

NORTH CAROLINA DEPARTMENT OF COMMERCE		POLICY # HR1A-Leave
Title: Community Service Leave		
Effective Date: July 1, 2000	Administering Authority: Human Resources Dir.	
Revisions:		
Statutory Authority (if applicable): G.S 126		

Purpose: To provide guidelines for Commerce employees regarding Community Service Leave.

Scope: All Commerce Employees except those in ESC and ITS

Policy:

Leave policies followed by the Department of Commerce shall comply with State Personnel Policy. Administration of the leave program within the scope of this policy is the responsibility of the Commission/Division Head. In recognition of the State's diverse needs for volunteers to support schools, communities, citizens and non-profit organizations, and recognizing the commitment of State employees to engage in volunteer service, Community Service Leave, within the parameters outlined below, may be granted to:

- Parents for child involvement in the schools (as defined below)
- Any employee for volunteer activity in the schools or in a Community Service Organization (as defined below), or
- Any employee for tutoring and mentoring in the schools.

In addition, there are special guidelines outlined at the end of this policy for Emergency Service, Blood and Bone Marrow Donorship and Disaster Service Volunteer with the American Red Cross.

Definitions Following are definitions of terms used in this policy:

Terms	Definition
School (public or private)	One that is authorized to operate under the laws of the State of North Carolina and is: <ul style="list-style-type: none"> • An elementary school, • Middle school • High school, or • A child care program
Child	A son or daughter who is: <ul style="list-style-type: none"> • A biological child, • An adopted child, • A foster child • A step-child, • A legal ward • A child of an employee standing in loco parentis

**Community Service
Organization**

A non-profit, non-partisan community organization
Which is designated as an IRS Code 501 © (3)
Or a human service organization licensed or accredited
to serve citizens with special needs including children,
youth, and the elderly.

**Covered Employees
and
Leave Credits**

With approval of the supervisor, an employee is eligible
for Community Service Leave as follows:

<u>Type of Appointment</u>	<u>Amount Granted</u>
Full-time- Permanent, probationary, Trainee, or time limited	24 hours/year OR 1 hour/week (up to a Max of 36 hrs) for Mentoring/tutoring (as outlined below)
Part-time (half time or more) - Permanent, probationary, Trainee, or time limited	Prorated – equal to percentage of full- time amount
Temporary, intermittent, or Part-time (less than half-time)	None

The twenty-four hours (24) of paid leave shall be credited to each employee on January 1 of each year, unless the employee chooses the mentor/tutoring option. New employees shall be credited with leave immediately upon their employment, prorated at two hours per month for the remainder of the calendar year.

**Employee
Option for
Tutoring and
Mentoring**

In lieu of the twenty-four (24) hours award as noted above, an employee may choose to tutor/mentor in a school. Leave under this option shall be used exclusively for tutoring or mentoring a student in accordance with established standards rules and guidelines for such arrangements as determined and documented by joint agreement with the employee’ s agency and the school.

The amount of community service leave for tutoring/mentoring is one (1) hour of community service leave for each week, up to a maximum of 36 hours, that schools are in session as documented by the elected board of the local education agency or the governing authority of any non-public school.

Advisory Note: Any time used for tutoring/mentoring, including time spent traveling to and from the school, must be accounted for either by the use of the one hour of community service leave or other leave policies.

**Changing
Options**

If an employee chooses to change options during the calendar year, the maximum hours that may be granted is the maximum allowed under the new option chosen minus the amount already used.

**What is
Community
Service**

Community service, for this purpose is:

- Meeting with a teacher or administrator concerning the employee' s child,
- attending any function sponsored by the school in which the employee' s child is participating. This provision shall only be utilized in conjunction with non-athletic programs that are a part or supplement to the school' s academic or artistic program,
- performing school-approved volunteer work approved by a teacher, school administrator, or program administrator, or
- performing a service for a community service organization.

Approval of Leave

Employees must receive approval from their supervisor to use this leave. The supervisor or other agency management may require that the leave be taken at a time other than the one requested, based on the needs of the agency. The agency may require acceptable documentation that leave taken is within the purpose of this policy.

**Inter-Agency
Transfer**

If an employee transfers to another State agency, any balance of community service leave not used shall be transferred to the new agency. Under the tutoring/mentoring option, the employee should secure approval from the new supervisor prior to the transfer so that any necessary changes may be communicated to appropriate officials.

Noncumulative

Leave not taken in a calendar year is forfeited; it shall not be carried over into the next calendar year.

Separation

Employees shall not be paid for this leave upon separation.

**Additional time for
Community service
Activities**

The Department of Commerce may allow an employee additional time away from regular duties above the 24 hours of paid leave to perform significant community service activities with provisions for the employee to make up the time.

Hours worked in excess of forty during a workweek would constitute overtime under federal regulations for FLSA non-exempt employees; therefore, it will be necessary for make-up time for these employees to be limited to the workweek in which the time is lost or in a week when the employee has not worked a full work schedule due to such absences as holidays, vacation, sick leave, etc.

The following guidelines for granting additional time apply:

- The amount of time that any employee may be allowed is left to the discretion of the Agency head.
- When agency operations require, all arrangements for the community service Activity time may be interrupted or suspended.
- Consideration of employee requests should include:
 - *nature of work – not all jobs permit rearrangement of work schedules,
 - *the quality of the employee' s job performance with the agency.
 - *indication from the supervisor that unit performance can be maintained.
 - *any special circumstances such as the importance of the community service activity to community relations needs of the agency.

**Partisan Political
Involvement**

Partisan political activity during State time and the use of State equipment or supplies for such a purpose are not permitted. Special care must be taken to avoid any possible Interpretation that the State is, in fact, permitting time off and in so doing supporting a Political candidacy. Political activity must be in accordance with G.S. 126-13 of the State Personnel Act.

Records Supervisors who approve such activities shall maintain records indicating the number of employees involved and the number of hours used.

SPECIAL LEAVE PROVISIONS

In addition to the above leave provisions, there are special guidelines that apply to Emergency Services, Blood and Bone Marrow Donorship and Disaster Service Volunteer with the American Red Cross.

Emergency Services Time off with pay will be provided to employees participating in volunteer emergency and rescue services within a limited area around their workstation. Each case will be considered based on a bonafide need for such services existing within a given area. A bonafide need should be defined as a real or eminent danger to life or property.

- 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.

Employee must receive signature authorization for such activities prior to leaving to volunteer for services.

Blood and Bone Marrow Donorship Employees are encouraged to use the privilege and opportunity to participate in life giving through blood and bone marrow donorship. Participating employees shall be given Reasonable time off with pay for whole blood donation, pheresis procedure and bone Marrow transplant.

.....
Disaster Service

Volunteer Leave :

The Department of Commerce 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 Division/Commission Head based on the work needs of that Division/Commission.

To qualify for leave, the employee must:

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

The disaster must:

- Be within the State of North Carolina 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 State shall not be liable for workers' compensation claims arising from accident or Injury while the employee is on assignment.

NOTE: This policy implements the provisions of G.S. 166A-30 – 166A-32.