

NEW YORK DIVISION OF MILITARY AND NAVAL AFFAIRS
BUDGET AND FINANCE
330 OLD NISKAYUNA ROAD
LATHAM, NY 12110-2224

FISCAL POLICY MEMORANDUM

TRANSMITTAL NO: SAD-002-C

DATE: January 7, 2013

MEMORANDUM FOR: Joint Task Force Empire Shield

SUBJECT: State Active Duty Payroll Procedures

GUIDELINES: State Active Duty (SAD) Payroll procedures have been established to ensure administrative and fiscal integrity and accountability in relation to SAD pay to a Service Member (SM) of the State's Organized Militia. Therefore, effective immediately, please ensure compliance with the following SAD payroll procedures. This policy supersedes Fiscal Policy Memorandum SAD-002-B dated April 1, 2011.

PROCEDURES and DEFINITIONS:

1. All service members will be required to "sign-in" on a daily basis at a central location, which will be established by each Company Commander. Failure to sign-in will result in delays or non-processing of pay. The only authorized codes that will be recognized on the sign-in sheets are as follows:

P- Paid Pass day: is defined as an earned 24 hour period with SAD pay when the SM is not performing SAD or Federal duties.

MLWP- SAD Military Leave Without Pay: is defined as a 24 hour period without SAD pay when the SM is in a Federal pay status.

LWP- Leave Without Pay: is defined as a SM not performing SAD, or not receiving SAD pay when in a Federal pay status.

Q - Quarters: is defined as a SM not physically performing SAD, but in a SAD paid status based upon a physician's recommendation.

PT – Physical Fitness Test: is defined as a one day period when a SM is given a PT test for potential hire to the JTFES Mission.

NDS – Non Duty Status: is defined as an SM not being in any paid or unpaid State or Federal military duty status.

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Hours of Duty- is defined as the hours the SM is actually performing duty while on SAD.

DL- Different Location: is defined as a SM reporting for SAD duty at a different location other than that which they are normally assigned.

No other codes will be allowed. The Company Commander will ensure daily attendance forms are available to each SM under their command.

2. Jury Duty – If a SM is called to federal jury duty, the individual should attempt to obtain an excusal or postponement of such duty based on the SM's performance of active military service. If the SM is unable to obtain an excusal or postponement then the individual must serve jury duty until released. For the purpose of SAD, the SM will be considered in a NDS status for the duration of the federal jury duty and will only be eligible to receive a daily stipend from the court system. It should be noted that an SM in accordance with Section 170 of State Military Law is exempt from serving state, county, city, and town or village court jury duty. Section 170 does not exempt an SM from serving federal jury duty.

3. If a potential JTFES SM is called in for a physical fitness test, the service member may be paid for this date only if the SM is deemed to meet all necessary qualifications. Additionally, no pay will be allowed for a day on which only an interview occurs. If the SM will not be hired for the mission, no payment will be made to the SM for the day.

4. If a SM is on a pass day, federal duty day, leave without pay day, in quarters or assigned to a different location the Company Commander will be responsible to indicate the service member's status on the SAD Daily Attendance Sign-in Sheets (SAD 002-A-1).

5. A State Active Duty Incapacitation Payroll Roster (SAD 002-A-2) must be completed daily if a SM is in an Incapacitation Pay status.

6. The Company Commander must certify the SAD 002-A-1 and SAD 002-A-2 each day. The SAD 002-A-2 is only required to be certified daily if a SM is in an Incapacitation Pay Status.

7. At the conclusion of every pay period, each service member must sign a Statement of Duty Form (SOD) confirming the SAD 002-A-1 sign-in sheet is accurate and verifying that he/she was present, or on an authorized Pass, Federal or Leave Without Pay day (P, MLWP), Quarters (Q), Non Duty Status (NDS) or

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performed duty in a different location (DL) other than their normal assignment for that pay period.

8. The SAD 002-A-1, 002-A-2 and SOD Form must be attached to the DMNA Form 1379, and reviewed, certified and approved by each Company Commander. The Company Commander will be required to forward the aforementioned documentation, to include a Company OIC&C Statement of State Active Duty Form, to the appropriate staff at Joint Task Force-Empire Shield (JTF-ES) Headquarters.

9. The JTF-ES Commander will be responsible to review and certify all attendance records. The JTF-ES Commander will be responsible to forward to MNBF the SAD 002-A-1, 002-A-2, SOD's, Company OIC&C Statement, DMNA Form 1379s and a signed Certification for State Active Duty Pay form acknowledging that the pay documentation is accurate. If all of the proper documentation is not forwarded or signed, the service member's pay for that specific time period will not be processed.

10. If there is a discrepancy involving pay, the following procedure must be followed.

- A Certificate of Performance and all supporting documentation identifying and explaining the discrepancy must be approved and signed by the Task Force Commander, then submitted to MNBF-SAD.
- In order to facilitate the review process, if additional information or documentation is required by MNBF-SAD it is the responsibility of JTF-ES to provide such information as requested.
- MNBF-SAD will review all documentation and recommend approval or disapproval.
- No service member will be paid until all information to establish accountability by MNBF-SAD is met.

11. All Strength Reports must be accurate and updated on a daily basis. Strength Reports and all other payroll documentation must be maintained by JTF-ES Headquarters as a permanent record and available for review at any time.

12. All Strength Report amendments must be documented and filed by JTF-ES and readily available for review at all times.

13. The JTF-ES Commander and Company Commanders must ensure that all

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service members performing SAD are aware of and adhere to this policy.

14. Service members, in accordance with State Military Law, cannot collect SAD pay while on federal duty. The Task Force Commander and Company Commanders must strictly enforce this prohibition.

15. A Service member will not receive SAD pay for telecommuting (working from home). A service member must be at their place(s) of duty to receive SAD pay unless it is a P, Q or PT day.

Should you have any questions regarding this policy or procedures, please contact Ms. Jane Friess-Sherwood at (518) 786-4512.

Attachments:

State Active Duty Daily Attendance Sign-in Sheet (SAD 002-A-1)

State Active Duty Incapacitation Payroll Roster (SAD 002-A-2)

Service Member Statement of Duty (SOD)

Company OIC&C Statement of State Active Duty

Task Force Commander Certification for State Active Duty Pay