



**STATE OF NEW YORK
DIVISION OF MILITARY AND NAVAL AFFAIRS
330 OLD NISKAYUNA ROAD
LATHAM, NEW YORK 12110-3514**

ANDREW M. CUOMO
GOVERNOR
COMMANDER IN CHIEF

PATRICK A. MURPHY
MAJOR GENERAL
THE ADJUTANT GENERAL

MNAG-TAG

27 JUN 2011

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Equal Employment Opportunity/Reasonable Accommodation

1. **Applicability:** This policy is applicable to all members assigned to the State's Organized Militia, including the Army National Guard, Air National Guard, Naval Militia, New York Guard, and all State and Federal employees of the Division of Military and Naval Affairs (Division) and Joint Force Headquarters-NY.
2. Our agency will provide for and promote equal employment opportunity in employment compensation and other terms and conditions of employment without discrimination for all personnel. No one will be subjected to discrimination based on the following:
 - a. Federal employees: race, color, religion, gender (to include sexual harassment), national origin, age (over 40), physical/mental handicap, or reprisal.
 - b. Military personnel: race, color, religion, gender (to include sexual harassment), national origin, genetic predisposition or retaliation for having engaged in a protected equal opportunity activity.
 - c. State employees: age, race, creed, color, national origin, sexual orientation, military or veteran's status, sex, marital status, physical/mental disability, gender identity, genetic predisposition or carrier status or retaliation resulting from resolution of a grievance or filing a discrimination complaint.
3. This commitment to assuring equal employment opportunities and equal access to services, programs, and activities includes providing reasonable accommodation to a qualified individual with a disability to enable such individual to perform the essential functions of the position for which he/she is applying or in which he/she is employed. Appropriate training on equal opportunity issues will be included as part of this policy.
4. Commanders, supervisors, members and employees will report instances of discriminatory treatment, workplace harassment or retaliations. I am committed to

MNAG-TAG

SUBJECT: Equal Employment Opportunity/Reasonable Accommodation

taking appropriate action with respect to any and all employees, volunteers, vendors or business partners who engage in discriminatory conduct, as well as executive, supervisory and managerial personnel who knowingly allow such conduct to continue.

5. All employees and members are required to cooperate fully with any investigation of alleged violations of this policy. An employee or member, who fails to cooperate with an investigation, obstructs an investigation or who intentionally provides false or malicious information during an investigation, may be subject to appropriate disciplinary action.

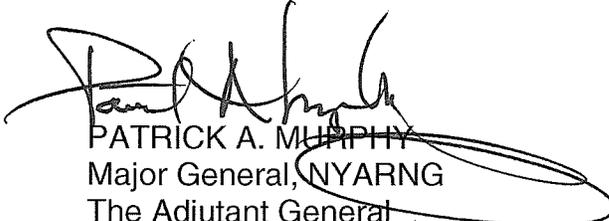
6. No person shall be discharged, disciplined, discriminated against or otherwise subjected to an adverse employment action on the ground that such person filed a complaint, testified, provided information, or otherwise assisted in any investigation of alleged violations of this policy. Retaliation against any complainant or witness is illegal and any person employed by or a member of the Division who engages in such conduct is subject to disciplinary action and any other consequences the law may provide.

7. This policy applies to all employment and military member practices and actions. It includes, but is not limited to recruitment, job application process, hiring, training, disciplinary actions, rate of pay or other compensation, advancement, transfer, classification, reassignment and promotions.

8. Employees may address questions regarding this policy, file a complaint or a reasonable accommodation to the following Division personnel:

a. Federal employees will contact the State Equal Employment Manager, CW2 Heather Langley, (518) 786-4733.

b. State employees will contact Ms. Susan Schmidt, Labor Relations Representative, (518) 786-6143 for equal opportunity matters and Ms. Tina Lehning, Senior Personnel Administrator, (518) 786-4715 for reasonable accommodation matters. New York Guard and Naval Militia members may contact MNHS for assistance with this policy at (518) 786-4830.


