

COMOMAGINST 1050.1G
N01
2 Apr 03

COMOMAG INSTRUCTION 1050.1G

Subj: MILITARY LEAVE/LIBERTY AUTHORIZATION POLICY

Ref: (a) MILPERSMAN 1050-010, 1050-020, 1050-060, 1050-070,
1050-120, 1050-130, 1050-170, 1050-180, 1050-190, 1050-260,
1050-270, 1050-280, 1050-290, 1050-300, 1050-310, 1050-400

1. Purpose. To publish and clarify procedures for granting leave and special liberty for COMOMAG military personnel per reference (a).

2. Cancellation. COMOMAGINST 1050.1F.

3. Definitions

a. Leave, as defined in U.S. Navy Regulations (1990), is the authorized absence of a member from the place of duty, chargeable against such member according to the Armed Forces Leave Act of 1946, as amended.

b. Earned (accrued) Leave. Term used to describe leave accrued to a member's credit as of any given date.

(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.

(2) Excess Leave. A minus leave credit on date of discharge, effective date of first extension of an enlistment, or separation from active duty is excess leave. Pay received during this period is required to be reimbursed to the Government.

(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, except in the case of Special Accrual.

(4) Special Accrual Limit. For personnel authorized special leave accrual up to 90 days, while assigned to duty under special circumstances, as defined in MILPERSMAN 1050-070.

c. Chargeable Leave

(1) Annual (ordinary) Leave. Term used to describe leave granted in execution of a command's program, chargeable to the member's leave account, and is also called ordinary leave, as distinguished from emergency leave.

(2) Emergency Leave. Term used to describe leave granted for a personal or family emergency requiring the member's presence. It is chargeable to the member's leave account.

(3) Advance Leave. Term used to describe leave granted prior to its accrual to the member's leave account, based on a reasonable expectation that it will be earned by the member during the remaining period of obligated active duty.

d. Excess Leave is the term described leave granted in excess of earned leave and advanced leave and during which the member is not entitled to pay and allowances. A minus leave balance at the time of discharge, first extension of an enlistment, separation from active duty, desertion, or death, will be considered as excess leave without regard to the authority under which the leave resulting in a minus leave balance was granted. The pay and allowances received while on excess leave will be reimbursed to the Government upon the member's return from such leave.

e. Non-chargeable Leave

(1) Convalescent Leave. Term used to describe a period of authorized absence granted to persons while under medical care which is part of the care and treatment prescribed for a member's recuperation or convalescence. Convalescent leave is not chargeable to member's leave account.

(2) Graduation Leave. Term used to describe a period of authorized absence granted as a delay in reporting to the first duty station in the case of graduates of the Naval Academy who are appointed commissioned officers in the Armed Forces. Graduation leave is not chargeable to the member's leave account.

f. Separation Leave. Leave which expires on the day of separation without the necessity of the member returning to the separation site.

g. Retirement Leave. Leave which is used at the time of retirement or transfer to the Fleet Reserve and expires on the effective date of retirement or transfer to Fleet Reserve without the necessity of the member returning to the separation site.

h. Administrative Absence. A period of authorized absence, not chargeable as leave, to attend or participate in activities of a semi-official nature, to the benefit of the Department of Defense.

i. Appellate Leave. A member who has been sentenced by court-martial to be dismissed or to receive an unsuspended punitive discharge and who has completed all awarded confinement may be placed on appellate leave pending completion of appellate review. A member may request appellate leave or be placed on mandatory appellate leave. Both types of leave require approval of the officer exercising general

court-martial (GCM) or special court-martial (SPCM) jurisdiction over the member.

j. Liberty. Regular liberty is a routinely authorized absence, at the end of which the member is actually on board, or in the location from which the member regularly commutes to work, which lasts from the end of normal working hours on one day to the beginning of normal working hours the next work day.

k. Weekend Liberty. For members whose duty hours follow a traditional American work week, weekend liberty will be from the end of working hours Friday afternoon until the beginning of normal working hours on the following Monday.

