



# Leave Policy

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### **1. Purpose**

The purpose of this policy is to provide employees with information regarding eligibility, accrual and use of leave for Buncombe County.

### **2. Applicability**

This policy applies to all Buncombe County departments and employees. Where there is conflict with any department-specific policy, this document will supersede.

### **3. Policy**

#### **3.1. Absence from Duty**

- 3.1.1. An employee shall promptly, and no later than thirty minutes prior to the start of the workday, notify their Supervisor when they will be absent from duty for any reason. Failure to do so may be cause for disciplinary action.
- 3.1.2. An employee who is absent from duty for a total of three days without notification to the immediate supervisor shall be considered to have resigned unless failure to notify was demonstrably beyond the employee's control. The days do not need to be consecutive.

#### **3.2. Administrative Paid Leave**

- 3.2.1. Administrative leave is an administratively authorized absence from duty without loss of pay or charge to leave. Administrative leave may be used only under the following circumstances:
  - 3.2.1.1. To protect the safety and wellbeing of persons or property and to avoid disruption of the work environment.
  - 3.2.1.2. To investigate allegations of performance or conduct deficiencies that would constitute just cause for disciplinary action.
  - 3.2.1.3. To provide time within which to schedule and conduct a pre-disciplinary conference.
  - 3.2.1.4. To facilitate a management directed referral or fitness for duty/risk evaluation to ensure an employee's safety and/or the safety of others.
- 3.2.2. Placement on administrative leave must be approved by the Department Director, or their designee, and Human Resources. Management, in collaboration with Human Resources, shall notify an employee in writing of the reasons for administrative leave no later than the second scheduled workday and provide specific instructions regarding

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communications, acting agent of the County, and access to County workplaces, equipment, and information systems. Administrative leave does not constitute a disciplinary action and is not subject to appeal.

- 3.2.3. Administrative leave may last no longer than 30 calendar days without written approval of extension by the Department Director and Human Resources. When an extension beyond the 30-day period is necessary, management shall advise the employee in writing of the extension, the length of the extension, and the reasons for the extension. Administrative leave shall not be used for the purpose of delaying an administrative decision on an employee's work status pending the resolution of a civil or criminal court matter involving the employee.

**3.3. Annual Leave** – Annual leave provides employees an opportunity to relax for an extended period and to return to the job with renewed interest and vitality. The County encourages employees to take annual leave each year, with at least one week of leave being 5 days in duration.

All employees are expected to use their annual leave responsibly. Annual leave may be taken only with the approval of the employee’s immediate Supervisor. Supervisors have the discretion to decide when and in what amount annual leave may be approved. The approval decision should weigh the needs of the workplace and the frequency of requests with the needs of the employee. Leave will not be approved when an employee has already fulfilled their weekly hours.

- 3.3.1. Annual leave is allocated to employees based on years of service with Buncombe County.
  - 3.3.1.1. Annual leave for new hires or rehired employees after October 30, 2018, is allocated based on verified prior service from any state or local government municipality.
- 3.3.2. An employee ceases to earn leave credits if they have more than 50% Leave Without Pay in a pay period.
- 3.3.3. Full-time regular employees are eligible to earn annual leave at the following rates, accrued pro-rata on a bi-weekly basis:

YEARS OF SERVICE	DAYS EARNED PER YEAR IF HIRE DATE IS		
	BEFORE 8/1/2002	ON OR AFTER 8/1/2002	ON OR AFTER 2/15/2011
Less than 2 years	12 days	10 days	10 days
2 but less than 5 years	14 days	12 days	12 days
5 but less than 10 years	18 days	16 days	14 days
10 but less than 15 years	21 days	19 days	16 days
15 but less than 20 years	24 days	22 days	18 days
20 or more years	27 days	25 days	20 days

- 3.3.3.1. Regular Part-time employees that are scheduled to work at least 20 hours per week are eligible to earn annual leave on a pro-rata basis. The leave will be computed as a percentage of total amounts earned by full-time regular employees as listed in the chart above.

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3.3.4. Full-time regular employees whose positions require 12 hours or more per shift (equating to or exceeding 2,184 hours annually) will accrue annual leave (equivalent to one shift) in accordance with the table below.

