


**The California State University
Office of the Chancellor
401 Golden Shore
Long Beach, CA 90802-4275
(562) 951-4411**

Date: February 27, 2002
To: CSU Presidents
From: Jackie R. McClain 
Vice Chancellor
Human Resources
Code: HR 2002-10
Reference: HR 2001-25 and
Supplements 1 & 2
Subject: **CSU Military Leave Policy Update**

The Trustees adopted a resolution at the January 29-30, 2002, Board of Trustees' meeting to amend Title 5 of the California Code of Regulations to place military leave in its own article and section. Section 43101 of Article 6 was repealed and Article 5.9 - Military Leave, Section 43095, of Subchapter 7, Chapter 1, Division 5 of Title 5 was added in its place. Additionally, the Trustee resolution granted the Chancellor authority to provide a "difference in pay" salary supplement to nonrepresented employees on active duty military leave. The CSU was notified that this Title 5 change was filed with the Secretary of State and is now effective.

Difference in Pay – Nonrepresented Employees

At this time, we are pleased to announce that the Chancellor is extending the "difference in pay" salary supplement for employees on active duty military leave to nonrepresented employees in the following employee categories: Executive (M98); Management Personnel Plan (M80); Confidential (C99); and Excluded (E99).

As a result, all nonrepresented employees who meet eligibility requirements for the current 30 calendar day entitlement provided under the Military and Veterans Code are eligible for the supplemental CSU "difference in pay" salary component and benefits as outlined in HR 2001-25, Supplement 2.

Distribution:

Chancellor	Budget Officers
Vice Presidents, Administration	Benefits Officers
Vice Presidents, Academic Affairs	Payroll Managers
Associate Vice Presidents/Deans, Faculty Affairs	Employee Relations Designees
Office of General Counsel	Director, SOSS
Human Resources Directors	

Indefinite and Temporary Military Leave – 30 Calendar Day Pay Entitlement

Please note that under Military and Veterans Code 395.03, CSU employees are eligible to receive up to 30 calendar days of CSU pay for any one military leave of absence or during any one fiscal year. Since temporary and indefinite military leaves are separate entitlements, it is possible for a CSU employee to receive up to 30 calendar days in a fiscal year for taking a temporary leave and up to 30 calendar days in a fiscal year for taking an indefinite leave. But the law places a 30 calendar day maximum on each kind of military pay entitlement regardless of how many times a CSU employee may go out on leave during a fiscal year. Further, CSU employees on indefinite or temporary military leave do not receive an additional 30 calendar day pay entitlement with the start of a new fiscal year.

Emergency Military Leave – 30 Calendar Day Pay Entitlement

CSU employees currently on military leave pursuant to the proclamation signed by President Bush are entitled to receive 30 calendar days of CSU pay for each proclamation, regardless of the number. The current proclamation is in effect through September 13, 2003. Again, as a reminder, CSU employees on emergency military leave do not receive an additional 30 calendar day pay entitlement with the start of a new fiscal year.

If you have any questions, please contact Pamela Chapin in Human Resources Administration at (562) 951-4414 or via e-mail at pchapin@calstate.edu. This Human Resources memorandum is also available on Human Resources Administration's web page at: <http://www.calstate.edu/HRAdm/memos.shtml>.