

**25 NCAC 01E .0809      RETENTION AND CONTINUATION OF BENEFITS**

During the period of reserve active duty, whether receiving full State pay, differential pay, or no pay, no employee shall incur any loss of state service or suffer any adverse service rating. The employee shall continue to accumulate sick and vacation leave, aggregate service credit, and receive any promotion or salary increase for which otherwise eligible. Prior to the 30 days of full pay and the differential, the employee may choose to retain vacation, exhaust vacation, or be paid in a lump sum up to a maximum of 240 hours. If the employee is FLSA non-exempt, any accumulated compensatory time may also be exhausted prior to exhausting leave or may be paid in a lump sum for accumulated vacation.

*History Note:*      *Authority G.S. 126-4; 127A-116;*  
                         *Eff. February 1, 1976;*  
                         *Amended Eff. February 1, 1983; December 1, 1980; March 1, 1978;*  
                         *Temporary Amendment Eff. March 18, 2002;*  
                         *Amended Eff. August 1, 2004;*  
                         *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4,*  
                         *2016.*