PATRICK A. MURPHY
Major General, NYARNG
The Adjutant General

DISTRIBUTION:

AA, BA, BR, C, F1-F8, E



**STATE OF NEW YORK
DIVISION OF MILITARY AND NAVAL AFFAIRS
330 OLD NISKAYUNA ROAD
LATHAM, NEW YORK 12110-3514**

ANDREW M. CUOMO
GOVERNOR
COMMANDER IN CHIEF

PATRICK A. MURPHY
MAJOR GENERAL
THE ADJUTANT GENERAL

MNAG-TAG

27 JUN 2011

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Sexual Harassment Policy

1. **Applicability:** This policy is applicable to all members assigned to the State's Organized Militia, including the Army National Guard, Air National Guard, Naval Militia, New York Guard, and all State and Federal employees of the Division of Military and Naval Affairs (Division) and Joint Force Headquarters-NY.
2. Sexual harassment is defined as any unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature when:
 - a. submission to the conduct is either explicitly or implicitly a term, or condition, of an individual's employment;
 - b. submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting such individuals; or
 - c. the conduct has the purpose or effect of unreasonably interfering with an affected person's work performance or creating an intimidating, hostile, or offensive work environment.
3. Our Division will not tolerate sexual harassment by any member or employee. Sexual harassment violates acceptable standards of conduct required of all personnel, reduces mission effectiveness and wastes valuable resources. This commitment to the prevention of sexual harassment in the workplace will include providing appropriate training on sexual harassment issues.
4. Sexual harassment is a form of employee and member misconduct. Any employee or member who is found to have engaged in sexual harassment shall be subject to prompt and appropriate remedial and/or disciplinary action, which may include termination or discharge. Supervisors are required to immediately report instances of sexual harassment, discriminatory treatment, workplace harassment or retaliations. Failure will result in disciplinary action, which may include termination or discharge.

MNAG-TAG
SUBJECT: Sexual Harassment Policy

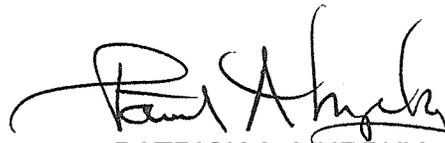
5. All employees and members are required to cooperate fully with any investigation of alleged violations of this policy. An employee or member, who fails to cooperate with an investigation, obstructs an investigation or who intentionally provides false or malicious information during an investigation, may be subject to appropriate disciplinary action.

6. No person shall be discharged, disciplined, discriminated against or otherwise subjected to an adverse employment action on the ground that such person filed a complaint, testified, provided information, or otherwise assisted in any investigation of alleged violations of this policy. Retaliation against any complainant or witness is illegal and any person employed by or a member of the Division who engages in such conduct is subject to disciplinary action and any other consequences the law may provide.

7. Individuals have the right to excel in their position without the threat of sexual harassment or discrimination. A member or employee who believes that he or she has been the victim of sexual harassment or discrimination, or has any knowledge of that kind of behavior, is urged to report such conduct immediately.

a. Federal Employees, Soldiers and Airmen will contact MNHF-EEO, State Equal Employment Manager, CW2 Heather Langley, (518) 786-4733.

b. State Employees and members of the New York Guard and Naval Militia will contact Affirmative Action Officer, Ms. Susan Schmidt, (518) 786-6143 or State Human Resources Director, Ms. Marilyn Hartley, (518) 786-6156.


PATRICK A. MURPHY
Major General, NYARNG
The Adjutant General

DISTRIBUTION:
AA, BA, BR, F1-F8, D, E



STATE OF NEW YORK
DIVISION OF MILITARY AND NAVAL AFFAIRS
330 OLD NISKAYUNA ROAD
LATHAM, NEW YORK 12110-3514

ANDREW M. CUOMO
GOVERNOR
COMMANDER IN CHIEF

PATRICK A. MURPHY
MAJOR GENERAL
THE ADJUTANT GENERAL

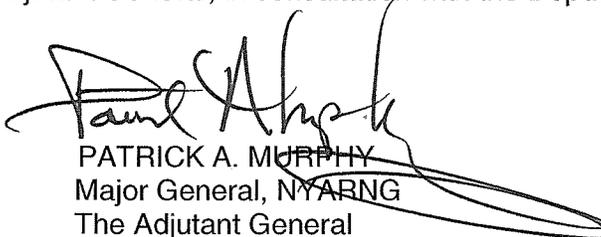
MNAG-TAG

27 JUN 2011

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Use of State Active Duty (SAD)