l. Equivalent Weekend Liberty. For members who work other schedules, the chain of command will ensure an equivalent weekend liberty, though days of the week may vary.

m. Special Liberty. Special liberty is granted outside of special liberty periods for unusual reasons, such as emergencies; to exercise voting responsibilities of citizenship; for observance of major religious events, requiring the individual to be continuously absent from work or duty; or for special recognition.

n. Accrued Leave Creditable Upon Retirement. Accrued leave, creditable at the time of retirement, is compensable in a lump-sum payment not to exceed 60 days basic pay. MILPERSMAN 7220-340 states that no member can sell back more than 60 days during a military career at the rate in effect the day prior to the date of retirement. For more information, refer to MILPERSMAN 1050-400.

4. Policy

a. Entitlement to Leave. Each member serving in the Navy on active duty will be entitled to accrue leave at the rate of 2½ calendar days for each month of active duty, except for active duty of less than 30 consecutive days; active duty for training with pay of less than 30 consecutive days; time lost; and excess leave or other periods in a non-pay status.

b. Granting of Leave. Officers authorized to grant leave will establish and regulate schedules to provide for maximum use of leave consistent with operational and training workloads, the maintenance of the required degree of operational readiness, and the desires of the individual members. All personnel will be provided the time to take leave annually. Department Heads will encourage and assist all members to use, on the average, their entire 30 days of leave each year.

c. Granting annual or Emergency Leave. When dealing with annual or emergency leave, the chain of command is encouraged to grant annual leave to personnel, when service requirements permit, to the extent of

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earned leave plus 30 days advance leave, total not to exceed 60 days at one time.

d. Hospitalization While on Leave. See MILPERSMAN 1050-050.

e. Limitations on Earned Leave. Earned leave may exceed 60 days during a fiscal year, but will be reduced to 60 days as of the first day of the new fiscal year.

(1) Leave not to exceed 90 days may be accumulated as defined in MILPERSMAN 1050-070. Leave so accumulated in excess of 60 days will be lost unless it is used before the end of the third fiscal year after the fiscal year in which the entitlement was earned.

(2) Leave accumulated in excess of the above stipulated limitations, and not used, is irrevocably lost and may not be compensated for in cash. As this policy is based on public law, no waiver authority exists.

f. Special Leave Accrual. See MILPERSMAN 1050-070. The provision of this article is applicable to all active duty Navy members on and after 1 October 1994, per SECNAVINST 1050.5C.

g. Day of Departure/Return. Leave granting authorities may authorize the commencement of leave at any time of the day. Special liberty will not be granted for the purpose of extending leave. Per DOD Directive 1327.5, leave and special liberty will not be combined.

h. Check-in/Check-out Procedures. The Commander has authorized members departing and returning from leave to complete the check-out and check-in process by calling the SDO. Personnel must be in the immediate geographic area of NAS Corpus Christi upon commencement and termination of leave by telephone. Immediate geographical area is defined as the residence from which the member commutes daily to and from work. The SDO may be reached via cellular telephone, pager. Refer to the most recent version of the Command telephone book for the current numbers to call. Permission to check-out and check-in is authorized as a personal convenience of the member and will not be used as a means of extending the period of absence chargeable as leave.

i. Separation Leave. An active duty member may be granted leave that expires on the day of separation without the necessity of returning to the separation site. If the member is an active duty reservist, leave will expire prior to the effective date of separation in order that allowable travel time can be completed on the separation date.

(1) Since the member is not required to report to a naval activity for final processing at the expiration of leave, it is imperative that all pre-separation counseling and administrative processing is completed prior to the member's departure for leave.

(2) When separation processing has been completed and the member has departed on leave, such leave may be voluntarily terminated only if the member returns to the command or the separation activity maintaining the member's records.

(3) Travel to the member's command or the separation activity will be at the member's own expense.

j. Emergency Leave. Emergency leave should be granted whenever the circumstances warrant, based on the judgement of the chain of command and the desire of the member. Since most family emergencies are highly time-critical, swift and sensitive action on emergency leave requests is essential.

