



State of North Carolina

JOSH STEIN
GOVERNOR

January 2, 2025

EXECUTIVE ORDER NO. 5

CONTINUING TO MEET NORTH CAROLINA'S STATE HUMAN RESOURCES NEEDS IN SUPPORT OF HURRICANE HELENE RECOVERY EFFORTS

WHEREAS, Hurricane Helene ("Helene") entered the State of North Carolina on September 26, 2024 as a tropical storm; and

WHEREAS, Helene has inflicted significant damage on public and private property; and

WHEREAS, impacts from Helene constitute a State of Emergency, as defined in N.C. Gen. Stat. § 166A-19.3(19); and

WHEREAS, on September 25, 2024, the Governor issued Executive Order No. 315, which declares a State of Emergency and provides for the health, safety, and welfare of residents and visitors located in North Carolina ("Declaration of a State of Emergency"); and

WHEREAS, N.C. Sess. Law 2024-51 extended the State of Emergency until March 1, 2025; and

WHEREAS, on September 26, 2024, the President of the United States issued an emergency declaration, FEMA-3617-EM, for the State of North Carolina, providing, in part, for Public Assistance-Category B, including direct federal assistance to the State; and

WHEREAS, on September 28, 2024, the President of the United States approved an Expedited Major Disaster Declaration, FEMA-4827-DR, for the State of North Carolina; and

WHEREAS, there is an acute need for emergency responders and others to help with disaster relief; and

WHEREAS, many state employees across western North Carolina have been impacted by Helene; and

WHEREAS, many state employees are eager to assist with disaster relief and recovery efforts; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.10(b)(7), the Governor is authorized and empowered to utilize the services, equipment, supplies, and facilities of departments, offices, and agencies of the state in response to the emergency; and

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.30(a)(1), the Governor may utilize all available state resources as reasonably necessary to cope with an emergency, including the transfer and direction of personnel or functions of state agencies or units thereof for the purpose of performing or facilitating emergency services; and

WHEREAS, on October 4, 2024, the Governor issued Executive Order No. 317, which provided several forms of leave to assist state agency employees who were recovering from the disaster and granted employees of cabinet agencies and participating Council of State agencies, commissions, and boards an additional sixteen (16) hours of paid Community Service Leave to be used specifically to volunteer for storm-related efforts coordinated by a local government entity or established nonprofit; and

WHEREAS, N.C. Gen. Stat. § 166A-19.10(b) authorizes and empowers the undersigned to make and amend orders as necessary to respond to the emergency.

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

Section 1. Expanding Community Service Leave

Cabinet agencies and participating Council of State agencies, commissions, and boards shall provide employees an additional sixteen (16) hours of paid Community Service Leave. These additional sixteen (16) hours shall be used in calendar year 2025 to volunteer for organized Helene-related efforts coordinated by a local government entity or an established nonprofit. This is available in addition to the twenty-four (24) hours of paid Community Service Leave available under ordinary state policy, which also can be used for the same storm-related efforts. Employees must obtain prior approval from their supervisor before using Community Service Leave.

To the extent, if any, that the leave option described above is not available under existing State Human Resources policies, the Office of State Human Resources (“OSHR”) is directed to issue an exception under 25 N.C. Admin. Code 01A .0104 to provide this leave.

Section 2. Continuing Certain Exceptions to State Human Resources Policies

OSHR is further directed to continue providing any existing exceptions to State Human Resources policies created by Executive Order No. 317 that are reasonably requested by agencies and that had the purpose of furthering recovery efforts.

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 part 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. Effect and Duration

This Executive Order is effective immediately and shall remain in effect through the duration of the State of Emergency unless repealed, replaced, or rescinded by another applicable 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 2nd day of January in the year of our Lord two thousand and twenty-five.



Josh Stein
Governor

ATTEST:



Elaine F. Marshall
Secretary of State