1. Applicability: This policy is applicable to all members assigned to the State's Organized Militia, including the Army National Guard, Air National Guard, Naval Militia, New York Guard, and all State and Federal employees of the Division of Military and Naval Affairs (Division) and Joint Force Headquarters-NY.
2. References:
 - a. Military Law, section 6, subdivision 1 (Ordering Organized Militia into State Service for Emergencies); McKinney's Consolidated Laws of New York, Annotated, Book 35 or New York Consolidated Laws Service, Volume 21D.
 - b. Military Law, section 46, subdivision 6 (State Active Duty for Assemblies, Annual Training and Other Duty); McKinney's Consolidated Laws of New York, Annotated, Book 35, or New York Consolidated Laws Service, Volume 21 D.
3. The purpose of this memorandum is to provide policy on the use of SAD.
4. SAD is authorized in accordance with the above references when approved by the DMNA Special Assistant-State or The Adjutant General. Approval must be obtained **prior** to performing SAD.
5. SAD will not be used as a means of paying salaries.
6. Full-time employees serving in functional positions related to mission support readiness are not authorized SAD during regular duty hours/day, except during emergencies and with approval from the DMNA Special Assistant-State or The Adjutant General, in consultation with the Deputy Secretary for Public Safety.


PATRICK A. MURPHY
Major General, NYARNG
The Adjutant General

DISTRIBUTION:
AA, BA, BR, C, F1-F8



**STATE OF NEW YORK
DIVISION OF MILITARY AND NAVAL AFFAIRS
330 OLD NISKAYUNA ROAD
LATHAM, NEW YORK 12110-3514**

ANDREW M. CUOMO
GOVERNOR
COMMANDER IN CHIEF

PATRICK A. MURPHY
MAJOR GENERAL
THE ADJUTANT GENERAL

MNAG-TAG

27 JUN 2011

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Policy on Firearms Secured in Division of Military and Naval Affairs (DMNA) Facilities and on DMNA Property

1. **Applicability:** This policy is applicable to all members assigned to the State's Organized Militia, including the Army National Guard, Air National Guard, Naval Militia, New York Guard, and all State and Federal employees of the Division of Military and Naval Affairs (Division) and Joint Force Headquarters-NY.
2. **Basic Policy:** The carrying or security (storage) of firearms (not including military unit property) upon property under the control of DMNA is prohibited unless authorized under one of the following exceptions:
 - a. Firearms may be carried by all law enforcement and government personnel duly authorized to carry firearms on official duty. All federal and state firearms licensing regulations must be adhered to while on DMNA property. No unlicensed firearms are allowed on DMNA property at anytime.
 - b. Firearms may be brought on DMNA property by individuals participating under a nonmilitary use agreement which specifically involves the use or display of firearms. See paragraph 4, below, for requirements in connection with this exception.
 - c. Firearms may be carried by off duty police officers authorized to do so by New York Penal Law and by members of visiting law enforcement agencies using DMNA property under an agreement.
 - d. Firearms may be carried by members of the State Organized Militia (NYARNG, NYANG, NYNM or NYG) who are off duty civilian police/peace officers, not in active military duty status, and who are required by their civilian law enforcement agency's policy to carry a firearm while off duty. The Officer in Charge and Control (OIC&C)

MNAG-TAG

SUBJECT: Policy on Firearms Secured in Division of Military and Naval Affairs (DMNA) Facilities and on DMNA Property

must maintain a copy of the applicable civilian law enforcement agency policy containing this requirement. NOTE: This exception does not apply when the individual is in duty status with the State Organized Militia.

