

## CHAPTER 4-07-14 FUNERAL LEAVE AND HONOR GUARD LEAVE

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### **4-07-14-01. Scope of chapter.**

This chapter applies to all state and local government agencies, departments, institutions, and boards and commissions that employ individuals in positions classified by human resource management services.

**History:** Effective September 1, 1992; amended effective November 1, 1996; July 1, 2004.

**General Authority:** NDCC 54-44.3-12

**Law Implemented:** NDCC 54-06-36, 54-44.3-12(1)

### **4-07-14-02. Definitions.**

The terms used throughout this chapter have the same meaning as in North Dakota Century Code chapter 54-44.3 and section 54-06-36, except:

1. "Family" means husband, wife, son, daughter, father, mother, stepparents, brother, sister, brother-in-law, sister-in-law, grandparents, grandchildren, stepchildren, foster parents, foster children, daughter-in-law, and son-in-law.
2. "Funeral leave" means an approved absence from work, with pay, of up to twenty-four working hours, provided to an employee to attend or make arrangements for a funeral, as a result of a death in the employee's family, or in the family of an employee's spouse.
3. "Honor guard" means an individual with an essential ceremonial role in the funeral service of a veteran.
4. "Honor guard leave" means the approved absence from work, with pay, for up to twenty-four working hours per calendar year for an employee to participate in an honor guard for a funeral service of a veteran.
5. "Individual with an essential ceremonial role" performing as part of the official funeral service of a veteran is a member of the flagbearers, a member of the flag-folding team, a member of the firing party, the bugler, or the honor guard captain.

**History:** Effective September 1, 1992; amended effective January 1, 2012.

**General Authority:** NDCC 54-44.3-12

**Law Implemented:** NDCC 54-06-36, 54-44.3-12(1)

### **4-07-14-03. Granting funeral or honor guard leave.**

An appointing authority may grant a request for funeral or honor guard leave even if the absence of the employee might interfere with the normal operations of the agency.

**History:** Effective September 1, 1992; amended effective January 1, 2012.

**General Authority:** NDCC 54-44.3-12

**Law Implemented:** NDCC 54-06-36, 54-44.3-12(1)

**4-07-14-04. Not considered sick leave or annual leave.**

An agency may not consider funeral or honor guard leave as sick leave or annual leave.

**History:** Effective September 1, 1992; amended effective January 1, 2012.

**General Authority:** NDCC 54-44.3-12

**Law Implemented:** NDCC 54-06-36, 54-44.3-12(1)