

**STATE HUMAN RESOURCES COMMISSION MEETING
VIA WEBEX**

MEETING MINUTES – April 20, 2023

Members Present:

Members present on the Webex for the meeting were: Commissioner Dekhasta Becton Rozier, Chair, and Commissioner Andrea Allard, Commissioner Ross Beamon, Commissioner Doug Boyette, Commissioner April Page, Commissioner Philip Strach, Commissioner Tracy Webb and Commissioner Tye Vaught.

Other Attendees

Other attendees present: Barbara Gibson, Director, Glenda Farrell, Chief Deputy, and Twanetta Lytle Alston, Deputy Director, Office of State Human Resources; Blake Thomas, General Counsel and Lockhart Taylor, Director of Government Relations, Legal, Commission and Policy Division, Office of State Human Resources; Denise Mazza, State Human Resources Commission Administrator, Office of State Human Resources; Nancy Astrike, Susan Beasley, Andrea Bennett, Felicia Bridges, Andrea Clinkscales, Lorence Crossett, Helen Dicken, Dominick D’Erasmus, Scarlette Gardner, Creshaya Graham, James Harris, Jennifer Harrison, Christine Hofer, Joel Jordan, Luisa Mahler, Stephanie McFadden, Devon McGarvey, Randy Mizelle, Davita Morant, Carolina Peace, Armond Pittman, Susan Reeves, Kristen Siemek, and Deyla Tharrington of the Office of State Human Resources; Kieta Cannon, HR Director, NC Auditor’s Office; Pam Hess, HR Director, and Cashaunda Holman, NC Department of Agriculture and Consumer Services; Angeline Hariston, HR Director, NC Office of Administrative Hearings; Carolyn Hunt, HR Director, NC Legislature; Renathe Cotton, HR Director, NC Department of Labor; Glenda Ellerbee, HR Director, and Joe Marro, Office of State Controller; Kristen Bierline, HR Director, and Tina Wong, NC Department of Justice; Janet Blount, HR Director, NC Department of Public Instruction; Charlene Shabazz, HR Director, Jennifer Christeson, Mike DeLuca, Tricia Guzman, Dan Hill, Nichonna Hynds, and Meredith Weatherman, NC Department of Public Safety; Harlan Frye, HR Director, and Diane McCann, NC Department of Revenue; Secretary of State Office; Chris Chiron, University System; Sylvia Crumpler, HR Director, Dorothy Strickland, Paul Boyles, Nelda Carroll, Tonya Fields, Katawna Madric, and Yvette Willard, Department of Adult Corrections; Kathleen Tardif, HR Director, NC Department of Natural Resources; Jerry Daniels, HR Director, NC Department of Insurance; Karen Gerald, HR Director, Gregory Chavez, Lindsey Humphreys, and Stephanie Beard, NC Department of Health and Human Services; Angel Gray, HR Director, and Sharon Sasser, NC SBI; Patricia Garcia, HR Director, Office of State Budget & Management; Libby Faulkner, HR Director, NC HFA; Shakeyia Hazell, HR Director, Tawanda Artis, and Shannon Bryant, NC Community Colleges; Andrea Porterfield, HR Director, and Melody Isaak, Deputy HR Director, NC Commerce; Debra Thomas, HR Director, NC Office of the Treasurer; and Hollie Thornton, HR Director, NC Wildlife.

Opening

The Commission convened its open meeting at 9:00 a.m. via Webex Teleconference. The State Human Resources Commission (SHRC) last convened on February 16, 2023 for a quarterly meeting. Pursuant to North Carolina General Statute Chapter 138A and the North Carolina Ethics Act, Chair Rozier asked all Commissioners if there were any conflicts of interest or potential conflicts of interest with respect to any matters coming before the Commission. No conflicts were presented.

There were no additions or corrections to the agenda for the April 20, 2023 meeting.

CONSENT AGENDA

Approval of the Minutes for the February 16, 2023 State Human Resources Commission Meeting.

The Chair presented the draft minutes for the February 16, 2023 State Human Resources Commission. There being no further discussion or questions, the Chair called for a motion to recommend approval of these minutes as provided.

