

- 25 NCAC 01H .0631 is proposed for repeal as follows:

25 NCAC 01H .0631

POSTING AND ANNOUNCEMENT OF VACANCIES

History Note:

Authority G.S. 96-29; 126-3(b); 126-4(4); 126-7.1; 126-14;

Eff. March 1, 2007;

Amended Eff. August 1, 2009; May 1, 2008;

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

August 20, 2016;

Amended Eff. March 1,-2019.

CURRENT TEXT OF RULE PROPOSED FOR REPEAL

25 NCAC 01H .0631

POSTING AND ANNOUNCEMENT OF VACANCIES

- (a) An agency shall post its vacant positions.
- (b) Vacancies that shall be filled from within the agency workforce shall have an application period of not less than five business days and shall be posted in at least the locations required by G.S. 126-7.1(a).
- (c) Vacancies to be filled from within or outside the State government workforce are to be listed with the Office of State Human Resources and as required by G.S. 96-29. The vacancies shall have an application period of not less than five business days. For purposes of this Rule, "State government workforce" means those employees who are subject to Articles 1, 2, 5, 6, 7, 8, 13, and 14 of Chapter 126 of the North Carolina General Statutes.
- (d) Each vacancy shall be described in an announcement that includes:
 - (1) For graded classes: the position number, classification title, salary grade and range, essential functions, knowledge, skills, abilities, minimum training and experience, and any vacancy-specific qualifications as determined by the agency in accordance with 25 NCAC 01H .0635(c) the application period, and the contact information.
 - (2) For banded classes: the position number, banded class title, competency level, banded class salary range or recruitment range corresponding to the competencies and duties, salary grade equivalency, essential functions, competencies, minimum training and experience, vacancy-specific qualifications as determined by the agency in accordance with 25 NCAC 01H .0635(c), the application period, and the contact information; and
 - (3) For all vacancy listings: a closing date, unless the classification has been determined as critical. Factors used in determining critical classifications include agency turnover; number of positions in class; geographic location of the position; scarcity of individuals with the required skills; and safety, health, or quality of care for clients. The critical classifications shall be approved by the State Human Resources Commission. On those classes determined to be critical, which shall be considered open and continuous postings, agencies shall determine how long applications shall be considered active. The State Human Resources Director or his or her designee shall report the number and type of continuous postings to the State Human Resources Commission.
- (e) Posting is not required when an agency determines that it will not openly recruit. This decision based upon a business need shall be made by the agency head. This includes vacancies:
 - (1) that are committed to a budget reduction;
 - (2) used to avoid a reduction in force;
 - (3) used for disciplinary transfers or demotions;
 - (4) to be filled by transfer of an employee to avoid the threat of bodily harm;
 - (5) that are designated exempt policymaking under G.S. 126-5(d);
 - (6) that must be filled immediately to prevent work stoppage in constant demand situations, or to protect the public health, safety, or security;
 - (7) to be filled by chief deputies and chief administrative assistants to elected or appointed department heads; and vacancies for positions to be filled by confidential assistants and confidential secretaries to elected or appointed

- (8) department heads, chief deputies, or chief administrative assistants;
to be filled by an eligible exempt employee who has been removed from an exempt position and is being placed back in a position subject to all provisions of the State Human Resources Act;
 - (9) to be filled by a legally binding settlement agreement;
 - (10) to be filled in accordance with a pre-existing written agency workforce plan;
and
 - (11) that must be filled immediately because of a widespread outbreak of a serious communicable disease.
- (f) The Office of State Human Resources may withhold approval for an agency to fill a job vacancy as set out in G.S. 126-7.1.

*History Note: Authority G.S. 96-29; 126-3(b); 126-4(4); 126-7.1; 126-14;
Eff. March 1, 2007;
Amended Eff. August 1, 2009; May 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public
interest Eff. August 20, 2016;
Amended Eff. March 1, 2019.*

- 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,

CURRENT TEXT OF RULE WHICH IS BEING PROPOSED FOR REPEAL

25 NCAC 01H .0635

MINIMUM QUALIFICATIONS

- (a) The employee or applicant must possess at least the minimum qualifications set forth in the class specification of the vacancy being filled. Additional minimum qualifications, if any, included on the specific vacancy announcement must also be met. The additional qualifications shall have a documented business need. Qualifications include training, experience, competencies and knowledge, skills and abilities. The minimum qualifications on the vacancy announcement shall bear a direct and logical relationship to the minimums on the class specification, class administration guidelines developed by the Office of State Human Resources, and the specific position description. This requirement shall apply in new appointments, promotions, demotions or reassignments, transfers, and reinstatements.
- (b) Qualifications necessary to perform successfully may be attained in a variety of combinations. Reasonable substitutions of formal training and job-related experience, one for the other, may be made.
- (c) Agency management is responsible for determining and defending the vacancy-specific qualifications that are in addition to minimum training and experience requirements. Such vacancy-specific qualifications shall bear a logical and job-related relationship to the minimum requirements.
- (d) The Office of State Human Resources shall make the final determination as to whether the employee or applicant meets the minimum qualifications in questionable selection situations.