(1) Navy policy does not require the use of the American Red Cross to verify all emergency leave situations; however, when the leave-granting authority is uncertain of the validity of an emergency situation, verification assistance should be requested. Determination of the emergency can be received from a family member, minister, attending physician, or other interested party.

(2) Prior to granting extended emergency leave involving excess leave, consideration will be given to the possibility of a request for either a humanitarian duty assignment, or a hardship discharge.

(3) Emergency leave should be granted when the return of the service member will contribute to the welfare of a dying family member, in the event of an accident or serious illness, or severe or unusual hardship of the service member's or spouse's immediate family. "Immediate family" is defined as father, mother, person standing in loco parentis, spouse, children, brother, sister, or only living relative. "In loco parentis" is defined by DOD Directive 1327.5 as a person who stood in place of a parent to the service member 24 hours a day for a period of at least five years before the service member became 21 years old or entered the military.

k. Leave in Conjunction with Temporary Additional Duty. Leave will be granted with temporary additional duty (TAD) whenever requested and operationally feasible. Refer to MILPERSMAN 1050-170.

l. Convalescent Leave. The Commander may grant convalescent leave based on the recommendation of the attending physician. This authority has been delegated to the Chief Staff Officer, who is the approving official for all convalescent leave requests. Convalescent leave will be granted subsequent to and because of a period of hospitalization. When considered necessary by the attending physician, convalescent leave may be granted for a period of up to 30 days per period of hospitalization. To provide an appropriate recovery period for service members who give birth, convalescent leave

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will normally be granted for 42 days following any uncomplicated delivery.

m. Sick in Quarters. A member is in this status when excused from duty for treatment, or "medically directed" self-treatment, in home, barracks, or other non-hospital facilities, e.g., hotel, motel, etc. The length of time an individual may be placed in this status should normally be no greater than 72 hours, but may be extended to a maximum period of 14 days, when medically directed.

n. Recruiting Assistance Leave Program. Members on regular leave between "A" and "C" schools or apprenticeship training and their first permanent duty station may participate in a program of five consecutive days of assistance to recruiting. After completion of recruiting assistance, members must obtain documentation of participation by endorsement from the Navy Recruiting District. Upon reporting to next duty station, this documentation will constitute the authority for the command to credit the member with up to five days of non-chargeable leave.

o. Leave for Midshipmen. Refer to MILPERSMAN 1050-230 and 1050-240.

p. Foreign Leave Travel. Navy personnel may visit any place outside the United States without obtaining permission from the Chief of Naval Personnel, except those countries and places specified in BUPERSINST 1050.11F. The responsibility for obtaining travel information and for complying with the laws of the countries and/or places to be visited rests with the prospective traveler. Policy for members desiring foreign leave travel authorization in connection with permanent change of station (PCS) orders is contained in OPNAVINST 4650.15.

(1) Foreign leave will not be granted to a member who is in a disciplinary status, is under investigation for a criminal charge or security violation, or is considered not to be a creditable representative of the Navy.

(2) Before beginning any foreign leave travel, personnel who currently possess a security clearance are required to receive a briefing from the Security Manager, per SECNAVINST 5510.30A.

q. Leave/Emergency Leave in the Republic of the Philippines. Members requesting leave in the Republic of the Philippines are required to submit a country clearance request.

(1) In the case of emergency leave, travel may commence immediately after the clearance request message has been sent; however, a clearance message must be sent. Consult the DOD Foreign Clearance Guide and BUPERSINST 1050.11F for information concerning travel requirements and the specific format and content of the clearance request. The DOD Foreign Clearance Guide also lists

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requirements for Filipino service members and their families who are non-immigrant residents of the U.S.

(2) Following withdrawal of U.S. military forces, there is no longer a Status of Forces Agreement (SOFA) with the Philippines. Conditions for travel to and within the Philippines have changed significantly for U.S. personnel. To enter the Philippines, passports are required, and to stay longer than 21 days by non-Filipino citizens, visas are required. For more information, refer to MILPERSMAN 1050-260.

r. Administrative Absences. Administrative absences may be authorized for the following general purposes:

(1) Attendance at meetings sponsored by non-federal societies and organizations directly related to the member and the Navy.

