

131 – EMERGENCY AND DISASTER SERVICES LEAVE

A. The Chief Justice may grant the following leave of absences to full-time, regular employees.

1. Disaster Service Leave

On issuance of an order or proclamation declaring a state of disaster or emergency pursuant to chapter 37-17.1, or a declaration of at least a level II disaster by the American Red Cross in this or any other state, this leave of absence may be for:

- a. An employee who is certified by the American Red Cross as a disaster services volunteer and has been requested by the American Red Cross to participate in disaster relief services.
- b. An employee who wishes to volunteer the employee's time toward public prevention or recovery efforts.
- c. An employee who is personally affected by a declared disaster or emergency when the employee's life, the lives of immediate household members, or the employee's property is endangered.

Requested leave is at the supervisor's discretion and cumulative leave may not exceed 40 hours per calendar year.

2. Emergency Service Leave

On issuance of an order or proclamation declaring a state of disaster or emergency pursuant to chapter 37-17.1, a search emergency by the air force rescue coordination center or by the department of emergency services, or a declaration of at least a level II disaster by the American Red Cross in this or any other state, this leave of absence may be for:

- a. An emergency medical service provider, a member of the civil air patrol, a firefighter, police officer, volunteer member of the North Dakota army or air national guard, emergency radio operator, or an employee who performs other services necessary in an emergency.
- b. The leave of absence must be for the purpose of allowing the employee to provide voluntary emergency services.

Requested leave is at the supervisor's discretion and cumulative leave may not exceed 80 hours per calendar year.

3. Emergency Medical Service and Firefighter Volunteer Leave

On request of an emergency medical services operation or fire department, this leave of absence must be for the purpose of allowing an employee who is an emergency medical services personnel or firefighter volunteer to respond to an emergency.

Requested leave is at the supervisor's discretion and cumulative leave may not exceed 40 hours per calendar year.

- B. The leave will be with pay and will not require the use of annual leave or compensatory time. The leave may not result in a loss of compensation, seniority, annual leave, sick leave, or accrued overtime for which the employee is otherwise eligible.
- C. A person who is on leave under this policy is deemed not to be an employee of the Court System for the purposes of workers compensation.

Approved by the Supreme Court 4/1/12; amended 11/6/19 effective 12/1/19