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.

- 25 NCAC 01K .0317 is proposed for repeal as follows:

25 NCAC 01K .0317 REIMBURSEMENT OF ACADEMIC COSTS

History Note: Authority G.S. 126-4;
Eff. September 1, 1989;
Amended Eff. January 1, 2004.

- 25 NCAC 01K .0320 is proposed for repeal as follows:

25 NCAC 01K.0320 EXCEPTIONAL SITUATIONS

History Note: Authority G.S. 126-4;
Eff. September 1, 1989;
Amended Eff. December 1, 2003.

- 25 NCAC 01K .0321 is proposed for repeal as follows:

25 NCAC 01K .0321 COURSES TAKEN AT AGENCY/UNIVERSITY REQUEST

History Note: Authority G.S. 126-4;
Eff. September 1, 1989;
Amended Eff. December 1, 2003.

- 25 NCAC 01K .0322 is proposed for repeal as follows:

25 NCAC 01K .0322 EXTENDED ACADEMIC LEAVE

History Note: Authority G.S. 126-4;
Eff. September 1, 1989;
Amended Eff. December 1, 2003.

- 25 NCAC 01K .0323 is proposed for repeal as follows:

25 NCAC 01K .0323 CERTIFICATION/LICENSING

History Note: Authority G.S. 126-4;
Eff. September 1, 1989;
Amended Eff. December 1, 2003.

- 25 NCAC 01K .0324 is proposed for repeal as follows:

25 NCAC 01K .0324 ADMINISTRATION RESPONSIBILITY

History Note: Authority G.S. 126-4;
Eff. September 1, 1989;
Amended Eff. December 1, 2003.

- 25 NCAC 01K .0401 is proposed for repeal as follows:

25 NCAC 01K .0401 POLICY STATEMENT

History Note: Authority G.S. 126-4(10); N.C.G.S. c. 143, Article 3C;
Eff. February 1, 1976;
Amended Eff. January 1, 1979.

- 25 NCAC 01K .0402 is proposed for repeal as follows:

25 NCAC 01K .0402 DETERMINATION OF NEED FOR TRAINING

History Note: *Authority G.S. 126-4;
Eff. February 1, 1976;
Amended Eff. March 1, 2005; January 1, 1979.*

- 25 NCAC 01K .0403 is proposed for repeal as follows:

25 NCAC 01K .0403 SELECTION OF NON-GOVERNMENT SOURCES

History Note: *Authority G.S. 126-4;
Eff. February 1, 1976;
Amended Eff. March 1, 2005; January 1, 1979. 1979;*

- 25 NCAC 01K .0404 is proposed for repeal as follows:

25 NCAC 01K .0404 PROCEDURE FOR APPROVAL OF NON-STATE SOURCES

History Note: *Authority G.S. 126-4; 143-64.20; 143-64.24;
Eff. February 1, 1976;
Amended Eff. March 1, 2005; January 1, 1979.*

- 25 NCAC 01K .0501 is proposed for repeal as follows:

25 NCAC 01K .0501 POLICY STATEMENT

History Note: *Authority G.S. 126-4;
Eff. January 1, 1978.*

- 25 NCAC 01K .0502 is proposed for repeal as follows:

25 NCAC 01K .0502 APPOINTMENT PROVISIONS

History Note: *Authority G.S. 126-4;
Eff. January 1, 1978;
Amended Eff. November 1, 1990; January 1, 1989.*

- 25 NCAC 01K .0612 is proposed for repeal as follows:

25 NCAC 01K .0612 INTERIM PERFORMANCE MANAGEMENT RULES

History Note: *Filed as a Temporary Rule Eff. August 24, 1989 for a period of 180 days to expire on
February 20, 1990;
Authority G.S. 126-4;
Eff. January 1, 1990.*

- 25 NCAC 01K .0613 is proposed for repeal as follows:

25 NCAC 01K .0613 FISCAL YEAR 1989/90 PERFORMANCE PAY FUNDS

History Note: *Filed as a Temporary Rule Eff. August 24, 1989 for a period of 180 days to expire on
February 20, 1990;
Authority G.S. 126-4;
Eff. January 1, 1990.*