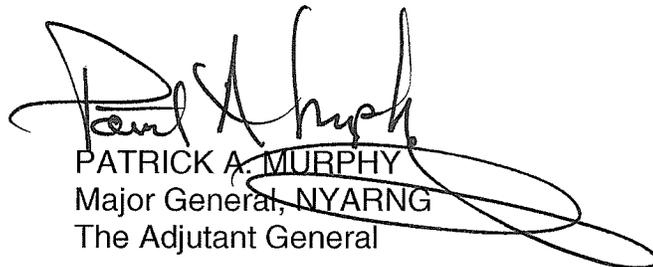
e. Historical personal weapons may be carried or displayed as part of an official historical activity, program or open house. Said weapons will not be loaded.

3. Regardless of the above policy and exceptions, where the installation has a full-time security force with storage capability (for example, Security Forces at an Air National Guard base), the local commander may require any weapon to be secured upon entry.

4. Civilian nonmilitary use of ranges. During use of outdoor ranges under a nonmilitary use agreement, firearms may be carried while on the range. Weapons must be unloaded and cleared when not on the range. Firearms will be secured (for example, by a locking device or in a locked container) and unloaded when entering and leaving any indoor facility.

5. Violations of this policy may result in disciplinary action.

6. For future information regarding this matter, the DMNA point of contact is Mr. Paul McDonald at DSN 489-4561 or commercial (518) 786-4561.



PATRICK A. MURPHY
Major General, NYARNG
The Adjutant General

DISTRIBUTION:

AA, BA, BR, C, D, E, F1-F8



STATE OF NEW YORK
DIVISION OF MILITARY AND NAVAL AFFAIRS
330 OLD NISKAYUNA ROAD
LATHAM, NEW YORK 12110-3514

ANDREW M. CUOMO
GOVERNOR
COMMANDER IN CHIEF

PATRICK A. MURPHY
MAJOR GENERAL
THE ADJUTANT GENERAL

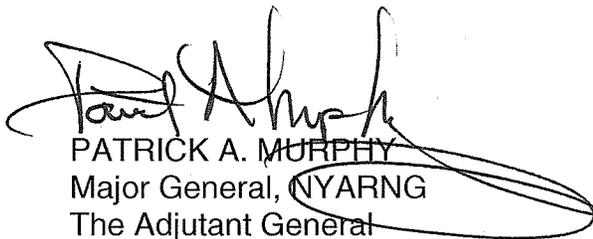
MNAG-TAG

27 JUN 2011

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Smoking Policy for Division of Military and Naval Affairs (DMNA) Facilities

1. Applicability: This policy is applicable to all members assigned to the State's Organized Militia, including the Army National Guard, Air National Guard, Naval Militia, New York Guard, and all State and Federal employees of the Division of Military and Naval Affairs (Division) and Joint Force Headquarters-NY.
2. An amendment to the New York State Public Health Law, effective 24 July 2003, prohibits all smoking in National Guard facilities occupied by the New York Army and Air National Guard and civilian employees. Designated smoking areas must be located outdoors and not in the immediate proximity of entrances. This policy will provide consistency throughout the state.
3. It is my desire to protect the health of our employees by ensuring that they are not exposed to secondhand tobacco smoke within New York National Guard facilities.
4. Managers and supervisors are expected to adhere to the above policy. The intent of this policy is to make this agency a better place in which to work by ensuring a healthy and safe working environment.


