

# EMPLOYMENT LAW SUMMARY

## North Carolina Employee Leave Laws - Overview



Employers have some flexibility when it comes to establishing or negotiating employee leave policies. As part of their overall compensation packages, employers may provide their employees with various types of paid or unpaid leave, including vacation time, personal leave and sick leave. However, North Carolina employers must provide their employees with leave mandated by state law.

North Carolina has state laws regarding:

- Parental involvement leave;
- Jury duty leave;
- Military leave;
- Civil air patrol leave; and
- Domestic violence leave.

In addition, federal laws not addressed in this document, such as the federal Family and Medical Leave Act, may require employers to provide employees with leave in certain circumstances.

This Employment Law Summary provides a high-level overview of North Carolina's employee leave laws.

### Overview of Employee Leave Laws

TYPE OF LEAVE	REQUIREMENTS
<b>Parental Involvement Leave</b>	Employees may take up to four hours of unpaid leave per year to attend or otherwise be involved at their child's school. These requirements apply to any employee that is: <ul style="list-style-type: none"><li>• A parent;</li><li>• A guardian; or</li><li>• Standing <i>in loco parentis</i> (in the place of a parent). Employee notice and verification requirements apply.</li></ul>
<b>Jury Duty Leave</b>	Employers must provide unpaid leave to employees summoned to jury service. Job protections apply to employees taking jury duty leave.

TYPE OF LEAVE	REQUIREMENTS
<b>Military Leave</b>	<p>In addition to USERRA, North Carolina law provides the following job protections for military members:</p> <ul style="list-style-type: none"> <li>• Reemployment rights for members of the North Carolina National Guard (or of another state) who are honorably discharged;</li> <li>• Discrimination protections for members of the National Guard; and</li> <li>• Leave for members of the U.S. military for emergency military duty.</li> </ul>
<b>Civil Air Patrol Leave</b>	<p>Employers may not discriminate against, discharge, demote or otherwise take adverse employment action against any employee that is a member of the North Carolina Wing-Civil Air Patrol on the basis of that membership or any absence required to perform duties, if the absence is:</p> <ul style="list-style-type: none"> <li>• Necessary for a state-approved mission or a United States Air Force authorized mission; and</li> <li>• For no more than seven consecutive scheduled working days for that employee.</li> </ul> <p>In addition, the employee’s total Civil Air Patrol absences in a calendar year may not exceed more than 14 scheduled working days.</p> <p>Employers may require employees to furnish a copy of their mission order. Leave may be unpaid, but employees may choose to use any paid leave available through their employment.</p>
<b>Domestic Violence Leave</b>	<p>Employers must permit employees to take a reasonable amount of time off work to obtain a protective order or other relief under North Carolina domestic violence law. Leave is unpaid.</p> <p>Job protections apply to employees taking domestic violence leave. Employees must follow the employer's usual time-off policy or procedure, including advance notice where required, unless an emergency prevents the employee from doing so. Employers may require documentation of the need for leave or the emergency that prevented compliance with the usual policy or procedure.</p>

**SPECIAL NOTE:** Please note that the information in this chart focuses on statewide laws. Localities across the country have also enacted ordinances that mandate employee leave. Employers must generally comply with all local and statewide laws that apply.

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