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I. ELIGIBLE EMPLOYEES

All full-time and part-time employees with a permanent, probationary, or time-limited status are eligible employees. Any reference to "employee" within this policy shall only be a reference to an eligible employee.

II. NON-DISCRETIONARY SPECIAL APPROVED LEAVE

Leave shall be granted to an eligible employee under the following circumstances:

1. To prepare for participation in his or her grievance procedure or appeal procedure in connection with Policy 3.3.6 – Right of Appeal and Policy 3.3.8 – Grievance, not to exceed eight (8) hours of leave per appeal or grievance;
2. To place an employee on investigatory or other similar status in connection with Policy 3.3.4 – Discipline Action, Suspension, and Dismissal and Policy 3.3.7 – Harassment, Discrimination, & Civil Rights Compliance;
3. To participate in case hearings or other administrative hearings internal to the College;

4. To locate and move to a new residence, within the limits allowed by College policy, when a transfer is required by the College;
5. To attend workers' compensation hearings;
6. To serve on state commissions, councils, boards, and committees;
7. Because of a smallpox vaccination;
8. To train for and compete in Pan America, Olympic, or international athletic competition in accordance with N.C.G.S. § 126-8.1, not to exceed thirty (30) days of leave per calendar year;
9. To cover time that the College is closed for emergencies, including but not limited to adverse weather and emergency closing events.

III. DISCRETIONARY SPECIAL APPROVED LEAVE

Leave may be granted to an eligible employee under the following circumstances:

1. To participate in volunteer emergency and rescue services;
2. To participate in specialized disaster relief services with the American Red Cross, not to exceed fifteen (15) days of leave in any 12-month period;
3. To donate blood and bone marrow;
4. To donate organs, not to exceed thirty (30) days of leave per organ donated;
5. To attend conferences that are closely associated with an employee's work, but that are not required as a work assignment.

IV. SPECIAL CONSIDERATIONS FOR CERTAIN TYPES OF SPECIAL APPROVED LEAVE

A. Service on State Commissions, Councils, Boards, and Committees

Leave with pay shall be granted for employees to fulfill their responsibilities as members of councils, commissions, boards, and committees established by the General Assembly or other bodies established by the Governor and Council of State.

Employees may not accept fees for serving unless provided otherwise by law, but they may retain reimbursement for expenses incurred provided they are not reimbursed for the same expenses by the College.

B. Smallpox Vaccination

When an employee receives an employment vaccination against smallpox incident to the Administration of Smallpox Countermeasures by Health Professionals, Section 304 of the Homeland Security Act, and the absence is due to the employee having an adverse medical reaction resulting from the vaccination, absences shall be charged to Other Management Approved leave:

- When the employee is vaccinated and has an adverse medical reaction, and
- When the employee is permanently or temporarily living in the home of a person who receives a smallpox vaccination and the absence is due to:
    - The employee having an adverse medical reaction resulting from exposure to the vaccinated person, or
    - The need to care for the vaccinated person who has an adverse medical reaction resulting from the vaccination.

These provisions apply for a maximum of four hundred eighty (480) hours. The College may require the employee to obtain certification from a health care provider justifying the need for leave after the first twenty-four (24) hours of leave taken.

C. Emergency and Rescue Services

When a bona fide need for emergency and rescue services exists, the College may grant paid leave in accordance with this policy. A bona fide need is defined as a real or imminent danger to life or property, including relief efforts for a reasonable time after the occurrence of an emergency event that has resulted in substantial damage to life or property.

Approval of leave for emergency and rescue services may only be granted upon a showing of:

- Sufficient proof of the employee's membership in an emergency volunteer organization, and
- Confirmation by the employee's supervisor that the performance of such emergency services will not unreasonably hinder College activity for which the employee is responsible.

D. American Red Cross

To qualify for leave with the American Red Cross, the employee must:

- Be a disaster service volunteer of the American Red Cross, and
- Be requested by the American Red Cross to participate.

Further, the disaster must:

- Be within the United States, and
- Be designated at a Level III or higher in the American National Red Cross Regulations and Procedures.

E. Blood, Bone Marrow, and Organ Donorship

Employees may be given reasonable time off with pay for whole blood donation, pheresis procedure, and bone marrow transplant.

V. APPROVAL OF LEAVE

Employees must request Special Approved Leave at least two (2) weeks prior, unless such notice is impractical. The employee shall submit the leave request to the employee's supervisor, who shall present the request along with the supervisor's recommendation within a reasonable time to the employee's applicable Executive Leader for consideration by the Executive Leader and the President.

VI. LEAVE NOT NECESSARY FOR WORK ASSIGNMENTS

When an employee is assigned to perform a duty in connection with their position, the use of Special Approved Leave is neither necessary nor appropriate. Situations where an employee may be required to perform certain duties in situations covered by this policy but which may instead be considered a work assignment include, but are not limited to:

- Attending a commission, council, board, or committee meeting.
- Short-term work assignments when requested by an official party in connection with an emergency situation not otherwise covered by an emergency volunteer organization, so long as the assignment is reasonably justifiable based on the expertise of the employee.
- Attending a conference in connection with the employee's regular duties and position.

VII. FLSA AND WORKERS' COMPENSATION CONSIDERATIONS

When using leave under this policy, any work performed, whether in connection with emergency services, rescue services, the American Red Cross, or otherwise, shall not be considered work time for Fair Labor Standards Act ("FLSA") purposes. Similarly, the College shall not be liable for workers' compensation claims arising from any accident or injury while using Special Approved Leave. Extending Special Approved Leave is a benefit provided to the employee by the College at the request of the employee, and the extending of such Special Approved Leave shall not be construed, whether explicitly or implicitly, as the College expanding or otherwise providing the employee with a work assignment.

When the College gives an employee a work assignment instead of extending leave in accordance with this policy, time worked on such assignments by a non-exempt employee shall be considered work time for FLSA purposes. Similarly, the College shall be liable for workers' compensation claims arising from accident or injury while the employee is on assignment.

REFERENCES

Statutory References	N.C.G.S. § 126-8.1
Regulatory References	None

Relevant Guidance	*Office of State Human Resources Manual*, "Other Management Approved Leave Policy (OMAL)" (Pages 132-138)
Policy Manual Cross-References	Referenced by: ● Procedure 3.2.4.1 - Leave Requests Referencing: ● Policy 3.3.4 - Discipline Action, Suspension, and Dismissal ● Policy 3.3.6 - Right of Appeal and Policy ● Policy 3.3.7 - Harassment, Discrimination, & Civil Rights Compliance ● Policy 3.3.8 - Grievance

PROCEDURE HISTORY

October 23, 2024	Adopted.
September 14, 2026	Updated to reflect new Policy 3.3.7 name.