

**STATE HUMAN RESOURCES COMMISSION MEETING
VIA WEBEX DUE TO COVID-19 STATE OF EMERGENCY**

MEETING MINUTES – December 2, 2021

Members Present:

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

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, Legal, Commission and Policy Division, Office of State Human Resources; Denise Mazza, State Human Resources Commission Administrator, Office of State Human Resources; Nancy Astrike, LeAnn Biscoglio, Felicia Bridges, Andrea Clinkscales, Dominick D’Erasmus, Scarlette Gardner, Kimberly Irvine, Jill Lucas, Caroline Peace, Kristen Siemek and Vanessa Voight of the Office of State Human Resources; Keita Cannon, HR Director, NC Auditor’s Office; Sanford Chancellor, HR Director, NC State Board of Elections; Linda Coleman, HR Director, and Heidi Nolta, Manager, NC Department of Revenue; Shakeyia Hazell, HR Director, NC Community College System Karen Gerald, HR Director, NC Department of Health and Human Services; John Alexander, NC Department of Information Technology; Angeline Hariston, HR Director, NC Office of Administrative Hearings; Joe Marro, HR Director, NC Secretary of State Office; Gary Wiggins, NC Department of Transportation; Andrea Porterfield, HR Director, NC Department of Commerce; Kim Sommerdorf, Manager, NC Department of Natural and Cultural Resources; Debra Thomas, HR Director, NC Office of the Treasurer; Hollie Thornton, HR Director, NC Wildlife Resources Commission; Michael Dail, HR Director, NC Department of Public Safety; and Chris Chiron, Associate VP, UNC System.

Opening

The Commission convened its open meeting at 9:03 a.m. via Webex Teleconference.

The State Human Resources Commission (SHRC) last convened on October 7, 2021.

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 December 2, 2021 meeting.

CONSENT AGENDA ITEMS

Approval of the Minutes for the October 7, 2021 State Human Resources Commission Meeting.

Chair: There being no further discussion or questions, the Chair called for a motion to recommend approval of the Minutes for the October 7, 2021 State Human Resource Commission Meeting as provided.

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 Minutes for the October 7, 2021 State Human Resource Commission Meeting as provided.

Motion carried.

Twanetta Lytle Alston – Exceptions Granted under 25 NCAC 01A .0104 Variances

Deputy Director Twanetta Lytle Alston reported that there were no new exceptions, COVID and Non-COVID, granted by Director Gibson under 25 NCAC 01A .0104 since the October 7, 2021 State Human Resources Meeting.

2022 Proposed State Human Resources Commission Meetings

- February 10, 2022
- April 14, 2022
- July 14, 2022
- October 13, 2022
- December 8, 2022

Chair Dekhasta directed the Commissioners to review the proposed 2022 State Human Resources Commission meeting dates. There being no further discussion or questions, the Chair called for a motion to recommend approval of the proposed 2022 State Human Resources Commission meeting dates as provided.

Motion: Commissioner Eller 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 proposed 2022 State Human Resources Commission meeting dates.

Motion carried.

Business Session Public Comment

Public Comment

There were no public comments.

State Human Resources Director's Report

Director Barbara Gibson greeted the Commissioners and reflected on how thankful she was for her OSHR team. She then introduced two new members to the Commission sworn in by North Carolina Supreme Court Associate Justice Michael Morgan on November 30:

Andrea Allard, appointed by Governor Cooper, in her role at the Department of Military and Veteran Affairs; and

Tracy Webb, also appointed by Governor Cooper, taking the seat of former Commissioner Emily Jones.

Both will serve through June 30, 2025.