3.3.4.1. This does not apply to employees who have created a flexible work schedule beyond an 8-hour shift or who work on-call shifts.

YEARS OF SERVICE	SHIFTS EARNED PER YEAR IF HIRE DATE IS		
	BEFORE 8/1/2002	ON OR AFTER 8/1/2002	ON OR AFTER 3/23/2024
Less than 2 years	12 shifts	10 shifts	10 shifts
2 but less than 5 years	14 shifts	12 shifts	12 shifts
5 but less than 10 years	18 shifts	16 shifts	14 shifts
10 but less than 15 years	21 shifts	19 shifts	16 shifts
15 but less than 20 years	24 shifts	22 shifts	18 shifts
20 or more years	27 shifts	25 shifts	20 shifts

3.3.5. Transfer and Payout - Buncombe County does not accept transfers of accrued or unused annual leave from any other county, municipality, or state government into the employee’s annual leave bank.

Employees shall receive pay for their accumulated annual leave upon resignation, dismissal, retirement, or reduction in force. Should an employee die, payment of annual leave credit shall be made to the employee’s estate. Should an employee die, resign, retire, or be subject to a reduction in force, with a debt to the County, the County may withhold the amount of the debt from the employee or their estate in its final payment to the employee or estate.

No more than two years of earned annual leave accumulation shall be paid.

3.3.6. Maximum Accrual – Any employee with more than two (2) years of annual leave (based on their existing accrual rate on January 1 of each year) will have the excess leave converted to sick leave on January 1.

3.3.7. Cash Conversion - With the approval of the Departmental Director and subject to the following conditions, regular employees may convert 40 annual leave hours to cash. Grant-funded positions may convert 40 annual leave hours if the grant budget and terms allow.

3.3.7.1. Conditions:

- The employee must have taken at least 5 (consecutive) days of annual leave in the 12 months prior to the conversion request. No other leave type may be used to meet the 5-day requirement.
- Only one conversion request will be approved for any employee in a calendar year.
- Any conversion request is limited to 40 annual leave hours per regular employee per calendar year.

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- A balance of at least 40 annual leave hours must be retained.
- If an employee has participated in Paid Family Leave, they are not eligible for a cash conversion for 12-months from the last day of their leave.

Please reference the Leave Standard Operating Procedures for this leave status.

**3.4. Aggregate Service** - The employee's combined total period of countable service of employment within a regular position as an employee of Buncombe County, exclusive of any time allowed as transfer credit from another jurisdiction, for the purpose of determining entitlement to the particular benefit in question.

Aggregate service for retirement purposes refers to total length of service under which retirement contributions are paid into the N.C. Local Governmental Employees' Retirement System by the employee.

Aggregate service for determining the rates at which longevity and annual leave are earned by an employee is determined from the total years of service with Buncombe County only.

Rehired employees after October 30, 2018, or new hires from other government employers will be eligible for Annual Leave Accrual at rates commensurate with total years in service of Buncombe County plus other government employer(s) at the date as a new hire as described above.

Except as otherwise provided, rehired employees, and new hires from other North Carolina government employers, will be eligible only for the existing benefits at the time they are rehired, e.g., current health insurance plan, current 401K plan, etc. In addition, rehired employees will be eligible for a longevity rate with said accrual calculated based on the date of rehire (previous years of service will not be counted). For an employee hired on or after July 1, 2016, the employee shall not be eligible for a pro-rated longevity payment upon separation by retirement if the employee retires before December 1.

**3.5. Community Service Leave** – All regular employees that are scheduled to work at least 40 hours per week are eligible to receive 16 hours of paid community service leave annually for use to serve at a community service organization, school, civic contribution, or another municipality's elections site (excluding Buncombe County Government). Regular part-time employees that are scheduled to work at least 20 hours per week are eligible to earn paid community service leave on a pro-rata basis. Each January, the Community Service Leave will reset.

For Buncombe County Elections site, please see Temporary Duty Elsewhere leave type.

Please reference the Leave Standard Operating Procedures for this leave status.

