

Promotional Priority Policy

Promotional Priority

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Policy

A promotional priority consideration shall be provided by all agencies, departments and universities to all current State employees who have achieved career status. All employment decisions involving recruitment, selection and priority consideration shall comply with the Equal Employment Opportunity Policy located in Section 1 of the State Human Resources Manual.

Nature of Priority

Promotional priority consideration shall be provided as outlined below. 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. This priority consideration shall not apply when the only applicants considered for the vacancy are current State employees.

Promotional priority is applied when there is no reasonable or justifiable difference in the selected non-state applicant’s job-related qualifications and the most qualified state employee applicant seeking a promotion who received the highest evaluation by the hiring manager or hiring team. Thus, a promotional priority serves as a tiebreaker when, after all evaluation factors are considered, an internal career status applicant seeking a promotion is evaluated as equal to the highest evaluated applicant from outside state government. When the top interviewed applicant receives the highest evaluation based on merit, all interviewed state applicants with lower evaluations do not have promotional priority claims. Qualification determinations for referred applicants are made by the hiring manager or hiring team. Promotional priority serves to benefit the state employee when a non-state employee and the state employee’s qualifications would otherwise be equal, and has no bearing on determining the decision to grant or not grant an interview.

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"Substantially equal qualifications" occur when the employer cannot make a reasonable and justifiable 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.

Grade to Grade

If a State employee with career status applies and is qualified for another state position of a higher salary grade and has substantially equal qualifications as those of the highest ranking applicant who is not a State employee, the State employee shall receive the job offer.

Grade to Band or Band to Grade

For employees applying for positions in a different classification system than their current system (i.e. from graded to banded or vice versa) – a salary grade equivalent will be assigned for each competency level within a career banded classification to determine if the action is a promotion. If a State employee with career status applies and is qualified for another state position representing a promotion, and has substantially equal qualifications as those of the highest ranking applicant who is not a State employee, the State employee shall receive the job offer.

The salary grade equivalent shall not be used when determining the promotional priority for a State employee who is currently in a banded class and is applying for another position in a banded class nor is the salary grade equivalent to be used to determine salaries.

Band to Band

For band to band actions, a promotion is defined as employee movement from one position to another with the same banded classification with a higher competency level or employee movement from one position to another with a different banded classification with a higher journey market rate. Then, if a State employee with career status, in a banded position, applies and is qualified for another banded state position that represents a promotion, and has substantially

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equal qualifications of those of the highest ranking applicant who is not a State employee, the State employee shall receive the job offer.

An outside applicant is any applicant who is not employed by a State agency, department or university in a position that is subject to the recruitment and selection policies or rules adopted by the State Human Resources Commission as authorized by G.S. 126 (State Human Resources Act).

Relationship to Employees with Priority Employment Status

State employees with priority employment status who were:

1. separated from exempt policymaking or exempt managerial jobs for reasons other than cause,
2. notified of or separated by reduction in force, or
3. returning from workers' compensation leave are not considered outside applicants for the purpose of the promotional priority policy.

In compliance with G.S. 126-7.1(f), a State employee who has been notified of or separated due to a reduction in force shall receive priority consideration over all other applicants including current State employees who have substantially equivalent qualifications.

Appeals

Any State employee with career status who has reason to believe that a promotion was denied due to the failure of the agency, department or university to afford the foregoing priority as required by G.S. 126-7.1(e), may appeal through the employee grievance process at the agency, department or university in which the vacancy existed.