

**STATE HUMAN RESOURCES COMMISSION MEETING
VIA WEBEX**

MEETING MINUTES – October 17, 2024

Members Present:

Members present on the Webex for the meeting were: Commissioner Dekhasta Becton Rozier, Chair, Commissioner Andrea Allard, Commissioner Ross Beamon, Commissioner Doug Boyette, and Commissioner Tye Vaught. Commissioner April Page, Commissioner Phillip Strach, and Commissioner Tracy Webb were unavailable.

Other Attendees

Other attendees present: Barbara Gibson, Director; Glenda Farrell, Chief Deputy, and Twanetta Lytle Alston, Deputy Director, Office of State Human Resources; General Counsel Blake Thomas and Assistant General Counsel Anna Perkinson, Legal Division, Office of State Human Resources; Denise H. Mazza, State Human Resources Commission Administrator, Office of State Human Resources; Nancy Astrike, Amy Bowman, Felicia Bridges, Jennifer Christeson, Megan Church, Andrea Clinkscales, Lorence Crossett, Dominick D'Earsmo, Scarlett Gardner, Linda Forsberg, Creshaye Graham, Clara Hazzard, Patel Irshad, Joel Jordan, Paige Pearson, Stephanie McFadden, Susan Reeves, Kristin Siemek, Mike Suggs, Deyla Tharrington, and Kimbrey Whitaker, Office of State Human Resources; Sylvia Crumpler, Stephanie Miller, Katawna Flood, and Conell Chapman, NC Department of Adult Correction; Bancroft Neufville, Billy McAllister, Cashanda Holman, Leigh Ann Woodside, and Pam Hess, Department of Agriculture and Consumer Services; Keita Cannon, HR Director, NC Office of the State Auditor; Magnolia Lugo, HR Director, NC Community Colleges; Melody Isaak, NC Department of Commerce; Vanessa Voight and John Alexander, NC Department of Technology; Kathleen Tardiff, NC Department of Environmental Quality; Libby Faulkner, HRD, and Kim Rogva; NC HFA; Shannon Boatwright, NC Department of Health and Human Services; Jerry Daniels, HR Director, NC Department of Insurance; Kristen Bierline, HRD, NC Department of Justice; Renathe Cotton, HRD, NC Department of Labor; Patricia Garcia, HR Director, Office of State Budget & Management; Teresa Everett, NC Department of Public Instruction; Tonya Fields, Denise Johns, Dan Hill, and Cassandra Harris-Skinner, NC Department of Public Safety; Tonya Fields, NC Department of Public Safety; Diane McCann, HRD, NC Department of Revenue; Josephine Stith, HRD, NC Treasurer Office; Angeline Hariston, HR Director, NC Office of Administrative Hearings; and Chris Chiron, Associate Vice President for HR Policy, University System.

Opening

The Commission convened its open meeting pursuant to N.C.G.S. § 126-2(h) at 9:13 a.m. via Webex Teleconference – there was a slight delay getting quorum due to a technical issue.

The State Human Resources Commission (SHRC) last convened on August 15, 2024 at a Special Meeting.

Minutes of the October 17, 2024 State Human Resources Commission Special Meeting

Pursuant to North Carolina General Statute Chapter 138A and the North Carolina Ethics Act, Chair Rozier asked all attending 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 October 17, 2024 meeting.

CONSENT AGENDA

The Chair presented the draft minutes for the July 11, 2024 and August 15, 2024 State Human Resources Commission meetings. There being no further discussion or questions, the Chair called for a motion to recommend approval of these minutes.

Motion: Commissioner Beamon made a motion to recommend approval of the draft minutes for the July 11, 2024 and August 15, 2024 SHRC meetings.

Second: Commissioner Vaught seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval of the draft minutes for the July 11, 2024 and August 15, 2024 SHRC meetings.

Motion carried.