**3.6. County Holidays** – The County Manager develops and implements holiday pay administration procedures consistent with applicable federal and state laws. The Board of Commissioners must approve the offerings of all County observed holidays.

3.6.1. Eligibility: The following employees are eligible to receive Holiday Pay:

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- Full-time regular and grant funded employees and officers of the County working the standard workweek.
- Each holiday equals no more than one normally scheduled shift.
- Should an employee work additional hours on the holiday, that have not been pre-approved by the Department Director, they will not earn additional holiday pay.
- Part-time regular and grant funded employees are eligible to receive paid holidays on a pro-rata basis. This calculation will be based on their annually scheduled hours.
- Temporary employees - see Alternate Workforce Policy for leave benefit.
- Employees who use Leave Without Pay for more than half of their normal pay period's hours (more than 50%) will not be eligible for holiday pay.
- A holiday calendar will be posted annually to show designated holiday observation dates.

3.6.2. **Banked Holiday:** Employees scheduled to work or who have received prior permission from their supervisor to work on a holiday will receive banked holiday time for the hours actually worked on a county holiday. If the banked leave time is not used, it will be paid out upon separation.

- 3.6.3. **Approved County Holidays:**
- New Year's Day
  - Martin Luther King Jr. Birthday
  - Good Friday
  - Memorial Day
  - Juneteenth
  - Independence Day
  - Labor Day
  - Veteran's Day
  - Thanksgiving (2 days)
  - Christmas (3 days)

**3.7. Educational Leave with Pay** – A leave of absence at full or partial pay during regular working hours may be granted to a regular employee to take a required course or courses which shall better equip the employee to perform assigned duties upon approval of the department head.

An employee on educational leave with full pay shall continue to earn leave credits and any other benefits to which the employee is entitled.

Please reference the Leave Procedures for this leave status.

**3.8. Emergency Leave** – Formerly the Inclement Weather Policy. Whenever the County Manager determines that the health and safety of the community would be placed at risk or that conditions or events prevent performance of regular operations, a decision will be made regarding the office hours of County offices.

Please reference the Emergency Closure Policy for this leave status.

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**3.9. Family Medical Leave (FMLA)** – Family medical leave shall be provided in compliance with the Family and Medical Leave Act of 1993, as amended (“FMLA”) and the rules and regulations of the U.S. Department of Labor (DOL) concerning FMLA.

**3.9.1 Leave Calculation**

The County utilizes the rolling 12-month period measured forward from the date any employee’s first FMLA leave begins. Each time an employee takes leave within the 12-month period, the County will subtract it from the 12-week FMLA entitlement, and the balance remaining is the amount the employee is entitled to take at that time.

**3.9.2 Employee Status and Benefits During Leave**

While an employee is on leave, the County will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the County will require the employee to reimburse the County the amount it paid for the employee's health insurance premium during the leave period.

Under current County policy, the employee pays a portion of the health care premium. Should the employee have elected ancillary benefits, such as life insurance, dental, vision, etc., they will be responsible for the entire premium. While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of the premium. Missed premium withholdings will go into arrears and be collected in accordance with N.C Gen Stat. § 95-25.8. An employee who takes FMLA grants the County permission to deduct any missed insurance premiums from the employee’s paycheck once the employee returns to work. If the total premium arrearage reduces the employee’s paycheck to below minimum wage, the County has permission to collect the arrearage from future paychecks.

**3.9.3 Other Leave – Paid Time Off (Sick, Vacation, Compensatory Time) or Unpaid Leave**

All approved periods of paid leave and periods of leave without pay beyond the allotted FMLA benefit (including leave without pay) count towards the workweeks to which the employee is entitled. The employee must use all paid vacation, personal or compensatory leave prior to being eligible for unpaid leave. An employee who is using military FMLA leave for a qualifying exigency must use all paid leave prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave must also use all paid leave (as long as the reason for the absence is covered by Buncombe County’s sick leave policy) prior to being eligible for unpaid leave.