Motion: Commissioner Webb made a motion to recommend approval of the February 16, 2023 meeting minutes.

Second: Commissioner Allard seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval of the Minutes for the February 16, 2023 State Human Resource Commission Meeting as provided.

Motion carried.

State Human Resources Director's Report

Director Barbara Gibson greeted the Commissioners, welcoming new member Tye Vaught. Recommended by Governor Cooper via nomination of the North Carolina Association of County Commissioners, Commissioner Vaught fills the role of a local government employee in a supervisory role. Currently, Commissioner Vaught is the Chief of Staff for Cumberland County Local Government where he has served in various roles since September 2016. He earned his Bachelor of Business Administration from Campbell University's Lundy Fetterman School of Business, his Master of Business Administration from Western Governors University, and his Master of Public Administration from the University of North Carolina Wilmington. He also brings considerable HR experience having earned credentials from the Human Resources Standards Institute and the Society of Human Resources Management and serves on Cumberland County's Diversity Equity and Inclusion Advisory and Executive Committees.

Director Gibson then noted that since the last meeting in January, OSHR has provided unprecedented flexibility to agencies for a wide range of classification and pay administration related actions. This flexibility has been a key consideration in recent years as State agencies have experienced a crisis in recruiting and retaining a workforce capable of providing vital programs and services to the people of our State. Vacancy rates across State government improved slightly from 23.4% in December of 2022 to 23.2% in February. In the current year, the rates are still too high - the statewide vacancy rate of the 23% that we had in December continues and it needs to be addressed to help the agencies fill these critical roles more quickly. The new flexibilities provided under Director Gibson allow all but the most complex HR decisions to be made at the agency level. To help HR directors and their teams make effective use of the tools at their disposal, OSHR has provided comprehensive forms, training and resources materials. The training and resource materials cover everything needed to fully document the reasons for compensation decisions, including evaluations of consistency, and equity within those agencies. OSHR stands ready to support agency HR offices adjust to these new flexibilities.

Director Gibson then discussed the issues of Executive Order 278 by Governor Cooper. Executive Order 278 recognizes the value of experience in State government in hiring for positions where direct experience can substitute for an academic degree. The order directs OSHR to create processes to identify job classifications that do not require an academic degree and to design training for agency HR personnel on how to properly screen applications to broaden access to career opportunities in State government. Policy revisions have been proposed to align with this Order such as those to the Recruitment and Posting of Vacancies Policy before the Commission today, eliminating management preference for an academic degree. Additionally, cabinet agencies will be including a statement in job postings, as shared in one of the agenda items today, that explains how experience can substitute for education and qualifying the applicant for the position and OSHR posted FAQs to the website addressing a range of topics related to how individuals may be eligible for State jobs that they once thought were out of reach. The page has already attracted thousands of views.

Executive Order 278 applies not only to external candidates, but to current State employees whose direct experience of skills learned on the job could put them on a path toward a very rewarding career progression. Around 75 to 80% of State jobs already allow work experience to stand as a substitute for an academic degree. Our more than 1400 job classifications are being reviewed to evaluate where academic requirements are truly necessary.

Director Gibson concluded her report by sharing that a new contract has been awarded to continue providing a strong employee assistance program (EAP) to agency employees and their dependents. The three-year contract, competitively bid, was awarded to current provider McLaughlin Young who has been a provider for State government since 2012. EAP services were essential during the pandemic when employees experienced a range of challenges. EAP provides an array of services that are available 24/7 every day of the year. Educating employees

about this benefit is critical to getting early support - EAP can make a life changing difference to a person who is struggling. Last year McLaughlin Young responded to 1688 State employees or their dependent family members to provide counseling or organizational services.