Director's Report

Director Barbara Gibson thanked the Chair and began her remarks noting the recent disaster from Hurricane Helene in western North Carolina and acknowledged the many State employees and citizens that have been impacted by this natural disaster and thanked those who were working hard to provide support for these affected areas. As for OSHR, the Director stated that our Communications team had supported the state's efforts at the State Emergency Response Center by offering media and communications report support. Following the hurricane's impact that began Friday, September 27, OSHR moved quickly to approve multiple variances to our existing policies to help State employees impacted by the hurricane, and communicated the variances to agencies on Monday, October 1. This included increasing the hours of Community Service Leave available, allowing more time to make up adverse weather leave, providing other management approved leave for employees who experienced disruption to their living situation or were unable to report to work. OSHR quickly debriefed with agency HRDs that Wednesday to answer questions about the leave and the pay options and gather more information about other flexibilities, accounting for safety of employees and targeted support. At the same time, OSHR worked closely with the Governor's office to provide insight on agencies needs that could be included in Executive Order 317. The outcome of these collaborations resulted in expanded and new flexibilities for agencies. We know there are needs for employees to support disaster recovery, and our Temporary Solutions team made sure any job orders or requests related to disaster relief were being expedited and received first priority. In addition, Temporary Solutions set up a pool to support temporary employees who work at locations that have been closed and expressed interest in being deployed to help with other recovery efforts.

In other news, on October 9, OSHR held its second annual in-person State of North Carolina Career Expo at the Sheraton Imperial in Durham. There was a 29% increase in attendance from the year before. With 1723 attendees who checked in, DIT and the Department of Adult Correction (DAC) were able to conduct a combined 101 in person interviews at the event. DAC correction made 46 conditional offers to probation, parole and correction officers. Efforts like these are crucial for our hard to fill roles. Gibson thanked OSHR team members and the representatives from 44 agencies and universities that helped make this event such an outstanding success.

Gibson stated that OSHR strives to provide a well-developed HR toolbox for fellow State agencies to address their HR concerns. The tool box is about to get a really big upgrade on October 23. The HR professional development program is going to go live. This has long been a personal goal of Gibson's that was slowed down during the pandemic. Gibson stated she was thrilled OSHR was launching this program into full action soon. HRPD offers HR professionals across State government a rich library of HR training classes currently provided at no cost to the HR participant, which includes in person, virtual and on demand modules, as well as many additional resources. Courses are customized specifically for North Carolina State Government to offer enhanced professional development opportunities to HR staff in our State agencies. This resource will provide ample knowledge and increased experience for our HR staff statewide.

With the election fast approaching, Gibson mentioned the many news articles highlighting the desperate need for poll workers to aid the state board of elections this November. These volunteers are critical for a speedy, positive voting experience for our constituents to lend a hand to our fellow North Carolinians. OSHR has temporarily expanded the Community Service Leave Policy to allow State employees to work as nonpartisan poll workers during the General Election. Also, as part of the relief for Hurricane Helene, Community Service Leave has been expanded leave in two ways. First, an additional two days of Community Service Leave is available for work organized storm related efforts coordinated by a local government entity or coordinated by established nonprofits. Second, State employees volunteering with a local government are eligible for Community Service Leave. So, Community Service Leave can be used to volunteer with a disaster relief nonprofit like World Central Kitchen, Red Cross or the Salvation Army. OSHR is hearing that State employees are excited to be offered this additional flexibility, and are pleased to support those who are working to take an active role in our community.

Director Gibson closed by thanking the commissioners for their time today and support always.

Exceptions

Deputy Director Twanetta LytleAlston presented exception granted under 25 NCAC 01A .0104 since the August 15, 2024 Special Commission Meeting. She stated that the exception list was longer than normal as OSHR responded to State agency and employees due to Hurricane Helene. (Details of the multiple exceptions presented at the meeting can be found beginning on page 30 of the Main Document used at this meeting.) LytleAlston closed by thanking the Commission for the opportunity to present.

Business Session

Public Comments

There were no public comments at the October 17, 2024 State Human Resources Commission meeting.