Director Gibson turned her remarks to the approved budget with most state employees receiving a 5% increase over two years. Some employees with specific job roles are eligible for higher increases. Additionally, in recognition of the “extraordinary work of State employees and local school employees at all levels in in all agencies” related to the COVID-19 pandemic, employees are eligible for bonuses. These public workers, who are employed as of Dec. 1, 2021, “will be paid a one-time, lump sum bonus” of \$1,000. This is expected to be paid in December. A smaller group of eligible employees will receive an additional one-time bonus of \$500 by Jan. 31. These include employees who are paid less than \$75,000 and employees whose job duties require frequent in-person contact, such as a law enforcement officer, DPS employees of the Division of Adult Correction and Juvenile Justice, and DHHS employees in a position at a 24-hour residential or treatment facility. Permanent part-time employees shall receive the bonuses on a prorated and equitable basis.

The budget also continued the funding for a new tool – Candidate Text Messaging system through NeoGov - to enhance recruitment efforts joining countless other employers with the ability to connect with applicants by text message. As texting has become more common – in some cases, and especially among younger applicants, all but replacing phone calls and even email – agencies have expressed concern that without the capacity to communicate via text, they were missing connections with top candidates.

One of the budget items made changes to the State Human Resources Act exempting approximately 1,800 to 3,600 health care professionals, as well as maintenance building engineers, at the DHHS Division of State Operated Healthcare Facilities. Additionally, the budget bill adds a new National Guard preference for state jobs. While in effect since the budget was signed on Nov. 18, this measure will require Commission action with plans to bring a revised policy for your consideration. Director Gibson also reported that the Salary Adjustment Funds was not approved for all agencies. This impacts the ability of agencies to bring some

employees to the minimum for their position, based on current labor market rates, and retain needed employees who are lured away by private sector opportunities. Overall, the budget was a huge step in the right direction as we work to have a sound, labor market-driven system in place going forward.

Director Gibson noted that implementing the Legislative Increase was more complicated than anticipated and the expectation of some technical corrections to simplify and clarify the process for implementing these well-deserved pay increases. OSHR will continue to collaborate closely with the Office of State Controller to determine exactly how eligible employees will be compensated. Without question, a legislative salary increase of 2.5% will be provided for the current fiscal year, and should begin in the January payroll, with another 2.5% increase to follow, effective July 1, 2022. Agencies with budget availability will have the option of extending the increase to temporary employees.

Director Gibson then mention that while remote work specific to the pandemic ended for state agency employees in June, but thanks to the expanded Teleworking Program Policy, many agencies have created a pilot teleworking program to explore the feasibility of having agency teleworking programs that involve a broader group of employees than has previously existed across the state. At the height of the pandemic, slightly over 40% of agency employees were sent home to work remotely, while others reported to the worksite to provide services that could only be accomplished onsite. For those employees who worked remotely full-time, some have returned to 100% onsite, and others are now participating in these pilots working a hybrid schedule or to continue working remotely full-time. OSHR will aim to pull together best practices from agency pilots to strengthen our individual agency programs, and possibly the state policy, as well, and collaborating with the Department of Administration to define what agencies will need to track for their report back to the General Assembly to help legislators understand teleworking's longer-term impact on space utilization and needs in state buildings.

Director then reported on the high vaccination rate of state employees subject to Executive Order 224. Issued on July 29, the Order requires Cabinet Agencies to report vaccination compliance each week. As of Nov. 24, 76.2% of Cabinet-level employees are fully vaccinated – and modeling the importance of vaccinations throughout the state. Statewide rate for adults is 68%: <https://covid19.ncdhhs.gov/dashboard/vaccinations>. Also, those employees not fully vaccinated are participating in required weekly testing. Anecdotal evidence suggests that most employees who are notified of a positive case due to this work-required testing are asymptomatic – and surprised. This means that Governor Cooper's Executive Order is doing exactly what it set out to do – reduce the risk of exposure and illness from COVID-positive colleagues working onsite, as well as protect their families and the greater community. In addition, several non-cabinet agencies are voluntarily complying with at least part of the Order – encouraging employees not required to get vaccinated to do so for their own well-being and in the name of public health and asking employees and visitors to wear face coverings and practice social distancing when working onsite.

