



PROFESSIONAL AIRWAYS SYSTEMS SPECIALISTS

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FOUNDED 1977

VIA FAX AND CERTIFIED MAIL

August 28, 2002

Mr. Leo Stoltz
Labor Relations Specialist
Employee and Labor Relations
Federal Aviation Administration
AHL-200, Room 519
800 Independence Ave., SW
Washington, D.C. 20591

Dear Mr. Stoltz:

PASS has reviewed HRPB Policy Bulletin #7 – Approval of Military Leave. This change is being made in order to bring the FAA policy into compliance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Furthermore, it does not place any additional restrictions on an employee's request for military leave.

Therefore, HRPB Policy Bulletin #7 complies with all of our collective bargaining agreements and we concur with its implementation for all PASS bargaining units.

If you have any questions, please contact Allyn L. Dillman, PASS Labor Relations Specialist, at (202) 293-7277.

Sincerely,

Thomas Brantley
National Vice President

Cc: Allyn L. Dillman, Labor Relations Specialist
Regional Vice Presidents, Regions I - V
James Pratt, PASS MIDO National Representative
Kathy Carman, PASS National Assistant (AF)
Owen Dullaghan, PASS National Assistant (Flt Stds)

PASS (AFL-CIO)

Policy Bulletin

Human Resource Management (AHR)

APPROVAL OF MILITARY LEAVE POLICY BULLETIN # 7

This policy bulletin applies to: (1) Non-bargaining unit employees/positions (2) bargaining unit employees/positions, except where the applicable collective bargaining agreement contains conflicting provisions

Policy bulletin effective date: May 3, 2002. This policy bulletin will remain in effect until cancelled by the Office of Human Resource Management.

Use this policy bulletin in conjunction with: Order 3600.4 Absence and Leave, Chapter 6, Military Leave

Background information: Chapter 6, Section 1, paragraph 56, Approval of Military Leave within Order 3600.4 Absence and Leave is being revised to reflect the protections included within the Uniformed Services Employment and Reemployment Rights Act (USERRA).

1. PURPOSE: USERRA was enacted to eliminate or minimize disruption to the lives and employment of members of the uniformed services that may occur as a result of performing their service. One of USERRA's provisions addresses the requirement of notice. Specifically, an employee is required to provide advanced notice either orally or in writing, unless precluded by military necessity.

USERRA does not specify what amount of time constitutes advanced notice, however the employee is expected to provide the agency with as much advance notice of military service as practicable. The supervisor may require an employee to provide official written military orders after periods of military leave of absence that exceed 30 days.

In the spirit of cooperation and good faith on the part of the agency and the employee, it is recommended that all national guard and reserve members provide a copy of their orders, the annual drill schedule, or other type of documentation to their supervisor as soon as available and, if possible before the commencement of military duty.

Note: Military orders or other evidence (such as a statement by the appropriate military command) should be submitted to the employee's supervisor to support a request for leave in support of civil authorities in protection of life and property. A determination will be made on a case-by-case basis as to whether an employee is being activated in support of civil authorities.

2. CHANGES: The following changes are in effect for Order 3600.4 Absence and Leave

Chapter 6. Military Leave

Section 1. Military Leave for Training

Paragraph 56. Approval of Military Leave

Replace section a. Employee Responsibility. with

a. Employee Responsibility. Employees are required to provide advance notice either orally or in writing, unless precluded by military necessity. It is recommended that the employee give as much notice of military service as practicable, preferably in writing.

Replace section **c. Evidence required.** with

c. Documentation requirements. A supervisor may require an employee to provide official, written military orders after periods of military leave of absence that exceed 30 days. In the spirit of cooperation and good faith on the part of the agency and the employee, it is recommended that all national guard and reserve members provide a copy of their orders, the annual drill schedule, or other type of documentation to their supervisor as soon as available and, if possible before the commencement of military duty.

Note: Military orders or other evidence (such as a statement by the appropriate military command) should be submitted to the employee's supervisor to support a request for leave in support of civil authorities in protection of life and property. A determination will be made on a case-by-case basis as to whether an employee is being activated in support of civil authorities.