PATRICK A. MURPHY
Major General, NYARNG
The Adjutant General

DISTRIBUTION:
AA, BA, C-E, F1-F8, S



STATE OF NEW YORK
DIVISION OF MILITARY AND NAVAL AFFAIRS
330 OLD NISKAYUNA ROAD
LATHAM, NEW YORK 12110-3514

ANDREW M. CUOMO
GOVERNOR
COMMANDER IN CHIEF

PATRICK A. MURPHY
MAJOR GENERAL
THE ADJUTANT GENERAL

MNAG-TAG

27 JUN 2011

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: DMNA Policy Regarding Contact with Elected Officials

1. Applicability: This policy is applicable to all members assigned to the State's Organized Militia, including the Army National Guard, Air National Guard, Naval Militia, New York Guard, and all State and Federal employees of the Division of Military and Naval Affairs (Division) and Joint Force Headquarters-NY.
2. All activities that involve Federal, State or local elected officials must be coordinated in advance through the DMNA Government Affairs Office (MNGA).
3. This coordination must be completed prior to the organization's request to an elected official or any commitment you make to any activity. Such activities include, but are not limited to, meetings, invitations, tours, and briefings and any written or oral communication submitted to any organization under DMNA authority or any requests extended to any Federal, State or local official.
4. Any questions regarding this policy should be directed to the Director of MNGA at (518) 786-4520 or 4738.


PATRICK A. MURPHY
Major General, NYARNG
The Adjutant General

DISTRIBUTION:
AA, BA, BR, C, D, E, F1-F8



**STATE OF NEW YORK
DIVISION OF MILITARY AND NAVAL AFFAIRS
330 OLD NISKAYUNA ROAD
LATHAM, NEW YORK 12110-3514**

ANDREW M. CUOMO
GOVERNOR
COMMANDER IN CHIEF

PATRICK A. MURPHY
MAJOR GENERAL
THE ADJUTANT GENERAL

MNAG-TAG

27 JUN 2011

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Drug and Alcohol Abuse Policy

1. Applicability: This policy is applicable to all members assigned to the State's Organized Militia, including the Army National Guard, Air National Guard, Naval Militia, New York Guard, and all State and Federal employees of the Division of Military and Naval Affairs (Division) and Joint Force Headquarters-NY.

2. Alcoholism and other drug dependencies are illnesses that may be characterized by varying degrees of loss of mental and physical control. All personnel must be well trained, physically fit and mentally alert. Alcoholism and/or drug related dependency or misconduct degrades both readiness and mission accomplishment and is potentially disastrous to the member or employee, his/her family, and the public's trust.

3. Our agency maintains a zero tolerance policy for the presence of substance-impaired personnel. Each officer, non-commissioned officer, director and supervisor will ensure that the following standards are clearly understood by their subordinates and enforced without exception:

- a. Do not abuse alcohol.
- b. Do not possess, distribute or use illegal drugs.
- c. Do not abuse or illegally distribute controlled substances or over the counter medications.
- d. Do not condone such activities in your unit or office.

MNAG-TAG

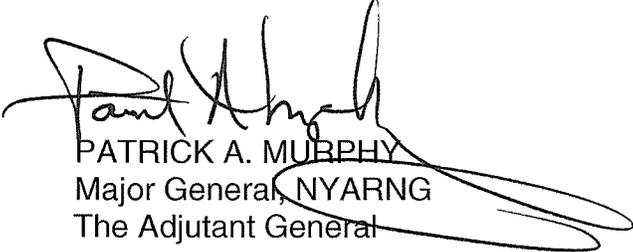
SUBJECT: Drug and Alcohol Abuse Policy

4. Soldiers, Airmen and our Federal and State employees have access to quality assistance and referral programs if needed. Appropriate agents ready to help are as follows:

a. Soldiers, Airmen and their Family members may seek substance abuse information and access to community based treatment programs from assigned Military One Source Consultant, Alicia Russo at (518) 265-2901 or email alicia.russo@militaryonesource.com or by calling Military One Source direct at 1-800-342-9647.

b. Federal Technicians may seek alcohol and substance abuse referral assistance from the Federal Employee Assistance Program (EAP) Coordinator; Sheila Lindsay at (518) 786-4950 or email sheila.lindsay@us.army.mil.

c. State employees may seek alcohol and substance abuse referral assistance from the Governor's Work-Life Services EAP Coordinators across New York State as listed at www.worklife.state.ny.us/eap or by calling 1-800-822-0244. Employees may also contact the Division EAP Coordinator Lori Myers at (518) 786-4409 or the Chair, Matt Greenhouse, at 1-866-308-1744. Employees and members of the New York Guard and Naval Militia may always contact MNHS for any assistance at (518) 786-4830.