Legal Division: Proposed Meeting Dates for 2025

State Human Resources Commission Administrator Denise Mazza presented the proposed SHRC meeting dates for 2025. In compliance with N.C.G.S. 126-2(h), commission meetings were scheduled for the third Thursday of the month except for December which would be on the second Thursday. The proposed dates were:

February 20
April 17
July 17
October 16
December 11

There being no further discussion or questions, the Chair called for a motion to recommend approval of proposed meeting dates as presented.

Motion: Commissioner Allard made a motion to recommend approval of proposed meeting dates as presented.

Second: Commissioner Beamon seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval of proposed meeting dates as presented

Motion carried.

Total Rewards/Salary Administration: Sign-On and Retention Bonus Policy

HR Consultant Lorence Crossett presented proposed changes to the sign-on and retention bonus policy which clarified eligibility for sign-on bonuses and retention bonuses, including conditions for employees with disciplinary actions. adds requirements for supporting documentation and mentions sign-on bonuses in job postings.

Commissioner Allard requested a grammatical change to section 2 of the policy to make all verbs the consistent i.e. changed “is eligible” to “may be eligible” which was approved.

Commissioner Vaught asked Crossett to explain how an employee would be in a situation where they would be under disciplinary action, and then come out of that and that inactivity period.

Crossett explained that for example, if an agency has decided to give retention bonuses to a particular job classification, if an employee has a disciplinary action, the policy says that they are not eligible to receive a retention bonus. Once the disciplinary action is complete, the employee is no longer under that disciplinary action. If the agency is still giving bonuses, and that employee no longer has a disciplinary action, that employee may still be eligible to receive a retention bonus. These proposed changes are to clarify that opportunity.

Commissioner Vaught asked to clarify that the retention bonus could cross over fiscal years and, if still be offered, could be awarded in these conditions.

Crossett confirmed that was correct.

Commissioner Allard offered that section 6 of the Disciplinary Action Policy as it specially addresses this situation.

There being no further discussion or questions, the Chair called for a motion to approve of the proposed revisions to the policy with the amended verbiage on the suggested change so that all verbs are the same in the policy.

Motion: Commissioner Allard made a motion to approve of the proposed revisions to the policy with the amended verbiage on the suggested change so that all verbs are the same in the policy.

Second: Commissioner Beamon seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval of the proposed revisions to the policy with the amended verbiage on the suggested change so that all verbs are the same in the policy.

Motion carried.

Total Rewards/Salary Administration: Clarification about Record Keeping System for Specific Policies

Total Rewards Division Director Andrea Clinkscales presented the proposed revisions to the Leave without Pay Policy, Position Management Policy, and the Supplemental Salary Policy to update the forms and procedures, and how actions should be documented.

There being no further discussion or questions, the Chair called for a motion to approve of these proposed revisions to the Leave Without Pay Policy, Position Management Policy, and Supplemental Salary Policy to update the forms and procedures, and how actions should be documented.

Motion: Commissioner Vaught made a motion to approve these proposed revisions to the Leave Without Pay Policy, Position Management Policy, and Supplemental Salary Policy to update the forms and procedures, and how actions should be documented.

Second: Commissioner Allard seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval of these proposed revisions to the Leave Without Pay Policy, Position Management Policy, and Supplemental Salary Policy to update the forms and procedures, and how actions should be documented.

Motion carried.

Total Rewards/Time and Leave Administration: Family Illness Leave Policy

Time and Leave Consultant Stephanie McFadden presented changes to the Family Illness Leave Policy, including removal of dismissal due to unacceptable conduct and recertification requirements. She stated that this leave is provided for an employee to care for the employees, child, parent or spouse when the child parent or spouse has a serious health condition. The proposed revision is to add language consistent with the Family Medical Leave Act Policy that if recertification or certification is not provided within the reasonable time frame, it may result in discontinued use of Family Illness Leave. If the employee is not available to work, it may result in separation due to unavailability to work. The other proposed revision was to Section 13 to state that this is not a grievable issue.

