

Next the following individuals addressed the Commission.

Mr. Pat Cameron, Representative of the North Carolina Department of Social Services Association

Mr. Jack Jones, Director, Lenoir County Department of Social Services

Mr. Pat Cameron explained and Mr. Jack Jones agreed that they did not oppose the proposed amendments to the rules because it appeared that the amendments were consistent with the treatment of state employees.

State Personnel Director's Report

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

Mr. Drake Maynard, Human Resources Managing Partner, suggested to the State Personnel Commission that if the Commission were going to discuss whether or not to postpone consideration that it be only done for Rules 25 NCAC 1I.2002 Types of Appointments and Duration and 25 NCAC 1I.2006 Break in Service. Mr. Maynard recommended that the Commission take action on Rule 25 NCAC 1I.2301 Just Cause for Disciplinary Action. Taking action on this rule would bring the Commission's rules in compliance with the law by substituting "career status" for the word "permanent".

Chair Anderson asked for a motion and second to postpone consideration for ninety days, Rules 25 NCAC 1I.2002 Types of Appointments and Duration and 25 NCAC 1I.2006 Break in Service. Commissioner Bailey made a motion to postpone consideration for ninety days of the above-mentioned rules. Commissioner Luch seconded the motion. The motion was made and carried. Commissioner Smith recused herself from the vote in this matter.

Mr. Maynard explained that Rule 25 NCAC 1I.2301 Just Cause for Disciplinary Action was approved by the Commission at its December, 2007 meeting to begin the rulemaking process. A public hearing was held and the Hearing Officer's Report was forwarded to the Commission. Mr. Maynard recommended that the Commission approve the rule in order to bring the rule in compliance with the Commission's rules on disciplinary actions for local government employees subject to the State Personnel Act. If the Commission approves this rule, it will then be filed with the Administrative Rules Review Commission and upon their approval it will become effective. **[See Attachment]**

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Chair Anderson asked for a motion and second to approve Rule 25 NCAC 11.2301 to be forwarded to the Administrative Rules Review Commission. Commissioner Lee made a motion to approve the rule. Commissioner Harrell seconded the rule. The motion was made and carried.

Ms. Peggy Oliver, Human Resources Policy Administrator presented to the Commission, for consideration and approval, the Hearing Officer's Report for Rules 25 NCAC 1C.0414 Contractual Worker; .0214 Employment Contracts; 1H.0701 General Provisions; .1102 Claiming Veteran's Preference; .1103 Allegation of Denial of Veteran's Preference; .1104 Application of the Veteran's Preference. A public hearing was held for the rules on February 20th. There were no objections to any of the rules. Ms. Oliver stated that she would be glad to answer any questions from the Commission. **[See Attachment]**

Chair Anderson asked if there were any questions. Chair Anderson asked for a motion and second to approve the above-mentioned rules to be forwarded to the Administrative Rules Review Commission for review. Commissioner Harrell made a motion to approve the rules. Commissioner Smith seconded the motion. The motion was made and carried.

Ms. Oliver presented to the Commission, for consideration and approval, the proposed revisions to the Family and Medical Leave Policy. Ms. Oliver explained that these revisions were being proposed because of the changes to the National Defense Authorization Act. Ms. Oliver explained to the Commission that it is not necessary to change the Commission's rules because the rules only refer to the Federal Family and Medical Leave Act. **[See Attachment]**

Chair Anderson asked for a motion and second to approve the proposed revisions to the Family and Medical Leave Policy. Commissioner Bailey made a motion to approve the proposed revisions. Commissioner Harrell seconded the motion. The motion was made and carried.

Ms. Lynn Floyd, Human Resources Partner, presented to the Commission, for consideration and approval, state government classification and pay actions. Ms. Floyd gave a detailed summary of the actions. Ms. Floyd also explained that the Office of State Personnel (OSP) staff had reviewed the proposals and were in agreement. Ms. Floyd requested an effective date of June 1, 2008. **[See Attachment]**

Chair Anderson asked for a motion and second to approve the state government classifications and pay actions as presented with an effective date of June 1, 2008. Commissioner Bailey made a motion to approve the actions. Commissioner Harrell seconded the motion. The motion was made and carried.

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Next, Ms. Floyd presented to the Commission, for consideration and approval, the Revised Merit Based Recruitment and Selection Plan for the University of North Carolina at Asheville. Ms. Floyd explained that the plan was updated to reflect recent changes in policy and internal processes and procedures. Ms. Floyd also explained that the Office of State Personnel (OSP) staff had reviewed the proposed plan and recommended that the Commission grant approval effective May 1, 2008. **[See Attachment]**

Chair Anderson asked for a motion and second to approve the Revised Merit Based Recruitment and Selection Plan for UNC-Asheville with an effective date of May 1, 2008 presented to the Commission by Ms. Floyd. Commissioner Bailey made a motion to approve the Plan. Commissioner Smith seconded the motion. The motion was made and carried.

