

MILPERSMAN 1050-130

EMERGENCY LEAVE

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Governing Directives	OPNAVINST 4650.15 Joint Federal Travel Regulations (JFTR), Volume 1, Chapter 7 DOD Directive 1327.5 of 24 Sept 85
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1. **Policy.** Emergency leave should be granted whenever the circumstances warrant, based on the judgment of the commanding officer and the desire of the member. The determination of which eligible dependents, if any, will travel on funded emergency leave shall be the member's (as defined in OPNAVINST 4650.15 and JFTR, Volume I, Chapter 7). Funding availability is not criteria for making a determination. Since most family emergencies are highly time-dependent, swift and sensitive action on emergency leave requests is essential.

2. **Alternatives to Extended Emergency Leave.** Prior to granting extended emergency leave involving excess leave, consideration shall be given to the possibility of a request for either

- a. a humanitarian duty assignment, or
 - b. a hardship discharge.
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3. **Verifying that Emergency Exists.** Navy policy does not require the use of the American Red Cross to verify all emergency leave situations; however, when the leave-granting authority is uncertain of the validity of an emergency situation, verification assistance should be requested.

4. **Whom to Contact for Assistance**

a. The commanding officer or the member concerned should request the assistance of the

(1) home port contact officer for deployed members;

(2) the military installation nearest the location of the emergency; or, if necessary,

(3) the American Red Cross

to obtain additional information desired concerning the urgency or necessity of the member's presence.

b. Dependents should be encouraged to request assistance in emergency situations from the

(1) American Red Cross,

(2) member's home port contact officer, or

(3) the nearest Navy or other military activity.

5. **Conditions for Granting Emergency Leave.** Emergency leave is authorized in the circumstances set forth below and normally will be granted provided the military situation permits as determined by the fleet, force, or area commander concerned when the existence of an emergency has been determined by letter, telegram, or telephone call from the

family member,
minister,
attending physician, or
other interested party

to the member's command or to the member concerned.

6. **Definition of Emergency Circumstances.** The emergency circumstances needed for granting emergency leave are defined as follows:

a. **Contribution to Welfare of a Dying Member.** When the return of the service member will contribute to the welfare of a dying member of the service member's or spouse's **immediate family.**

(1) **Definition of "Immediate Family."** The Service-member's or spouse's "immediate family" is defined to consist of the following members:

father,
mother,
person standing in loco parentis ,
spouse,
children,
brother,
sister, or
only living relative.

(2) **Definition of "In Loco Parentis."** "In loco parentis" is defined by DOD Directive 1327.5 as a person who stood in place of a parent to the service member 24 hours a day for a period of at least 5 years before the service member became 21 years old or entered military service.

b. **Death.** Upon the death of a member of the service member's or spouse's immediate family.

c. **Accident or Serious Illness.** When an accident to, or serious illness of, a member of a service member's or spouse's immediate family results in a serious family problem and imposes important responsibilities on the member which must be met immediately, and which cannot be accomplished from the member's duty station or by any other individual or means.

d. **Severe and Unusual Hardship.** When failure of the service member to return home would create a severe and unusual hardship on either the member or the member's family.

7. **Members with Infectious or Contagious Disease.** Personnel undergoing treatment for an infectious or contagious disease shall only be granted leave for emergency reasons and then only when supported by a statement from a medical officer that the leave will not jeopardize the public health.