Commissioner Beamon asked if there was a definitive time designated when the certification from the employee would be requested due.

McFadden responded at section 9 under employee responsibility, states 15 calendar days.

There being no further discussion or questions, the Chair called for a motion to recommend approval of Family Illness Leave Policy as revised.

Motion: Commissioner Beamon made a motion to recommend approval of proposed meeting dates as presented.

Second: Commissioner Allard seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval of Family Illness Leave Policy as revised.

Motion carried.

Total Rewards/Time and Leave Administration: Paid Parental Leave Policy

Time and Leave Consultant Stephanie McFadden presented changes to the Paid Parental Leave Policy to incorporate the new permanent rules and to update sections 7, 8 and 10, respectively, as follows:

Minutes of the October 17, 2024 State Human Resources Commission Special Meeting

- Four weeks of leave for recuperation was available to eligible birth parents who child was given up for adoption or place for foster care.
- Four weeks of leave for bonding with the child was not available to employees whose child was given up for adoption or placed in foster care.
- Four weeks of leave for miscarriage and still birth is available.
- Added when an employee who is a prospective adoptive parent or foster parent expects and expects an adoption or placement, but it does not occur, the employee is not eligible for leave under the policy.
- Updated to incorporate rules on miscarriage and stillbirth.
- Add a reference to miscarriage and still birth to the definition for the qualified event to outline the certification process for eligibility for paid parental leave for stillbirth.
- Added that the leave for miscarriage or stillbirth was not available in the event the fetus died before the 12th completed week of pregnancy.
- Added that neither parent shall receive well shall receive the paid parental leave for bonding with the child in the event of a miscarriage or still birth after the 12th completed week of pregnancy.
- Added when a child dies after childbirth is completed, each parent of the child who meets the eligibility requirements in this policy shall receive the full paid parental leave for which they are eligible. The pay parental leave will not be ended at the time of the child's death.
- Clarified that employees did not have to certify that four weeks of leave was being used for bonding with the child if the child had died following child birth.
- Added agencies can allow adequate time to parents or persons who would have become parents for recovery or bereavement. They may use sick leave, vacation, leave, bonus, leave, compensatory time, and any other leave options that may be available to the employee,
- Added the permanent rules were adopted effective August 1, 2024.
- Removed the reference to the additional leave under the optional authority previously provided by the policy that sunsetted in February 2024.
- Added a note removing the sentence that stated equal treatment could be structured as both parents received eight weeks of leave.
- Removed the reference to the additional leave under the optional authority provided in the policy.
- Removed the note on the sunset date.
- Removed optional alternative parental leave program, which was available through February 2024.
- Added a footnote to explain when within a 12-month period an employee experiences a qualifying event for which they are eligible for eight weeks of leave, subsequent to experiencing a qualifying event for which they are eligible for four weeks of leave, employee may utilize the remaining four weeks of leave.

McFadden closed by asking if there were any questions regarding the revisions.

There being no further discussion or questions, the Chair called for a motion to recommend approval of Paid Parental Policy as revised.

Motion: Commissioner Allard made a motion to recommend approval of Paid Parental Policy as revised.

Second: Commissioner Beamon seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval of Paid Parental Policy as revised.

Motion carried.

Total Rewards/Time and Leave Administration: Other Management Approved Leave Policy Changes

Time and Leave Consultant Stephanie McFadden then presented changes to Other Management Approved Leave Policy. Revisions included that management may approve paid time off for employees to participate in specified state related activities or because of a natural disaster or other emergencies and summarized the acceptable reasons for approving other paid time off. A section 6.1 was created to state emergency services and American Red Cross Disaster Service Leave to be at the discretion of the agency head, the total maximum amount of this type of leave is 15 workdays within a 12 month period. However, employees may split the total allocated amount of leave between the two different types of service and added volunteer emergency and rescue services should be defined as services coordinated by a local government - a county or municipality and the entity or an established nonprofit.

