

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 87*
Committee Substitute Favorable 3/3/93
Third Edition Engrossed 3/8/93

Short Title: Disaster Leave Law.

(Public)

Sponsors:

Referred to:

February 9, 1993

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR LIMITED LEAVE WITH PAY FOR STATE
3 EMPLOYEES WHO ARE CERTIFIED DISASTER VOLUNTEERS.

4 The General Assembly of North Carolina enacts:

5 Section 1. Chapter 166A of the General Statutes is amended by adding a new
6 Article to read:

7 **"ARTICLE 3.**

8 **"§ 166A-30. Short title.**

9 This act may be cited as the Disaster Service Volunteer Leave Act.

10 **"§ 166A-31. Definitions.**

11 As used in this Article:

12 (a) 'State agency' means and includes all departments, institutions, commissions,
13 committees, boards, divisions, bureaus, officers, and officials of the State, including
14 those within the legislative and judicial branches of State government.

15 (b) 'Disaster' means a disaster designated at Level III or higher in the American
16 National Red Cross Regulations and Procedures.

17 (c) 'Certified disaster service volunteer' means a person who has completed the
18 necessary training for and been certified as a disaster service specialist by the American
19 National Red Cross.

20 **"§ 166A-32. Disaster service volunteer leave.**

21 An employee of a State agency who is a certified disaster service volunteer of the
22 American Red Cross may be granted leave from his work with pay for a time not to

1 exceed 15 work days in any 12-month period to participate in specialized disaster relief
2 services for the American Red Cross. To be granted leave, the request for the services
3 of that employee must come from the American Red Cross. The decision to grant the
4 employee leave rests in the sole discretion of the employing State agency based on the
5 work needs of that agency. Employees granted leave pursuant to this Article shall not
6 lose seniority, pay, vacation time, sick time, or earned overtime accumulation. The
7 State agency shall compensate an employee granted leave under this Article at the
8 regular rate of pay for those regular work hours during which the employee is absent
9 from his work. Leave under this act shall be granted only for services related to a
10 disaster occurring within the State of North Carolina.

11 The State of North Carolina shall not be liable for workers compensation claims
12 arising from accident or injury while the State employee is on assignment as a certified
13 disaster service volunteer for the American Red Cross. Duties performed while on
14 disaster leave shall not be considered to be a work assignment by a state agency. The
15 employee is granted leave based on the need for the expertise in his or her certified area.
16 Job functions although similar or related are performed on behalf of and for the benefit
17 of the American Red Cross."

18 Sec. 2. This act is effective upon ratification.