Exceptions Granted under 25 NCAC 01A .0104 Variances

Deputy Director Twanetta Lytle Alston reported that there had been one new exception granted by Director Gibson under 25 NCAC 01A .0104 since the February 16, 2023 State Human Resources Meeting. OSHR approved of the continued temporary employment of David Yocum as a chief scientist allowing an exception to the 11 month limit due to the urgent need to ensure continuity of services. This position regularly advises the legislators, legislative committees and chairs and the State agencies during the process. A permanent position for this role has been included in the Governor's budget and is also included in the bill passed by the House of Representatives to become the 2023 Appropriations Act. OSBM has been told that there is support in the North Carolina Senate to fund this role as a permanent position and it is extremely likely that a permanent position will exist for the OSBM chief scientists in the near future. If this position is not included in the 2023 appropriations that that becomes law, OSBM we'll arrange for Mr. Yocum to take a 31-day break-in-service beginning no later than 14 days after the Appropriations Act becomes law.

Revised Flexibility Authorizations (Delegation) for Classification and Compensation Effective March 13, 2023 (Information Only)

Division Director Andrea Clinkscales and Director of Government Relations Lockhart Taylor presented information regarding the revised flexibility authorizations (delegation of authority) for Classification and Compensation effective since March 13, 2023.

Clinkscales stated that there has been a long-standing practice of delegating to State agencies the authority to set salaries for certain employees and to make classification decisions for positions used in their agency without OSHR's review and approval. North Carolina State government, like most organizations, is experiencing higher than normal turnover and vacancy rates. In an effort to enable agencies to be more efficiently OSHR has expanded the flexibility authorization effective March 13, 2023, to provide agencies with more authority to make most salary and classification decisions without OSHR's approval. Prior to expanding the agency flexibility, OSHR provided training for agency HR directors and their staff. OSHR has been monitoring agency actions and will continue to monitor those actions to ensure compliance with policies and procedures and rules and will also support agencies through regular training to ensure agency HR staff have the tools and the expertise to manage their risk flexibility responsibly. OSHR will continue to retain the approving authority for setting salaries and classified positions held by executive and senior staff as well as other key positions, particularly those in cabinet agencies that are delegated with significant manager and decision-making authority.

Taylor provided the legislative perspective as it relates to this flexibility. He stated that the House budget that was passed recently included language granting full authority to all agencies

to classify and reclassified positions within their agency and to set all salaries within the agency. OSHR has concerns that this proposal grants too much authority and would impair the ability of both OSHR and the Commission to ensure consistency in setting classification and preventing salary inequities, as well as salary compression within agencies throughout State government. Due to OSHR's expansion of flexibility, Taylor stated that the legislature now understands that OSHR has been working very closely to ensure that agencies have as much flexibility as possible, with OSHR assisting only on some of higher-level jobs within their agency. OSHR has worked with the Senate to remove this language from the House budget.

Qualifying for Jobs through Experience Executive Order 278 and Recent Legislation (Information Only)

State Talent Acquisition Manager Kristin Siemek and Director of Government Relations Lockhart Taylor presented information on the implementation of the Executive Order 278.

For the first action item under the Executive Order, Siemek reviewed the below proposed job posting language required to be included in State job postings beginning June 1, 2023 and the link provided to the guide which shows how in most cases, a year of directly related experience is equivalent to one year of education:

“Some state job postings say you can qualify by a “equivalent combination of education and experience.” If that language appears below, then you may qualify through EITHER years of education OR years of directly related experience, OR a combination of both.

See oshr.nc.gov/experience-guide for details.”

The second action item in the executive order is to review experience and education requirements to determine whether experience can substitute and whether specified educational degrees should be required for classifications that do not indicate an equivalent combination of education and experience is allowed. In collaboration with State agencies, OSHR will lead a comprehensive to ensure that the education and experience requirements are appropriate for the position and to make any changes where possible to give weight to experience when an academic degree is not required. The third action item is to work directly with cabinet agency HR staff to eliminate unnecessary management preferences for degrees. This will be addressed later in the agenda with proposed changes to the Recruitment and Posting of Vacancies Policy. The fourth action item is to train cabinet agency HR staff on how directly related experience helps an applicant meet minimum qualifications and provide additional training to support for hiring justice involved individuals, individuals with disabilities, veterans and their families and other priority populations. OSHR is in the process of working with State agencies to develop and provide training, which we'll be using consistent processes to assess directly related experience to determine whether an applicant meets minimum qualifications. There will be additional training modules which will include support for hiring individuals with disabilities, veterans and their families and other priority populations and this training is planned to be

implemented and rolled out in September. The last action item is to support and encourage the use of training progression pathways and apprenticeships. OSHR already revised the Pay Administration Policy back in December as it relates to the use of trainees and trainee progressions to aid in recruitment and there has been a lot of training with the agencies on these programs. OSHR will continue to work with agencies going forward on exploring developing apprenticeship programs.

