

NOTICE OF TEXT ADDENDUM
STATE HUMAN RESOURCES COMMISSION
PROPOSED POSTING-August 17, 3015

SECTION 7: Explain Reason for Proposed Rule(s):

Rule citations: 25 NCAC 01D .2701; 25 NCAC 01D .2702; 25 NCAC 01D .2703; 25 NCAC 01D .2704

Reason: House Bill 834 (Session Law 2013-382) resulted in amendments to G.S. 126 (State Human Resources Act) which changed the definition of probationary status from 3 to 9 months to 24 months which in turn impacted a trainee employee's eligibility for severance pay. In addition, the severance rules were amended to comply with G.S. 126-8.5(a) which states that State employees are only eligible for severance if reemployment is not available. The law does not make allowances for exceptions such as temporary employment, employment at a lower level or lower pay, etc. As a result, RIF employees become ineligible for severance upon availability of any position for which they meet qualifications. Corrections to the severance rules are necessary to accurately reflect the impact on eligibility for severance when an employee declines a placement or job offer

Rule citations: 25 NCAC 01H .0801; 25 NCAC 01H .0802; 25 NCAC 01H .0902

Reason: Amendments to the promotion and RIF Priority rules are required to match the new definition of promotion for career banded salary administration policy, which was approved by the State Human Resources Commission at the December 2014 meeting. The change in the salary administration policy was in response to requests received from agencies and universities to reconsider how promotions were defined due to concerns that the previous definition did not accurately reflect true promotional opportunities. During the last legislative salary freeze that was in place from 2009 through 2013, agencies and universities could not award salary adjustments except in cases of promotion or reallocation to higher level duties and responsibilities. The salary freeze restrictions created recruitment problems for some classifications in the career banded system that were perceived by employees and management to be higher level duties and responsibilities but did not qualify for an increase under the legislative salary freeze as a result of how promotions were defined in the career banding system. When the freeze was lifted, agencies and universities asked the Office of State Human Resources to fix the issue with the definition of promotion in order to avoid future recruitment problems related to salaries, promotional priority and RIF priority in case of another future legislative salary freeze.