

## **25 NCAC 01N .0404 MANDATORY EMPLOYEES**

(a) Mandatory employees are employees with permanent, probationary, time-limited or trainee appointments who are required to work during a public health emergency because their positions have been designated by their agencies as mandatory to agency operations during the emergency. Agency heads shall designate the essential operations that must be staffed and designate the mandatory employees to staff these operations.

(b) Mandatory employees may be excused from work if they are quarantined or ill, if they are required to care for an immediate family member who is quarantined or ill, or if they are a parent (or guardian) who is required to stay home with underage children because of the closure of a day care facility, public school or eldercare facility. The agency head shall develop an alternative plan for personnel in case the designated personnel are quarantined or unable to work.

(c) Employees designated as mandatory personnel shall be notified of the designation and the requirement to report for or remain at work in emergency situations. If mandatory personnel are required to remain at the worksite for an extended period of time, the agency or university shall provide adequate housing.

(d) Individuals designated as mandatory employees are subject to disciplinary action, up to and including termination of employment, for willful failure to report for or remain at work. Each situation shall be reviewed on a case-by-case basis to determine appropriate action.

*History Note: Authority G.S. 126-4;  
Eff. December 1, 2007;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 4, 2016.*