

MINUTES

STATE PERSONNEL COMMISSION MEETING STATE PERSONNEL DEVELOPMENT CENTER 101 WEST PEACE STREET RALEIGH, NORTH CAROLINA

November 9, 2012

On October 17, 2012, the State Personnel Commission meeting scheduled for October 18th was cancelled due to a lack of quorum. On November 9, 2012 the State Personnel Commission held a special call meeting in order to discuss and vote on some of the items on the October 18th agenda. Chair Susan C. Bailey called the meeting to order. Members present were Chair Susan C. Bailey, Commissioner George I. Allison, Commissioner Wayne Peedin, Commissioner Axel Lluch, Commissioner Virgie DeVane-Hayes, Commissioner Thomas Stern, Commissioner Lisa Grafstein, and Commissioner Mel Asbury. Pursuant to North Carolina General Statutes §138A, the North Carolina Ethics Act, Chair Bailey asked all Commissioners if there were any conflicts of interest with respect to any matters coming before the Commission. In the case of **Sheila Beck-Jones v. Hoke County Department of Social Services**, Commissioner Virgie DeVane-Hayes recused herself from any discussions or deliberations in the matter. Commissioner Peedin participated in the meeting in person; all other Commissioners participated by phone.

The first item on the business session agenda was the approval of the minutes from the August 16, 2012 State Personnel Commission meeting. There being no corrections, the minutes were approved as circulated. **[See Attachment]**

State Personnel Director's Report

The next item on the agenda was the State Personnel Director's Report.

Ms. Ann G. Cobb, Interim State Personnel Director presented to the Commission an overview of the North Carolina State Government High Performance Workforce Consortium. Ms. Cobb stated that this had been a multi-year cross-agency effort to identify key factors in state government to have a high performing workforce. Ms. Cobb stated that Ms. Nancy Astrike, Human Resources Partner, would be coming before the Commission in December to give a comprehensive report.

Ms. Cobb also gave an update from the August Commission meeting in which the Commission directed the Office of State Personnel to check into the collection of veterans' and disability data. The Office of State Personnel does have access to a lot of veterans' data.

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Mr. Tony Oakley, Statistician and Technology Analyst, has been able to gather much of the data by using a flat file from BEACON. The Office of State Personnel wants to work with BEACON to set up a business intelligence report that will be accessible to agencies. As it relates to the disability data, staff has made much progress in determining what can and cannot be done. The Office of State Personnel will present a full report to the Commission at its meeting of December 13, 2012. **[See Attachment]**

Next, Ms. Pam Bowling, Human Resources Managing Partner, presented to the Commission, for consideration and approval, a state classification and pay action in order to comply with the requirements of Rosa's Law (S.2781) signed on October 5, 2010. The Department of Health and Human Services requested a change in the title and a review of the class concepts for the classes listed in the mental retardation series. The review resulted in the proposal of new classification titles to replace existing classification titles. The class specifications and education and experience requirements were also updated. No salary grades were changed as a result of the review. Ms. Bowling explained that the Office of State Personnel staff reviewed the request and recommended that the Commission approve the classification and pay actions. **[See Attachment]**

Chair Bailey asked for a motion to approve the state classification and pay actions as presented by Ms. Bowling. Commissioner Peedin made a motion to approve the actions. Commissioner Allison seconded the motion. The Commission voted. The motion was made and carried.

Next, Ms. Lynn Floyd, Human Resources Partner, presented to the Commission for consideration and approval, a continuous recruitment request from the North Carolina Department of Justice for the classification of Forensic Scientist I. Ms. Floyd explained that NCGS§126-14.3 (Open and Fair Competition) requires closing dates for each job opening posted in a state agency or university unless an exception for critical classifications is approved by the State Personnel Commission. The Office of State Personnel received a request from the Department of Justice for an exception to this requirement for the Forensic Scientist I classification. Upon review and analysis of information and the department's rationale for the exception request, the Office of State Personnel recommended approval of the Forensic Scientist I classification with an effective date of October 18, 2012. **[See Attachment]**

Chair Bailey asked if the Commission had any questions or comments. Chair Bailey asked for a motion to approve the continuous recruitment request from the North Carolina Department of Justice for the Forensic Scientist I classification as presented by Ms. Floyd. Commissioner Allison made a motion to approve the continuous recruitment request. Commissioner Asbury seconded the motion. The Commission voted. The motion was made and carried.

Next Ms. Bobbi Brown, Human Resources Partner, presented to the Commission for consideration and approval, the Equal Employment Opportunity Institute Semi-Annual Report (July-December 2011). Ms. Brown explained that the Report represents a summary of important trends reflected in the semi-annual status report for the Equal Employment Institute for the period covering July –December 2011. The purpose of the Report is to provide the Joint Legislative Commission on Governmental Operations an overview of the level of participation by all state agencies, departments, and universities in the Institute. The data is analyzed by: a) number of attendees; b) number of sessions; c) number of participants; d) number of sessions by adjunct agency; e) number of participants by adjunct EEOI location and instructor; f) participants by region; g) participants by agency, department, or university; h) participants by race and gender; and i) participants by salary grade. Ms. Brown gave a brief overview of the Executive Summary of the Report. After the presentation, Ms. Brown recommended that the Commission approve the Report to be forwarded to the General Assembly. **[See Attachment]**

Chair Bailey asked if the Commission had any questions or comments. Chair Bailey asked for a motion to approve the Equal Employment Opportunity Institute Semi-Annual Report (July-December 2011) as presented by Ms. Brown. Commissioner Bailey made a motion to approve the Report. Commissioner Grafstein seconded the motion. The Commission voted. The motion was made and carried.

The Commission adjourned and went into Executive Session to consider the oral argument cases and cases in which the parties waived oral argument.

Executive Session

The State Personnel Commission voted and rendered decisions in the following cases:

- 1. Beatrice T. Jackson v. Durham County Health Department**
- 2. Jerinda D. Staton v. Union County Department of Social Services**

The State Personnel Commission voted to continue the following cases from the docket:

- 1. Charlotte Boyd v. North Carolina Department of Transportation**
- 2. Sheila Beck-Jones v. Hoke County Department of Social Services**
- 3. Gooch et. al. v. Central Regional Hospital, North Carolina Department of Health and Human Services**
- 4. Stephen R. Hyer v. North Carolina Office of the Commissioner of Banks**

The State Personnel Commission voted to continue and extend jurisdiction in the following cases:

1. **Phyllis Campbell v. North Carolina Department of Correction**
2. **John Price v. State of North Carolina, Office of the State Auditor**
3. **Rufus C. Carter v. North Carolina Department of Correction**
4. **James F. Bridges v. North Carolina Department of Transportation**
5. **David B. Stone v. North Carolina Department of Cultural Resources**