

**25 NCAC 01E .1412 FAMILY ILLNESS LEAVE**

In addition to the 12 weeks of leave per year provided by the Family and Medical Leave Act as outlined in 25 NCAC 01E .1401-.1411, an employee shall be entitled to up to 52 weeks of leave without pay during a five-year period in order to care for the employee's child, spouse, or parent, where that child, spouse, or parent has a serious health condition. The following provisions set forth guidelines for Family Illness Leave:

- (1) This leave shall be available to employees who qualify for Family and Medical Leave.
- (2) The same provisions and procedures shall apply to this additional leave that apply to the 12 weeks except the following:
  - (a) A part-time employee shall be entitled to 52 weeks regardless of their work schedule.
  - (b) During this period of leave without pay, the employees must pay the health plan premiums if they choose to maintain coverage.
  - (c) This period of leave may be accounted for separate from the 12 weeks. It shall not affect the method used to determine the 12-month period. The five-year period shall begin on the date that the employee uses the 52-week provision.

*History Note: Authority G.S. 126-4(5); S.L. 2002-126, s. 28.3B;  
Temporary Adoption Eff. November 1, 2002;  
Temporary Adoption Expired August 29, 2003;  
Eff. December 1, 2003;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016.*