- 25 NCAC 01K .0612 is proposed for repeal as follows:

25 NCAC 01K .0612 INTERIM PERFORMANCE MANAGEMENT RULES

History Note: *Filed as a Temporary Rule Eff. August 24, 1989 for a period of 180 days to expire on
February 20, 1990;*

*Authority G.S. 126-4;
Eff. January 1, 1990.*

CURRENT TEXT OF RULE WHICH IS BEING PROPOSED FOR REPEAL

SUBCHAPTER 01K – PERSONNEL TRAINING SECTION .0100 – GENERAL PROVISIONS

25 NCAC 01K .0101

History Note:

AUTHORITY

*Authority G.S. 126-4;
Eff. February 1, 1976;
Amended Eff. January 1, 1979;
Repealed Eff. November 1, 1988.*

25 NCAC 01K .0102

History Note:

ORGANIZATION

*Authority G.S. 126-4;
Eff. February 1, 1976;
Repealed Eff. December 1, 1978.*

25 NCAC 01K .0103

History Note:

POLICY ON TRAINING OF STATE EMPLOYEES

*Authority G.S. 126-4;
Eff. February 1, 1976;
Repealed Eff. January 1, 1979.*

25 NCAC 01K .0104

STATE HUMAN RESOURCE DEVELOPMENT POLICY

It is the policy of the State of North Carolina to provide training and development for its employees designed to:

- (1) improve productivity, effectiveness, and efficiency of government service by enhancement of employee performance;
- (2) help employees develop competencies so that they might become better qualified to perform the duties of their present jobs and advance to more responsible positions; and
- (3) develop managers and supervisors capable of designing and implementing effective systems for the accomplishment of each state agency's goals.

History Note:

*Authority G.S. 126-4;
Eff. January 1, 1979;
Amended Eff. April 1, 2005.*

25 NCAC 01K .0105

CENTERS OF RESPONSIBILITY

- (a) Adequate training and development of state employees shall be accomplished through the combined efforts of employees, supervisors on the job, departmental management, and the Office of State Human Resources in cooperation with the state's institutions of higher education.
- (b) Human resource development programs shall recognize the following roles:
 - (1) Employees. State employees at all levels ultimately retain an obligation to advance their own careers by pursuing appropriate opportunities for development and education.
 - (2) Managers and Supervisors. Managers and supervisors have the initial responsibility for ensuring access to job-related training and development for their employees. In fulfilling this responsibility, managers and supervisors shall identify the individual training needs of their employees and work with employees to prepare and effect plans for their development.
 - (3) State Agencies. State agencies are responsible for planning, budgeting, implementing and evaluating training for employees consistent with organizational needs and state policy. In addition, each agency shall work closely with other agencies and the Office of State Human Resources to promote the use of interagency training programs and resources wherever possible.
 - (4) Office of State Human Resources. The Office of State Human Resources shall be responsible for statewide planning, coordination and review of human resource development programs, as well as for direct delivery of some specified interagency training
 - (5) State Universities, the Community College System, and Public Instruction. The Office of State Human Resources and state agencies are responsible for utilizing the state's universities, Community College

System, and public instruction to the fullest degree possible in securing professional, management, and vocational education to meet their human resource development needs.

History Note: Authority G.S. 126-4;
Eff. January 1, 1979;
Amended Eff. March 1, 2005.

25 NCAC 01K .0106 COST OF TRAINING

- (a) If training is specifically required by an agency, full costs of salary, tuition, travel, and subsistence shall be borne by the agency.
- (b) Education deemed beneficial to both the employee and the agency may be eligible for the state's Academic Assistance Program (25 NCAC 01K .0300).

History Note: Authority G.S. 126-4;
Eff. January 1, 1979;
Amended Eff. March 1, 2005.

SECTION .0200 – LEARNING AND DEVELOPMENT CENTER

25 NCAC 01K .0201	ESTABLISHMENT OF THE TRAINING CENTER
25 NCAC 01K .0202	LOCATION AND HOURS OF OPERATION
25 NCAC 01K .0203	STAFF ORGANIZATION
25 NCAC 01K .0204	PROGRAMS
25 NCAC 01K .0205	PRODUCTIONS
25 NCAC 01K .0206	USE OF FACILITIES
25 NCAC 01K .0207	FEES
25 NCAC 01K .0208	ORIENTATION FOR NEW STATE EMPLOYEES

History Note: Authority G.S. 126-4; 150A-10;
Eff. February 1, 1976;
Repealed Eff. January 1, 1979.