**3.10. Funeral/Bereavement Leave** – Employees are eligible for funeral/bereavement leave not to exceed three (3) days in the event of a death of an immediate family member. Should an intended parent lose their baby through a miscarriage or stillbirth, Funeral/Bereavement leave may be used. The three (3) days need not be consecutive or immediate due to a delay in the funeral, celebration of life, memorial or burial of a family member. Requested leave exceeding the maximum days, in aggregate, may be charged to any available leave such as PTO, annual or sick leave. If the employee does not have any leave available, they may request leave without pay. All leave without pay requests must follow the process outlined in this policy.

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Immediate family members are defined as:

- the employee's spouse
- the employee's children or stepchildren, parents, grandparents, grandchildren, brothers, or sisters
- the employee's spouse's parents

Leave for death of other relatives may be charged to sick leave, annual leave, or PTO.

Please reference the Leave Standard Operating Procedures for this leave status.

**3.11. Healthy Hours** - Healthy hours are the hours of paid time off earned by regular employees participate in our BeWell Employee Wellbeing Programs, including employees not on the County's health insurance.

- 3.11.1. Employees can earn 16 hours per year: 8 hours from January 1 – June 30, and an additional 8 hours from July 1 – December 31 with successful participation in the BeWell program and challenges. Human Resources will send electronic notifications announcing each challenge.
- 3.11.2. Employees can earn 8 hours per year: 4 hours from January 1 – June 30 and an additional 4 hours from July 1 – December 31 with successful participation in the Know Your Numbers program.
- 3.11.3. An employee can accumulate a maximum of 24 Healthy Hours. Once the maximum hours are met, no additional Healthy Hours may be earned until this balance decreases. This leave is not paid out upon an employee's resignation from the organization.

**3.12. Leave without Pay (LWOP)** – Regular employees may be granted a leave of absence without pay for compelling personal reasons for up to thirty (30) calendar days per year.

- 3.12.1. An employee must receive preapproval for this leave, prior to taking the leave.
  - 3.12.1.1. All other available leave must be exhausted prior to LWOP approval.
- 3.12.2. The employee is obligated to return to duty within or at the end of the time determined appropriate by their supervisor, in collaboration with Human Resources. Upon returning to duty after being on leave without pay, the employee shall be entitled to return to the same position held at the time leave was granted or to one of like classification, seniority, and pay.
  - 3.12.2.1. If the employee decides not to return to work, the supervisor must be notified immediately of this decision, in writing.
  - 3.12.2.2. The supervisor/department director is then required to notify Human Resources.
- 3.12.3. Failure to report at the expiration of a leave of absence, unless an extension has been granted by the County Manager, shall be considered an involuntary separation.
- 3.12.4. Retention and Continuation of Benefits
  - 3.12.4.1. An employee ceases to earn leave credits when their LWOP is more than 50% in a pay period.
  - 3.12.4.2. The employee may continue to be eligible for benefits under the County's group insurance plans, subject to any regulations adopted by the Board of County Commissioners and the regulations of the respective insurance carriers.

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- 3.12.4.3. While an employee is on paid leave, Buncombe County will continue the employee's insurance benefits during the leave period at the same level, and under the same conditions as if the employee had continued to work.
- 3.12.4.4. While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of the premium. If the employee is using unpaid leave, then the employee's portion of the benefit will be taken out of the employee's paycheck upon his/her return to work.
- 3.12.4.5. If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, Buncombe County will require the employee to reimburse Buncombe County the amount it paid for the employee's insurance premiums during the leave period.
- 3.12.4.6. Buncombe County may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

Please reference the Leave Procedures for this leave status.

**3.13. Mandatory Court Appearances** – Leave with pay is provided to employees when serving on a jury or when subpoenaed as a witness in a case in connection with his/her official duties. At the completion of jury duty or as a witness, the employee is expected to immediately return to work. While on jury duty or when subpoenaed as a witness in connection with the employee's official duties, benefits and leave shall accrue as though the employee were on regular duty.

