

## **Number 47, June 2002: Good News from California**

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On 13 February 2002, California's governor signed into law a bill presented by the legislature to expand military leave and other benefits for state employees called to active duty to support the war on terrorism. The bill (SB 711) was passed unanimously by both houses of the California Legislature and was signed into law with an "urgency clause," giving it immediate effect. In California, existing law gives state employees 30 days of paid military leave in addition to any other type of leave (and the state's Military & Veteran's Code provides substantial protections for all Reservists in California). This new law gives California state employees who are called to active duty in support of the war on terrorism, in addition to existing military leave benefits, continued salary differential between the soldier's military pay and benefits and the soldier's salary as a state employee for up to one year.

Obviously, the new benefit is realized by those whose military pay and benefits are less than their state employee pay. Furthermore, a very large number of California's counties and cities have also enacted their own versions of expanded benefits for Reservists called to active duty for the war on terrorism. And, although no one has tested the new law yet, it seems that these benefits may be realized by any type of active-duty orders (e.g., AT/ADT/ADSW/TTAD), so long as the orders specify support of Operation Noble Eagle or Operation Enduring Freedom. Thus, a state employee who is a Reservist in California may now perform up to one year of active duty (the first 30 days of which would be "double dipping" with military leave benefits) without a net reduction of income.

So, why this article? The answer: To illustrate how Reserve officers (in this case, Army Judge Advocate Officers) can have a tremendous impact on state legislation to protect Reservists and their families, and to encourage other officers around the country to do the same and to publish their results so that all of us can compare notes. One interesting political phenomenon is the "band wagon" effect. When one state does something, others may follow—but it frequently takes that first action to give an incentive for others to follow. (As a matter of fact, California was not the first state to expand benefits for Reservists, but it sure helped to be able to point to other states in discussions with legislators.)

In California, several Reservists contacted legislators. Under the leadership of COL Thomas J. Umberg, commander of the 78th Legal Support Organization, 63rd Regional Support Command, Los Alamitos, Calif., members of the legislature were contacted. Assistance in drafting proposed legislation was provided and Army Reserve JAG officers were made available to answer technical questions when legislative staffers raised questions. All of this was an "off-line" project of concerned individuals—not an official action of the unit

or the military. Support also came from Northern California, led by MAJ Morrison England. Interestingly, Colonel Umberg is a former elected California State Assembly Member (now in private practice), and MAJ England is a sitting Superior Court judge who also serves as a vice-president with the California Judges Association (which actively supported the California legislation).

Although these efforts are another example of the effectiveness of coordinating civilian talents and contacts with the needs of military Reservists and are worthy of recognition and kudos, this short information piece also is written for another simple purpose. It is a reminder that we need to continue to publish information about our activities among ourselves to provide points of contact and valuable facts about what is happening elsewhere, how things were done (tactics), and what outcomes are likely, so that the effectiveness of efforts to protect Reservists and their families at the local levels can improve. ROA