

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 an employee's spouse; natural, adoptive, or foster parent, parent-in-law, and stepparent; natural, adoptive, or foster child, and stepchild; spouse of child; natural, adoptive, or foster sibling, sibling-in-law, and stepsibling; natural, adoptive, or foster grandparent, and stepgrandparent; and natural, adoptive, or foster grandchild, and stepgrandchild.
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, memorial, or burial service, including travel to and from the funeral or other service, or to address financial or legal matters that arise as a result of a death in the employee's family.
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; July 1, 2026.

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)