

July 14, 1979
NUMBER 1300.13

ASD (MRA&L)

Department of Defense Directive**SUBJECT:** Enlisted Crew Member Flying Duty

References:

- (a) DoD Directive 1300.13, subject as above, December 1, 1976 (hereby canceled)
- (b) Title 37, United States Code, 301(a)(1)
- (c) Executive Order 11157, June 22, 1964, as amended
- (d) DoD Military Pay and Allowances Entitlements Manual, authorized by DoD Directive 5154.13, May 1, 1958

**A. REISSUANCE AND PURPOSE**

1. This Directive reissues reference (a) to update guidance on the requirement for advance notification of removal of enlisted crew members from flying duty. Specific guidance concerning notification, documentation, and reporting is contained herein.

2. Report Control Symbol DD-M(SA)1357 is hereby canceled.

B. APPLICABILITY AND SCOPE

1. The provisions of this Directive apply to the Office of the Secretary of Defense and the Military Departments. The term "Military Services" includes the Army, the Navy, the Air Force, and the Marine Corps.

2. Its provisions pertain to enlisted crew members as defined in reference (b).

3. The provisions of this Directive do not apply to involuntary removal from enlisted crew member flying duty for cause or disqualification.

C. DEFINITIONS

1. Enlisted Crew Member. An enlisted member of the Armed Forces on competent orders to perform duty involving frequent and regular participation in aerial flight as a crew member.

2. Advance Individual Notice. Receipt of verbal or written notification from competent authority that orders requiring frequent and regular performance of aerial flight as an enlisted

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crew member are to be terminated, or receipt of orders which contain a termination date for performance of enlisted crew member flying duty.

3. Involuntary Removal. For purposes of this Directive, the term "involuntary removal" includes all removals not requested by the individual who does not fall within the purview of subsection B.3.

4. Enlisted Crew Member Flying Duty. Duty involving frequent and regular participation in aerial flight as a crew member, as determined by the Secretary of the Military Department concerned.

D. POLICY

1. Enlisted crew members shall be accorded at least 120 days' advance notification before being involuntarily removed from flying duty through no fault or action of their own.

2. The 120-day advance notification shall be accommodated by (a) intensive management of assignments so as to take advantage of all available lead time; and (b) the use of orders with specified termination dates whenever the requirement to perform enlisted crew member flying duty is known to exceed 4 months.

3. This policy is intended to provide advance notice of removal from flying duty and attendant loss of flying pay. It does not alter or otherwise interfere with the minimum performance requirements established by E.O. 11157 (reference (c)) or the provisions of the DoD Military Pay and Allowances Entitlements Manual (reference (d)), except as prescribed in paragraph D.6.b.

4. Documentation of the requirement to perform enlisted crew member flying duty and removal from such duty shall be by issuance of competent orders.

5. Advance individual notice of removal from enlisted crew member flying duty shall be written, by competent authority, or verbal, provided a suitable memorandum for record is made and it is later followed in writing.

6. Exceptions

a. Advance notification may be less than 120 days:

(1) The service member may voluntarily waive the advance individual notice of 120 days by so stipulating in writing to competent authority.

(2) Additional exceptions may be authorized on a case-by-case basis as determined necessary and when approved by the Secretary of the Military Department concerned, or designee, provided such designee is not below Service headquarters level.

b. Flying pay may be continued for 120 days although advance notice is less than 120 days and minimum performance requirements are not met:

(1) E.O. 11157 (reference (c)) grants authority to prescribe that an enlisted crew member who is involuntarily removed from flying duties under circumstances prescribed by DoD regulations, with less than 120 days' advance notice, be considered to have fulfilled all of the requirements for payment of incentive pay for aerial flight duties for a period of up to 120 days from the date of notification of such removal.

(2) This authority shall not be used when enlisted crew members have banked flight time that entitles them to incentive pay.


(3) This authority shall be used as an exception to the 120-day advance notification policy only under unusual and compelling circumstances, such as national emergencies, short notice unit deactivations, and manpower authorization reductions, when it is not possible to give 120 days' advance notice of removal from flying duty.

(4) Such exceptions may be authorized when approved by the Secretary of the Military Department concerned, or designee, provided such designee is not below Service headquarters level.

E. EFFECTIVE DATE AND IMPLEMENTATION

This Directive is effective immediately. Forward two copies of implementing documents to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) within 120 days.

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C. W. Duncan, Jr.
Deputy Secretary of Defense