Office of Human Resources and Administration
Worklife and Benefits Service (058)

Fact Sheet – 5 Days Authorized Absence Upon Return From Military Duty

Executive Order (EO) 13223 authorizes agencies to grant 5 workdays of excused absence, without charge to leave, to employees who were activated for military service in connection with Operation Noble Eagle, Operation Enduring Freedom, Operation Iraqi Freedom, or any other military operation subsequently established under EO 13223 upon notification to their employing agency of their intent to return to Federal civilian employment.

REQUIREMENTS AND LIMITATIONS:

- Members must spend at least 42 consecutive days on active duty in support of the global war on terror or any other military operation subsequently established under EO 13223;
- Employees are entitled to 5 days of excused absence only once in a 12-month period. A new 12-month period begins after the first use of excused absence;
- The 5 days of excused absence must be used all at once and cannot be "stockpiled" for use at a later date;
- This period of excused absence must be granted prior to the employee's resumption of his or her duties;
- If the employee has already returned to Federal civilian service and was not granted the 5 days of excused absence for a second or subsequent period of active duty, he or she may take the 5 days of excused absence at a time mutually agreeable to the employee and the agency;
- Part-time employees or employees on uncommon tours of duty receive the equivalent of 1 workweek of excused absence. The period of excused absence for an employee on an uncommon tour of duty or an employee on a part-time work schedule will be prorated according to the number of hours in the employee's regularly scheduled workweek. For example:

Hours in the regularly scheduled workweek	Hours of excused absence
20	20
40	40
56	56
72	72

- The commencement of the 5 days of excused absence represents a return to Federal civilian employment. The employee is obligated to report for work at the end of the 5-day period.

REFERENCES (issued by the Office of Personnel Management):

- CPM 2003-14 dated November 14, 2003
- CPM 2008-12 dated August 6, 2008
- CPM 2008-21 dated December 16, 2008