25 NCAC 01K .0209 OFFICE OF STATE HUMAN RESOURCES LEARNING AND ORGANIZATIONAL DEVELOPMENT TEAM PURPOSE

The Office of State Human Resources Learning and Organizational Development Team shall provide policy direction, programs, and supportive services to assist in improving the performance of state agencies and employees.

History Note: Authority G.S. 126-4;
Eff. January 1, 1979;
Amended Eff. March 1, 2005.

25 NCAC 01K .0210 OFFICE OF STATE HUMAN RESOURCES LEARNING AND ORGANIZATIONAL DEVELOPMENT TEAM OBJECTIVES **REPEAL**

The Office of State Human Resources Learning and Organizational Development Team shall:

- (1) recommend policy and procedures to the State Human Resources Commission concerning the state's system of human resource development, educational leave, academic assistance, and the use of non-state resources for training;
- (2) plan, coordinate, monitor and evaluate effectiveness of state government human resource development in cooperation with agencies, state universities, and the Community College System;

- (3) provide programs and services that most cost-effectively enhance organizational and individual performance when operated at the central level in state government. These programs and services include organizational improvement consultation, management and supervisory development, and clerical office skills training as well as human resource management and professional development initiatives.

History Note: Authority G.S. 126-4;
Eff. January 1, 1979;
Amended Eff. March 1, 2005.

25 NCAC 01K .0211 PROGRAMS

History Note: Authority G.S. 126-4;
Eff. January 1, 1979;
Repealed Eff. March 1, 2005.

REPEAL

25 NCAC 01K .0212 OFFICE OF STATE HUMAN RESOURCES LEARNING AND DEVELOPMENT FACILITIES

The North Carolina State Learning and Development Center's facilities at 101 West Peace Street in Raleigh shall be provided for use on a reservation basis by all state agencies from 8:00 a.m. to 5:00 p.m. Monday through Friday, excluding holidays. Room fees, based upon maximum occupancy, shall be charged to defray facility operation costs, including parking and use of available and reserved audiovisual equipment. Daily room fees are as follows: Mountain Room – twenty dollars (\$20.00); Coastal Room – twenty dollars (\$20.00); Piedmont Room – thirty dollars (\$30.00); Commission Room – fifty dollars (\$50.00). Rooms may be rented for up to four hours or any fraction of four hours for one-half the daily fee.

History Note: Authority G.S. 126-4;
Eff. January 1, 1979;
Amended Eff. April 1, 2005, January 1, 1989.

25 NCAC 01K .0213 FEES

History Note: Authority G.S. 126-4;
Eff. January 1, 1979;
Repealed Eff. March 1, 1989 in accordance with G.S. 150B-59(c).

25 NCAC 01K .0214 LOCATION AND HOURS OF OPERATION

History Note: Authority G.S. 126-4; 150A-10;
Eff. January 1, 1979;
Repealed Eff. March 1, 2005.

SECTION .0300 - ACADEMIC ASSISTANCE

REPEAL ALL REMAINING RULES

25 NCAC 01K .0301 PURPOSE

25 NCAC 01K .0302 ELIGIBILITY

History Note: Authority G.S. 126-4;
Eff. February 1, 1976;
Amended Eff. January 1, 1979; June 1, 1977; March 1, 1977;
Repealed Eff. September 1, 1989.

25 NCAC 01K .0303 APPROVED COURSES

25 NCAC 01K .0304 APPROVED HOURS

25 NCAC 01K .0305 TRAVEL

25 NCAC 01K .0306	TUITION ASSISTANCE
25 NCAC 01K .0307	APPLICATION PROCEDURES
25 NCAC 01K .0308	TAX STATUS
25 NCAC 01K .0309	ADMINISTRATIVE RESPONSIBILITY
25 NCAC 01K .0310	EXTENDED EDUCATIONAL LEAVE

History Note: Authority G.S. 126-4;
Eff. January 1, 1979;
Amended Eff. August 1, 1979;
Repealed Eff. September 1, 1989.

25 NCAC 01K .0311 PURPOSE

REPEAL

The academic assistance program shall provide reimbursement of academic costs if funds are available at the agency/university level, and time off the job with pay if the course is available only during working hours. If funds are not available to provide reimbursement, the agency may choose to give only time off.

History Note: Authority G.S. 126-4;
Eff. September 1, 1989;
Amended Eff. January 1, 2004.

