

Other Management Approved Leave Policy (OMAL)**Contents:**

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§ 1. Policy

In addition to the types of leave described in separate policies in this section of the Human Resources Manual, management may approve paid time off for employees to participate in specified state-related activities or because of natural or other emergencies. This policy summarizes the only acceptable reasons for approving other paid time off.

Note: Vacation, Sick, Adverse Weather, Civil, Community Service, Educational, Employee Transfer (relocating), Military, Workers' Compensation, Special Leave Awards and Communicable Disease Leaves are in separate policies.

§ 2. Coverage

This policy applies to full-time and part-time (half-time or more) employees who have a permanent, probationary, or time-limited appointment.

§ 3. Approval of Leave

Employee shall request Other Management Approved Leave at least two weeks before the leave is needed, unless such notice is impractical.

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§ 4. Work Time vs. Other Management Approved Leave

If an employee's job responsibilities include attendance at any of the activities/proceedings, attendance will be considered a work assignment and not leave and will, therefore, be included in hours worked for purposes of computing overtime for the Fair Labor Standards Act (FLSA) non-exempt employees.

§ 5. Non-Discretionary Types of Other Management Approved Leave

An appointing authority shall grant leave with pay to an employee for any of the following purposes:

- (1) to prepare for participation in his or her internal agency grievance procedure or mediation procedure (up to 8 hours – see Employee Appeals and Grievances);
- (2) to place an employee on investigatory status (See Disciplinary Action, Suspension and Dismissal, Investigatory Placement With Pay.);
- (3) to participate in contested case hearings, or other administrative hearings. (See Employee Appeals and Grievances Policy.);
- (4) to locate and move to a new residence, within the limits allowed by policy, when a transfer is required by the agency (See Leave - Employee Transfer Policy - some mandatory and some optional.);
- (5) to attend workers' compensation hearings;
- (6) to serve on state commissions, councils, boards and committees (See Service on State Boards below);
- (7) because of a smallpox vaccination (see Smallpox Vaccination below);
- (8) to train for and compete in Pan American, Olympic or international athletic competition – up to 30 days a year as specified in N.C.G.S. § 126-8.1;
- (9) to cover time that an agency is closed for emergencies. (See the Adverse Weather and Emergency Closings Policy.)

§ 5.1. Service on State Boards

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.

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If an employee is required to attend any meeting as a part of the employee's job responsibilities, attendance will be considered a work assignment and not leave.

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 their agencies.

§ 5.2. Smallpox Vaccination

When an employee receives in employment vaccination against smallpox incident to the Administration of Smallpox Countermeasures by Health Professionals, Section 304 of the Homeland Security 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 480 hours. The agency may require the employee to obtain certification from a health care provider justifying the need for leave after the first 24 hours of leave taken.

Note: This policy implements the provisions of N.C.G.S. § 126-8.4.

§ 6. Discretionary Types of Other Management Approved Leave

An appointing authority may grant leave with pay to an employee for any of the following purposes:

- (1) to participate in volunteer emergency and rescue services (see below);
- (2) to participate in specialized disaster relief services with the American Red Cross (see below);

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- (3) to donate blood and bone marrow (see Blood and Bone Marrow and Organ Donorship below);
- (4) to donate organs (up to 30 days – see below);
- (5) to reward an employee for a suggestion that is adopted under the NC Thinks Program or under the agency's Governor's Awards for Excellence Program (See Special Leave Awards Policy); and
- (6) to attend conferences that are closely associated with an employee's work, but that are not required as a work assignment.

§ 6.1. Emergency Services and American Red Cross Disaster Service Leave

The following types of leave are at the discretion of the agency head. The total maximum amount of Emergency Services and American Red Cross Disaster Service leave available to any employee is 15 workdays within a 12-month period. Employees may split the total allocated amount of leave between the two different types of leave.