McFadden closed by asking if there were any questions regarding the revisions.

There being no further discussion or questions, the Chair called for a motion to recommend approval of the Other Management Approved Leave Policy as revised.

Motion: Commissioner Beamon made a motion to recommend approval of the Other Management Approved Leave Policy as revised.

Second: Commissioner Allard seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval of the Other Management Approved Leave Policy as revised

Motion carried.

Talent Acquisition: Recruitment and Posting of Vacancies Policy Changes

State Talent Acquisition Manager Kristin Siemek presented changes to the Recruitment and Posting of Vacancies Policy due to House Bill 223. She explained the changes to the closing date requirement and the removal of the 21-day clause for positions shared with the Division of Employment Security. House Bill 223 added a clause that states changes to the closing date can either be approved by the State Human Resources Commission or as a special exception through

the Office of State Human Resources. House Bill 223 also struck out some of the outdated provisions that stated once a vacancy was shared with the Division of Employment Security, the position could not be filled for at least 21 days, and also the statement that said, 21 days could be waived if the classification was declared to be in short supply.

Siemek closed by asking if there were any questions regarding the revisions.

There being no further discussion or questions, the Chair called for a motion to recommend approval of the Recruitment and Posting of Vacancies Policy as revised.

Motion: Commissioner Vaught made a motion to recommend approval of the Recruitment and Posting of Vacancies Policy as revised.

Second: Commissioner Allard seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval of the Recruitment and Posting of Vacancies Policy as revised.

Motion carried.

Talent Acquisition: Selection of Applicants Policy

State Talent Acquisition Manager Kristin Siemek then presented changes to the Selection of Applicants Policy as a result of House Bill 223. The proposed revisions updated the policy to state that not only must the application have the statement about fraudulent information, but also any screen that shows an app that appears to an applicant when they attach material also has to have that statement. One other proposed change to this policy not associated with House Bill 223, proposed updating language in section 6.3 from “Employment of Aliens” to “Employment of Non-Citizens” to be consistent with the Form I-9 and the Employment Verification Policy.

Siemek closed by asking if there were any questions regarding the revisions.

There being no further discussion or questions, the Chair called for a motion to recommend approval of the Selection of Applicants Policy as revised.

Motion: Commissioner Beamon made a motion to recommend approval of the Selection of Applicants Policy as revised

Second: Commissioner Allard seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval of the Selection of Applicants Policy as revised.

Motion carried.

Talent Acquisition: Continuous Posting for NC Department of Adult Corrections/ Correctional Food Services Officers I, II and III

State Talent Acquisition Manager Kristin Siemek then requested on behalf of the Department of Adult Correction that the Correctional Food Service Officers I, II and III be approved for continuous postings. She explained the three classifications correspond with the facility level they serve, so minimum medium and closed custody facilities. The vacancy rate for all three of these classifications is averaging 23 to 24% and the turnover rate for fiscal year 23-24 was a little over 13%. The Department of Adult Corrections has actively engaged in recruitment efforts, from posting each job close up to close to 90 times conducting over 280 recruitment efforts, which include attending and hosting career fairs, as well as using social media and posting on job boards. One of the main challenges to filling these positions is the unique, unique skill set that's required. Not only do these candidates need to be able to operate institutional food service equipment and need to have extensive experience in large-scale food production and food service activities, but they also oversee the preparation, cooking and serving of meals in the correctional facilities. They provide training to the offenders in food preparation and baking, and also ensure that the equipment is maintained and safe and the food is prepared, served and stored according to regulation. This is a very broad gamut of skill. Allowing a continuous posting for these jobs will allow the Department of Adult Correction to maintain a pool of interested candidates and enable them to fill positions as they become vacant.

Siemek closed by asking if there were any questions regarding the request.

There being no further discussion or questions, the Chair called for a motion to recommend approval of the Department of Adult Corrections' Request for Continuous Posting for Correctional Food Service Officer I, II and III as presented.