- 3.13.1. Jury Duty –Regular employees called for jury duty in State or Federal Court shall receive leave with pay for such duty during the required absence.
  - 3.13.1.1. The employee will not be required to account for any fee or compensation received for jury service.
  - 3.13.1.2. Temporary employees are not eligible for jury duty leave.
- 3.13.2. Witness – A regular employee subpoenaed as a witness in a case in State or Federal Court in connection with his/her official duties shall receive regular compensation for said court appearance. All witness fees received by the employee must be submitted to the County upon receipt.
- 3.13.3. Subpoena – employees who are subpoenaed as a witness in State or Federal Court in a case which is not related to their official duties must use annual leave or PTO leave during this absence.
  - 3.13.3.1. Witness fees and travel expenses are to be retained by the employee.

Please reference the mandatory court appearance procedures for this leave status.

**3.14. Military Leave** – In accordance with federal and state laws, the County provides military leave to employees who are members of the uniformed services for absences to perform military duty, whether voluntary or involuntary. Absences to perform any military duty (including active duty, active-duty training inactive duty training such as scheduled drills and summer camp, full-time duty, fitness-for-duty examination, and funeral honors duty) are covered in the Military Leave Procedures document, unless the employee reaches the five-year maximum of military leave as established by the Uniformed Services Employment and Reemployment Rights Act (USERRA).

Please reference the Leave Procedures for this leave status.

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**3.15. Paid Family Leave**

- 3.15.1. Eligibility - To be eligible for Paid Family Leave, the employee (regular and long-term temporary) must be a qualified employee under the Family Medical Leave Act (FMLA) and on approved FMLA Leave for one of the following reasons:
- 3.15.1.1. To bond with a newborn child within one year of birth; or to bond with a child following adoption or foster care placement within one year of adoption or placement. Part-time and short-term temporary employees are not eligible for Paid Family Leave.
- 3.15.1.2. To care for a spouse, child or parent with a serious health condition.

For FMLA, please reference the leave type in this policy and/or the U.S. Department of Labor Family and Medical Leave Act website.

- 3.15.2. Paid Leave Benefit:
- 3.15.2.1. Compensation: Paid Family Leave will provide salary continuation of 100%.
- 3.15.2.2. Duration: The amount of paid Family leave runs concurrent with FMLA Leave and shall not exceed the employee's approved FMLA period for any one person.
- 3.15.2.2.1. Up to eight (8) weeks for child bonding
- 3.15.2.2.2. Up to six (6) weeks for caring for a family member with a serious health condition.
- 3.15.2.2.3. Employees may use this time in a single continuous block or intermittently.
- 3.15.2.3. Considerations:
- 3.15.2.3.1. All leave must be completed within twelve (12) months of the qualifying event.
- 3.15.2.3.2. If the employee is using consecutive days of this approved leave, they may not use vacation, sick leave, or holiday pay.
- 3.15.2.3.3. If the employee is utilizing their paid Family Leave intermittently, they may use their accrued but unused leave in accordance with the Leave Policy.
- 3.15.2.3.4. Employees may not receive Temporary Disability Income (TDI) while receiving Paid Family Leave.
- 3.15.2.3.5. If an employee receives Paid Family Leave, they will not be available to sell back vacation time for 12-months from the end of the approved leave.
- 3.15.2.3.6. Employees receiving Paid Family Leave must request approval to start or continue secondary employment while on Paid Family Leave, in accordance with the Conflict-of-Interest Policy and Procedures.

- 3.16. Parental Leave** – Regular employees of school aged children may take up to four hours of unpaid leave for participation in their child's school events and conferences. The leave must be planned with the Supervisor in advance. The supervisor may ask for written confirmation that the employee has attended the school event as planned.

Please reference the Leave Procedures for this leave status.

- 3.17. Personal Time Off (PTO)** – Full-time regular employees are granted PTO days after they complete their first week of work and then on the first day of each calendar year. Two PTO days are granted

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to positions with a 2080 hour per year schedule. Full-time regular positions with a schedule of more than 2080 hours per year and part-time regular positions with a schedule of 20 hours per week or more shall receive PTO on a pro-rata basis computed as a percentage. PTO may be taken only with the approval of the employee's immediate Supervisor. Any unused PTO at the end of the calendar year shall be forfeited.

The County will not transfer PTO from another county, municipality, or state government. Upon an employee's resignation or termination, no payment shall be made for any remaining PTO and such PTO is forfeited.