In closing, Director Gibson stated that upcoming 2022 Commission meetings will focus on work being done to support the much-anticipated launch of our enhanced classification and compensation plan. Considerable progress had been made with career pathways for current and future state employees which will improve recruitment and retention across state government. OSHR planned on continuing to work closely with Agency Leadership – and especially forward-thinking HR Directors and Mercer, our solution-driven HR consultant – to better align the updated system introduced in 2018 to current market conditions. By engaging agencies to re-examine their developing workforce needs and identify areas for improvement – and benchmarking and validating positions against public and private employers to set proper pay ranges – we will empower agencies to be more competitive in recruiting and retaining the talent necessary to serve the diverse needs of the people who call North Carolina home.

OSHR’s General Counsel Report

General Counsel Blake Thomas updated the Commission on two matters. First, the status of the pilot for the Teleworking Program Policy – the pilot to run through December 31, 2021. Due to issues such as the Delta variant, some agencies were not able to transition to the pilot programs until later than anticipated. As a result, the pilot was extended to the second quarter of 2022 with details on how the program is working to be provided to the Commissioners after that time. The second matter, the bonus program for vaccination utilized by NC Department of Public Safety (NC DPS) and some other agencies, was finally active due to the passing of a budget. As a result, in December 2021, NC DPS eligible employees received a \$500 bonus - \$250 for each of the two vaccine immunization.

Commissioner Beamon requested additional information on any increase in the number of employees being vaccinated as it related to the bonus. General Counsel Thomas stated that while detail information of that nature was unavailable at this time, that information would be provided as soon as it was available.

Diversity and Workforce Service: Local Government Salary Plans

Local Government Manager Dominick D’Erasmus presented the local agencies salary plans to the Commission pursuant to N.C.G.S. § 126-9(b). These salary plan packages are provided annually and consists of two major components:

- 1) A reporting form; and
- 2) A spreadsheet of classification titles and salary grades.

They are reviewed according to applicable administrative rules and established practice. Manager D’Erasmus recommended their approval by the Commission.

Chair: There being no further discussion or questions, the Chair called for a motion to recommend approval of the local agency salary plans as provided.

Motion: Commissioner Page so moved.

Second: Commissioner Beamon seconded the motion.

A roll call vote was held and all attending members of the Commission agreed to recommend the approval of the local agency salary plans as provided.

Motion carried.

Safety, Health & Workers' Compensation: Separation Rule, 25 NCAC 01C

Division Director Scarlette Gardner presented proposed changes to 25 NCAC 01C .1007, the Separation Rule. The rule as currently written describes in detail that an employee may be separated when unable to perform their position's essential duties listed in the job description or designated work schedule and the employee and agency are unable to reach agreement on a return to work arrangement that meets the needs of the agency and employee's condition. The proposed amendment to section (a)(3) language clarifies that an employee may be separated pursuant to this rule when the employee is working with temporary or permanent work restrictions due to a work-related injury and the employee has reached maximum medical improvement and the agency is unable to accommodate the employee's permanent work restrictions related to such injury or it has been 12 months since the date of the employee's work-related injury.

Chair: There being no further discussion or questions, the Chair called for a motion to recommend approval of the proposed amendment to the Separation Rule, 25 NCAC 01C .1007, and to begin the Rulemaking Process.

Motion: Commissioner Page so moved.

Second: Commissioner Eller seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval of the proposed amendment to the Separation Rule, 25 NCAC 01C .1007, and to begin the Rulemaking Process.

Motion carried.

Legal, Commission, & Policy: Limitation of Political Activity Policy (updated to reflect changes in the Federal Hatch Act)

General Counsel Blake Thomas presented a proposed new section 3.1 and changes to the Limitation of Political Activity Policy and as well as a portion of the State Human Resources Manual in the Statutory Provision section that provides information on the Federal Hatch Act. After explaining the history of this policy, General Counsel Thomas explained changes that would make clear that the policy places no restrictions or duties on employees beyond the ones established in the federal and state statutes.

Chair: There being no further discussion or questions, the Chair called for a motion to recommend approval of the proposed new section 3.1 and changes to the Limitation of Political Activity Policy and Federal Hatch Act 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 proposed new section 3.1 and changes to the Limitation of Political Activity Policy and Federal Hatch Act as presented.