25 NCAC 01K .0312 ELIGIBILITY

REPEAL

- (a) Full-time or part-time employees who have a permanent appointment shall be eligible for the Academic Assistance Program. Trainees may be determined as eligible by management after satisfactory performance for a period of not less than three months.
- (b) Eligible Sources. Academic courses/degrees from accredited community colleges, colleges, universities via traditional classroom, video-based, distance learning, web-based, e-learning and certain correspondence courses shall be eligible for approval. Accreditation must be via an accrediting agency authorized by the US Department of Education or the American Council on Education/CREDIT.
- (c) Academic courses which are audited shall be eligible for academic assistance; however, an employee may be reimbursed for the same course or course equivalent only once.

History Note: Authority G.S. 126-4;
Eff. September 1, 1989;
Amended Eff. December 1, 2003; August 1, 1995.

25 NCAC 01K .0313 APPROVED COURSES

REPEAL

Management, when making the determination whether to provide assistance to take a specific course, must determine that it is beneficial to both the agency/university and the employee's knowledge, skills and abilities to fulfill current and potential job duties. Academic assistance shall not be approved for courses where management has determined that neither the course, nor the degree is of benefit to the agency/university.

History Note: Authority G.S. 126-4;
Eff. September 1, 1989;
Amended Eff. December 1, 2003.

25 NCAC 01K .0314 ACADEMIC LEAVE

REPEAL

If a course can be taken only during working hours, the leave shall not exceed one course up to five hours academic credit per academic term. Travel time as determined by the supervisor may be permitted to attend approved courses.

History Note: Authority G.S. 126-4;
Eff. September 1, 1989;
Amended Eff. January 1, 2004.

25 NCAC 01K .0315 THESIS/DISSERTATION RESEARCH COURSES

*History Note: Authority G.S. 126-4;
Eff. September 1, 1989;
Repealed Eff. December 1, 2003.*

25 NCAC 01K .0316 ACADEMIC COSTS

REPEAL

Academic costs are defined as charges assessed by an eligible source to every person enrolling for the course. Academic costs include tuition, fees and required, itemized course/lab fees. Agencies/universities may reimburse academic costs in accordance with these Rules and published in the State Human Resources Manual.

*History Note: Authority G.S. 126-4;
Eff. September 1, 1989;
Amended Eff. December 1, 2003.*

25 NCAC 01K .0317 REIMBURSEMENT OF ACADEMIC COSTS

REPEAL

Agencies/universities may reimburse all academic costs as specified in 25 NCAC 01K .0316, or reimburse only tuition and other academic related fees, but shall not reimburse for fees that are unrelated to registering for a course or a degree program, such as dorm, student union construction, athletic fees, etc. Agencies may also, with a bona fide business justification, reduce the amount of reimbursement per employee to a set amount less than the tuition and fees and limit the number of courses for which any one employee may be reimbursed in an academic term. Agencies/universities choosing to reimburse an amount less than the academic costs specified in 25 NCAC 01K .0316 shall make this information available to all employees at the beginning of the fiscal year and apply this limitation to all employees requesting academic assistance in that fiscal year.

*History Note: Authority G.S. 126-4;
Eff. September 1, 1989;
Amended Eff. January 1, 2004.*

25 NCAC 01K .0318 TAX STATUS

25 NCAC 01K .0319 APPLICATION PROCEDURES

*History Note: Authority G.S. 126-4;
Eff. September 1, 1989;
Amended Eff. December 1, 1995;
Repealed Eff. December 1, 2003.*

25 NCAC 01K .0320 EXCEPTIONAL SITUATIONS

REPEAL

Courses taken at agency/university request shall be approved by the agency head (at Departmental/University level), or his/her designee. Courses taken under 25 NCAC 01K .0322 Extended Academic Leave shall be approved by the Office of State Human Resources.

*History Note: Authority G.S. 126-4;
Eff. September 1, 1989;
Amended Eff. December 1, 2003.*

25 NCAC 01K .0321 COURSES TAKEN AT AGENCY/UNIVERSITY REQUEST

REPEAL

- (a) Because of specific high priority skill needs of the agency/university, employees may be requested by management to take specific courses or degree programs. Under these circumstances, all limitations under the provisions of this policy are waived, except requirements for withholding taxes and FICA.
- (b) If courses taken at agency request exceed the credit hour per fiscal year limits of the academic assistance program, then the situation shall be administered under 25 NCAC 01K .0322 Extended Academic Leave. Courses specified as part of an employee's improvement/development plan are not considered to be at agency request unless approved by the agency/university head or designee.

