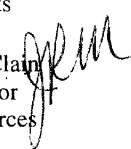


The California State University
Office of the Chancellor
401 Golden Shore
Long Beach, CA 90802-4210
(562) 951-4411

Code: HR 2001-25
Supplement #1

Date: October 30, 2001
To: CSU Presidents
From: Jackie R. McClain 
Vice Chancellor
Human Resources
Subject: CSU Military Leave Policy

In light of the current national crisis, CSU employees called to active military duty are eligible to receive CSU pay and benefits as outlined in HR 2001-25 and this supplement. The following information is provided to assist campuses in the administration of CSU pay and benefits under the CSU Military Leave policy.

National Emergency

Pursuant to Executive Order 13223 dated September 14, 2001, and the Declaration of National Emergency by Reason Of Certain Terrorist Attacks dated September 14, 2001, both signed by President Bush, CSU employees are being called to active duty. The terms of this proclamation are in effect for two years. Copies of these documents are attached.

Military Leave Categories

Military leave consists of three categories: emergency leave, temporary leave, and indefinite leave. CSU employees who are called to active duty and who are members of the National Guard fall under the provisions of emergency leave. CSU employees called to active duty who are reservists, including the Coast Guard, are covered under the provisions of indefinite leave. Please note that the 30 days of CSU pay for inactive duty training (temporary leave) and active duty (emergency or indefinite leave) are separate entitlements.

CSU Pay - Vacation and Compensating Time Off (CTO) Credits

Pursuant to The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) (Title 38, United States Code, Section 4316(d)), any person whose employment with the CSU is interrupted by a period of service in the uniformed services shall be permitted, upon request of that person, to use during such period of service any vacation or CTO credits accrued by the person before the commencement of such service. No campus may require any such person to use vacation or CTO credits during such period of service.

-Over-

Distribution:

Chancellor
Vice Presidents, Administration
Vice Presidents, Academic Affairs
Assoc. VPs/Deans, Faculty Affairs
Human Resources Directors

Budget Officers
Benefits Officers
Director, SOSS
Employee Relations Designees
Office of General Counsel

For purposes of administration, if the employee chooses to charge his/her vacation and/or CTO credits during the military leave period, the employee has the discretion of charging these credits before or after receiving the 30 calendar days CSU pay entitlement or may interrupt the 30 calendar days CSU pay entitlement to access vacation and/or CTO credits.

Health, Dental, and Vision Benefits

Employees enrolled in health, dental, and vision benefits continue to receive these benefits as long as they are in CSU pay status (e.g., CSU 30 calendar day pay entitlement for military leave, vacation and/or CTO credits). Benefits generally terminate the end of the month following the last paycheck. For example, if an employee receives a partial paycheck for October and benefit deductions are taken, benefits will be in effect through the end of November.

Employees enrolled in benefit plans who either choose not to utilize vacation credits and/or CTO pay or do not have these credits available, may elect to pay benefit premiums directly to the carriers for these benefit plans. Employees making direct payments pay both the employer and employee share of benefit premiums. There is no administrative fee for direct pay for health and dental premiums. An administrative fee is required to direct pay the vision premium.

Other Benefit Programs

Campuses may receive employee inquiries regarding long-term disability (LTD), employer-paid term life and accidental death and dismemberment (AD&D) insurance, and voluntary life insurance programs as they pertain to military leave. We have verified the following information with Standard Insurance, the carrier for these CSU programs:

- Long-Term Disability Insurance - Employees remain covered while on the CSU payroll or while the employee pays premiums directly to Standard. However, the war exclusion provision is in effect. An employee can only maintain LTD coverage for up to one year while on military leave through a combination of CSU pay and/or direct pay. LTD has a one-year leave of absence limit.
- Term Life and AD&D Insurance - Employees remain covered while on the CSU payroll or while the employee pays premiums directly to Standard. The war exclusion provision only applies to the AD&D coverage.
- Voluntary Life Insurance - Employees remain covered while on the CSU payroll or while the employee pays premiums directly to Standard. There is no war exclusion provision for this insurance program.
- The war exclusion provision as it applies to CSU employees will be reviewed by Standard on a case-by-case basis.

If you have questions, please contact Pamela Chapin in Human Resources Administration at (562) 951-4411. This HR Letter is available on Human Resources Administration's web page at: <http://www.calstate.edu/HRAdm/memos.shtml>.

