

2014 SEP 17 AM 11:00
OFFICE OF
SECRETARY OF STATE

STATE OF TENNESSEE
EXECUTIVE ORDER
BY THE GOVERNOR

No. 40

**AN ORDER AMENDING EXECUTIVE ORDER NO. 33 RELATIVE TO
STATE EMPLOYEES THAT ARE MEMBERS OF THE RESERVE OR NATIONAL
GUARD AND HAVE BEEN CALLED TO FULL TIME MILITARY DUTY BY THE
PRESIDENT OF THE UNITED STATES IN RESPONSE TO THE EVENTS OF
SEPTEMBER 11, 2001 AND CONTINUING TO THIS DATE**

WHEREAS, members of the Reserve Components of Armed Forces of the United States of America have been ordered to active duty by the President of the United States or under the authority of a Governor in support of an operation ("the Operation") undertaken in response to the terrorist attacks that occurred on September 11, 2001 and continuing thereafter for all orders issued for operations Enduring Freedom, Joint Endeavor, Noble Eagle, New Dawn, and any subsequent operations ordered by the President, or myself, prior to the expiration of this Executive Order. 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" or other operations the state deems necessary to protect Tennessee citizens. 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; and

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; and

WHEREAS, it is appropriate for the State of Tennessee to support the United States of America and its efforts in this Operation; and

WHEREAS, a number of employees of the State of Tennessee who serve in the United States Armed Forces as a part of the Reserve and National Guard have been called to active military duty as a part of the Operation or are subject to being called into active duty as a part of the Operation; and

WHEREAS, the State of Tennessee supports its employees who are called to active military duty by the President of the United States, or under the authority of a Governor, and desires to take steps to help ease the financial burden of those employees who have been called to risk their lives in service of their country; 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 military duty as a part of the Operation; and

WHEREAS, these benefits which were established by Executive Orders No. 6, 19 and 33, and by the previous Governor in his Executive Orders No. 4, 9, 12, 17, 20, 26, 40, 50, 58, 60, 64, and 70, which were scheduled to expire August 26, 2014.

NOW THEREFORE, I, Bill Haslam, 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:

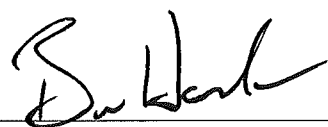
1. Paragraph No. 1 of Executive Order No. 33, dated September 9, 2013, is hereby amended by deleting the language contained in the paragraph in its entirety and substituting in its place the following:

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 a period not to exceed one year beginning August 27, 2014 and ending August 27, 2015. 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 base 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.

2. It is the express intent of this Executive Order that the provisions of this amendment apply retroactively to August 27, 2014.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this the 12th day of September, 2014.



GOVERNOR

ATTEST:


SECRETARY OF STATE

