

STATE HUMAN RESOURCES COMMISSION MEETING
LEARNING AND DEVELOPMENT CENTER, COMMISSION CONFERENCE ROOM
101 WEST PEACE STREET - RALEIGH, NORTH CAROLINA

MEETING MINUTES – October 4, 2018

Members Present

Members present at the Learning and Development Center for the meeting were: Chair Dekhasta Rozier, Commissioners Douglas Boyette, II, Commissioner Meredith Benjamin, Commissioner John Eller, Commissioner Martin Falls, Commissioner Emily Jones and Commissioner April Page.

Other Attendees

Other attendees present were: Barbara Gibson, Director Office of State Human Resources; Lou Ann Phillips and Judy Estevez, Deputy Directors Office of State Human Resources; Jessica Middlebrooks, Legal Division, Office of State Human Resources; Denise Mazza, State Human Resources Commission Administrator, Office of State Human Resources; and, Tonya Horton, Jill Lucas, Elaine Darby, Nancy Astrike, Dominick D’Erasmus, Pamela Taylor Shaw, John Bogner, Scarlett Gardner, Andrea Clinkscales, Vanessa Voight, and Vivian Jackson of the Office of State Human Resources.

Oath of Office

North Carolina Supreme Court Justice Michael Morgan administered the oath to newly appointed commissioner Dekhasta Becton Rozier.

Opening

Director Gibson introduced the new chair Dekhasta Rozier and thanked her for joining the State Human Resources Commission.

The State Human Resources Commission (SHRC) last convened on August 2, 2018. Pursuant to North Carolina General Statutes § 136A and the North Carolina Ethics Act, Chair Dekhasta Becton Rozier asked all Commissioners if there were any conflicts of interest or potential conflicts of interest with respect to any matters coming before the Commission. There being none, the Commission convened its open meeting at 9:17 a.m. in the Learning and Development Center Commission Conference Room.

There were no adjustments or approvals to the agenda as proposed for the October 4, 2018 meeting.

CONSENT AGENDA ITEMS

Approval of the minutes for the August 2, 2018 State Human Resources Commission Meeting.

Motion: Commissioner Eller made a motion to recommend approval of the minutes.

Seconded: Commissioner Falls seconded the motion.

The motion carried.

Business Session

Public Comment

No one signed up for public comment.

State Human Resources Director's Report

Director Gibson welcomed everyone, especially the new chair and new Commission members and noted how the last few times the Commission had met there had been some “big” events such as the class and comp system implementation in June, new laws from the legislative session in August, and the recovery process after Hurricane Florence in October. All of which serve to remind how significance the role of OSHR is in serving North Carolina. Such as OSHR’s using policy exceptions and modifications for the hurricane recovery efforts to make it easier for employees to first recover for themselves, then do the work that is needed, and also help by volunteering through community service leave in the affected areas consistent with the Governor’s Neighbor Helping Neighbor. She then summarized the agenda items, expressed her appreciation for newly hired Deputy Director Judy Estevez to OSHR. She also introduced new Salary Administration Manager Andrea Porterfield - with 18 years of experience in several different agencies – assisting with the next phase of the class and comp and new PIO employee Elaine Darby – with 15 years of experience in the communication department at DPI and additional years as a journalist and editor before closing her remarks.

Jessica Middlebrooks - Legal Policy and Commission - Report of Exceptions and Variances

Jessica Middlebrooks, Assistant General Counsel, presented recent exceptions and variances exercised by Director Gibson pursuant to 25 NCAC 01A .0104 in the aftermath of Hurricane Florence providing flexibility for State employees’ assistance. They are the expansion of the Emergency Closing Policy to allow employees who live and work in a mandatory or voluntary evacuation area to assess the need to close or relocated to an alternate worksite; the extension of the Adverse Weather Policy to allow all State employees an additional 90 days, until and including March 31, 2019, to make up work time missed due to the hurricane; the expansion of the Other Management Approved Leave (OMAL) to allow up to 40 hours through September 21, 2018, to address safety risks and major damage to an employee’s primary residence and, beginning September 24, 2018, up to 80 additional hours of OMAL based upon availability of

funds for that particular agency with required documentation to be determined by the agency; and the expansion of the Community Service Leave Policy to allow an additional 16 hours of paid Community Service Leave for Florence related activities in the spirit of Neighbor Helping Neighbor and, a second expansion, to allow employees up to 40 hours for any Florence related volunteer activity authorized. Additionally, agencies may accept the service of skilled retirees under certain conditions consistent with the existing rules surrounding that and in coordination with TSERS.

Andrea Clinkscales - Classification and Compensation - 1 New and 13 Revised Classification Specs for the New Classification and Compensation System

Andrea Clinkscales, Total Rewards Division Director, presented the one new and thirteen revised classification specs. Clinkscales explained that the revisions addressed the need to modernize and update education and experience requirements such as the removal of the criminal justice standard from the probation officer spec or adding one year of experience which had been inadvertently omitted for the probation parole officer spec or requiring a bachelor degree instead of high school diploma for the initial Wildlife Law Enforcement spec which then created a domino effect requiring the entire series be updated as well. Clinkscales added that the new spec, the Wildlife Research Director, which will also serve as an adjunct professor, was a new position charged with coordinating all of the research activities for Wildlife in conjunction with collaboration with universities, in particular NC State University.

