



NOTICE OF TEXT

[Authority G.S. 150B-21.2(c)]

OAH USE ONLY

VOLUME: 40

ISSUE: 08

CHECK APPROPRIATE BOX:

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Notice with a scheduled hearing

Notice without a scheduled hearing

Republication of text. Complete the following cite for the volume and issue of previous publication, as well as blocks 1 - 4 and 7 - 14. If a hearing is scheduled, complete block 5.

Previous publication of text was published in Volume: Issue:

1. Rule-Making Agency: [State Human Resources Commission](#)

2. Link to agency website pursuant to G.S. 150B-19.1(c): <https://oshr.nc.gov/hr-governance/state-human-resources-commission/proposed-rulemaking>

3. Proposed Action -- Check the appropriate box(es) and list rule citation(s) beside proposed action:

☐ ADOPTION:

☐ AMENDMENT:

☒ REPEAL: [25 NCAC 01H .0635](#)

☐ READOPTION with substantive changes:

☐ READOPTION without substantive changes:

☐ REPEAL through READOPTION:

4. Proposed effective date: [02/01/2026](#)

5. Is a public hearing planned? [Yes](#)

If yes:

Date	Time	Location
10/30/2025	9	https://ncgov.webex.com/ncgov/j.php?MTID=m743c0aafcecca749e0872ee5ee5d0ba0

6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:

7. Explain Reason For Proposed Rule(s):

Some portions of this rule are inconsistent with the changes in law made by Session Law 2025-34. Specifically, subsections .0635(a) and (c) discuss agencies being able to add additional minimum qualifications to the vacancy announcement. Subsection .0635(a) also specifies that the applicant must meet any additional minimum qualifications added by the agency in this way. This is now inconsistent with Session Law 2025-34, which specifies that the minimum qualifications are set in the class specification, and "Any additional qualifications, knowledge, skills, and abilities listed in the specific vacancy announcement shall be interpreted as management preferences rather than as mandatory minimum qualifications that must be met." N.C.G.S. § 126-14.2(b), as amended by Section 3 of Session Law 2025-34. This inconsistent rule text needs to be repealed.

The remaining text of the rule is unnecessary; subsections (b) and (d) are covered by the Recruitment and Posting of Vacancies Policy.

Repealing Rule .0635 would leave in place the substantive requirements that applicants be selected based on their minimum qualifications. This is because the Recruitment & Posting of Vacancies Policy and the Selection of Applicants Policy cover the same ground, and Section 11 of Session Law 2025-34 provides a rulemaking exception that clearly allows requirements of this type to be stated in policy rather than in rule.

8. Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or email. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

Rule(s) is automatically subject to legislative review. Cite statutory reference:

9. The person to whom written comments may be submitted on the proposed rule(s):

Name: Denise Mazza
Address: 333 Fayetteville St, Raleigh, NC, 27601
Raleigh, NC 27603
Phone (optional): (984)236-0823
Fax (optional):
EMail (optional) denise.mazza@nc.gov

10. Comment Period Ends: 12/15/2025**11. Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.**

No fiscal note required

12. Rule-making Coordinator:

Name: Blake Thomas
984-236-0822
blake.thomas@nc.gov

Agency contact, if any:

Name: Blake Thomas
Phone: (984)236-0822
Email: blake.thomas@nc.gov

13. The Agency formally proposed the text of this rule(s) on

Date: 07/17/2025

25 NCAC 01H .0635 is proposed for repeal as follows:

25 NCAC 01H .0635 MINIMUM QUALIFICATIONS

History Note: Authority G.S. 126-4(4);

Eff. March 1, 2007;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 20,

~~2016-2016;~~

Repealed Eff.