



## NATIONAL GUARD BUREAU

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10 March 2014

### MEMORANDUM FOR ALL NATIONAL GUARD HUMAN RESOURCES OFFICERS

Subject: Leave for Sexual Assault Victims

References: (a) 5 U.S.C Chapter 63, "Leave"  
(b) Office of Personnel Management, "Guidance for Agency-Specific Domestic Violence, Sexual Assault, and Stalking Policies," February 2013  
(c) Technician Personnel Regulation 630, dated 27 August 2010, "Absence and Leave Program"

1. The purpose of this memorandum is to provide implementing guidance on the use of administrative leave for sexual assault victims.
2. The Adjutant General has the discretion to grant technicians administrative leave from their duties without loss of pay or charge to leave for brief periods, when it is in the best interest of the State and is not prohibited by law, Reference (c). Administrative leave may be granted for the following situations:
  - a. Filing a police report about the sexual assault;
  - b. Seeking medical treatment, including mental health counseling resulting from the sexual assault;
  - c. Participating in civil or criminal court proceedings related to the sexual assault (i.e. in order to receive a protection order or testifying in a criminal trial);
  - d. Participating with an advocacy program, such as a rape crisis center resulting from the sexual assault; and or;
  - e. Other actions needed to protect the victim's safety and well being.
3. When exercising authority to permit the use of administrative leave for sexual assault victims, supervisors and managers must ensure that the State considers the safety of the victim, the safety of his or her co-worker's, as well as avoiding disruption to the workplace.
4. Additional workplace flexibilities for sexual assault victims are published in Reference (b).

5. Point of contact is Ms. Brenda Decruise; NG-J1-TNB; 703-607-1478.

A handwritten signature in black ink, reading "Susan L. Niemetz". The signature is written in a cursive style with a large, stylized initial "S".

SUSAN L. NIEMETZ

Colonel, USA

Chief, Office of Technician Personnel

National Guard Bureau