

## STATE ACTIVE-DUTY ADMINISTRATION

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This directive applies to: Arizona Army or Air National Guard military members who are ordered to State Active Duty (SAD).

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## **1.0 GENERAL**

Members of the Arizona Army or Air National Guard who are ordered to State Active Duty (SAD) will be processed in accordance with this directive and shall be eligible for limited benefits.

## **2.0 LETTER ORDERS**

The JTF (Joint Task Force – Arizona) is responsible for publishing SAD written letter orders. These letter orders are written by order of The Adjutant General (TAG) on behalf of the Governor. Due to the often immediate need to mobilize members of the National Guard to SAD, a Verbal Order of the Commanding Officer (VOCO) may be used prior to publishing a SAD letter order. JTF personnel will prepare a memo verifying duty status upon employer request.

## **3.0 PAYROLL**

### **3.1 SAD Pay**

SAD pay is determined by using the DoD Pay Manual and Military Pay Tables based on years of military service, incentive status, rank, and claimed dependents. To determine SAD pay, relevant information is retrieved from applicable Army and Air Personnel and Pay Systems. Members must ensure the information in these systems are accurate and current, during the components readiness process that occurs prior to JTF accepting a member on mission. Military pay includes base pay, incentive pay, special pay for medical personnel, basic allowance for housing (BAH), and basic allowance for subsistence (BAS); allowance rates may vary after 30 consecutive days of duty. If meals are provided, BAS is not paid. In addition to military pay, enlisted members performing SAD, under an emergency declaration, are authorized an additional \$30.00 per day, IAW A.R.S. § 26-156 (B) (additional salary provisions do not apply to officers or warrant officers).

### **3.2 Pay Period**

In accordance with the state of Arizona payroll calendar, pay periods end every other Friday and direct deposit/paychecks are issued the following week. A National Guard member who is an active state employee with either DEMA or another state agency will receive SAD pay through the member agency's payroll. SAD pay is transferred to the employee's agency and added to any other pay due from that agency.

If a member believes there is a pay problem or that they were accounted for incorrectly, they must go through military organizational levels within JTF, to rectify the problem.

### 3.3 Federal Income Tax

SAD members pay FICA/MED, and federal taxes. Tax withholding is based on the member's W-4 that is submitted to JTF. Base pay, incentive pay, and the \$30.00 a day enlisted salary provision are subject to federal income taxes. BAH and BAS are non-taxable income. Arizona Department of Administration (ADOA) will mail a year end W-2 to each member.

### 3.4 State Income Exemption

Compensation received under State Active-Duty qualifies as "active service" and exempt from state income tax per Arizona Revised Statutes §43-1022(11).

## **4.0 INJURY/WORKERS' COMPENSATION**

Members should call 911 for immediate medical care of serious injuries or call the CORVEL Workers Compensation line at 1-800-685-2877 for non-emergency medical attention.

### 4.1 Disability Benefits

Workers' Compensation is provided pursuant to Title 23 of the Arizona Revised Statutes. This protection covers any work-related injury or illness that requires medical treatment or time-off of work. Worker's compensation insurance generally provides limited benefits to eligible workers in the form of medical treatment and/or compensation for apportionment of lost wages.

If a member sustains a work-related injury or illness, the member is required to notify his/her supervisor within the JTF immediately (within 48 hours of the occurrence). Supervisors are responsible for ensuring the member obtains medical attention if necessary. Supervisors must complete a Supervisor's Report of Injury form and Employer's Report of Industrial Injury form within 24 hours. JTF will route all forms and claims to the DEMA Risk Manager within 24 hours of reviewing and logging for tracking.

Members will send medical bills for industrial injuries/illnesses to the Administrative Service Office after retaining copies for themselves. For additional

information, visit the ADOA Risk Management Workers' Compensation site at: <https://staterisk.az.gov/workers-compensation/employees>.

#### 4.2 Death Benefits

Per A.R.S. 23-1046, in the case of an injury causing death, temporary employees (State ActiveDuty) are covered under State of Arizona Workers' Compensation Laws. Benefits are:

1. Up to \$5,000 in burial expenses.
2. To the surviving spouse, if there are no children, 66<sup>2</sup>/<sub>3</sub>% of the average monthly wage of the deceased, to be paid until such spouse's death or remarriage, with two years compensation in one lump sum upon remarriage.
3. To the surviving spouse, if there are children, 35% of the average monthly wage of the deceased, to be paid until such spouse's death or remarriage, with two years compensation in one sum upon remarriage; and to the surviving children an additional 31<sup>2</sup>/<sub>3</sub>% of the average monthly wage, to be divided equally among them until the age of 18 years, until the age of 22 years if the child is enrolled as a full-time student in any accredited educational institution, or if over 18 years and incapable of self-support when the child becomes capable of self-support.

