

**ARIZONA STATE PERSONNEL SYSTEM  
STATEWIDE POLICIES AND PROCEDURES**

<b>Policy Number:</b> ASPS/HRD-PA6.02	<b>Issued:</b> November 19, 2012
<b>Subject:</b> National Disaster Medical System (NDMS) Leave	<b>Effective:</b> November 19, 2012
<b>Policy Section:</b> Leave	<b>Revised:</b> July 1, 2015
<b>Policy Owner:</b> ADOA Human Resources Division	

This policy does not create a contract for employment between any employee and the State. Nothing in this policy changes the fact that all uncovered employees of the State are at will employees and serve at the pleasure of the appointing authority.

**Scope:**

This policy applies to all agencies, boards, offices, authorities, commissions, or other governmental budget units of the State that are part of the State Personnel System.

**Authority:**

38 U.S.C. 4301 et seq. Uniformed Services Employment and Reemployment Rights Act (USERRA)  
A.R.S. § 38-610, Leave of absence for certain federal training; definition  
A.R.S. § 38-610.02, Leave of absence and compensation for national disaster medical system employment

**Definitions:**

*"National Disaster Medical System (NDMS)"* means the federally coordinated system that augments the United States' medical response capability to major emergencies and disasters. The U.S. Department of Health and Human Services (HHS), Office of Preparedness and Emergency Operations (OPEO), has operational responsibility for HHS functions related to the NDMS.

*"NDMS employment"* means service performed during time of national emergency or for other critical homeland security missions/contingencies (for NDMS members) requirements

*"NDMS training duty"* means required NDMS training courses and other training duty certified by NDMS or NDMS's federal partner agencies (the U.S. Department of Veterans' Affairs, the U.S. Department of Health and Human Services, and the U.S. Department of Defense) to be necessary for professional development or skill training/retraining.

*"Officer or employee"* means:

- For the purposes of NDMS training duty, any officer or employee, whether covered or uncovered
- For the purposes of NDMS employment, any officer or employee:
  - Whose state employment is subject to A.R.S. Title 41, Chapter 4, Article 4
  - Who is exempt pursuant to A.R.S. § 41-742(D)(1), (2), (3), or (5)

**Policy:**

It is the policy of this State that an officer or employee who has enrolled with the NDMS as a civilian medical specialist is granted a leave of absence to be engaged in NDMS training duty or NDMS employment.

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Time spent by an officer or employee on NDMS training duty or NDMS employment is considered continuous state employment.

An officer or employee who is on NDMS training duty:

- Is entitled to be absent with pay for the number of hours regularly scheduled to work on all days the employee is on training duty
- (If in a position and status that are leave- and benefits-eligible) Continues to accrue annual and sick leave if in pay status for at least one-half the employee's scheduled work hours each pay period and remains benefits-eligible if in pay status for at least 20 hours per work week

An officer or employee who is called into NDMS employment by the HHS:

- Is entitled to an additional leave of absence until released from NDMS employment
- Continues to receive the officer's or employee's salary or compensation, less the amount of all pay and allowances while on NDMS employment for the continuous duration of the order to NDMS employment (see GAO Technical Bulletin No. 10-06, NDMS Differential Pay). An officer or employee who receives NDMS differential pay:
  - Does not accrue annual or sick leave during the period of active duty
  - Is required to provide, within 60 days of receiving differential pay, proof of honorable service while on active duty during which the employee received the differential pay; the State may recover any differential pay from an employee who cannot provide proof of honorable service
- Has employment and reemployment rights under USERRA

### **Procedures:**

#### Leave for NDMS Training Duty

- An officer or employee who is required to attend NDMS training should notify the officer's or employee's supervisor of the need for the leave with as much advance notice as possible.
- All leave for NDMS training duty is charged to pay code 355, attendance code ND.
- At the conclusion of the NDMS training duty, the officer or employee is returned to the same position as that occupied at the start of the leave.

#### Leave for NDMS Employment

- An officer or employee who is activated for NDMS employment should:
  - Notify the officer's or employee's supervisor of the activation with as much advance notice as possible; and,
  - Contact the agency's benefits liaison to determine if the officer's or employee's health insurance benefits will be impacted by the NDMS employment
- If the officer or employee is eligible for differential pay, all leave for NDMS employment is charged to pay code 385, attendance code ND.
- At the conclusion of the NDMS employment, the officer's or employee's reemployment rights are governed by USERRA.

### **Related Forms/Links:**

Not applicable

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**Corresponding Policies/Guidelines/Bulletins:**

[State of Arizona Accounting Manual \(SAAM\) 5531, National Disaster Medical System Differential Pay](#)

**Contact:**

If you have any questions related to Human Resources Policy, please contact your agency's Human Resources Office/representative.

**Policy History (supersedes):**

Not applicable