

INFORMATION PAPER

SUBJECT: Emergency Leave Process

1. REFERENCES: AR 600-8-10, Chapter 6 and the Joint Federal Travel Regulation

2. PURPOSE: To inform the Command and Dependents on the proper procedure necessary for Emergency Leave funding request.

3. DISCUSSION:

a. APPROVAL AUTHORITY: A Soldier or a command sponsored Family member can request Emergency Leave travel with or without American Red Cross verification. The Unit Commander is the approval authority. If anyone other than the Unit Commander approves, the form must have the "Assumption of Command Authority" document. However, existence of a Red Cross Message does not automatically warrant emergency leave circumstances. Emergency leave funding is processed through MPD and requires evaluation and determination of eligibility for Government funded travel.

b. PERSON AFFECTED BY THE EMERGENCY: Soldiers may be authorized emergency leave for up to 30 days for emergency situations within the immediate family. For a person in loco parentis, the Soldier must have a signed statement in his/her record verifying loco parentis. When the spouse claims loco parentis, the Soldier is required to sign a counseling statement verifying loco parentis. For situations when a Soldier is not present to sign the statement, the spouse may sign these documents with a valid Power of Attorney.

1. Immediate Family Members, for the Soldier or the Soldier's spouse, include:

- A) Parents, including Step-Parents
- B) Spouse
- C) Children, including Step-Children
- D) Sisters, including Step-Sisters
- E) Brothers, including Step-Brothers
- F) Only living blood relative
- G) A person in loco parentis

2. Loco Parentis, for the Soldier or the Soldier's Spouse:

A person in loco parentis is one who stood in place of a parent to the Soldier or the Soldier's spouse for 24 hours a day, for at least a 5 year period before the Soldier or Soldier's spouse became 21 years of age. The person must have provided a home, food, clothing, medical care and other

necessities as well as have stood in place of a person when the parent also lived at the same residence. A person is not considered in loco parentis for performing baby-sitting or providing day care services.

c. Guidelines for authorizing emergency leave, in accordance with AR 600-8-10, Chapter 6, are as follows:

1. When the Soldier or the Soldier's spouse's presence will contribute to the welfare of a terminally ill member of the immediate Family when the expected date of death is within the month.
2. Because of death of an immediate Family member.
3. For a serious situation involving accident, illness, or major surgery that cannot be postponed due to the urgency of the medical condition. The situation must impose important responsibilities on the Soldier or Soldier's spouse that must be met immediately and cannot be accomplished from the duty station or by any other individual or by other means.
4. Because the Soldier or Soldier's spouse is affected personally by disaster (hurricane, tornado or flood) when severe or unusual hardship would be encountered if the Soldier or Soldier's spouse failed to return home.

d. Guidelines for other types of situations where a Soldier or a Soldier's Spouse may request emergency leave for situations with the immediate Family, but where ordinary leave should be considered:

1. Pregnancy of Spouse and childbirth. (Emergency leave should be considered if a severe life threatening situation is documented.)
2. Marital problems or other personal problems.
3. To attend court hearings.
4. To assist in harvesting crops or participating in managing business firms.
5. Psychoneurosis based on Family separation.
6. To settle the estate of a deceased relative.

7. Situations involving a grandparent (not in loco parentis) aunt, uncle, cousin, niece, nephew (when not the only living blood relative) or for a friend, fiancée or fiancé.

e. Procedures for processing Emergency leave for funding purposes:

- **Step 1:** The Unit Commander should evaluate the situation to determine the criteria as mentioned above for Emergency Leave, utilizing the information referenced above. If deemed a valid emergency leave should take place, the unit will process a DA Form 31 (Leave Form) IAW AR 600-8-10. The leave form should contain all necessary information, to include the Control Number (Block 1), the type of leave (Emergency) and the Unit Commander's signature.
 - If a command sponsored dependent(s) will be traveling without the Soldier, the Unit Commander will complete a memorandum that will include the specific information extracted from a DA Form 31. An example memorandum for dependents traveling without the Soldier for Emergency Leave purposes will be provided. Some of the information required on this memo includes the Soldier's basic information, leave address and lists dependents that will be traveling. This document is to be processed in the same manner as the DA Form 31; it must meet the criteria mentioned above and be signed by the Soldier's Unit Commander.
 - **Step 2:** The Soldier or Soldier's spouse will bring the DA Form 31, or Memorandum for Family members traveling without the Soldier, to the Military Personnel Division(MPD) Building 3401, Soldier Actions Office Room 124 for further processing. If attainable, the Red Cross Message should accompany the DA Form 31 or memo. A MPD representative will ensure that the commander has approved the Soldier's leave and that the situation meets the criteria mentioned in AR 600-8-10. Verification of command sponsored dependents will be completed before providing the fund cite for emergency leave.
- f.** A Soldier and his/her command sponsored dependents are entitled to travel to the nearest point of entry into the continental United States at government expense. The GTR rate is currently \$935.00 per person.
- g.** If an emergency should occur after the normal business hours of 0730-1630, please contact the MPD AFTER HOURS PHONE at (907) 322-0208 for assistance regarding emergency leave. During business hours, you can reach this office at 353-2340, 353-2112 or 353-2132.

~~-EXAMPLE-~~



DEPARTMENT OF THE ARMY

C CO, 152 AVIATION
Fort Wainwright, Alaska 99703

APVR-AVN-CO-C

22 SEP 06

MEMORANDUM FOR: MPD, ATTN: Personnel Actions, Fort Wainwright, AK 99703

SUBJECT: Emergency Travel for Dependent of SPC SNUFFY, JOE A., 000-00-0000

1. Request that the following command sponsored family members be authorized commercial transportation due to an emergency situation (Red Cross case #1867221) without the sponsor.

Joan Snuffy	Spouse	N/A
Joe Snuffy Jr.	Son	09 May 00

2. Destination of the emergency: 1234 Duey St, Littletown, AL 36426
Phone number is (559) 888-8888
Departure: 25 SEP 06
Airport: Pensicola, FL
Return: 05 Oct 06

3. Family Member of: SPC SNUFFY, JOE A., 000-00-0000CW2
4. DEROS: 20091215
5. ETS: 20091215
6. # of Months Overseas: 54
7. Effective Date: 09 SEP 06
8. Number of days requesting: 11

Enclosures

1. ERB

FRANKY SMITH
CPT, MS
Commanding