Motion: Commissioner Beamon made a motion to recommend approval of the Department of Adult Corrections' Request for Continuous Posting for Correctional Food Service Officer I, II and III as presented.

Second: Commissioner Vaught seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval of the Department of Adult Corrections' Request for Continuous Posting for Correctional Food Service Officer I, II and III as presented.

Motion carried.

Total Rewards/Classification and Compensation: Creation of One New and Nine Revised Class Specifications for the Statewide Compensation Plan.

Classification and Compensation Manager Felicia Bridges presents proposed revisions to nine job classifications and the creation of one new classification. OSHR Classification and

Compensation recommended the creation of a new entry level job within the IT Procurement series. Additionally, Bridges presented changes to the four classifications within this series to properly align the class concept, knowledge, skills, abilities, and minimum education and experience more appropriately as the work performed is not technical IT work. Bridges stated that revisions being made to other classifications were the result of OSHR's strategic goal to continuously evaluate current specs in an effort to modernize and update existing specs or on

behalf of requests submitted by agencies. The following is a list of the Job Families and classifications presented.

Information Technology Job Family

- IT Contracts & Strategic Sourcing Director (Revision)
- IT Contracts & Strategic Sourcing Manager (Revision)
- IT Contracts Specialist (Revision)
- IT Contracts & Strategic Specialist I (Revision)
- IT Contracts & Strategic Specialist II (New)

Law Enforcement Job Family

- Superintendent of State Parks (Revision)

Operations & Trade Job Family

- Ferry Division Director (Revision)

Safety & Inspections Job Family

- Veterinary Program Specialist I (Revision)
- Veterinary Program Specialist II (Revision)
- Veterinary Program Specialist III (Revision)

Bridges closed by asking if there were any questions regarding the proposed new classification or nine revisions.

There being no further discussion or questions, the Chair called for a motion to recommend approval the creation of one new and the revision of nine class specifications for the Statewide Compensation Plan as presented.

Motion: Commissioner Beamon made a motion to recommend approval the creation of one new and the revision of nine class specifications for the Statewide Compensation Plan as presented.

Second: Commissioner Boyette seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval for the creation of one new and the revision of nine class specifications for the Statewide Compensation Plan as presented.

Motion carried.

EEO, Accessibility and Workforce Services: Temporary Rule 25 NCAC 01I .2103 Salary Rate

Local Government Manager Dominick D’Erasmus presented the request to advance Temporary Rule 25 NCAC 01I .2103 Salary Rate to the Rules Review Commission to become a Temporary Rule. He noted no public comments were received while the temporary rule was out for public comment or during the public hearing and requested approval to submit the revised Rule to the Rules Review Commission for entry as a Temporary Rule in the North Carolina Administrative Code.

D'Erasmus closed by asking if there were any questions regarding this request.

There being no further discussion or questions, the Chair called for a motion to recommend approval to submit the revised Rule to the Rules Review Commission for entry as a Temporary Rule in the North Carolina Administrative Code.

Motion: Commissioner Vaught made a motion to recommend approval to submit the revised Rule to the Rules Review Commission for entry as a Temporary Rule in the North Carolina Administrative Code.

Second: Commissioner Beamon seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval to submit the revised Rule to the Rules Review Commission for entry as a Temporary Rule in the North Carolina Administrative Code.

Motion carried.

EEO, Accessibility and Workforce Services: Disciplinary Action Policy

EEO, Accessibility and Workforce Services Division Director Nancy Astrike presented the revisions to the Disciplinary Action Policy to add language that makes clear investigators may access materials as part of a good faith and authorized effort to investigate a potential disciplinary action or EEO related action, even if those materials would otherwise be inappropriate to access in the workplace. Astrike presented a second change to add language to make clear that finalized disciplinary actions need to be stored in the electronic system of record or the HR Payroll system so we can have good data related to disciplinary actions throughout the State.

Astrike closed by asking if there were any questions regarding these revisions.