Please reference the Leave Standard Operating Procedures for this leave status.

- 3.18. Sick Leave** – All regular employees, as defined in the Personnel Ordinance, who have accrued sick leave time are eligible for time off that can be used for physical/mental illness or injury.
- 3.18.1. Full time regular employees who work 40 hours or more each week earn sick leave at the rate of 3.6923 hours per payroll period or 12 days per year.
  - 3.18.2. Part time regular employees who are scheduled to work at least 20 hours per week shall earn sick leave proportionally on a pro-rata basis.
  - 3.18.3. For full-time regular employees whose positions require 12 hours or more per shift (equating to or exceeding 2,184 hours annually), sick leave will be accrued based on twelve (12) shifts per year.
  - 3.18.4. For other position eligibility, please reference the Grant Funded Positions or Alternate Workforce policies.

Sick leave may be used for:

- Physical or mental illness or injury which prevents an employee from performing usual duties and for the actual period of temporary disability
- Medical appointments
- Illness of a member of the employee's immediate family. For purposes of this section, immediate family shall be as defined under the Family and Medical Leave Act.

The employee must notify their supervisor no later than thirty (30) minutes before the beginning of the employees scheduled work shift. Emergency Services and Public Communication/911 employees must notify their supervisor no later than an hour and a half (90) minutes before the beginning of the employees scheduled work shift.

Sick leave shall be authorized in minimum increments of one-quarter (¼) hour periods.

On the 3rd consecutive workday of sick leave use or if there is a pattern of use, the department director (or designee) may require a statement from a health care provider or other acceptable proof that the employee was unable to work due to personal illness, family illness, or medical appointment.

- Only scheduled workdays shall be charged in calculating the amount of leave taken. Holidays shall not be counted as sick leave unless that day is their normally scheduled shift.
- No payment shall be made for accumulated sick leave credits at the time of the employee's separation.

Unused sick leave shall be accepted for employees hired, rehired or reinstated within five (5) years of their last workday provided the employee earned sick leave while under the North Carolina's

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Employees' and Teachers' Retirement System, North Carolina Local Government Employees' Retirement System, or North Carolina Law Enforcement Officers' Retirement System. In consultation with the Human Resources Office, the Risk Manager will ensure that employees are credited with sick leave accrued during time lost due to on-the-job injuries.

After completion of the first six months of continuous employment, the County of Buncombe may allow a new County regular employee to transfer all days of previously accumulated sick leave accrued while employed by a State of North Carolina, County, or Municipal jurisdiction. Sick leave is allowed creditable service at the time of retirement to employees who are members of the N.C. Local Governmental Employees' Retirement System. One month of credit is allowed for each twenty days of unused sick leave when the employee retires and an additional month for any part of twenty days left over. Any conflict between this section and the LGERS regulations, the LGERS regulations shall prevail.

Please reference the Leave Procedures for this leave status.

**3.19. Temporary Duty Elsewhere (TDE)** - With the approval from their supervisor, employees may request or be assigned a temporary work reassignment to work at another Buncombe County work location, such as an approved employee engagement event, election day or a natural disaster.

**3.20. Voluntary Shared Leave** – In catastrophic cases where an employee is without leave due to a prolonged medical condition, they may receive donated annual leave from other Buncombe County employees.

Please reference the Leave Procedures for this leave status.

**3.21. Wellness Leave** - Employees can use one hour of regular time for health-related wellness initiatives listed below. Any additional time taken will need to come from the employee's available leave. The employee must work with their supervisor to ensure visits have minimal impact on the business, for example scheduling appointments either first thing in the morning or at the end of the workday.

3.21.1. Employee Family Health appointment.

3.21.2. Mammogram or prostate screening appointment.

3.21.3. On-site annual Health Risk Assessments and follow-up visits.

3.21.4. Physical therapy appointments when referred to Southeast Physical Therapy, from Employee and Family Health.

**3.22. Workers Compensation Leave** – On the day of injury employees will be paid for their entire shift, regardless of when the injury occurs.