Motion carried.

Total Rewards: Classification and Compensation: 5 New and 52 Revised or Prior Approved Classification Specs

Total Rewards: Classification and Compensation Consultant Felicia Bridges presented the 5 new and 52 revised classifications specs to the Commission - new specs for the Information/Communication/Media job family and the Safety and Inspection job family and revisions to existing class specs in the Corrections job family, Financial and Business Management job family, Information/Communication/Media job family and Natural/Historic/Cultural Resources Job Family.

Chair: There being no further discussion or questions, the Chair called for a motion to recommend approval of the 5 new and 52 revised Classification Specifications for the New Class and Compensation System.

Motion: Commissioner Allard so moved.

Second: Commissioner Page seconded the motion.

A roll call vote was held and all attending members of the Commission agreed to recommend the approval of the 5 new and 52 revised Classification Specifications for the New Class and Compensation System.

Motion carried.

Talent Acquisition - Continuous Posting Retirement Benefits Counselors

Talent Acquisition Manager Kristin Siemek presented the NC Office of the State Treasurer's request to have a continuous posting for the "Retirement Benefits Counselors," job classification Program Coordinator III, 32001241. The need for this request is based on a turnover rate for this position that has averaged 43.34% over the last three years and that currently there are 46 budgeted positions with 5 more are anticipated in the 2021-2022 budget - at this time, there are 10 vacancies. As the Department of State Treasurer continues to work on reducing Call Wait Times and Call Abandonment in the Call Center, it is imperative that they can quickly recruit and fill vacant positions, and train as quickly and efficiently as possible to prevent disruptions to the services provided by the Retirement Benefits Counselors. Allowing a continuous posting of this position will help address this need.

Commissioner Beamon asked the reason(s) for the high turnover for this position. Manager Siemek asked NC Department of State Treasurer office HR Director Debra Thomas to address the question. HRD Thomas stated that the position became a full-time teleworking job during the Pandemic and, post-Pandemic, many employees now liked teleworking and were leaving for similar jobs. Also, this position comes with the additional stress of being required to provide benefit information that can potentially lead to a binding life changing decision for a caller. Addressing the recruitment part of the process will help to create a pool to address the urgent need at this time. The stress factor will be address by a plan to provide additional training. Commissioner Beamon then asked about how the salary for this position affected the hiring issue. HRD Thomas stated due to a salary reserves last year, the salary level for this position was now at the mid-point. Additional information comparing the salary level for this position with similar positions in other States was expected in early 2022.

Chair: There being no further discussion or questions, the Chair called for a motion to recommend approval of the Continuous Posting of the Retirement Benefits Counselors Job Classification Program Coordinator III 32001241.

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 Continuous Posting of the Retirement Benefits Counselors Job Classification Program Coordinator III 32001241.

Motion carried.

Talent Acquisition - Continuous Posting: Revenue Officer I

Talent Acquisition Manager Kristin Siemek presented the NC Department of Revenue's request to have a continuous posting for the Revenue Officer I, 32001256. The Revenue Officer I position is primarily responsible for increasing compliance by ensuring the appropriate amount of tax is reported and paid by each taxpayer. Allowing a continuous posting of this position is more efficiency and would provide a faster selection turnaround time, therefore, a more professional image to the candidates.

Chair: There being no further discussion or questions, the Chair called for a motion to recommend approval of the Continuous Posting of Revenue Officer I Position, 32001256.

Motion: Commissioner Eller so moved.

Second: Commissioners Beamon and Page seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval of the Continuous Posting of the Revenue Officer I Position, 32001256.

Motion carried.

Adjournment

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

A roll call vote was held and all attending members of the Commission agreed to adjournment.

The Commission adjourned at 10:00 a.m.

Executive Session

The State Human Resources Commission did not have an executive session at its December 2, 2021 meeting.

Minutes submitted by:

Denise H. Mazza,

State Human Resources Commission Administrator