



Office of State Human Resources

ROY COOPER
Governor

BARBARA GIBSON
Director, State Human Resources

TO: Agency Heads, Chancellors, Human Resources Directors, and Other Interested Parties

**FROM: Denise H. Mazza, Administrator
State Human Resources Commission**

DATE: April 24, 2024

**RE: Approved Personnel Actions for the April 18, 2024
State Human Resources Commission Meeting**

Please see below the following personnel actions that were approved on April 22, 2024 by the Governor's Office and by the State Human Resources Commission at the April 18, 2024 meeting. These statements are summaries only; see the documentation for full details.

**B. Periodic Review Process for 25 NCAC 01A, 25 NCAC 01B and 25 NCAC 01C -
Initial Determination as to Whether Rules Are Necessary or Unnecessary**

General Statute § 150B-21.3A, entitled "Periodic Review and Expiration of Existing Rules," requires agencies and commissions, in a process before the Rules Review Commission, to review every 10 years all of their active rules codified in the North Carolina Administrative Code. The Rules Review Commission has established that review of the Human Resources Commission's rules should begin with Subchapters 01A, 01B, and 01C of Title 25 of the Administrative Code.

Step 1 in the process is determining if each rule is necessary or unnecessary.

- "Unnecessary" means any rule that is "obsolete, redundant, or otherwise not needed." G.S. 150B-21.3A(a)(6).
- If a rule does not meet this definition of "unnecessary," it is "necessary." G.S. 150B-21.3A(a)(2a).

OSHR division directors and legal staff conferred to produce a set of recommendations. See the summary sheet and attached report for why each set of rules was deemed necessary or unnecessary.

Following the HR Commission's action on the proposed determinations at this April meeting, OSHR will post a report on its website and invite public comments for at least 60 days. After public comment is complete, the determinations will return to the HR Commission for action at the July 2024 meeting.

C. New Local Government Job Classification - Environmental Health Associate

A new local government classification was added to reflect the new Registered Environmental Health Associate certificate that will be issued by the Board of Environmental Health Specialist Examiners, starting May 1, 2024, under a new law. See attached summary sheet for further details.

D. Total Rewards/Salary Administration: Sign-On and Retention Bonus Policy

The purpose of this Policy is to provide agencies with the ability to provide bonuses to recruit or retain employees in hard-to-fill occupations.

Edits were made at this meeting strengthen approval requirements and provide additional flexibility for agencies which will be funding the bonus through grant funds that must be paid out within a limited duration of time. See attached summary sheet for further details.

E. Total Rewards/Salary Administration: Compensatory Time Policy; Separation Policy

The Compensatory Time Policy provides guidance for agencies who choose to provide compensatory time to employees who are designated as Fair Labor Standards Act (FLSA) Not-Subject based on exemption requirements for employees in Administrative, Executive or Professional positions.

The Separation Policy provides guidance and outlines the separation procedures when an employee leaves payroll due to end of an appointment, resignation, retirement, reduction in force, separation due to unavailability, voluntary resignation without notice, dismissal, or death.

Revisions made to the Compensatory Time Policy at this meeting include:

- Edits to text to make it clear that FLSA Not Subject employees are not entitled to compensatory time and that the agency head has the discretion to authorize and determine when employees designated as FLSA Not Subject may be granted compensatory time;

- Update the section of the Compensatory Time Policy regarding an agency allowing an employee to exhaust some or all of their compensatory time prior to separation and clarify that the separation date must be the last day worked; and
- Add a short “Agency Responsibilities” section to the Compensatory Time Policy, including a requirement that the agency establish proper approval procedures for uses of compensatory time.

The Separation Policy was also revised to add an advisory note to reference the Compensatory Time Policy for additional guidance on the use of comp time before a known separation of an FLSA Not Subject employee.

F. Upcoming Meeting Schedule

In order to continue the permanent rulemaking process for the Paid Parental Leave rules – 25 NCAC 01E .1901-.1910 – it will be necessary to hold a short special meeting. To further accommodate the processing for those permanent rules and to address the deadlines of the mandatory periodic rules review process, it was also proposed to the commissioners that the scheduled July 18, 2024 SHRC meeting be moved to July 11, 2024. The commissioners voted to hold a special meeting on May 30, 2024 and move the July 18, 2024 regular meeting to July 11, 2024.

The items are available to view on the State Human Resources Commission’s HR Directors’ SharePoint site at:

<https://ncconnect.sharepoint.com/sites/SHRC/HR%20Directors/Forms/AllItems.aspx?id=%2Fsites%2FSHRC%2FHR%20Directors%2F2024%204%2018%20SHRC%20Meeting&viewid=5ce74308%2Dc66d%2D48f0%2D8c5e%2D94f2018a6219>