



State of North Carolina

ROY COOPER
GOVERNOR

November 1, 2024

EXECUTIVE ORDER NO. 325

PROVIDING ENHANCED LEAVE OPTIONS FOR ELIGIBLE STATE EMPLOYEES

WHEREAS, no one should have to choose between a paycheck and taking time off to grieve or make final arrangements for a loved one; and

WHEREAS, having additional paid time off to grieve following the loss of a loved one can help alleviate some of the stress a person may experience during a difficult time in their lives; and

WHEREAS, currently, state employees, including those impacted by Hurricane Helene, may face shortages of available leave to grieve; and

WHEREAS, bereavement policies help promote a productive workplace by ensuring that employees have time off to grieve and recover from their loss; and

WHEREAS, pursuant to Article III of the Constitution of North Carolina and N.C. Gen. Stat. §§ 143A-4 and 143B-4, the Governor is the chief executive officer of the state and is responsible for formulating and administering the policies of the executive branch of state government; and

WHEREAS, pursuant to N.C. Gen. Stat. § 147-12, the Governor has the authority and duty to supervise the official conduct of all executive and ministerial officers; and

WHEREAS, pursuant to N.C. Gen. Stat. § 143B-10(j)(3), the head of each principal state department and the Director of the Office of State Human Resources (“OSHR”) may adopt policies, consistent with law and with rules established by the Governor and with rules of the State Human Resources Commission (“Commission”), which reflect internal management procedures within each department, including policies governing the conduct of employees of the department; and

WHEREAS, pursuant to N.C. Gen. Stat. § 126-4, the Commission shall establish state human resources rules and policies subject to approval of the Governor; and

WHEREAS, pursuant to N.C. Gen. Stat. § 126-4, the Commission has established that “[a]dministration of the leave program within the scope of established policy shall be the responsibility of the agency head,” 25 N.C. Admin. Code 01E .0101.

NOW, THEREFORE, by the authority vested in me as Governor by the Constitution and the laws of the State of North Carolina, **IT IS ORDERED**:

Section 1. Enhanced Leave Options for State Employees.

For the reasons and pursuant to the authority set forth above, the undersigned orders as follows:

It shall be the policy of the Office of the Governor and Cabinet Agencies, as defined herein, to provide Bereavement Leave, as detailed below, to all Eligible State Employees. This leave is for Eligible State Employees to utilize following the loss of an immediate family member or colleague.

The undersigned directs and authorizes the Director of OSHR to develop a Bereavement Leave policy consistent with this Executive Order (the "Policy") applicable to Cabinet Agencies. The Policy may establish further details to implement this Executive Order. The Policy may be amended in the future by the Director, after consultation with the Office of the Governor. Any changes to the Policy may be made without amendment to this or any other Executive Order.

1. **Bereavement Leave.** Cabinet Agencies and participating Council of State agencies, commissions, and boards shall provide the following paid time off for loss of an immediate family member or colleague ("Bereavement Leave"):

- a. **Leave following the loss of an immediate family member.** Employees shall be eligible for up to forty (40) hours of paid leave following the loss of an immediate family member.
- b. **Leave following the loss of a colleague.** Employees are eligible for paid leave up to the amount of time required to travel to and from and to attend a funeral or other memorial event, not to exceed eight (8) hours, following the death of someone currently employed by the employee's same agency.

2. **Details of Leave.**

- a. **Applicability.** The Policy and the leave specified therein shall apply automatically only to Cabinet Agencies. All other state agencies are encouraged to voluntarily adopt the Policy. For the purposes of this Executive Order, Cabinet Agencies is defined as those agencies that are part of the Governor's Office or are headed by members of the Governor's Cabinet.
- b. **Eligible State Employees.** A full-time, part-time (half-time or more), permanent, probationary, or time-limited employee of a Cabinet Agency or other participating agency is eligible for Bereavement Leave (each, an "Eligible State Employee"). Temporary employees, part-time employees who work less than half-time, interns, and contractors shall not be eligible for Bereavement Leave.
- c. **Amount of Leave.** Eligible State Employees shall be awarded up to the amounts described in Section 1. Full-time employees will receive the full amount of leave, forty (40) hours or eight (8) hours. Part-time employees, if eligible, will receive a prorated amount based on their number of hours compared to a full-time schedule.
- d. **Use of Leave.** Bereavement Leave is a form of management-approved leave. OSHR is directed to establish the conditions under which Bereavement Leave may be taken, including for whom it may be taken, and any required documentation that must be presented to the employee's supervisor prior to taking leave. The Policy shall provide that supervisors shall approve the use of Bereavement Leave for the date requested by the employee to the greatest extent possible, while maintaining business operations.
- e. **No Cash Value.** Bereavement Leave shall have no cash value. If the employee does not use all Bereavement Leave before it expires, the employee will not receive any premium pay. Employees will not be paid for unused Bereavement Leave upon separation from their employment.


Section 3. No Private Right of Action

This Executive Order is not intended to create, and does not create, any individual right, privilege, or benefit, whether substantive or procedural, enforceable at law or in equity by any party against the State of North Carolina, its agencies, departments, political subdivisions, or other entities, or any officers, employees, or agents thereof, or any other person.

Section 4. Effective Date and Duration

This Executive Order is effective immediately and shall remain in effect unless repealed, rescinded or amended by another Executive Order, provided, however, that the Policy may continue beyond the duration of this Executive Order.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this 1st day of November in the year of our Lord two thousand and twenty-four.



Roy Cooper
Governor

ATTEST:



Elaine F. Marshall
Secretary of State