PATRICK A. MURPHY
Major General, NYARNG
The Adjutant General

DISTRIBUTION:

AA, BA, BR, F1-F8, D, E



**STATE OF NEW YORK
DIVISION OF MILITARY AND NAVAL AFFAIRS
330 OLD NISKAYUNA ROAD
LATHAM, NEW YORK 12110-3514**

ANDREW M. CUOMO
GOVERNOR
COMMANDER IN CHIEF

PATRICK A. MURPHY
MAJOR GENERAL
THE ADJUTANT GENERAL

MNAG-TAG

27 JUN 2011

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Violence in the Workplace Policy

1. **Applicability:** This policy is applicable to all members assigned to the State's Organized Militia, including the Army National Guard, Air National Guard, Naval Militia, New York Guard, and all State and Federal employees of the Division of Military and Naval Affairs and Joint Force Headquarters-NY (Division).
2. The Division is dedicated to ensuring that all employees work in a safe and secure environment. The Division has a "Zero Tolerance" policy and employees are expected to work together to provide a safe workplace where violence is not tolerated and every effort is made to prevent it. Any action or behavior that is threatening to another's physical safety or emotional health is unacceptable.
3. Verified threats or violent acts will result in immediate and appropriate disciplinary action, which may include removal.
4. Workplace violence includes physical or verbal aggression directed toward others or at State or Federal property and equipment. Acts of threats of violence, whether made directly or indirectly, by words or symbols, violate the Division's policy to provide a safe workplace for its employees.
5. Supervisors are held accountable for safeguarding the workplace from threats, intimidations or fear, and responding promptly and appropriately to incidents of harassment, threats, or acts of violence. Management at all levels must report any incidents of violence in the workplace as outlined below. Appropriate action necessary to resolve the issue must be initiated immediately.
6. All employees have an obligation to report, without fear of reprisal, any threat they have witnessed, received, or heard. Such threats should be reported immediately

MNAG-TAG

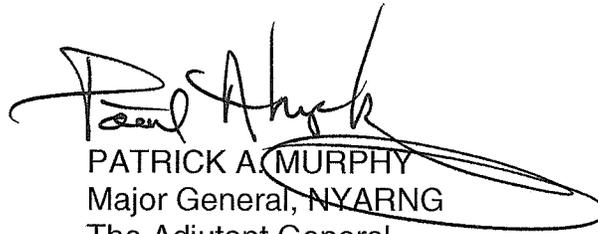
SUBJECT: Violence in the Workplace Policy

through the chain of command or supervisory levels to the State and Federal Human Resources Directorates as outlined below.

7. Managers, Soldiers, Airmen and Federal and State employees should immediately report incidents as follows:

a. Soldiers, Airmen and Federal Technicians please contact MNHF, SFC Tracey Miller, (518) 786-4735/DSN 489-4735.

b. State Employees and members of the New York Guard and Naval Militia may contact MNHS, Labor Relations Representative, Ms. Susan Schmidt, (518) 786-6143.



PATRICK A. MURPHY
Major General, NYARNG
The Adjutant General

DISTRIBUTION:

AA, BA, BR, F1-F8, D, E



**STATE OF NEW YORK
DIVISION OF MILITARY AND NAVAL AFFAIRS
330 OLD NISKAYUNA ROAD
LATHAM, NEW YORK 12110-3514**

ANDREW M. CUOMO
GOVERNOR
COMMANDER IN CHIEF

PATRICK A. MURPHY
MAJOR GENERAL
THE ADJUTANT GENERAL

MNAG-TAG

27 JUN 2011

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Financial Guidelines for the Presentation of Gifts and Social Functions

