

## SECTION .0800 - PROMOTIONAL PRIORITY

### 25 NCAC 01H.0801 PROMOTIONAL PRIORITY CONSIDERATION FOR CURRENT EMPLOYEES

- (a) Promotional priority consideration shall be provided when a career State employee, as defined in G.S. 126-1.1, applies for a position that is a higher salary grade (salary grade equivalency) or has a higher statewide journey market rate and the eligible employee is in competition with outside applicants.
- (b) If it is determined that an eligible employee and an outside applicant have "substantially equal qualifications," then the eligible employee must receive the job offer over an outside applicant.
- (c) "Substantially equal qualifications" occur when the employer cannot make a reasonable determination that the job-related qualifications held by one applicant are significantly better suited for the position than the job-related qualifications held by another applicant.
- (d) For purposes of this Rule, an outside applicant is any applicant who is not a member of the State government workforce as defined in 25 NCAC 01H .0631(c).

*History Note:* Authority G.S. 126-1A; 126-4; 126-7.1;  
Temporary Adoption Eff. October 1, 1987, for a Period of 180 Days to Expire on March 28, 1988;  
ARRC Objection January 21, 1988;  
Curative Eff. November 1, 1988;  
Amended Eff. March 1, 1994;  
Recodified from 25 NCAC 01H .0625 Eff. December 29, 2003;  
Amended Eff. February 1, 2007.