

NEW JERSEY NATIONAL GUARD  
Building 3650 Saylor's Pond Road  
Fort Dix, NJ 08640

J1

1 September 2003

SUBJECT: Policy HR 01-2003, Technicians Performing State Active Duty (SAD)

1. Reference:

- a. NJDOD TPR 630.14 Law Enforcement Leave
- b. NJDMAVA TPR 990-2 Technician Overtime and Compensatory Time Off
- c. NJ Stat. 38A:4-3, Pay and Allowances

2. This policy pertains to all technicians needed to perform SAD. The SAD can be for any mission the Governor of the State of New Jersey chooses. Technicians can perform the duty and get paid state monies for that day.

a. If performed during normal duty day, 0730-1700, the technician must be in the proper leave status. The choice of leave category will be at the military technician's discretion. The technician may use Compensatory Time (CT), Annual Leave (AL), Law Enforcement Leave (LEL), or Leave Without Pay (LWOP).

b. If the SAD is performed after normal duty hours or on a non-duty day, there is no need to be in a leave status. Supervisors are responsible for their people and their safety. Technician personnel shouldn't normally work their technician duty hours and then perform eight or more hours of SAD. The exception would be on the first day of the duty when the technician duty day has been accomplished and then immediately perform the SAD because of mission requirements.

c. SAD is involuntary if the unit of assignment is activated or the mission warrants, but can be voluntary as needed.

3. Law Enforcement Leave.

a. Technicians are authorized up to 22 workdays of LEL per leave year to perform duties including SAD. Based on congressional intent, the statute also includes situations where the National Guard does not actually perform law enforcement duties while assisting civil authorities. For example:

(1) Participation in rescue or protective work in connection with fires, floods, or other natural phenomena.

- (2) Dropping feed to cattle during blizzard.
- (3) Providing support services during a strike.
- (4) Assisting state officials during refugee processing.

b. Under LEL, technicians can earn up to the amount of their technician pay. If SAD is less, the technician will receive the difference in the technician pay. If SAD is more they will receive no technician pay.

4. AGR soldiers/airmen: AGR personnel may be used in emergency situations until relieved, they should not be expected to continue in the operation. Contact the J1 AGR section or the JAG for further guidance.