1. **Applicability:** This policy is applicable to all members assigned to the State's Organized Militia, including the Army National Guard, Air National Guard, Naval Militia, New York Guard, and all State and Federal employees of the Division of Military and Naval Affairs (Division) and Joint Force Headquarters-NY.
2. The two main social activities that typically occur in relation to DMNA are:
 - a. Officially authorized activities which may involve monetary collections from attendees. This would include holiday or similar type gatherings, picnics or award ceremonies, dining-ins and dining-outs and;
 - b. Non-official gatherings such as retirement lunches and dinners.
3. The following guidelines are meant to prevent the perception or actual impropriety in relation to the presentation of gifts, and applies to honorees and their spouses:
 - a. Contributions for gifts must be voluntary.
 - b. Individual gift contributions may not exceed ten dollars per member.
 - c. The total value of the gift from any organizational entity may not exceed \$300 for each honoree. If the total contributions exceed the \$300 limit, the excess funds should be applied to enhance the function (e.g., additional snacks and or/flowers, etc.) so that all attendees benefit, or the excess funds should be returned in equal parts to all contributors.
 - d. Gifts may not be in the form of cash.

MNAG-TAG

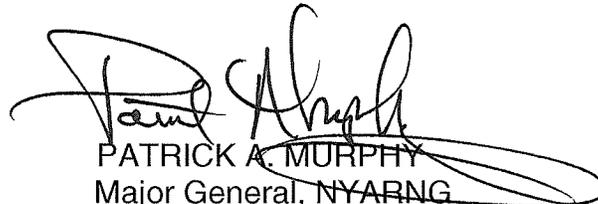
SUBJECT: Financial Guidelines for the Presentation of Gifts and Social Functions

e. Announcements of a social function should indicate the cost to attend the function (meal, entertainment, etc.) and the contribution amount of the gift (not to exceed \$10) separately.

4. No governmental fund can be used for the deposit of revenue derived from the aforementioned activities. Unofficial bank accounts established for a social function cannot bear the name "New York State" or "Division of Military and Naval Affairs".

5. Excluded from the above-mentioned guidelines are activities conducted in regard to everyday sunshine water clubs or coffee clubs.

6. If there are any questions in relation to these guidelines, please contact Mr. Robert A. Martin, Director of Budget and Finance (MNBF) or Mr. Thomas Mahoney, Deputy Director at (518) 786-4513.



PATRICK A. MURPHY
Major General, NYARNG
The Adjutant General

DISTRIBUTION:

- A
- C
- D
- E
- F1-F8



STATE OF NEW YORK
DIVISION OF MILITARY AND NAVAL AFFAIRS
330 OLD NISKAYUNA ROAD
LATHAM, NEW YORK 12110-3514

ANDREW M. CUOMO
GOVERNOR
COMMANDER IN CHIEF

PATRICK A. MURPHY
MAJOR GENERAL
THE ADJUTANT GENERAL

MNAG-TAG

27 JUN 2011

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Distribution and Consumption of Alcoholic Beverages in the Division of Military and Naval Affairs (DMNA) Facilities

1. Applicability: This policy is applicable to all members assigned to the State's Organized Militia, including the Army National Guard, Air National Guard, Naval Militia, New York Guard, and all State and Federal employees of the Division of Military and Naval Affairs (Division) and Joint Force Headquarters-NY.

2. References:

- a. New York State Military Law.
- b. The Governor's Policy on Drug and Alcohol-Free Workplace.
- c. The Federal Drug-Free Workplace Act of 1988.
- d. Memorandum policy from the Governor's Office of Employee Relations "Alcohol and Controlled Substances in the Workplace."
- e. Information on the Federal Drug-Free Workplace Act, December 1995.

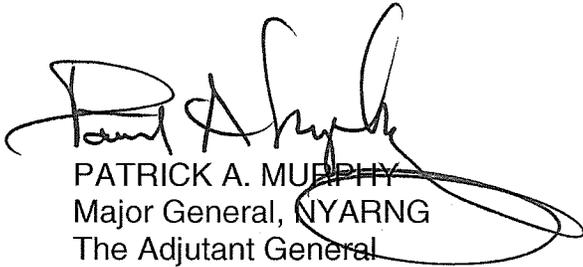
3. This memorandum sets forth the official policy of DMNA regarding the sale, distribution and/or consumption of alcoholic beverages within DMNA. DMNA facilities include all facilities as defined in DMNA Regulation 420-1. This memorandum supersedes any previously issued policy letters.