JRMcc/pc
Attachments

[Weekly Compilation of Presidential Documents]
From the 2001 Presidential Documents Online via GPO Access [frwais.access.gpo.gov]
[DOCID:pd17se01_txt-27]

[Page 1311-1312]

Pages 1291-1317

Week Ending Friday, September 14, 2001

Executive Order 13223--Ordering the Ready Reserve of the Armed Forces to Active Duty and Delegating Certain Authorities to the Secretary of Defense and the Secretary of Transportation

September 14, 2001

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the National Emergencies Act (50 U.S.C. 1601 et seq.) and section 301 of title 3, United States Code, and in furtherance of the proclamation of September 14, 2001, Declaration of National Emergency by Reason of Certain Terrorist Attacks, which declared a national emergency by reason of the terrorist attacks on the World Trade Center, New York, New York, and the Pentagon, and the continuing and immediate threat of further attacks on the United States, I hereby **order** as follows:

Section 1. To provide additional authority to the Department of Defense and the Department of Transportation to respond to the continuing and immediate threat of further attacks on the United States, the authority under title 10, United States Code, to **order** any unit, and any member of the Ready Reserve not assigned to a unit organized to serve as a unit, in the Ready Reserve to active duty for not more than 24 consecutive months, is invoked and made available, according to its terms, to the Secretary concerned, subject in the case of the Secretaries of the Army, Navy, and Air Force, to the direction of the Secretary of Defense. The term "Secretary concerned" is defined in section 101(a)(9) of title 10, United States Code, to mean the Secretary of the Army with respect to the Army; the Secretary of the Navy with respect to the Navy, the Marine Corps, and the Coast Guard when it is operating as a service in the Navy; the Secretary of the Air Force with respect to the Air Force; and the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy.

Sec. 2. To allow for the orderly administration of personnel within the armed forces, the following authorities vested in the President are hereby invoked to the full extent provided by the terms thereof: section 527 of title 10, United States Code, to suspend the operation of sections 523, 525, and 526 of that title, regarding officer and warrant officer strength and distribution; and sections 123, 123a, and 12006 of title 10, United States Code, to suspend certain laws relating to promotion, involuntary retirement, and separation of commissioned officers; end strength limitations; and Reserve component officer strength limitations.

Sec. 3. To allow for the orderly administration of personnel within the armed forces, the authorities vested in the President by sections 331, 359, and 367 of title 14, United

[[Page 1312]]

States Code, relating to the authority to **order** to active duty certain officers and enlisted members of the Coast Guard and to detain enlisted members, are invoked to the full extent provided by the terms thereof.

Sec. 4. The Secretary of Defense is hereby designated and empowered, without the approval, ratification, or other action by the President, to exercise the authority vested in the President by sections 123, 123a, 527, and 12006 of title 10, United States Code, as invoked by sections 2

and 3 of this **order**.

Sec. 5. The Secretary of Transportation is hereby designated and empowered, without the approval, ratification, or other action by the President, to exercise the authority vested in sections 331, 359, and 367 of title 14, United States Code, when the Coast Guard is not serving as part of the Navy, as invoked by section 2 of this **order**, to recall any regular officer or enlisted member on the retired list to active duty and to detain any enlisted member beyond the term of his or her enlistment.

Sec. 6. The authority delegated by this **order** to the Secretary of Defense and the Secretary of Transportation may be redelegated and further subdelegated to civilian subordinates who are appointed to their offices by the President, by and with the advice and consent of the Senate.

Sec. 7. Based upon my determination under 10 U.S.C. 2201(c) that it is necessary to increase (subject to limits imposed by law) the number of members of the armed forces on active duty beyond the number for which funds are provided in appropriation Acts for the Department of Defense, the Secretary of Defense may provide for the cost of such additional members as an excepted expense under section 11(a) of title 41, United States Code.

Sec. 8. This **order** is intended only to improve the internal management of the **executive** branch, and is not intended to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any person.

Sec. 9. This **order** is effective immediately and shall be promptly transmitted to the Congress and published in the Federal Register.

George W. Bush

The White House,
September 14, 2001.

[Filed with the Office of the Federal Register, 8:45 a.m., September 17, 2001]

Note: This **Executive order** will be published in the Federal Register on September 18.



For Immediate Release
Office of the Press Secretary
September 14, 2001

Declaration of National Emergency by Reason Of Certain Terrorist Attacks

By the President of the United States of America
A Proclamation

A national emergency exists by reason of the terrorist attacks at the World Trade Center, New York, New York, and the Pentagon, and the continuing and immediate threat of further attacks on the United States.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me as President by the Constitution and the laws of the United States, I hereby declare that the national emergency has existed since September 11, 2001, and, pursuant to the National Emergencies Act (50 U.S.C. 1601 et seq.), I intend to utilize the following statutes: sections 123, 123a, 527, 2201(c), 12006, and 12302 of title 10, United States Code, and sections 331, 359, and 367 of title 14, United States Code.

This proclamation immediately shall be published in the Federal Register or disseminated through the Emergency Federal Register, and transmitted to the Congress.

This proclamation is not intended to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any person.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of September, in the year of our Lord two thousand one, and of the Independence of the United States of America the two hundred and twenty-sixth.

GEORGE W. BUSH

#

Return to this article at:

<http://www.whitehouse.gov/news/releases/2001/09/20010914-4.html>