3.22.1 Employees who are approved for worker's compensation will only be paid per Chapter 97 of the NC General Statute.

3.22.2 Workers Compensation Leave will run concurrently with FMLA.

#### **4. Policy Non-Compliance**

Employees willfully violating the terms and conditions of this policy may be subject to appropriate disciplinary action, up to and including dismissal.

#### **5. Audit**

All policies for Buncombe County may be subject to audit or review as outlined in the [Internal Auditor's Statement](#).

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## 6. Definitions

- 6.1. **Community Service Organization** - A non-profit, non-partisan community organization that is designated as an IRS Code 501(c)(3) agency, or a human service organization licensed or accredited by the State of North Carolina to serve citizens with special needs including children, youth, and the elderly.
- 6.2. **Family and Medical Leave (FMLA)** - The Family and Medical Leave Act (FMLA) is a federal regulation that provides eligible employees with up to twelve (12) weeks of unpaid, job-protected leave per year.
- 6.3. **Full Time Regular Employee** – please refer to the definition of the Personnel Ordinance.
- 6.4. **Immediate Family** – is defined as the employee’s spouse; the employee’s children or stepchildren, parents, grandparents, grandchildren, brothers, or sisters; or the employee’s spouse’s parents. Regarding FMLA, the definition of immediate family member is defined by the US DOL.
- 6.5. **Intended Parent** – The individual who was to be responsible for raising and supporting the child.
- 6.6. **Intermittent Work Week** – A work schedule in which an employee works on an irregular basis and is taking leave in separate blocks of time, rather than for one continuous period of time, usually to accommodate some form of regularly scheduled medical treatment due to a single qualifying reason.
- 6.7. **Part-time Regular Employee** – please refer to the definition in the Personnel Ordinance.
- 6.8. **Pro-rata accrual** – Is where leave is calculated for accrual purposes proportionally based on the number of days/hours the employee works in a year.
- 6.9. **School** - An elementary school, a middle school, a high school, or a childcare program that is authorized to operate under the laws of the State of North Carolina.
- 6.10. **Temporary Disability Insurance (TDI)** – A ancillary benefit designed to provide wage replacement for sickness or injury that is not connected to work.
- 6.11. **Uniformed Services Employment and Reemployment Rights Act (USERRA)** is a federal law that protects military service members and veterans from employment discrimination on the basis of their service and allows them to regain their civilian jobs following a period of uniformed service.
- 6.12. **Volunteer** – A person who willingly chooses to perform hours of service for civic, charitable, or humanitarian reasons without promise or expectation of compensation for services provided.

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**7. Approval and Revision History**

Policy Origination Date:	May 9, 2022
Requires Board Approval:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Board Approval Dates:	March 19, 2024 May 2, 2023 December 5, 2022 November 1, 2022 May 9, 2022
Revision History:	03/19/2024 – Added: Administrative Paid Leave, Healthy Hours, Temporary Duty Elsewhere, Wellness Leave and Workers Compensation; a minimum of 2,184 hours for shift annual leave accrual; language from Paid Parental and Family Leave Policy; leave will not be approved when an employee has already fulfilled their weekly hours; ability to use Funeral/Bereavement leave for miscarriage or stillbirth; definition of Intended Parent; references to the Leave Procedures Edited: 51% or greater to more than 50% in reference to earning leave and holidays; adjusted the maximum leave accrual for employees on a shift schedule and clarified shift leave accrual is for full time employees working at least 2,184 hours annually; edited leave cash conversion to 40 hours rather than more or less than 40 hours; “layoff” to “reduction in force”; “voluntary resignation” to “involuntary separation”; clarified leave language for working elections; clarified PTO days; paid no more than 40 hours for any week to “Employees who are approved for worker’s compensation will only be paid per Chapter 97 of the NC General Statute, updated definitions for Regular Employees Removed: Conference Attendee section to move to Leave Procedures. 05/02/2023 – Change: Juneteenth holiday now aligns with the federal holiday calendar. 12/05/2022 – Added maximum accrual language, changed inclement weather leave to emergency closure leave. Added language regarding accruing annual leave, the manner of taking annual leave and annual leave payout upon separation. Adding language regarding the transferability of sick leave. 11/01/2022 - edited Community Service Leave 05/09/2022 – Original policy approved

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