STATE OF TENNESSEE

EXECUTIVE ORDER

BY THE GOVERNOR

No. 6

AN ORDER ESTABLISHING THE POLICY OF THE STATE OF TENNESSEE WITH RESPECT TO STATE EMPLOYEES THAT ARE MEMBERS OF THE RESERVE OR NATIONAL GUARD AND HAVE BEEN CALLED TO FULL TIME MILITARY DUTY BY THE PRESIDENT OF THE UNITED STATES IN RESPONSE TO THE EVENTS OF SEPTEMBER 11, 2001 AND CONTINUING TO THIS DATE

WHEREAS, members of the Reserve Components of Armed Forces of the United States of America have been ordered to active duty by the President of the United States or under the authority of a Governor in support of an operation ("the Operation") undertaken in response to the terrorist attacks that occurred on September 11, 2001 and continuing thereafter for all orders issued for operations Enduring Freedom, Joint Endeavor, Noble Eagle, New Dawn, and any subsequent operations ordered by the President, or myself, prior to the expiration of this Executive Order. The phrase "or under the authority of a Governor" shall apply to any employee of the State of Tennessee who is a member of a Reserve Component and is ordered to active duty under my authority in support of "the Operation" or other operations the state deems necessary to protect Tennessee citizens. This phrase shall also apply to any employee of the State of Tennessee who is a member of a Reserve Component in another state and is ordered to active duty under the authority of the governor of the other state in support of the Operation.

WHEREAS, as a part of the Operation, certain Reserve units and National Guard units have been, or will be, called to active military duty by the President of the United States; and

WHEREAS, it is appropriate for the State of Tennessee to support the United States of America and its efforts in this Operation; and

WHEREAS, a number of employees of the State of Tennessee who serve in the United States Armed Forces as a part of the Reserve and National Guard have been called to active military duty as a part of the

Operation or are subject to being called into active duty as a part of the Operation; and

WHEREAS, the State of Tennessee supports its employees who are called to active military duty by the President of the United States, or under the authority of a Governor, and desires to take steps to help ease the financial burden of those employees who have been called to risk their lives in service of their country; and

WHEREAS, I have determined that special leave with partial pay is necessary for the welfare of those employees of each department of the Executive branch of state government, who have been called to active military duty as a part of the Operation;

WHEREAS, these benefits which were established by the previous Governor in his Executive Orders #4, 9, 12, 17, 20, 26, 40, 50, 58, 60, 64, and 70, which are scheduled to expire August 26, 2011;

NOW THEREFORE, I, Bill Haslam, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and law, do hereby order and direct the following:

1. Those employees of each department in the Executive branch of state government who are called to active duty by the President of the United States, or under the authority of a Governor, as members of the Reserve or National Guard in recognition of the Operation shall, while on such active military duty, be entitled to special leave with partial pay for a period not to exceed one year beginning August 26, 2011 and ending August 26, 2012. It is the policy of this Administration that to the extent possible, partial pay shall be the difference in the employee's regular state salary and the employee's full time base military salary, with a minimum monthly amount sufficient to keep in full force and effect, all benefits that the employee had on the date of call to active military duty.

   The provisions of this Executive Order shall apply to all said employees that have been called or are later called to such active military duty in recognition of the Operation.

2. The Military Department is hereby directed to provide to the Department of Human Resources a list of all members of the National Guard so affected and their respective salaries, and other reserve component units are encouraged to voluntarily provide the same information.

3. It is the policy of this Administration that said employees shall remain state employees while on such active military duty for the purpose of (a) accruing sick leave, (b) accruing annual leave, (c) accruing longevity pay, which shall continue to be paid to the employee annually, and (d) accruing retirement time.

Provided, however, earnable compensation and retirement benefits shall not be increased or decreased by any partial payment made pursuant to this Executive Order but shall be computed as if no call to active military duty had occurred. The anniversary date of a state employee shall not be adjusted as a result of any military leave status protected by state or federal law.

4. The Commissioner of Human Resources and the Commissioner of Finance and Administration shall establish such rules, regulations, and procedures as are necessary or appropriate for the implementation and administration of this Executive Order. All departments of the Executive branch of state government shall fully cooperate with the Commissioner of Finance and Administration and the Commissioner of Human Resources to accomplish the goals of this Executive Order and to that end shall furnish such information, assistance and reports to, and shall otherwise fully cooperate with, said Commissioners.

5. All entities of state government not under the direct jurisdiction of the Executive branch are hereby encouraged to support state employees called to active military duty by the President of the United States as members of the Reserve or National Guard in recognition of the Operation.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this the 26th day of August, 2011.

GOVERNOR

ATTEST:

SECRETARY OF STATE