Taylor presented the legislative actions regarding implementation of Executive Order 278 noting that both House and the Senate have introduced bills which have passed reducing barriers to State employment that parallels the Governor's Executive Order.

House Bill 223 and Other Changes to State Human Resources Act (Information Only)

Director of Government Relations Lockhart Taylor presented legislative updates regarding House Bill 223 and Senate Bill 607.

The first provision for House Bill 223 would enhance job recruitment through continuous posting and pooled hiring which would allow agencies to not set deadlines or the amount of time that a job must be listed and instead would allow agencies to go back to a set of applications or applicants for a job that had already been deemed to be the most qualified for a position without requiring the applicant to reapply. Currently, there is no specific authority to have continuous postings. The second provision would allow State agencies to share contents of State applications to ensure consistency and prevent fraud. Currently, when considering an application, only the performance manual management documents can be shared. This addition would assist for situations within State government where individuals are submitting multiple applications among State agencies that are fraudulent and the hiring manager has no way of comparing that to other applications that have been submitted. The third provision is an escalation of authority regarding local hiring. Local government units within OSHR work with OSHR in reviewing and identifying candidates for their qualifications for specific jobs. However, there have been situations throughout the State where the local entity decides to go ahead and hire someone that OSHR deemed is not qualified. OSHR does not have the authority to stop that hiring, but this would allow OSHR to note that it had reviewed and determined the individual is unqualified, and that local government's decision to hire going forward was its own. The fourth provision is conforming language between OSHR and the North Carolina Department of Labor regarding private personnel services. The fifth provision allows an agency to make a contingent job offer on the same day as a job interview pending confirmation as most qualified through the required background check. The sixth provision lessens the time for approval of changes to employee classifications. The seventh provision grants greater flexibility to local governments to hire trainees. The eighth provision is a technical correction regarding grievance processes for National Guard as they have been granted preferences in the same manner as veterans. The last provision is a statute that was included that basically says if you submitted a fraudulent resume, it's basically the same thing as submitting a fraudulent job application.

Proposed changes to Senate Bill 607 would codify provision in existing Administrative Code for the Temporary Solutions Program including ensuring temporary employees take a 31-day separation after 11 months of service and placing tighter restrictions on the ability to utilize Temporary Solutions.

Settlement Report Under N.C.G.S. § 126-6.2 (Information Only)

Division Director for Diversity and Workforce Services Nancy Astrike presented the Annual Report of Settlement Costs for 2022. In 2022 OSHR approved 23 settlements, including 21 for State agencies, and 2 for State universities, for a total cost of \$827,871. This represents a 5% increase in the number of settlements from 2021.

Business Session Public Comment

Public Comment

There were no public comments.

Talent Acquisition: Recruitment and Posting of Vacancies Policy

State Acquisition Manager Kristin Siemek presented the proposed revisions to the Recruitment and Posting of Vacancies Policy. This policy guides the recruitment and selection process for vacant position within the State. Throughout the policy technical updates were made to reflect programs that have changed since the last update and updates to verbiage in section 6.2 concerning job postings to be listed with the now renamed Division of Employee Security.

There being no discussion or questions, the Chair called for the Commission to recommend approval of the Recruitment and Posting of Vacancies Policy as presented.

Motion: Commissioner Beamon so moved.

Second: Commissioner Page seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval of the Recruitment and Posting of Vacancies Policy as presented.

Motion carried.