§ 6.1(a) Emergency Services

Agency heads are authorized to establish a policy providing time off with pay, not to exceed 15 workdays in any 12-month period, to employees participating in volunteer emergency and rescue services. Volunteer emergency and rescue services are defined as services coordinated by a local government (county or municipality) entity or an established nonprofit.

Each agency head is responsible for determining that a bona fide need for such services exists within a given area. A bona fide need should be defined as real or imminent danger to life or property.

Each policy should require:

- sufficient proof of the employee's membership in an emergency volunteer organization and
- that the performance of such emergency services will not unreasonably hinder agency activity for which the employee is responsible.

In emergency situations, which are not covered by an emergency volunteer organization, agencies may determine whether the emergency service to be provided can justifiably be designated as a work assignment, based on the expertise of the employee. If so, the

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agency head may authorize short-term work assignments when requested by an official party. Time worked on such assignments by an FLSA non-exempt employee is considered work time for the purpose of computing overtime.

For provisions relating to special assignments for firefighting, see N.C.G.S. § 113-56.1

§ 6.1(b) American Red Cross Disaster Service Leave

An agency may grant leave with pay not to exceed 15 workdays in any 12-month period to participate in specialized disaster relief services. The decision to grant leave rests in the sole discretion of the agency based on the work needs of that agency.

To qualify for leave, the employee must:

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

The disaster must:

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

While on disaster leave, the employee shall:

- be compensated at the regular rate of pay, and shall
- not lose seniority, pay, vacation leave, sick leave, or earned overtime accumulation.

Duties performed while on disaster leave shall not be considered to be a work assignment. The employee is granted leave based on the need for the employee's area of expertise. Job functions although similar or related are performed on behalf of and for the benefit of the American Red Cross. The State shall not be liable for workers' compensation claims arising from accident or injury while the employee is on assignment. Time spent on disaster leave is not considered work time for the purposes of computing overtime.

Note: This policy implements the provisions of N.C.G.S. § 166A-30 - 166A-32.

§ 6.2. Blood, Bone Marrow and Organ Donorship

Employees are encouraged to use the privilege and opportunity to participate in life giving through blood, bone marrow and organ donorship.

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Participating employees may be given reasonable time off with pay for whole blood donation, pheresis procedure and bone marrow transplant. Employees may be given up to 30 days with pay for organ donation.

§ 7. Sources of Authority

This policy is issued under any and all of the following sources of law:

- [N.C.G.S. § 126-4\(5\); N.C.G.S. § 166A-30 - 166A-32; §N.C.G.S. 127A-116](#)

It is compliant with the Administrative Code rules at:

- [25 NCAC 01E .1009-1011; 25 NCAC 01E .1607](#)

§ 8. History of This Policy

Date	Version
November 1, 2009	<ul style="list-style-type: none"> • First version - Consolidated the miscellaneous types of leave that are authorized in other policies but for which there is not a separate category to account for them.
September 7, 2017	<ul style="list-style-type: none"> • Policy revised to delete all reference to trainee appointments, per appointment types and career status.
October 17, 2024	<ul style="list-style-type: none"> • Created a Section 6.1 “Emergency Services and American Red Cross Disaster Service Leave” • To new Section 6.1 added “The following types of leave are at the discretion of the agency head. However, agencies are encouraged to allow use of this leave in the event of bona fide emergencies or qualifying disasters. The total maximum amount of Emergency Services and American Red Cross Disaster Service leave available to any employee is 15 workdays within a 12-month period. Employees are not eligible for 15 days of emergency services leave and 15 days of American Red Cross Disaster Service Leave. However, employees may split the total allocated amount of leave between the two different types of leave.” • To Section 6.1(a) Emergency Services:

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	<ul style="list-style-type: none">• added that the maximum amount of leave available was not to exceed 15 workdays in a 12-month period.• added "Volunteer emergency and rescue services are defined as services coordinated by a local government (county or municipality) entity or an established nonprofit."• Added N.C.G.S. § 166A-30 - 166A-32; N.C.G.S. § 127A-116 and 25 NCAC 01E .1607 as sources of authority.
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