Motion: Commissioner Eller made a motion to recommend approval of the 1 new and 13 revised classification specs for the compensation system.

Second: Commissioner Falls seconded the motion.

Motion carried.

Nancy Astrike/Dominick D'Erasmio Local Government: Updates to Existing Administrative Code at 25 NCAC 01I

Nancy Astrike, Division Director for Diversity and Workforce Services, gave an overview of the work that local government has been doing this year - essentially running human resources offices for local government offices by overseeing about 19,000 employees within the realm of social services, public health and mental health services. Local Government's staff perform such services as reviewing thousands of pages of the 95 to 96 local salary reports provided to the SHRC annually, monitoring the 18 substantially equivalent entities, conducting between 400-500 classifications and over a thousand qualification actions annually and providing training opportunities to over 450 employees. Local Government continues to look for opportunities to provide blended and on-line training opportunities to local governments and, more recently, offering their support with Hurricane Florence recovery efforts, expanding EAP services to the impacted counties and updating the Administrative Code aligning it with human resources best practices.

Dominick D'Erasmus, Manager, Local Government, presented the codes under revision for the Local Government - section .1702 the Employment of Relatives, .1805 Temporary Classes, .1902 Posting and Announcement of Vacancies, .1903 the Applicant Information and Application, .1905 Selection, .2003, Promotion, .2105 Other Pay, .2302 Dismissal for Unsatisfactory Job Performance and .2303 to .2310 disciplinary processes. These Administrative Codes were revised and deleted as necessary to align them with human resources best practices. These changes were also submitted to local DSS and public health directors for review and the two minor comments/edits received were incorporated into the codes provided here.

Motion: Commissioner Falls made a motion to recommend accepting the administrative code in order that they begin rule making.

Second: Commissioner Jones seconded the motion.

Motion carried.

Safety & Workers Compensation: Updating Existing Codes in 25 NCAC 01E

Scarlette Gardener, Workers' Comp Manager, explained that the revisions to the three rules within the Self Insured State Workers Compensation Program's administrative process, 01E, were to update the processes or delete unnecessary language. The three rules were: .0210 the payout of earned vacation leave or bonus leave granted while an employee is on workers' compensation leave if they separated as a result of their workers' compensation injury or returns to permanent duty; .0704 the definition of State employees which includes all elected officials, members of the General Assembly, and persons serving on a per diem part-time basis, such as the Commissioners of the State Human Resources Commission; and .0705 OSHR's role in administering the Self Insured State Compensation Program.

Motion: Commissioner Falls made a motion to accept the updated administrative code as written.

Second: Commissioner Eller seconded the motion.

Motion carried.

Tonya Horton - Legislative Review

Tonya Horton, OSHR legislative liaison, gave a brief overview of the items passed during the short session which released the budget as a Conference Report which is not eligible for amendment. A separate bill was issued correcting and including items omitted from the budget on the same day that Classification and Compensation System was also rolled out. Included in that bill was salary increases of 2% or up to \$31,200 whichever was greater, for State employees excluding employees of the UNC system and certain school personnel; a salary increase of 4% for all State employees of adult correctional facility; and an increase to the starting salary for highway patrol officers to \$44,000 a year. In addition, a few pilot programs were included in the

budget that effected the new Class and Comp System. They include giving the authority to classify all new positions and reclassify vacant positions at their agencies regardless of their delegated authority and the flexibility to determine a salary for all of their employees provided the salary remained anywhere between the minimum and maximum of the salary range for that classification to the Council of State, Office of State Controller, UNC and the Community College System. The Council of State also was given the authority to set the salary for exempt policy making and managerial positions between the minimum and maximum plus 10% of the salary range without the previous requirement of OSHR approval. Another pilot was a salary adjustment program for DOT which expires on June 30, 2020, exempting all employees who relinquished their longevity pay from all the classification and compensation rules and policies set by the SHRC and allowing the DOT secretary open recruitment of any designated vacant positions, but requiring its notification to the Commission within thirty days. Some of the other items in the budget that also effected OSHR were the Council of State agencies' authority to hire temporary employees without using the Temporary Solutions Program, requiring a report on time for temps and other issues, given five days of annual leave to all fulltime permanent employees, and paying a shift differential to correctional officers when assigned to a higher level facility, in the area of Safety and Workers' Compensation, the Public Safety Death Benefit was increased from 50K to 100K and made retroactive to cover issues from previous years and expanded to cover additional employees within DPS and within the adult and juvenile correctional divisions.

With no other items for review or presentation, the Chair thanked everyone and adjourned the meeting at 10:57 a.m.

Executive Session

The State Human Resources Commission did not have an executive session at its October 4, 2018 meeting.

Minutes submitted by:

Denise H. Mazza, State Human Resources Commission Administrator