



State of North Carolina

ROY COOPER
GOVERNOR

October 4, 2024

EXECUTIVE ORDER NO. 317

MEETING NORTH CAROLINA'S STATE HUMAN RESOURCES NEEDS IN SUPPORT OF HURRICANE HELENE RELIEF 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 undersigned 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, Executive Order No. 315 invokes the Emergency Management Act, and authorizes the Governor to exercise the powers and duties set forth therein to direct and aid in the response to, recovery from, and mitigation against emergencies; 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 to hire more 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, pursuant to N.C. Gen. Stat. § 166A-19.10(b)(7), the undersigned 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 undersigned 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.

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. Human Resources Flexibility During the Emergency.

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

A. Temporary Hiring Flexibility.

1. Hiring Temporary Staff.

a. **Expedited Hiring Through Temporary Solutions.** The Office of State Human Resources (“OSHR”) will expedite the hiring of any employees who will perform emergency response or disaster relief activities or support those activities.

b. **Direct Hiring.** In addition, the undersigned authorizes Cabinet agencies to directly hire temporary employees and contractors for emergency response activities or disaster relief activities and for positions that directly support those activities. OSHR has documented an exception for this hiring under N.C. Gen. Stat. § 126-6.3(a)(1). The directly hired employees under this provision shall be transferred to the Temporary Solutions Program once this Executive Order is no longer in effect.

2. **Exceptions to 11-Month Temporary Employee Limit.** Cabinet agencies shall contact OSHR for exceptions, under N.C. Gen. Stat. § 126-6.3(a3)(3), to the 11-month limit on consecutive employment of temporary employees. OSHR has agreed to respond within twenty-four (24) hours to any request for an exception concerning a position that performs, or that directly or indirectly supports, emergency services or disaster relief activities.

B. Enhanced Leave Options for State Employees Impacted by the Disaster. OSHR and Cabinet agencies are directed to extend the following flexibility. Council of State agencies, commissions, and boards in the executive branch may also elect to provide this flexibility.

The following leave options will be available to help state employees address their short-term needs. To preserve the staff who are directly involved in the immediate emergency effort, any emergency employees (also called essential employees in the HR-Payroll System) must get agency approval through their manager before using this leave. Agency Human Resources staff shall determine eligibility criteria based on the agency mission in disaster response.

1. **Management-Approved Leave.** Cabinet agencies and participating Council of State agencies, commissions, and boards shall provide the following:

a. **Leave for Adverse Living Situation.** Employees shall be eligible for up to forty (40) hours of paid leave, eligible to be taken during the period Friday, September 27 through Thursday, October 3, 2024, if the employee’s living situation is still evolving either (1) due to ongoing safety risks from damage to their primary residence, or (2) due to other serious hurricane-related impacts.

b. **Leave for Loss of or Substantial Damage to Primary Residence.** Employees shall be eligible for up to an additional eighty (80) hours of paid leave to address loss of or substantial damage to their primary residence sustained between September 27 and October 4, 2024. This leave is eligible to be taken during the first ninety (90) days after damage occurs.

c. **Leave for Employees Who Cannot Work Remotely and Cannot Get to Work.** The same bank of eighty (80) hours of paid leave set out in paragraph (b) above may also be used for employees who:

i. Cannot work remotely; and also

- ii. Either (1) have road conditions or a gasoline outage that prevent them from traveling to work, or (2) had to evacuate the area to a location that is not a reasonable driving distance from their worksite.

The leave options listed above will be coded as "Other Management-Approved Leave" in the HR-Payroll System.

Agencies are strongly encouraged to do whatever possible to redeploy employees to assist with storm response and recovery.

2. **Community Service Leave.** Cabinet agencies and participating Council of State agencies, commissions, and boards shall provide an additional sixteen (16) hours of paid Community Service Leave to volunteer for organized storm-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.
3. **Sick Leave for Child Care and Elder Care.** For the duration of this Executive Order, when an agency facility is open but (a) an employee who is a parent or guardian cares for underage children because of widespread closure of day care facilities or public schools, or (b) the employee provides elder care, the employee shall be allowed to use their balance of sick leave.
4. **Voluntary Shared Leave.** Each participating agency may set up a Voluntary Shared Leave bank for disaster-related impacts. Voluntary Shared Leave allows state employees to donate unused leave to help another employee in need. OSHR shall issue guidelines on how leave in this bank may be donated and used.

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

Section 2. 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 4th day of October in the year of our Lord two thousand and twenty-four.



Roy Cooper
Governor

ATTEST:



Rodney S. Maddox
Chief Deputy Secretary of State