Talent Acquisition: Dual Employment Policy

Talent Acquisition Manager Kristin Siemek presented the proposed revisions to the Dual Employment Policy which was last revised in 2000. This policy covers employees who work permanently for one agency or university and work for another agency or University on a part time basis or contractual basis. An example of this is when State employees work additional hours at the State Fair in October.

Specifically, revisions to the policy included updating definitions in the policy such as FLSA, subject and non-subject, removing definitions that are no longer relevant, combining and updating payment for services and the procedures for payment sections to reflect the current payroll system (paperless), and to clarify that overtime and comp time will by default be paid by the power borrowing agency, with the exception that the parent agency will be responsible for any overtime hours that would have been due solely on the basis of the employees hours worked with the parent agency.

There being no further discussion or questions, the Chair called for the Commission to recommend approval of the Dual Employment Policy as presented.

Motion: Commissioner Webb so moved.

Second: Commissioner Allard seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval of the Dual Employment Policy as presented.

Motion carried.

Request for Continuous Posting – DPS – Youth Counselor/

Request for Continuous Posting – DHHS – Disability Determination Specialist

Talent Acquisition Manager Kristin Siemek presented two agencies' requests to approve classifications for continuous postings. A continuous posting allows the agency classification to be deemed critical in order to keep the job postings open for applicants with no closing date, which in turn allows the agencies to screen, interview and hire applicants to fill the vacancies as they come open. Each vacant job does not have to be posted separately and have to close before the applicants can be screened and interviewed, and applicants do not have to apply and interview for multiple postings for similar jobs.

The first request was for a Youth Counselor with the Department of Public Safety. The Youth Counselor works at the youth development centers, which are the most restrictive and intensive rehabilitation options for adjudicated youth in North Carolina who have committed offenses before turning 18. There are currently 4 youth development centers throughout North Carolina which have a total of 95 Youth Counselor positions. A fifth facility is currently being built and is scheduled to be open in Rockingham County this fall. The youth Counselor provides counseling and therapeutic intervention as well as supervision to the youth. The physicians are required to work evenings, weekends and holidays. In the past year, there has been a 23.4% turnover rate, which means that there's always a vacancy that needs to be filled. The applicants for these positions must possess a bachelor's degree in a field related to human services and two years of experience working with at risk youth or a high school degree and six years of experience working with at risk youth or an equivalent combination of education and experience. Also, the applicants for these positions must be certified as juvenile justice officers

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and pass a background check, psychological evaluations, medical exams, TB testing and drug testing. The results of the high turnover and this rigorous screening process has resulted in a 33.7% vacancy rate. Being able to post these positions and be able to continuously evaluate candidates and move them along the screening process will help expedite the hiring process.

The second request is from the Department of Health and Human Services, the Disability Determination Services, for continuous posting for Disability Specialist 1. Disability Specialist serve the vulnerable population applying for disability benefits in North Carolina. Disability Determination Services currently has 377 positions in this classification, with more than 100 currently vacant, they are currently experiencing a 15% turnover rate and last fiscal year the turnover rate was 43%. The Disability Specialist requires direct knowledge of Social Security Administration policies and procedures and the applicants undergo an extensive security clearance process which leads to about a 30% dropout rate for those who have applied and met the minimum qualifications. The federal Social Security Administration provides training classes to the candidates and employees to comply with state and federal policies and Disability Determination Services post the jobs and screen them and have the applicants go through the security clearance before they can start the classes. Being able to have a continuous posting will allow for constant reviewing of applications so that candidates can undergo the security clearance process to be hired in time for the training.

Commissioner Vaught asked if language that the posting is being actively recruited is viewable to the applicant so the applicant knows it is a highly sought after recruitment.

Siemek stated that such language is not consistently included and agreed it was a good point. She made a note to add his suggestion to related training.

There being no further discussion or questions, the Chair called for the Commission to recommend approval of the request for continuous posting for:

A Youth Counselor with the Department of Department of Public Safety; and
Disability Specialist 1 with the Department of Health and Human Services, the Disability Determination Services.

Motion: Commissioner Beamon so moved.

Second: Commissioner Page seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval of the request for continuous posting for:

A Youth Counselor with the Department of Department of Public Safety; and
Disability Specialist 1 with the Department of Health and Human Services, the Disability Determination Services.

