



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:** February 23, 2023

**RE:** Approved Personnel Actions for the February 16, 2023  
State Human Resources Commission Meeting

Please see below the following personnel actions that were approved on February 21, 2023 by the Governor's Office and by the State Human Resources Commission at the February 16, 2023 State Human Resources Commission meeting. These statements are summaries only; see the documentation for full details.

C. Total Rewards/Salary Administration: Teleworking Program Policy

The policy permits agencies to designate employees to work at alternate work locations for all or part of the workweek in order to promote general efficiencies. The policy defines teleworking options and limitations including covered employees, terms and conditions, responsibilities and expectations of employees and supervisors, and grounds for termination of the teleworking option.

Changes to this policy include:

- Identify "hybrid" and "part-time" telework as both meaning a type of telework arrangement in which an employee works from an alternate work location less than a full-time basis but on a recurring schedule.
- Include sample language for hybrid job postings that can be used in state's recruiting system.
- Expressly require agencies to continuously update in the HR-Payroll System (BEACON) whether employees are teleworking full-time or part-time, as well as the location of any teleworking.
- Emphasize that employees must notify the agency when their teleworking location changes.

D. Diversity and Workforce Services - Local Government Section: Local Government Salary Plans

Pursuant to N.C.G.S. § 126-9(b), local agencies must submit a salary plan package to the State HR Commission each year. The salary plan package consists of two major components:

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

E. Talent Acquisition: Workforce Planning Policy

Workforce Planning is the strategic alignment of an organization's human capital with its business direction. It is a methodical process of analyzing the current workforce, determining future workforce needs, identifying the gaps between the present and future, and implementing solutions to enable an organization to meet its mission, goals and objectives.

Changes to this policy include:

- Include best practices for a workforce planning program.
- Make clear that workforce planning programs are recommended, but not required.
- Identify the workforce planning resources available from the NC Works program at the Department of Commerce.
- Adjust OSHR's responsibilities to meet current resources, in light of the fact that the state's staff dedicated to workforce planning are at the Department of Commerce.

F. Total Rewards/Classification and Compensation: 1 Revised Classification Specification

Revision to the Safety and Inspection job family:

- OSHA Safety Officer I
  - o Revision of the minimum education and experience to attract college graduates with related degrees and become more competitive with the federal OSHRA program which has similar requirements.

G. Diversity and Workforce Services: Employee Grievance Policy for State Agencies

It is the policy of North Carolina state government that a grievance process exists to allow for prompt, fair, and orderly resolution of grievances arising out of employment.

**The effective date of this policy is April 1, 2023.** Changes to this policy include:

- Expand the timeline for the EEO Informal inquiry to 90 days total to be consistent with the Administrative Code. Agencies have 75 calendar days from receipt of the complaint to complete an investigation plus 15 additional calendar days if the complainant agrees.
- If the complainant has not been sent a response by the agency within 90 calendar days after agency received the complaint, complainant may continue the process by filing a formal grievance.
- Adding “attempt to”: If the letter finds reasonable cause to believe that unlawful actions occurred, “...management shall attempt to take appropriate action to resolve the matter.”
- Clarify that agency grievance policies are supplemental in nature.
- Add National Guard preference to list of issues that may be grieved at the agency level only.
- Adds a section identifying the limited set of situations where an exempt managerial employee can file a grievance to OAH. These situations are specified by law (N.C.G.S. § 126-5(c7) and § 126-34.1(a)(2)) and would now be mentioned expressly in the policy.
- Specifically state that any employee, regardless of whether they are exempt from the Human Resources Act, may utilize the EEO Informal Inquiry process to raise a complaint related to discrimination, retaliation, or harassment. This does not allow employees exempt from the provisions of N.C.G.S. § 126-34.01 and § 126-34.02 to proceed to the formal internal grievance process.
- Adds language to clarify time periods in which employees have to act to move through steps of the grievance process.
- Changed language re: prohibition of recording in mediations to match the Rules of Mediation.
- Adds language to clarify what occurs if the respondent has an unexcused failure to attend a mediation.
- Adds Sources of Authority.