(2) Attendance at meetings related to the DOD Credit Union program.

(3) Participation in and support of competitive sports events.

(4) Attendance as a witness at criminal proceedings involving public interest.

(5) Participation in other programs of the Navy enhancing the member's value.

(6) For more information, refer to MILPERSMAN 1050-270.

s. Appellate Leave. For specific guidance, refer to MILPERSMAN 1050-310 through 1050-390.

t. Liberty. The Commander may grant liberty for any period of four days or less. An instrument of command management, liberty is normally granted to persons not required to be physically present to complete unfinished work assignments; for additional essential work; or to maintain a level of operational readiness.

(1) Except for public holiday weekends or public holiday periods specifically extended by the President, regular liberty periods will not exceed three days' length.

(2) Special liberty will normally not exceed three days; under certain circumstances, four days special liberty may be authorized. Special liberty periods of three to four days are intended as compensation for unusually long working hours; members on board ship in overhaul away from homeport; or as recognition for exceptional performance.

(3) Three-day special liberty is a liberty period designed to give service members three full days absence from work or duty.

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Liberty usually begins at the end of normal working hours on a given day and expires with the start of normal working hours on the fourth day, e.g., from Monday evening until Friday morning. NOTE: When a three-day liberty embraces only regular liberty time, such as a Saturday or Sunday with a Monday or Friday national holiday, when scheduled work hours are not included, the time off is treated as regular liberty.

(4) Four-day special liberty is a liberty period designed to give a service member four full days absence from work or duty. Liberty usually begins at the end of normal working hours on a given day and expires with the start of normal working hours on the fifth day, and includes at least two consecutive non-work days, e.g., from Wednesday evening until Monday morning.

(5) DOD Directive 1327.5 places specific restrictions on combining regular liberty with special liberty and special liberty with leave. Refer to MILPERSMAN 1050-290.

u. Armed Forces Liberty Pass. The DD 345, Armed Forces Liberty Pass, will be used to control the authorized absence (other than leave) of enlisted members in pay grades E-1 through E-3. An Armed Forces Liberty pass is not required for E-1 through E-3 personnel assigned to shore stations within CONUS.

5. Responsibility

a. The Administrative Department Head is responsible for the administration of the command leave program. The Personnel Support Activity Detachment and the Admin Office will monitor leave through the maintenance of a Leave Control Number (LCN) and a Leave Tickler File to ensure that all leave authorized and taken is reported. The NAVCOMPT 3065 (3 Part) (Rev 2-83) will be used. The Admin Office will maintain a Leave Control Log and an approved leave file.

b. Determination of inclusive dates of leave to be charged will be based on the member's normal working hours. The day of departure on and return from leave will not be charged as leave if the member was at his/her place of work for all of the normal working hours of the assigned working day. When the day of departure is a normal work day, the member may depart on leave, but if departure on leave is before the end of the member's normal working hours, that day will be charged as a day of leave. When the day of return is a normal work day, the member will be required to return in time to start and complete his/her normal work day. If the member returns from leave after the start of the normal work day, that day will be charged as a day of leave.

c. If the day of departure or return is not a normal workday, leave may begin or end at any time during the day. However, if the member leaves on a non-working day and returns on a non-working day,

one of those days will be charged as leave regardless of time of departure/return.

6. Procedures for Processing Leave Requests

a. Requesting Leave. The member prepares the Leave Request/Authorization (NAVCOMPT 3065) when requesting leave. Blocks 1, 3 through 10, and 12 through 22 should be completed as applicable. The member's latest Leave and Earnings Statement contains the information necessary to complete Blocks 17 and 18. Detailed preparation instructions are on the reverse of the form (Part 3). The Leave Request/Authorization will be routed via the chain of command for decision as follows:

(1) Officers. Leave papers must be routed via the Senior Watch Officer and appropriate Director to the Chief Staff Officer for final decision.

