



CALIFORNIA MILITARY DEPARTMENT NOTICE

NGCA-JSD-MP
DISTRIBUTION: TA

CMDN 1415.08
23 March 2015

INTERMIXING OF DUAL STATUS (DS) TECHNICIAN DUTY AND MILITARY STATUS

Reference: See Enclosure A.

1. Purpose. This California Military Department Notice (CMDN) provides guidance and procedures that applies to instances where DS Technicians are performing duty in a Technician status and in a full time military status on the same day.
2. Cancellation. This memorandum supersedes NGB-J1-TN Memorandum, Subject: Performance of Alert Duty by Military Technicians (TN-07-39) dated 16 May 2007, in the portions dealing with the performance of military and technician duties on the same day only. This is the initial publication as there is no previous version of this notice.
3. Applicability. This CMDN applies to all California Military Department Dual Status Technicians.
4. Background. National Guard Bureau published an updated memorandum regarding the intermixing of dual status technician and military duty status.
4. Action or Procedure. Refer to Enclosure A.
5. Releasability. This CMDN is approved for public release; distribution is unlimited. This CMDN will be posted in a prominent visible place. This CMDN is available for download, until expiration, from:
<http://www.calguard.ca.gov/HRO/Pages/CMD-Issuances.aspx>.
6. Effective Date. This CMDN is effective upon signature and publication.

KIMBERLY DEROUEN SLAVEN
LTC, LG, CA ARNG

Director, Manpower and Personnel

Enclosure:

A -- National Guard Bureau Memorandum, 27 February 2015, Intermixing of Technician Duty and Military Status



NATIONAL GUARD BUREAU
111 SOUTH GEORGE MASON DRIVE
ARLINGTON, VA 22204-1373

27 February 2015

MEMORANDUM FOR ALL NATIONAL GUARD HUMAN RESOURCES OFFICERS

Subject: Intermixing of Technician Duty and Military Status

- References:**
- (a) 5 U.S.C. § 6323(A)
 - (b) 32 U.S.C. § 502(a)
 - (c) 32 U.S.C. § 502(d)
 - (d) 37 U.S.C. § 206
 - (e) DoDI 1205.18, *Full-Time Support (FTS) to the Reserve*
 - (f) DoDI 1215.06, *Uniform Reserve, Training and Retirement Categories for the Reserve Components*
 - (g) GAO Comptroller General Decision B-211249, Sep 20, 1983, *Present for work in civilian position while simultaneously on Active Duty*
 - (h) GAO Comptroller General Decision B-133972, Oct 14, 1969, *Leaves of Absence - Civilians on Military Duty*
 - (i) GAO Comptroller General Decision B-133972, Feb 5 1973, *Civilian Pay without charge to military or civilian leave for the day of departure*
 - (j) TPR 630

1. This memorandum provides guidance and procedures that apply to instances where National Guard Technicians are performing duty in a Technician status and in a full time military status on the same day. This memorandum does not apply to military duty that is specified by law to be for less than 24 hours in duration as detailed in references (b) and (f).

2. During a period that a technician is subject to military control under active duty orders, the technician may not simultaneously be regarded as present for work in their technician position, since technician service is incompatible with military active duty status. However, the employee may receive credit for civilian Technician work performed before they become subject to military control on the first day of the active duty period, and for civilian work performed after release from military control on the last day of the active duty period. References (c) and (d) provide for the minimum amount of time that must be worked for which military pay can be authorized.

3. A Technician cannot be paid for civilian Technician duty (unless in a leave status) and full time military duty on the same day for two consecutive days. Full time military duty that is scheduled for more than one day must be

scheduled based on the needs of the service. When military duty is scheduled for second and subsequent days, the military duty is scheduled in 24-hour increments as specified in reference (i) and requires the civilian Technician to be in a leave status. Appropriate leave categories and use, to include Leave Without Pay (LWOP), are found in reference (j).

4. This guidance supersedes NG-J1-TN memorandum, Subject: Intermixing of Technician Duty and Military Status (TN-10-11), dated 24 May 2010.

5. Point of contact is Mr. Robert Tetreault; NG-J1-TN; 703-601-2980.

A handwritten signature in black ink, appearing to read "Robert W. Tetreault", is positioned above the printed name.

ROBERT W. TETREAULT
Acting Chief, Office of Technician
Personnel, National Guard Bureau