

**25 NCAC 01E .0820 PERIODS OF ENTITLEMENT FOR MEMBERS OF THE STATE DEFENSE MILITIA**

(a) The State Defense Militia is considered a reserve to the National Guard, but it is not a reserve component of the U.S. Armed Forces. Its members are not subject to obligatory service unless they are assigned to a unit that is ordered or called out by the Governor. Only under conditions described in this Rule are State employees who are members of the State Defense Militia entitled to military leave with pay. Under these conditions an employee may be granted military leave not to exceed 120 hours (prorated for part-time employees) during any calendar year.

- (1) Infrequent special activities in the interest of the State, usually not exceeding one day, when so ordered by the Governor or his authorized representative.
- (2) State duty for missions related to disasters, search and rescue, etc., again, only when ordered by the Governor or his authorized representative.

(b) State employees who are members of the State Defense Militia are not entitled to military leave with pay when volunteering for support of functions or events sponsored by civic or social organizations even though such support has been "authorized".

(c) Regularly scheduled unit training assemblies, usually occurring on weekends, are not acceptable for military leave with pay, however, employing agencies are encouraged to arrange work schedules to allow the employee to attend this training.

(d) Deputy status may be verified with the Office of the Adjutant General, North Carolina National Guard, ATTN: Vice Chief of Staff-State Operations (VCSOP).

*History Note: Authority G.S. 126-4(5);  
Eff. October 1, 1992;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016.*