Motion carried.

Talent Acquisition: Employment Contract Policy

Talent Acquisition Manager Kristin Siemek presented the Employment Contract Policy to the Commission. This policy forbids State agencies and universities from requiring State employees to sign employment contracts with a few exceptions. The proposed changes would clarify Section B that states that any agency that provides all or part of the cost of professional development seminars or other educational opportunities to employees that are not a requirement for the job and that are in excess of \$5,000 may condition the provision of using agency funds upon agreement that the employee repays the funds subject to certain conditions. In the current policy, there is no definition of what triggered in excess of \$5,000. Additionally, a cross reference to the Academic Assistance Policy and the Employee Learning and Development Policy was added.

There being no further discussion or questions, the Chair called for the Commission to recommend approval of the Employment Contact Policy as presented.

Motion: Commissioner Strach so moved.

Second: Commissioner Page seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval of the of the Employment Contact Policy as presented.

Motion carried.

Total Rewards/Classification and Compensation: Draft Updates to Salary Ranges, Effective June 1, 2023

Total Rewards Classification and Compensation Division Director Andrea Clinkscales presented a draft of the State's updated pay plans in alignment with the market effective June 1 of 2023. As a best practice and based on recent trends in the market, coupled with consultation from Mercer, OSHR recommended adjusting the general Legal Digital Technology, Medical Health, and Sworn Law Enforcement Pay Plans by a two and a half percent increase to the minimum midpoint and maximum. Clinkscales noted that adjustments to the pay plans is key to ensuring that the salary ranges continue to be aligned to market and allow agencies to be competitive when recruiting and retaining talent.

Commissioner Webb asked if due to the increase in the minimum from the last update to the pay ranges, would the agencies have to bring those people to this new minimum by June 1, 2023.

Clinkscales responded that while some employees could fall below the new minimum range, the agencies are not required to bring those employees within the range by June 1, 2023. The

agencies would have more time to increase the salaries of employees. For example, within the proposed House Bill budget, there is monies allocated to increase employee salaries to the minimum. There's also a recommendation to continue with the labor market adjustment reserve that agencies received last year that provided 1% of their payroll to be able to make adjustments to employee salaries. Some agencies used that to increase employees to the minimum, some agencies used those funds to move employees throughout the range who were already above the minimum. Clinkscales reminded the Commission that the House Bill recommending a legislative increase of four and a half percent would be sufficient but that it had not yet been passed.

There being no further discussion or questions, the Chair called for the Commission to recommend approval of the draft updates to the presented Pay Plans, effective June 1, 2023.

Motion: Commissioner Allard so moved.

Second: Commissioner Webb seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval of the draft updates to the presented Pay Plans, effective June 1, 2023.

Motion carried.

Total Rewards/Classification and Compensation: 1 New and 1 Revised Classification Specification

Senior Classification and Compensation Consultant Armond Pittman presented two class specifications within the Medical and Health job family for review – one being a new class specification and the other a revision to an existing specification. DHHS requested the creation of a new entry level Autopsy Technician 1 and to revise the existing Autopsy Technician specification to serve as a higher level Autopsy Technician 2. The new specification is needed to attract new graduates as well as those with similar experience to be trained in executing this type of work. Modifying the current specification creates a career ladder within the Office of the Chief Medical Examiner which will improve retention in this key area.

There being no further discussion or questions, the Chair called for the Commission to recommend approval of the 1 new and 1 revised classification specifications.

Motion: Commissioner Webb so moved.

Second: Commissioner Page seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval of the 1 new and 1 revised classification specifications.

Motion carried.

Total Rewards: Sign-On and Retention Bonus Policy

Pay Administration Consultant Lorence Crossett presented the following revisions to the Sign-On and Retention Bonus Policy.