Ms. Lynn Freeman, Human Resources Managing Partner, presented to the Commission, for consideration and approval, proposed career banding classification actions. Ms. Freeman presented the various classifications and the proposed effective dates. Ms. Freeman asked that the Commission approve the proposed classifications. **[Please see the Attachments for effective dates].**

Chair Anderson asked for a motion and a second to approve the classes in the career banding classifications as proposed. Commissioner Harrell made a motion to approve the proposed career banding classifications. Commissioner Lee seconded the motion. The motion was made and carried.

Next, Ms. Nellie Riley, Human Resources Managing Partner presented to the Commission, for consideration and approval, the Senate Bill 886 Status Report. The Senate Bill 886 Status Report provides an opportunity to observe the representation of the workforce, such as disciplinary actions, new hires, and promotions. The Report is tabulated by each individual agency. Ms. Riley gave a brief summary of the Senate Bill 886 Status Report. Ms. Riley explained that this year there was a new addition to the Report. The new addition gives a pictorial breakdown in the pie charts of the representation of the different demographic groups. Ms. Riley explained that the state's workforce has grown by 1,976 persons since the year 2006. Ms. Riley explained that 66% of all state government is still non-minority, 29.8% are Black and the others are persons who are of Asian, Hispanic, or American Indian. Ms. Riley recommended that the Commission approve the Report to be forwarded to the General Assembly. **[See Attachment]**

Chair Anderson asked for a motion and second to approve the Senate Bill 886 Status Report. Commissioner Harrell made a motion to approve the Report. Commissioner Lluch seconded the motion. The motion was made and carried. Various members of the Commission commended Ms. Riley for the new addition of the pictorial breakdown of the pie charts of the representation of the different demographic groups. Ms. Riley explained that credit goes to Ms. Nancy Astrike who was responsible for the new addition.

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Mr. Lynn Summers, Human Resources Partner, presented to the Commission the Performance Management Cycle 19 Report. Mr. Summers stated that the Report covered the period of July 1, 2006 – June 30, 2007. Mr. Summers presented four highlights of the Report: (1) Performance ratings are inflated; (2) Ratings are fair; (3) A new analysis was performed this year due to the race differences in the ratings; and (4) There are dramatic differences across agencies and universities. Mr. Summers elaborated on each highlight. Mr. Summers stated there were two recommendations given by the Office of State Personnel: (1) to encourage agencies to control inflation; and (2) to adopt a more results focused performance management system. A new group within the Office of State Personnel, Performance Solutions Group, will be offering guidance to agencies in adopting more results focused performance management systems. **[See Attachment]**

Chair Anderson asked Mr. Summers, in reviewing the past 19 years if we are making progress. Mr. Summers stated that according to the distribution of ratings in the last ten years, we have not made a great deal of progress. Chair Anderson asked if the recommendations that were mentioned were currently in place. Mr. Summers stated that the Office of State Personnel was currently working on them. Chair Anderson asked if there was an alternative to this performance management system. Mr. Summers stated that the Office of State Personnel was pursuing transitioning to a results focused approach.

Chair Anderson asked for a motion and second to approve the Performance Management Cycle 19 Report. Commissioner Harrell made a motion to approve the Report. Commissioner Bailey seconded the motion. 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 (EEOI) Semi-Annual Report (July-December 2007). Ms. Brown gave a brief summary of the Report. Upon the approval of the Report, the Report will be forwarded to the General Assembly. **[See Attachment]**

Chair Anderson asked for a motion and second to approve the Equal Employment Opportunity Institute Semi-Annual Report (July-December 2007). Commissioner Bailey made a motion to approve the Report. Commissioner Lluch seconded the motion. The motion was made and carried.

The next item on the agenda was the approval of the minutes for the February 21, and March 18, 2008 State Personnel Commission Meetings. There being no corrections to the minutes, the minutes were approved as circulated. **[See Attachments]**

Executive Session

1. **Shirley Barnes v. Murdoch Center**
2. **Ernest B. Coleman v. Cherry Hospital**
3. **Gerald James Gable v. East Carolina University**
4. **Wayne Bradley Johnson v. N. C. State University Information Technology Division**
5. **Angela Townsend v. N.C. Department of Correction**