployable ship or mobile unit,	they may qualify for special leave accrual in the FY prior to the FY the ship or mobile unit returns to home port or home base. In this case, the carryover period terminates at the end of the third FY after the FY in which the ship or mobile unit returns from a qualifying deployment; however, if the leave in this instance is accrued from 1 October 2008 until 30 September 2013, the carryover period would terminate on the fourth FY after the FY in which the ship or mobile unit returns from a qualifying deployment.
members detach prior to the end of a deployment,	the date of detachment from the deployed unit is the date that normal leave-taking opportunities are considered once again available.

c. **Example 1:**

- (1) Member qualifies for FY 2005 special leave accrual,
- (2) member's ship or mobile unit returns to home port or home base prior to 1 October 2005,
- (3) leave accrued in excess of authorized carryover days at the end of FY 2005 must be used by 30 September 2008, or
- (4) it will be deducted from the member's account.

d. **Example 2:**

- (1) Member qualifies for FY 2005 special leave accrual,
- (2) member's ship or mobile unit returns to home port or home base on or after 1 October 2005,
- (3) leave accrued in excess of authorized carryover days at the end of FY 2005 must be used by 30 September 2009, or
- (4) it will be deducted from the member's account.

e. **Example 3:**

- (1) Member qualifies for FY 2009 special leave accrual,
- (2) member's ship or mobile unit returns to home port or home base prior to 1 October 2009
- (3) leave accrued in excess of authorized carryover days at the end of FY 2009 must be used by 30 September 2013, or
- (4) it will be deducted from the member's account.

f. **Example 4:**

- (1) Member qualifies for FY 2009 special leave accrual,
- (2) member's ship or mobile unit returns to home port or home base on or after 1 October 2009
- (3) leave accrued in excess of authorized carryover days at the end of FY 2009 must be used by 30 September 2014, or

(4) it will be deducted from the member's account.

6. **Duty in support of Contingency Operations**. Active duty members who have been recalled from or not authorized annual leave as a consequence of duty assignments in support of a contingency operation are authorized to carryover annual leave in excess of days normally prescribed for carryover per this article. These servicemembers are authorized to retain such leave until the end of the second FY after the FY which such service on active duty is terminated.

7. **Other Special Limits**

a. Reference (c) provides special leave accrual because of reduced leave taking opportunity caused by operational commitment. Consequently, special leave accrual does not apply to individual cases of leave lost due to

(1) hospitalization, or

(2) permanent change of station (PCS) order modifications.

b. Separation payments for unused accrued leave are limited to 60 days during a military career by reference (d).

8. **Administration**

a. Disbursing and administrative procedures are contained in reference (e).

b. Requests for special leave accrual should be submitted via the chain of command (COC) to the approving authority no earlier than the end of the FY, and no later than the end of the first quarter of the following FY.

Example: A request for FY 2008 special leave accrual should be submitted after 30 September 2008, but not later than 31 December 2008.

9. **Request Format**. Requests for special leave accrual, under the "Other Duty" criterion, should provide the following information for all personnel included in the request:

a. Full name, rank/rate, and SSN (XXX-XX-1234, last four digits).

b. Deployments:

(1) Dates, including any deployment period, which started in the previous FY and ended in the FY for which special leave accrual is being requested.

(2) Ship or unit with which deployed.

(3) Hostile fire or imminent danger area.

(4) Contingency operations (unclassified), deployed in support of.

c. Factors preventing use of earned leave while not deployed.

d. Number of days lost at FY end.

e. Narrative explaining any special circumstances to be considered by the approving authority.

f. CO endorsement.

10. Approving Authority

a. COs are delegated authority to grant special leave accrual to members eligible under the following criteria given in the "Eligibility Criteria" table:

Hostile Fire/Imminent Danger
Deployable Ship/Mobile Unit
Deployable Ship/Mobile Unit Overseas

b. Navy Echelon II Commanders, e.g.,

Commander, U.S. Fleet Forces Command (COMUSFLTFORCOM),
Commander, U.S. Pacific Fleet (COMPACFLT),
Commander, U.S. Naval Forces Europe (COMUSNAVEUR), and
Commander, U.S. Naval Forces Central Command (COMUSNAVCENT)

have approval authority for special leave accrual under the "Other Duty" criterion.