

DEPARTMENT OF  
DEFENSE, VETERANS AND EMERGENCY MANAGEMENT  
33 State House Station, Augusta, Maine 04333-0033  
(207) 430-6000

**Inter-Departmental Memorandum**

**December 2, 2014**

**TO:** All Defense, Veterans and Emergency Management Employees

**FROM:** Brigadier General James D. Campbell, Commissioner/Adjutant General

**SUBJECT:** DVEM Policy 14-06, Voluntary State Active Duty (VSAD) Program

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1. This memorandum of policy is effective immediately and remains in effect until renewed or revoked.

**2. AUTHORITY:**

As provided in state law, the Adjutant General, with the individual's consent, may order to Volunteer State Active Duty (VSAD) members of the Maine National Guard, both active and retired, to perform state service of any nature. Applicable statutes are listed below.

Maine Revised Statutes Annotated, Title 37B (Defense, Veterans, and Emergency Management), Chapter 3: Military Bureau

Subsection 143 (Pay and Allowances): Members of the Maine National Guard ordered to active state service under this Title, except under section 150, are entitled to receive at least the same pay and allowances as would be payable to those persons from the United States Armed Forces. The member's pay, except for that pay of those members serving under section 150, must include minimum pay based upon at least 12 hours a day at the state minimum wage. The salaries costs for members of the Maine National Guard, (active or retired), ordered to active state service under section 150 shall not exceed costs for a similar state government position or for a comparable grade and series Federal Civil Service position for the geographic area in which the employee works.

Subsection 147-3 (Active Duty): Whenever the occasion arises, the Governor, the Adjutant General or the Deputy Adjutant General, with the individual's consent, may order to active state service any retired officer, warrant officer and enlisted person, with or without pay allowances of that person's grade while performing the service.

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Subsection 181-A-5 (Military duty by consent): The Governor, or the Governor's designee, may order a member of the Maine National Guard, with that members consent, to perform active state service of any nature.

**3. PURPOSE:**

This policy outlines the procedures for Voluntary State Active Duty (VSAD) to provide consistent implementation throughout the Department. It provides guidance on employee benefits and administrative procedures. Adherence to these policies will ensure equity of all employees participating in the VSAD program and effective management of funds.

**4. EMPLOYEE BENEFITS:**

Health and Dental Insurance: Employees are eligible to participate in the State Health and Dental Program if they are on orders for more than thirty (30) days.

Deferred Compensation: Employees are eligible to participate in the State's Deferred Compensation Program. Information is available from the Department Personnel Specialist.

Maine State Retirement System: Employees are eligible to participate in the Maine State Retirement System if they are on orders for more than thirty (30) days.

Leave/Vacation:

- Less than 5-day orders: None
- 5-day orders but less than two weeks: None
- 5-day orders longer than two weeks: 4 hours per each two-week pay period not to exceed 96 hours of accumulation in a 12 month calendar year.

*NOTE: Earned leave/vacation time maybe carried forward from month to month, but will not be carried over into another calendar year. If an employee has a break in service the employee may carry the earned time forward only if the break in service was not more than thirty days.*

Sick Leave:

- Less than 5-day orders: None
- 5-day orders but no more than two weeks: None
- 5-day orders longer than two weeks 4 hours per each two-week pay period not to exceed 96 hours in a 12 month calendar year.

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Holidays: Paid holidays will be consistent with those identified for State Employees as published annually by the Department of Administrative & Financial Services.

## **5. ADMINISTRATIVE PROCEDURES:**

Orders: Orders represent the Department's commitment to the individual and, to the extent possible, should indicate the maximum duration of the assignment. Salaries and benefits costs for employee positions funded under the Master Cooperative Agreement shall not exceed the salary and benefits costs for a similar State government position or for a comparable grade and series Federal Civil Service position for this geographic area. Individuals will be placed on 5 day orders at the applicable military grade, based on a comparative civil service pay scale. Orders will not exceed 5 days without the approval of the Deputy Commissioner. Orders will be provided to the Soldier, unit of assignment (for information only), Director of Facility Engineering (DFE), and the Department Personnel Specialist. Orders *are terminated* when the employee is collecting worker's compensation, the employee is on Annual Training (AT) orders, or the employee is away at a school. *Orders may be amended* when an employee is promoted to a higher military rank and the higher grade salary and benefits costs do not exceed those for a similar State government position or comparable grade and series Federal Civil Service position in this geographical area, or the VSAD position is not reimbursed through the Master Cooperative Agreement.

**Note:** *Orders are neither published nor amended until sufficient allotment has been placed in the appropriate account as coordinated by the Directorate of Facilities Engineers Business Manager.*

In-processing: The following forms will be completed and provided to the Bureau's Personnel Specialist before any individual begins a period of VSAD:

- Copy of the VSAD orders
- W-4
- W-4ME
- State of Maine Vendor Information Form for travel claims

The following forms are to be filled out with the Department Personnel Specialist upon receipt of VSAD orders:

- State of Maine Direct Deposit Form (If desired)
- Insurance forms (If on 30+ days per orders)

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Standard Workday: The standard workday will be 8 hours with two 15 minute paid breaks and a 30-minute non-paid lunch break. Bureau Directors may modify this standard but must ensure that 80 hours are worked within each two-week pay period. The appropriate military uniform will be worn by VSAD employees except as authorized by the Deputy Commissioner.

Timecards: Payment of individuals on VSAD will be executed upon submission of the VSAD Timecard to the Departments Personnel Specialist.

Funding & Payroll Accounts: Each Bureau will forward a bi-weekly payroll sheet to the Department Personnel Specialist.

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Brigadier General James D. Campbell  
Commissioner and The Adjutant General