*History Note: Authority G.S. 126-4;
Eff. September 1, 1989;
Amended Eff. December 1, 2003.*

25 NCAC 01K .0322 EXTENDED ACADEMIC LEAVE

REPEAL

(a) State agencies/universities may consider any employee (permanent, probationary, trainee or time-limited) for extended academic leave to participate in job or career-related work study, scholarship or fellowship programs based upon the following criteria:

- (1) Verification that both labor market and organizational needs exist for development in program requested.
- (2) Equal opportunity provided in selection of candidate(s).
- (3) Employees are informed of agency/university policies and procedures regarding:
 - (A) Announcement and application procedures;
 - (B) Screening and selection of employees;
 - (C) Limitations and restrictions on courses;
 - (D) Leave, salary and benefit conditions and any withholding taxes and FICA;
 - (E) Employment agreement.

(b) Requests for extended academic leave initiated by the employee and which do not meet with the criteria in this Rule shall be administered according to the State Human Resources policy on leave without pay.

*History Note: Authority G.S. 126-4;
Eff. September 1, 1989;
Amended Eff. December 1, 2003.*

25 NCAC 01K .0323 CERTIFICATION/LICENSING

REPEAL

Incumbent employees who meet minimum educational and experience requirements and for whom certification/licensing is mandated after employment or is a policy requirement of the employing agency and approved by the agency/university head or their designee are eligible for academic assistance.

*History Note: Authority G.S. 126-4;
Eff. September 1, 1989;
Amended Eff. December 1, 2003.*

25 NCAC 01K .0324 ADMINISTRATION RESPONSIBILITY

REPEAL

(a) The Office of State Human Resources is responsible for the interpretation of this Rule, and approval of agency policy and procedures, and all subsequent agency revisions.

(b) Each state agency or university is delegated responsibility for, and authority to, administer the program within the provisions of this Rule. This includes retaining on a fiscal year basis records of academic assistance activity and reporting such information annually to the Office of State Human Resources.

*History Note: Authority G.S. 126-4;
Eff. September 1, 1989;
Amended Eff. December 1, 2003.*

SECTION .0400 - USE OF NON-STATE GOVERNMENT EDUCATION AND TRAINING SOURCES

**REPEAL ALL
REMAINING RULES**

25 NCAC 01K .0401 POLICY STATEMENT

REPEAL

State agencies may enter into agreements or contracts for education and training through non-state sources in accordance with the procedures stated in Regulations .0402 and .0404 of this Section.

*History Note: Authority G.S. 126-4(10); N.C.G.S. c. 143, Article 3C;
Eff. February 1, 1976;
Amended Eff. January 1, 1979.*

25 NCAC 01K .0402 DETERMINATION OF NEED FOR TRAINING**REPEAL**

Before utilizing non-state sources for training and development activities, an agency must determine that:

- (1) agency employees currently lack the requisite competencies to meet the specified performance need.
- (2) education and training is not available within North Carolina state government to meet the agency's need(s); Education and training is not available when:
 - (a) existing programs in state government will not meet the need;
 - (b) new programs cannot be cost-effectively established to meet the need;
 - (c) inquiry has failed to disclose available, cost-effective programs in other state agencies, the Office of State Human Resources, public education, higher education institutions, or elsewhere in state government.

*History Note: Authority G.S. 126-4;
Eff. February 1, 1976;
Amended Eff. March 1, 2005; January 1, 1979.*

25 NCAC 01K .0403 SELECTION OF NON-GOVERNMENT SOURCES**REPEAL**

When there is a choice between outside training sources, the agency shall consider the following factors:

- (1) demonstrated effectiveness in similar situations in delivering the particular training;
- (2) accessibility of the training source due to geographic proximity and technological capability;
- (3) availability of training at the particular time or place it is needed;
- (4) comparative cost as determined by the Division of Purchase and Contract Rules;
- (5) practicality of necessary administrative arrangements;
- (6) significance of the training source's accreditation; and
- (7) unique advantages that might result from arrangements with one of several equally acceptable available source.

*History Note: Authority G.S. 126-4;
Eff. February 1, 1976;
Amended Eff. March 1, 2005; January 1, 1979.*

25 NCAC 01K .0404 PROCEDURE FOR APPROVAL OF NON-STATE SOURCES**REPEAL**

Consistent with 01 NCAC 05B .0301, should any state agency have a human resource development need that cannot be met by resources within state government, a justification memorandum from the purchasing agency to the State Purchase and Contract must document:

- (1) an explanation of how the achievement of the identified human resource development objectives contribute to the goals, and
- (2) that no state government institution or agency can cost-effectively meet the educational or training need in a timely manner. This memo shall include a list of the agencies contacted and the responses of each agency.