#### H. Diversity and Workforce Services: University SHRA Employee Grievance Policy

It is the policy of The University of North Carolina that the grievance process exists to allow for prompt, fair and orderly resolution of disputes arising out of employment. This policy provides procedural consistency across The University of North Carolina System, ensuring SHRA employees have access to an internal process to address grievable issues timely, fairly, cost effectively, and without fear of reprisal, and resolve workplace issues efficiently and effectively.

**The effective date of this policy is April 1, 2023.** Changes to this policy include:

- Conforming changes to maintain alignment with proposed revisions to the agency grievance policy.

- Addition of coverage for university law enforcement officers as provided by N.C.G.S. § 126-5(c16), which exempted university LEOs from most provisions of the NC Human Resources Act with the exclusion of Articles 6, 7, 8, 14, and 15. Due to the continuing protections under Article 8, UNC LEOs retain due process rights under Commission-approved disciplinary and grievance policies.
- TABLE OF CONTENTS
  - o Adds Rows for Sections XII and XIII.
- SECTION III
  - o Moves two rows for “Internal Grievance Process” and “Internal Grievance Process Timeline in the alphabetical list by adding “Formal” to the title.
  - o Modifies definition of “Grievant” with “including EHRA Law Enforcement Officers and applicants for EHRA Law Enforcement Officer positions.”
  - o Updates definition of Informal Discussion to include “and the process for addressing issues for which one may not file a formal internal grievance.”
- SECTION IV
  - o Adds National Guard preference to list of issues that may be grieved at the agency level only.
- SECTION V
  - o V.A. Clarifying language about which types of grievable issues go through any informal processes prior to the formal internal grievance process.
  - o V.C. Adds paragraph: “Grievances that are untimely filed or do not contain a grievable issue as defined in Section IV of this policy shall not proceed through the grievance process. Grievable issues that have not been substantiated or responded to by the institution shall still be permitted to proceed through the grievance process.”
- SECTION VI
  - o VI.A. Adds “or other designated personnel” to clarify that the EEO/AA Officer may not be the only point of contact for filing a complaint or conducting an investigation.
  - o VI.A. Expands the timeline for the EEO Informal inquiry to 90 days total to be consistent with the Administrative Code. Institutions have 75 calendar days from receipt of the complaint to complete an investigation plus 15 additional calendar days if the complainant agrees.
  - o VI.A. Rephrases “resolve” with “toward resolving”: If there is reasonable cause to believe that discrimination...occurred, management shall appropriate action toward resolving the matter.”
  - o VI.A. If the complainant has not been sent a response by the agency within 90 calendar days after agency received the complaint, complainant may continue the process by filing a formal grievance.
- SECTION VIII
  - o Adds paragraph: “The employee must file a formal internal grievance request within 15 calendar days of the alleged event or action that is the basis of the grievance or within 15 days of receiving a response at the conclusion of any informal process(es).”

- o VIII.E. Adds paragraph: “There shall be no stenographic, audio, or video recording of the mediation process by any participant. This prohibition includes recording either surreptitiously or with the agreement of the parties.”
- o VIII.J. Adds language to clarify what occurs if the respondent has an unexcused failure to attend a mediation.
- SECTION IX
  - o IX.E. Adds paragraph: “A hearing officer may not decline to hear a grievable issue raised by the grievant solely because the agency did not complete the informal inquiry process within the deadline stated in this Policy was not completed.”
  - o IX.F. Updates title for university chief human resources officer.
- SECTION X
  - o Updates OAH contact information
- SECTION XII
  - o Adds “savings clause”: “If any provision of this Policy or its application to any person or circumstances is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Policy which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Policy are declared to be severable.”
- SECTION XIII
  - o Adds Sources of Authority.

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

<https://nconnect.sharepoint.com/sites/SHRC/HR%20Directors/Forms/AllItems.aspx?id=%2Fsites%2FSHRC%2FHRC%20Directors%2F2023%2002%2016%20SHRC%20Meeting&viewid=5ce74308%2Dc66d%2D48f0%2D8c5e%2D94f2018a6219>