The first proposed change removes language to be consistent with the change made to Retention Bonus in December 2022 that made it optional for an agency to offer a sign on bonus in parallel. The second proposed change clarifies existing language “Under Payment of Bonuses” by adding a sentence that reads bonuses of \$2,500 or less may be paid in one installment. The third proposed change adds language to clarify that the 90 day minimum time between multiple bonus installments is between all of the installments, not each installment. Two other recommendations clarify what the period of consecutive service is and that a bonus paid in one installment would be between 3 and 18 months at the agency’s discretion. In addition, for a bonus paid in multiple installments, the period of consecutive service is the total period of time between the first and the last bonus installment. The final proposed change clarifies that the employees period of consecutive service starts when the first bonus installment is made.

Commissioner Allard asked for clarification as to what is meant by the 90-day minimum between installments – specifically if it is between all installments and not each installment.

Crossett provided the example that the agency offering the bonus would be able pay it within at least a 90-day period.

Clinkscales added that the intent of this particular revision was meant to clarify that the first and the last installment of the period of time cannot be less than 90 days.

There being no further discussion or questions, the Chair called for the Commission to recommend approval of the Sign-on and Retention Bonus Policy as revised.

Motion: Commissioner Vaught so moved.

Second: Commissioner Page seconded the motion.

A roll call vote was held, and all attending members of the Commission recommended approval of the Sign-on and Retention Bonus Policy as revised.

Motion carried.

Diversity and Workforce Services - Local Government Section: Scotland County Request for Substantial Equivalency in Recruitment, Selection, and Advancement.

Local Government Manager Dominick D’Erasmus presented Scotland County’s request for Substantial Equivalency in Recruitment and Selection. D’Erasmus stated that the State Human Resources Act and the local Administrative Code allows local governing bodies to petition the State Human Resource Commission to determine whether any portion of its personnel system is substantially equivalent to the State system. Scotland County requested substantial equivalent status for this one system. He noted that all the documents submitted by Scotland County for this request - county policies, procedures, and other supporting documentation as well as the evaluative criteria checklist - had been evaluated for compliance with the applicable program rules and had met the requirements to be substantially equivalent in Recruitment and Selection. D’Erasmus recommended that the Commission approve the request.

There being no further discussion or questions, the Chair called for the Commission to recommend approval of Scotland County’s request for Substantial Equivalency in Recruitment, and Selection.

Motion: Commissioner Beamon so moved.

Second: Commissioner Page seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval of Scotland County’s request for Substantial Equivalency in Recruitment, and Selection.

Motion carried.

Legal, Commission and Policy: 25 NCAC 01C .1007 Separation

General Counsel Blake Thomas presented revised Rule 25 NCAC 01C .1007 Separation requesting approval to present this Rule to the Rules Review Commission as a permanent Rule. Subdivision (a)(3) of the Rule allows separation in a situation where, following a work-related injury, an employee is unable to return to all of a position’s essential duties due to a medical condition or the vagueness of a medical prognosis. The current Rule specifically mentions separation in this situation when an employee is on workers’ compensation leave of absence. The revised Rule specifies that separation in this situation also applies when an employee is working with temporary or permanent work restrictions due to a work-related injury. This Rule was published in the North Carolina Administrative Code, 37:16 at 1112 on February 15, 2023 with the comment period ending on April 17, 2023 and a public hearing was held on March 2, 2023. No comments were received.

Chair: There being no further discussion or questions, the Chair called for the Commission to recommend approval of submitting Rule 25 NCAC 01C .1007 Separation to the North Carolina Rules Review Commission as a permanent rule.

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Motion: Commissioner Beamon so moved.

Second: Commissioner Allard seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval of submitting Rule 25 NCAC 01C .1007 Separation to the Rules Review Commission as a permanent rule.

Motion carried.

Adjournment

There being no further discussion or questions, Chair Rozier called for a motion to adjourn.

Motion: Commissioner Strach so moved.

Second: Commissioner Vaught seconded the motion.

A roll call vote was held and all attending members of the Commission agreed to adjourn the April 20, 2023 SHRC meeting.

Motion carried.

The Commission adjourned at 10:23 a.m.

Executive Session

The State Human Resources Commission did not have an executive session at its April 20, 2023 meeting.

Minutes submitted by:

Denise H. Mazza,
State Human Resources Commission Administrator