*History Note: Authority G.S. 126-4; 143-64.20; 143-64.24;
Eff. February 1, 1976;
Amended Eff. March 1, 2005; January 1, 1979.*

SECTION .0500 - APPRENTICESHIP TRAINING**REPEAL ALL REMAINING RULES****25 NCAC 01K .0501 POLICY STATEMENT****REPEAL**

It is a policy of the State of North Carolina, to promote and encourage the establishment, maintenance and growth of apprenticeship programs to help meet the workforce needs of state government. All such programs shall be administered

through and in accordance with policy and standards established by the N.C. Department of Labor in cooperation with the employing agency.

25 NCAC 01K .0502 APPOINTMENT PROVISIONS

All persons entering an apprenticeship program supported by funding from positions subject to the State Human Resources Act shall receive a regular trainee appointment, and shall receive the same employment benefits as other SHRA employees with trainee appointments. Upon successful completion of an apprenticeship program, an apprentice who enters regularstate employment shall receive a permanent appointment.

REPEAL ALL REMAINING RULES

25 NCAC 01K.0601	PURPOSE AND COMMITMENT
25 NCAC 01K.0602	WORKING PRINCIPLES

- | | |
|-------------------|---|
| 25 NCAC 01K .0603 | POLICY |
| 25 NCAC 01K .0604 | GOALS |
| 25 NCAC 01K .0605 | COMPONENTS OF THE SYSTEM |
| 25 NCAC 01K .0606 | DOCUMENTATION |
| 25 NCAC 01K .0607 | RELATIONSHIP OF WORK PLANNING AND PERFORMANCE REVIEW |
| 25 NCAC 01K .0608 | PROGRAM ACCOUNTABILITY: MONITORING/ASSESSMENT/IMPROVEMENT |
| 25 NCAC 01K .0609 | RESPONSIBILITIES OF THE OFFICE OF STATE PERSONNEL |
| 25 NCAC 01K .0610 | RESPONSIBILITIES OF DEPARTMENTS: AGENCIES: INSTITUTIONS |
| 25 NCAC 01K .0611 | RESPONSIBILITIES OF MANAGERS AND SUPERVISOR |

25 NCAC 01K.0613 FISCAL YEAR 1989/90 PERFORMANCE PAY FUNDS**REPEAL**

Funds allocated to provide performance-based pay increases effective July 1, 1989 will not be released to any agency prior to January 1, 1990. On January 1, 1990, funds will be released to agencies determined to be in compliance with the work plan/performance review rules in effect prior to January 1, 1990. Funds for fiscal year 1990/91 will be released on and after July 1, 1990 to agencies determined to be in compliance with rules in effect on and after January 1, 1990.

*History Note: Filed as a Temporary Rule Eff. August 24, 1989 for a period of 180 days to expire on February 20, 1990;
Authority G.S. 126-4;
Eff. January 1, 1990.*

25 NCAC 01K.0612 INTERIM PERFORMANCE MANAGEMENT RULES**REPEAL**

From the effective date of this Rule through December 31, 1989, the rules in this Section shall govern performance management, in both the appraisal and compensation areas. Effective January 1, 1990, the Performance Management System in all its phases shall be governed by 25 NCAC, Subchapter 1O, Performance Management System.

*History Note: Filed as a Temporary Rule Eff. August 24, 1989 for a period of 180 days to expire on February 20, 1990;
Authority G.S. 126-4;
Eff. January 1, 1990.*

SECTION .0700 – NORTH CAROLINA CERTIFIED PUBLIC MANAGER PROGRAM**25 NCAC 01K.0701 NORTH CAROLINA CERTIFIED PUBLIC MANAGER PROGRAM ADMINISTRATION**

- (a) The State of North Carolina shall provide competency-based training for mid-level managers through the North Carolina Certified Public Manager Program.
- (b) The North Carolina Certified Public Manager Program is a joint effort of North Carolina State Government and The University of North Carolina System. The program shall be based in and administered by the Office of State Human Resources.

*History Note: Authority G.S. 126-4; Eff. February 1, 1982;
Amended Eff. March 1, 2005; December 1, 1995.*

25 NCAC 01K.0702 NORTH CAROLINA CERTIFIED PUBLIC MANAGER PROGRAM PURPOSE

- (a) The North Carolina Certified Public Manager Program shall provide participants with practical training that will increase their managerial performance in public sector organizations. The ultimate goal is to impact the efficiency and productivity of state government operations.
- (b) The focus of the program shall be upon middle managers employed in various state agencies.