MNAG-TAG

SUBJECT: Distribution and Consumption of Alcoholic Beverages in the Division of Military and Naval Affairs (DMNA) Facilities

4. Alcoholic beverages, including wine, spirituous and malt liquors, are banned from DMNA facilities and workplaces. This prohibition does not apply to civil associations or clubs, caterers or licensees, lessees, concessionaires or certain social activities of organizations of the organized militia under specific conditions as outlined in the enclosure.
5. Violation of this policy places the entire chain of command, military and civilian, at great risk. Violators will be disciplined to the fullest extent appropriate.
6. Questions concerning the proper use of alcoholic beverages in DMNA facilities may be addressed to the Office of Legal Affairs (MNLA) at (518) 786-4541. Questions concerning rental events should be addressed to MNFE-NMU, ATTN: Mrs. Gayle Carpenter at (518) 786-6079.

Encl



PATRICK A. MURPHY
Major General, NYARNG
The Adjutant General

DISTRIBUTION:

AA, BB, C, D, E, F1-F8

Distribution and Consumption of Alcoholic Beverages
in the Division of Military and Naval Affairs (DMNA) Facilities

Alcoholic beverages, including wines, spirits and malt liquors are banned from DMNA facilities and workplaces in accordance with the policy established by The Adjutant General. Itemized below are the specific terms and conditions under which exceptions to said policy are authorized:

a. Civil association or club. Alcoholic beverages may be served within the confines of a fully licensed and insured clubroom. If the club is to serve as the “caterer” for any event, such as a nonmilitary use event or activity in an area other than the clubroom, the club must obtain a temporary liquor/wine permit for each event/distribution point.

b. Social activities of the organized militia or other DMNA element:

(1) Without a licensed caterer, alcohol may be served at social activities such as retirement parties, change of command ceremonies, and other such celebratory events only with prior approval of the unit commander and the Officer in Charge and Control (OIC&C) of the facility. The unit commander and the OIC&C shall be responsible for ensuring proper conduct at the event and shall be held accountable for same.

(2) With a licensed caterer, permission to have alcoholic beverages served by a licensed caterer at social functions requires advance approval using the same process as described above. The caterer must possess a current New York State liquor license and permits to serve at the location of the event. A separate permit must be posted at each point of distribution of alcoholic beverages. The unit commander and OIC&C will still remain responsible and accountable.

c. Nonmilitary use events:

(1) The safe, distribution or consumption of alcoholic beverages in conjunction with a nonmilitary use agreement will be subject to approval in advance. The DMNA customer utilization form, DMNA Form 42, or any other letter of application for a nonmilitary use agreement must indicate if alcohol is to be used or sold. DMNA reserves the right to deny approval to serve alcoholic beverages at any event which would serve the best interests of DMNA and the State.

(2) Private, social nonmilitary use event. This type of rental includes birthday parties, anniversary parties, wedding receptions, showers, retirement parties and other small events of a strictly private, invitation-only nature. In some cases, individuals hosting these events may wish to serve alcoholic beverages and food, but are not using the services of a caterer. Alcohol may be served and consumed, but not sold, by individuals at private social events under an approved and executed nonmilitary use

agreement with appropriate liability insurance coverage. Alcohol may not be sold by anyone or any organization without a permit from the State Liquor Authority. If a licensed caterer or restaurateur is serving alcoholic beverages at a private function under an approved and executed nonmilitary use agreement, said caterer or restaurateur is responsible for having the appropriate license and insurance as applicable under New York State Liquor Law.

(3) At all other nonmilitary use events, the sale or distribution of alcohol may be accomplished only by a fully insured caterer or restaurateur possessing the appropriate alcohol permit. The applicable permit must be posted at each distribution point as required by law.