There being no further discussion or questions, the Chair called for a motion to recommend approval of the Disciplinary Action Policy as revised.

Motion: Commissioner Beamon made a motion to recommend approval of the Disciplinary Action Policy as revised.

Second: Commissioner Allard seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval of the Disciplinary Action Policy as revised.

Motion carried.

EEO, Accessibility and Workforce Services: Employee Grievance Policy

EEO, Accessibility and Workforce Services Division Director Nancy Astrike then presented revisions to the Employee Grievance Policy as a result of a recent law change that now specifies that National Guard Preference may be heard as a contested case hearing after the agency grievance process. The proposed revisions reflect that this type of grievance can now extend beyond the internal grievance process and the agency and enter the formal grievance process.

Astrike closed by asking if there were any questions regarding these revisions.

There being no further discussion or questions, the Chair called for a motion to recommend approval of the Employee Grievance Policy as revised.

Motion: Commissioner Beamon made a motion to recommend approval of the Employee Grievance Policy as revised.

Second: Commissioner Allard seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval of the Employee Grievance Policy as revised.

Motion carried.

Talent Management: Certified Public Manager Program Policy

State Learning and Development Manager Joel Jordan, presented proposed revisions to the North Carolina Certified Public Manager Program Policy. Jordan explained that the revisions clarify the nomenclature, purpose, and curriculum requirements for the program, and emphasizes the importance of agency nomination processes and record retention.

Jordan closed by asking if there were any questions regarding these revisions.

There being no further discussion or questions, the Chair called for a motion to recommend approval of the Certified Public Manager Policy as revised.

Motion: Commissioner Boyette made a motion to recommend approval of the Certified Public Manager Policy as revised.

Second: Commissioner Beamon seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval of the Certified Public Manager Policy as revised.

Motion carried.

Legal Division: Code change for 25 NCAC 01O .0113(d) Change to Records Retention Period for Performance Reviews

General Counsel Blake Thomas presented a proposed change to the Code regarding the records retention period for performance reviews. He stated the change was needed to change the retention period to the length of employment plus three years due to a court case called Department of Public Safety v. Locklear from 2023. While it is an unpublished opinion, it matches a published opinion in the Office of Administrative Hearings. Thomas requested the retention period listed in the Code be changed from three years to the length of the employment with the state and an additional three years. It noted that the Weatherington case, a published opinion, requires the consideration of an employee's work history in the disciplinary context, and neither we, the Court of Appeals nor the Supreme Court have stipulated that a partial consideration the three years that were listed in the rule is sufficient to meet this factor for a proper finding of Just Cause. So because of that, the Court concluded in Locklear that the respondent failed to consider petitioners work history sufficiently in determining the disciplinary action. As it is, all of state employees past performance reviews are still available and have always been available at the Office of State Human Resources. Changing the Code to align with this finding will ensure these reviews will be available for future actions.

Thomas closed by asking if there were any questions regarding the revision.

There being no further discussion or questions, the Chair called for a motion to recommend approval to begin the Rulemaking Process for the presented revision to 25 NCAC 01O .0113.

Motion: Commissioner Beamon made a motion to recommend approval to begin the Rulemaking Process for the presented revision to 25 NCAC 01O .0113.

Second: Commissioner Vaught seconded the motion.

A roll call vote was held and all attending members of the Commission recommended approval to begin the Rulemaking Process for the presented revision to 25 NCAC 01O .0113.

Motion carried.

Adjournment

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

Motion: Commissioner Beamon so moved.

Second: Commissioner Allard seconded the motion.

A roll call vote was held and all currently attending members of the Commission agreed to adjourn the October 17, 2024 SHRC Meeting.

Minutes of the October 17, 2024 State Human Resources Commission Special Meeting

Motion carried.

The Commission adjourned at 10:45a.m.

Executive Session

The State Human Resources Commission did not have an executive session at its October 17, 2024 SHRC meeting.

Minutes submitted by:
Denise H. Mazza,
State Human Resources Commission Administrator