*History Note: Authority G.S. 126-4;
Eff. February 1, 1982;
Amended Eff. March 1, 2005; December 1, 1995.*

25 NCAC 01K.0703 NORTH CAROLINA CERTIFIED PUBLIC MANAGER PROGRAM ACCREDITATION

The North Carolina Certified Public Manager Program shall be conducted in full compliance with the curriculum requirements and program accreditation standards specified by the National Certified Public Manager Program Consortium.

*History Note: Authority G.S. 126-4;
Eff. February 1, 1982;
Amended Eff. March 1, 2005; December 1, 1995; December 1, 1984.*

25 NCAC 01K.0704 PROGRAM CURRICULUM

History Note: *Authority G.S. 126-4;*
 Eff. February 1, 1982;
 Repealed Eff. December 1, 1995.

25 NCAC 01K.0705 NORTH CAROLINA CERTIFIED PUBLIC MANAGER PROGRAM PARTICIPATION

- (a) The North Carolina Certified Public Manager Program Director shall design and implement a process that allows each agency an equitable opportunity to participate in the North Carolina Public Manager Program. Agency management shall be responsible for initial selection and recommendation of applicants; the Office of State Human Resources shall approve participation for those applicants who meet prerequisite requirements.
- (b) The employing agency and the North Carolina Public Manager Program Director shall keep the following records of each participant in the employee's personnel file: the completed application form, agency approval, and program accomplishments.

History Note: *Authority G.S. 126-4;*
 Eff. February 1, 1982;
 Amended Eff. March 1, 2005; December 1, 1995; January 1, 1989.

25 NCAC 01K.0706 CERTIFICATE OF COMPLETION OF NORTH CAROLINA CERTIFIED PUBLIC MANAGER PROGRAM

A certificate of completion shall be awarded to participants of the North Carolina Certified Public Manager Program upon completion of the program.

History Note: *Authority G.S. 126-4;*
 Eff. February 1, 1982;
 Amended Eff. March 1, 2005.

25 NCAC 01K.0707 PRINCIPLES RELEVANT TO CURRICULUM DESIGN

History Note: *Authority G.S. 126-4;*
 Eff. February 1, 1982;
 Repealed Eff. December 1, 1995.

25 NCAC 01K.0708 FUNDING FOR NORTH CAROLINA CERTIFIED PUBLIC MANAGER PROGRAM

Unless fully funded by the General Assembly, funds for the operation of the North Carolina Certified Public Manager Program shall be derived from fees charged to agencies with approved participants. Fees shall be based on actual costs of development, instruction, materials and administration.

History Note: *Authority G.S. 126-4;*
 Eff. February 1, 1982;
 Amended Eff. March 1, 2005; December 1, 1995; December 1, 1984.

25 NCAC 01K.0709 FEESCHEDULE

History Note: *Authority G.S. 126-4;*
 Eff. February 1, 1982;
 Amended Eff. December 1, 1984;
 Repealed Eff. March 1, 1989 in accordance with G.S. 150B-59©.

SECTION .0800 – MENTORING PROGRAM

25 NCAC 01K .0801 MENTORING PROGRAM ADMINISTRATION

- (a) The State of North Carolina shall provide mentorship programs for state employees. Each state agency may elect to establish a Mentoring Program.
- (b) The program shall be based in the Office of State Human Resources with each agency being responsible for the establishment and management of a mentoring program to meet its organizational needs.
- (c) If the agency elects to establish a Mentoring Program, a copy of the agency's Mentoring Program and its guidelines shall be submitted to the Office of State Human Resources.

History Note: Authority G.S. 126-4;
Eff. June 1, 2005.

25 NCAC 01K .0802 MENTORING PROGRAM PURPOSE

The Mentoring Program is intended to enhance an employee's career development by partnering the employee with an experienced employee who will coach, teach, and guide the employee's career path.

History Note: Authority G.S. 126-4;
Eff. June 1, 2005.

25 NCAC 01K .0803 MENTORING PROGRAM CURRICULUM

The curriculum for the Mentoring Program shall be based upon the agency's guidelines.

History Note: Authority G.S. 126-4;
Eff. June 1, 2005.

25 NCAC 01K .0804 MENTORING PROGRAM PARTICIPATION

- (a) The selection process for participants in the Mentoring Program shall be based upon the agency's guidelines.
- (b) The Mentoring Program shall be open to all employees without any form of discrimination in terms of participation because of race, color, religion, sex, national origin, age, or disability.

History Note: Authority G.S. 126-4;
Eff. July 1, 2005.

25 NCAC 01K .0805 FUNDING FOR MENTORING PROGRAM

The agency shall provide resources for operation of its Mentoring Program.

History Note: Authority G.S. 126-4;
Eff. July 1, 2005.