

MILITARY DEPARTMENT
OFFICE OF THE ADJUTANT GENERAL
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CAJS-J1

11 January 2012

MEMORANDUM FOR Servicemembers and Employees of the California Military Department

SUBJECT: Policy Memorandum 2012-05: Full-time Personnel Appropriate Use of Military Duty

1. The purpose of this memorandum is to provide guidance on the appropriate use of federal military duty for California Military Department (CMD) full time personnel: Active Guard Reserve (AGR), Federal Technician, State Active Duty (SAD)/State Civil Service (SCS).
2. The CMD has varying pay statuses serving different military and government purposes. Full-time personnel are required to serve in a proper duty status. California Military Department full-time personnel are not permitted to deviate from their schedule during the duty week and during normal duty hours unless in an approved and authorized leave status.
3. The California Military Department's primary full-time statuses are as follows:
 - a. AGR. The duties of AGR Servicemembers are committed to the full-time support requirements of the California National Guard (CNG). There are limited instances when an AGR full-time assignment and traditional National Guard position are not the same. During the duty week, AGRs may serve in assignments that organize, administer, recruit, or instruct in CNG programs, staffs, directorates or missions. During drill weekends, AGRs will execute the duties of their assigned traditional National Guard position. AGR shall never serve simultaneously in two duty statuses, such as State Active Duty, or Federal Technician.
 - b. Federal Technicians. Federal Technician positions increase the effectiveness and efficiency of the CNG in fulfilling military missions. Federal Technicians are either Dual Status or Non-Dual Status. Their purpose is to perform the full-time support of the California National Guard. Dual Status Federal Technicians must serve in compatible full-time Federal Technician and traditional National Guard positions. During drill weekends, Dual Status Federal Technicians will execute the duties of their assigned traditional National Guard position. Dual Status Federal Technicians on federal military orders during the normal duty week and during normal business hours must be in a military leave, annual leave, compensatory time, or leave without pay status.
 - c. State Active Duty (SAD)/State Civil Service (SCS). SAD/SCS positions are approved positions in support of the Military Department's state and federal mission. SAD Servicemembers and SCS employees may also be military members in the reserve components, depending on the terms of their employment.

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(1) If not retired from the CNG, SAD Servicemembers are required to maintain a military membership through the California State Military Reserve (CSMR) or the California Army or Air National Guard. There is no such affiliation requirement for SCS employees. There are however, SCS employees who may also be member of the CSMR, California Army or Air National Guard, or other Reserve Components.

(2) When SAD Servicemembers/SCS employees are on IDT status during normal scheduled work hours, they must be in an authorized leave status (Annual or Leave Without Pay) IAW State Personnel Policy Memorandum/SADI 2011-06 and Government Code 19774. In addition, SCS employees may also use accumulated compensatory time off (CTO) for IDT, per Government Code 19774.

(3) SAD Servicemembers and SCS employees on any other active federal orders (Title 10/32) must be in a leave status. They may be in a Leave With Pay status if the Servicemember/employee has such leave accrued (paid military leave, annual/ordinary leave, CTO). If the SAD Servicemember/SCS employee does not have any authorized paid leave balances available, then they must elect to be placed in a LWOP status.

(4) The SAD Servicemember/SCS employee may, at their discretion, choose which status they wish to be placed in during the military duty period.

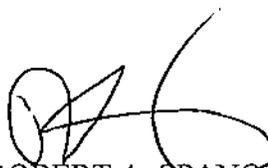
4. Full-time duties and traditional National Guard assignment duties cannot be comingled at any time. In addition, dual compensation from state or federal pay status is prohibited unless the Servicemember or employee is in some sort of leave status. Directors/full-time supervisors will approve the authorized leave/CTO status prior to the duty being conducted.

5. In those cases where a Servicemember is assigned to the same position in both full-time and traditional status, take care to distinguish the two sets of duties. Traditional military duties, both IDT and ADT, may be distinguished by time, location, activity, or function from normal full-time duties. Directors/Commanders/Supervisors will not allow Servicemembers to collect double pay while performing a single job.

6. Illustrative vignettes are enclosed. For questions or concerns, please contact the J1 at (916) 854-3350.

FOR THE ADJUTANT GENERAL:

Encl
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ROBERT A. SPANO
COL, AV, CAARNG
Director, Joint Staff

Vignettes

1. Federal Technician Officer assigned to J4 as Environmental Branch Chief and assigned as Mday Environmental Branch Chief is asked to serve on National Guard Bureau Joint Functional Advisory Committee (JFAC).
 - a. The JFAC holds a meeting in Sacramento, CA Tuesday thru Thursday. What status should the Federal Technician serve? Technician Status. He/she is performing technician duties during the week.
 - b. The JFAC meeting is held in another state over a weekend. What status? IDT or ADT orders.
2. A SAD Soldier assigned full-time as the J5/J7 Plans office and Mday assigned in the J5/7 Strategic Initiatives & Policy Branch. The Soldier is tasked to support a Joint exercise with NGB and Fort California in his full-time status. During his Mday assignment he is tasked to attend a 6-day meeting that will support the exercise, from Saturday to Friday. What status should the Soldier serve? If tasked by his Mday chain while in Mday status, he should be in a federal status. (IDT or ADT).
3. A Federal Technician Servicemember is assigned as a Maintenance Mechanic and Mday as the Motor Sergeant for the IBCT. The Company Commander asks the Federal Technician Servicemember to transport a vehicle from the CSMS to his unit. The Servicemember decides he can move the vehicle on the weekend before his scheduled drill. What status should the Federal Technician serve? The Soldier could perform a SUTA ILO drill and move the vehicle on the weekend that is not a drill weekend. This would be considered a military function since the Mday commander is requesting his unit vehicle be moved. The technician is assigned as a full-time Maintenance Mechanic assigned to a "support" unit, not a full-time Motor Sergeant.
4. A SAD Soldier assigned to JFTB Los Alamitos as a pilot and serves Mday as an Aviation Materials Officer. His unit needs officers to fly helicopters from New Mexico to California. What status should the Soldier serve? Assuming that his "unit" refers to his Mday unit, and given that the Soldier is flying across state borders, he should be in a federal status (IDT or ADT).
5. An officer is the SAD and Mday J-1 in Sacramento. He is directed to attend TAG's leadership conference, which includes all Army and Air National Guard O6 and higher commanders, staff and directors. The conference is in San Diego. What duty status does he/she attend in? Either is acceptable. The duty is to be performed at a significantly different location and activity than the normal J-1 duty.
6. Examples, not all-inclusive, of duty which may be distinguished from normal full-time duty:
 - a. Performance of an inspection at another location
 - b. Participation in a military exercise
 - c. Attendance at a military school
 - d. Participation on a military review or selection board