### 5.0 HEALTH, LIFE, & DISABILITY INSURANCE

SAD members on orders exceeding thirty consecutive days and their dependents are eligible to participate in the State's elective health, life, and disability income insurance programs, IAW Arizona Revised Statute (A.R.S.) §26-158. Upon the completion of SAD, a member of the Arizona National Guard, including dependents, are no longer eligible to receive benefits, but may be eligible for a continuation of health benefits in accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA).

### 6.0 LEAVE

#### 6.1 Leave Benefit

Beginning March 01, 2022: after serving for more than 30 days of continuous SAD, members accrue 2.5 days of leave per month they are on state active duty.

Partial months are prorated. Leave calculations are computed using the same method as active-duty military components.

## 6.2 Request for Leave

Leave requests must be submitted to the member's supervisor within JTF and approved by his/her JTF commander. Commanders will approve leave as manning permits and within the constraints of mission operations. Only accrued leave can be requested and approved.

## 6.3 Accrued Leave Balance

Members will be placed on terminal leave beyond the end of mission execution for any unused leave balances. This will include any unused leave accrued during an EMAC response in other states. Additional leave is not earned during terminal leave periods.

## 7.0 HOLIDAY LEAVE

Paid federal holidays, as posted on the Office of Personnel Management (OPM) calendar (<https://www.opm.gov/policy-data-oversight/pay-leave/federal-holidays/>), are authorized for members who meet the following criteria:

1. Must be on SAD orders for 30 consecutive days prior to the legal holiday; and,
2. Must continue to be on SAD through the regularly scheduled day after the holiday; or
3. Other leave passes may be authorized by the TAG or his/her designee.

Holiday leave is granted at command discretion. If a member is required to perform SAD on a legal holiday or if the holiday falls on the member's regularly scheduled day off, and the member meets the above criteria, the member will have the holiday pay added to their payroll or afforded an additional day off during that same pay period.

## **8. TRAVEL**

### **8.1 Travel Reimbursement**

To qualify for reimbursement, a SAD member must be deployed at least 50 miles from their residence. Receipts for travel-related expenditures must be submitted along with State of Arizona Travel Claim form GAO-503EZ for reimbursement. Forms can be found at General Accounting Office (GAO) website: <https://gao.az.gov/publications/forms>.

SAD members in an authorized travel status, are eligible for reimbursement at the current rate for the area as listed in the Arizona State Accounting Manual (SAAM). In-and-out of state rates can be found on the General Accounting Office website: <https://gao.az.gov/publications/SAAM>, under chapter 50 – Travel, section 95.

### **8.2 Lodging**

Lodging is normally arranged and paid for by DEMA Logistics on behalf of the member. In cases of emergency where lodging is not arranged, SAD members in an authorized travel status may get preapproval from DEMA Logistics to procure their own lodging and will be reimbursed for preapproved lodging costs at the completion of the mission. The original lodging receipt is required for reimbursement. Rates vary per city and/or time of year and can be found on the General Accounting Office website: <https://gao.az.gov/publications/SAAM>, under chapter 50 – Travel, section 95.

## **9.0 STATE ACTIVE-DUTY EMPLOYMENT RIGHTS**

### **9.1 Leave of Absence from Employment**

Per A.R.S. § 26-168, an employer shall not refuse to permit members of the National Guard to take a leave of absence from employment for the purpose of complying with competent orders of the State. The leave of absence shall not affect vacation rights which employees otherwise have, except that an employer need not consider the period of absence as a period of work performed for him/her in determining eligibility for vacation and the amount of vacation pay to which the employee is entitled.

A member of the National Guard shall not lose seniority or precedence while absent under competent military orders. Upon return to employment, the

employee shall be returned to his/her previous position, or to a higher position commensurate with his/her ability and experience, as seniority or precedence would ordinarily entitle him/her. State, federal and AGR employees must ensure they check with their full-time personnel system regarding leave status while on SAD.

## 9.2 Authorized Use of Military Leave

Those Guard members who are called to SAD and work full-time for the State of Arizona or any political subdivision to include public school districts are authorized the use of military leave in accordance with A.R.S. 26-168. **This provision does not apply to federal employees.** Civilian employers each have their own leave policies that will prevail for their employees on SAD.

## 10.0 SERVICE AWARD/RIBBON

The Arizona State Active Duty Service Ribbon (AZSADR) is awarded to members of the Arizona National Guard who honorably serve on SAD during an emergency that has been declared by the Governor. This award can only be earned one time in a member's career. The award should be requested by the member's organic military unit, IAW AZ STARC PAM 600-8-22 (Army Personnel) and AZ ANGI 36-2803 (Air Personnel).

## 11.0 SAD ADMINISTRATIVE OUT PROCESSING

The JTF is responsible for tracking the duty status of members on SAD. JTF will publish a weekly SAD End of Duty (EOD) Roster listing members whose tour of duty will end within 30 days. The EOD Roster will be electronically routed to state HR and Payroll, Payroll will route the EOD Roster to ADOA. The member's leave will be calculated and required benefit notices will be issued.



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