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UTAH NATIONAL GUARD

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MEMORANDUM FOR Military Technicians
Civilian Time Keepers
Orders Clerks

14 September 2009

FROM: Utah National Guard Human Resources Office

SUBJECT: 44-Day Military Leave Guidance Letter

1. Military technicians must **elect prior to deployment** the periods during which they will use the 44-day military leave and/or other appropriate leave. Use of annual leave, compensatory leave, 120 hours military leave, time off awards, and military LWOP U.S. is authorized. Technicians using the 44-day military leave must be **OCONUS** on Title 10 active duty without pay under section 12301(b) or 12301(d).
2. Because the technician is in Title 10 military non-pay status, no compensatory time may be earned. Only workdays in the technician's regularly scheduled work week are charged to the 44-day military leave. Non-workdays and holidays are not charged to the 44-day leave and will receive military pay. The technician may not earn holiday (premium) pay. Technicians injured while on Title 10 active duty are covered on the military side and **are not entitled** to Workers Compensation benefits. Combat Zone Tax Exclusion and Hostile Fire Pay is only authorized for days in military status (weekends and holidays). Members will not be entitled to Family Separation or Hardship Duty Pay, nor will they accrue military leave.
3. Technicians must sit down with a calendar and figure what types of leave they will be using for the duration of the deployment. A copy of the orders must accompany the request to 151 ARW Finance office, **clearly** indicating the period(s) that the 44-day military leave will be used. This will assure that technicians do not erroneously receive both technician and military pay when using the 44-days of military leave. Technicians may receive both military and technician pay **if-and-only-if** they elect to use annual leave, compensatory time, time off award or military leave.
4. The military order accomplished in AROWS is NOT for the whole duration of the deployment. Two or more orders may be required, depending upon the use of the 44-day military leave option. "No Pay" orders will be accomplished for the period using the 44-days of military leave when the member will receive their technician pay. Pay orders will be accomplished for the days the technician will receive military pay, usually weekends and holidays or when using appropriate leave.

5. When a technician is using the 44-day military leave option, they will not receive military pay, but will be entitled to military retirement points. The technician will complete an AF IMT 40A and deliver to 151 MPF.
6. From the example below, the member will fill out the AF IMT 40A for the following periods to receive retirement points: 9-12 Sep, 16-19 Sep, 23-26 Sep, 30 Sep – 3 Oct.

EXAMPLE: OCONUS TOUR 2 SEP – 31 OCT 20XX

2-5 Sep (Mon- Thurs)	Using 4 days military leave
9-29 Sep (9-12, 16-19, 23-26 Sep, 30 Sep-3 Oct)	16 days of 44-day military leave option
4-14 Oct (4-7, 11-14 Oct)	8 days of annual leave
15-31 Oct	13 days of LWOP U.S.

*****Technician pay is received for the following dates: 9-12, 16-19, 23-26 Sept, 30 Sept - 3 Oct (“no-pay” orders will be accomplished for these dates.**

*****Military pay will be earned for all weekends (Fri – Sun) and the following dates: 2-5 Sep, 4-31 Oct. “Pay and allowance” orders will be accomplished for these dates.**

7. Point of Contact is UTNG Human Resources Office, Employee Relations Specialist.

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[Request for 44-Day Military Leave](#)