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No.09 An Order Amending Executive Order No. 4 Relative to State Employees That are Members of the Reserve Or National Guard and Have Been Called to Full Time Military Duty

Phil Bredesen

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STATE OF TENNESSEE
EXECUTIVE ORDER
BY THE GOVERNOR

No. 9

**AN ORDER AMENDING EXECUTIVE ORDER NO. 4 RELATIVE TO
STATE EMPLOYEES THAT ARE MEMBERS OF THE RESERVE OR
NATIONAL GUARD AND HAVE BEEN CALLED TO FULL TIME
MILITARY DUTY**

WHEREAS, members of the Reserve Components of Armed Forces of the United States of America have been and likely will continue to be ordered to active duty by the President of the United States or under the authority of a Governor in support of an operation undertaken in response to the terrorist attacks that occurred on September 11, 2001, and in support of subsequent operations that have been undertaken or that will be undertaken prior to the expiration of this executive order, including but not limited to Enduring Freedom, Joint Endeavor, Noble Eagle and Iraqi Freedom (collectively "the operation"). 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. 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 or the Governor of a state, and this operation continues to this date; 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 duty as part of the operation; and

WHEREAS, I have further determined that the amount of partial pay received by an employee should not be limited by the imposition of a monthly maximum cap;

NOW THEREFORE, I, Phil Bredesen, 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:

Paragraph No. 1 of Executive Order No. 4, dated February 22, 2003, is hereby amended by deleting the language contained in the paragraph in its entirety and substituting in its place 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 an additional period not to exceed six (6) months beginning March 12, 2003, and ending September 11, 2003. 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 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.

It is the express intent of this Executive Order that the provisions of this amendment apply retroactively to March 12, 2003.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 21st day of April, 2003.



GOVERNOR

ATTEST:


SECRETARY OF STATE