

**State Human Resources Commission
Report/Policy Summary
September 24, 2026**

Title of Policy/Report/Rule: 25 NCAC 01A-General Provisions

Purpose: These rules provide definitions, provisions around granting exceptions and variances, and provisions around decentralization agreements.

Period Covered (if applicable): The changes become effective following completion of the permanent rulemaking process.

Summary of Proposed Policy/Report/Rule and Revision(s):

We are proposing repeal of the rules below through the rule-making process. This vote would publish the following rules for repeal in the Register. The rules proposed for repeal are either unnecessary, outdated, or covered by OSHR policy. OSHR has a broad rule-making exception in N.C.G.S. 150B-2(8a)(i) and the information in these rules falls within our rule-making exception because all necessary information from the rules is incorporated in the corresponding OSHR policy on the noted topic. The Public Workforce Modernization Act, Chapter 126A replaces Chapter 126 as of October 1, 2026. Therefore, much of the language in the rules no longer accurately corresponds with new Chapter 126A. Where it does not conflict with the law because OSHR has general policy making authority, the policies in these areas require updating and modernization that is prevented by the existing rules.

Repealing these rules will allow OSHR to modernize our policies without going through the rule-making process, making it possible for OSHR to be nimble and create a Human Resources system that can be forward thinking and responsive to changing needs of employees and agencies. These are the only rules remaining in Subchapter 01A:

- 25 NCAC 01A .0103 DEFINITIONS
 - These terms are defined in Chapter 126A or no longer used.
- 25 NCAC 01A .0104 EXCEPTIONS AND VARIANCES
 - The authority to grant exceptions and variances is provided for in Chapter 126A, and the repeal of this rule shifts the process from rule to OSHR policy.
- 25 NCAC 01A .0106 DELEGATION OF AUTHORITY: DECENTRALIZATION
 - The requirements for and terms of decentralization agreements are provided for in Chapter 126A and the corresponding policy will be amended. The rule is outdated and no longer necessary given the new law and rulemaking exception. Additionally, for the corresponding policy to be appropriately updated to serve a modernized human resources system, the rule needs to be repealed.

Commission Action(s) Requested: Motion to repeal the rules in Subchapter 01A as presented.

Associated Rule(s) and Statute(s) (if applicable): 126A-1-2(S.L 126A-2), 126A-2-2(4) (S.L. 126A-21(4)), 126A-2-3(c) (S.L. 126A-22(c)), 126A-2-4 (S.L. 126A-23)

Submitted/Presented by: Anna Perkinson, Deputy General Counsel for Policy and Programs