
EMERGENCY RULE

TITLE 1 – OFFICE OF ADMINISTRATION Division 20 – Personnel Advisory Board and Division of Personnel Chapter 5 – Working Hours, Holidays and Leaves of Absence

EMERGENCY AMENDMENT

1 CSR 20-5.020 Leaves of Absence. The Office of Administration is amending subsection (4)(A) and (4)(C)2.

PURPOSE: This amendment changes the amount of military leave employees are eligible to receive during a federal fiscal year in accordance with the changes to Section 105.270, RSMo, signed into law on July 9, 2026.

*EMERGENCY STATEMENT: On July 9, 2026, the Governor signed HB 2593 into law. This bill becomes effective August 28, 2026. The bill contains changes to section 105.270, RSMo, which alters the maximum amount of military leave for state employees. This emergency amendment ensures there is no discrepancy between the new law and these rules. This emergency amendment is necessary to protect a compelling governmental interest as some agencies may unreasonably limit the number of hours a state employee may take for military leave under the old rule provision. As a result, the Office of Administration finds a compelling governmental interest, which requires this emergency action. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the **Missouri and United States Constitutions**. The Office of Administration believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed August 25, 2026, becomes effective September 9, 2026, and expires March 7, 2027.*

(4) Military leave shall be governed by the following provisions:

(A) Employees who are members of the national guard or any of the reserve components of the armed forces of the United States shall be entitled to leaves of absence from their respective duties, without loss of pay or leave, impairment of performance appraisal, or loss of any rights or benefits to which otherwise entitled, for all periods of military service during which they are engaged in the performance of duty under competent orders for a period not to exceed a total of one hundred ~~twenty (120)~~**sixty (160)** work hours in any federal fiscal year (October 1 through September 30). Any employee entitled to military leave shall only be charged military leave for any hours which that employee would otherwise have been required to work had it not been for such military leave. The minimum charge for military leave shall be one (1) hour and additional charges for military leave shall be in multiples of the minimum charge. The one hundred ~~twenty (120)~~**sixty (160)** work hour limitation shall not apply to periods of military service during which employees are engaged in the service of this state at the call of the governor and as ordered by the adjutant general. Other absences required by military duty, not elsewhere provided for in these rules, may be charged to accrued annual leave, compensatory time, or leave of absence without pay;

(C) Employees who are employed in positions of a continuing or permanent nature and who enter the armed forces of the United States for any of the following reasons shall be granted a leave of absence without pay for the period of military training and service required of the employee:

1. Because of an order issued under the Military Selective

Service Act (or under any prior or subsequent corresponding law) requiring the employee's induction into the armed forces;

2. Because of an order issued by a military authority calling an employee to active duty from organized units of the national guard, any component of the armed forces of the United States or the public health service reserve, for a period of time in excess of the one hundred ~~twenty (120)~~**sixty (160)** work hours of federal military leave covered by subsection (4) (A);

3. Because an employee enlists in any component of the armed forces of the United States for a period of not more than five (5) years;

4. Because an employee who is a member of a component of the armed forces of the United States voluntarily or involuntarily enters active duty, or whose active duty is voluntarily or involuntarily extended during a period when the president is authorized to order units of the armed forces of the United States to active duty;

5. Because an employee not covered by other provisions of these rules is required to report for active duty for training or inactive duty training in the armed forces of the United States or an organized unit of the national guard; and

6. Because an employee who is a member of a component of the armed forces of the United States or an organized unit of the national guard is ordered to an initial period of active duty for training of not less than twelve (12) consecutive weeks;

*AUTHORITY: section 36.070, RSMo Supp. 2026, and section 36.350, RSMo 2016. Original rule filed Aug. 20, 1947, effective Aug. 30, 1947. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed August 25, 2026, effective September 9, 2026, expires March 7, 2027. An emergency amendment covering the same material will be published in the October 1, 2026, of the **Missouri Register**.*

PUBLIC COST: This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.

PRIVATE COST: This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.