(2) Enlisted. Leave papers must be routed through the appropriate Watchbill Coordinator (Staff Duty Officer (SDO) or Quarterdeck), supervisor, Department Head, and Director/Special Assistant for final approval. After approval, the leave paper will be routed to the Admin Office for final processing. (Also see "Special Circumstances.")

(3) Special Circumstances. When any requested amount of leave will result in an excess leave balance, the leave request will be routed via the appropriate chain of command to the Chief Staff Officer for final approval.

(4) Separation or retirement leave requests will be forwarded to the Commander for final approval.

(5) Directors have been delegated the authority to approve leave requests for personnel in their chain of command. Directors have the authority to approve leave requests, regardless of the number of days requested. Convalescent leave requests will be forwarded to the Chief Staff Officer for approval.

(6) The Staff Duty Officer, acting as the Commander's representative, has the authority to approve emergency leave requests. The Staff Duty Officer should inform the member's Director of the approved emergency leave and any information as necessary.

(7) The Staff Duty Officer has the delegated authority to extend a pre-approved leave request after conferring with the member's chain of command. The number of days of the extension is at the discretion of the member's chain of command.

b. Administrative Action. Approved leave papers will be forwarded to the Admin Office where they will be assigned a Leave Control Number (LCN) in Block 2 of the leave papers. Once a LCN is assigned, Admin will retain Part 2 until the member has returned Part

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1. Approved leave papers, with a LCN assigned, will be forwarded to the member (unless member has a meal pass).

c. Member with Meal Pass. Since enlisted members being subsisted-in-kind must surrender their meal pass at the time they take possession of the original leave authorization, their approved leave papers will be picked up in Admin. Admin will retain the meal pass until the individual returns from leave and surrenders his/her leave papers. Admin will then return the meal pass to the individual.

d. Departing on Leave and Returning from Leave. The member must have the NAVCOMPT 3065 (Part 1) in his/her possession at all times during periods of leave and must comply with the leave check-in/out procedures as defined in paragraph 4h.

(1) The member will record the date and hour of departure in Blocks 27a and 27b, and the rank and name of the SDO in Block 27c of Part 1.

(2) When member checks-in from leave, the date and hour of return will be recorded in Blocks 28a, 28b and the SDO's rank and name recorded in Block 28c.

(3) The first working day following return from leave, the member will forward the annotated NAVCOMPT 3065 (Part 1) to the Admin Office for completion of Blocks 30 through 33. When ordinary leave ends, Admin will send Part 1 to PSD and will send the completed Part 2 to the member for his/her records.

(4) If the Admin Office has not received Part 1 within three working days of the scheduled completion of leave, Part 2 will be removed from the tickler file, Blocks 30 and 31 will be annotated with the leave to be charged, based on authorized leave times and dates indicated in Blocks 14 through 16, and the Leave Authorization/Request Form (NAVCOMPT 3065) will be forwarded to PSD. PSD will make a copy of the completed Part 2, and forward the copy with a supporting document to the Military Pay Division to charge the member's account for the leave period requested.

e. Extension of Leave. If an individual determines a leave extension is desired, he/she must contact his/her Department Head during working hours or the SDO after hours. If granted an extension of leave, the individual will enter the appropriate information in Blocks 29a through 29c. The approving official must notify the Admin Office when a leave extension is granted.

f. Leave Cancelled. When a member's leave is cancelled, Admin will return Part 1 to the member for action as needed. Admin must be notified if leave is canceled.

g. Modifying Approved Leave Request. If a member has an approved leave request and desires to change the dates of the leave period,

contact the Admin Office. The leave request will be returned to the member, who will make the necessary modifications, re-route the leave request through their chain of command, and then return the leave request with the modifications to the Admin Office.

7. Action. Department Heads will:

- a. Ensure all the above procedures are strictly followed.
- b. Ensure all leave extensions are reported to the Admin Office upon approval.

/s/
T. W. AUBERRY

Distribution:
COMOMAGINST 5216.1T
List I
List II, Case A