

## MINUTES

### STATE PERSONNEL COMMISSION TELECONFERENCE MEETING

May 16, 2007

The State Personnel Commission (SPC) held a teleconference on May 16, 2007 at 10:00 a.m. Madam Chair Robin Adams Anderson called the meeting to order. Members present were Madam Chair Robin Adams Anderson, Commissioner Janie V. Harrell, Commissioner Caroline Lee, Commissioner Brenda Smith, Commissioner Geraldine Pearce, Commissioner Susan C. Bailey, and Commissioner Gregory Richardson.

Next on the agenda was the oral argument component of the docket.

### Oral Argument

#### Alvin Earl Williams v. Director of Cumberland County Department of Social Services

Attorney for the Petitioner  
Attorney for the Respondent

Carmen J. Battle  
Douglas Canders

### **State Personnel Director's Report**

Ms. Peggy Oliver, Human Resources Policy Administrator, presented to the Commission, for consideration and approval, the Hearing Officer's Report on Rules in Title 25 NCAC 10 Performance Management System. Ms. Oliver explained that a public hearing was held on May 2, 2007. There was no one present at the hearing. There were a couple of minor changes made to the rules as a result of comments received. Ms. Oliver stated that all of the requirements of a public hearing had been met and therefore, she asked that the Commission approve the Report. Madam Chair Anderson asked for a summation of the request for rulemaking. Mr. Lynn Summers stated that the Office of State Personnel embarked on the rulemaking for these rules in order to simplify the performance management process. The amendments to the rules do not impose any new requirements on the agencies. They do not have to rewrite their policies in order to comply with the amendments. **[See Attachment]**

Madam Chair Anderson asked for a motion and second to approve the Hearing Officer's Report. Commissioner Bailey made a motion to approve the Hearing Officer's Report. Commissioner Richardson seconded the motion. The motion was made and carried.

Mr. Patrick McKoy, Human Resources Partner, presented to the Commission for informational purposes, the Annual Report on Use of Leave Time for Employees' Preparation of Grievances. Mr. McKoy explained that state employees are given up to eight hours of use

## **SPC Minutes of May 16, 2007**

towards preparation of grievances. The University of North Carolina at Chapel Hill previously requested an exception of 12 hours. The State Personnel Commission previously requested that UNC-CH report annually the use of hours taken by their employees for preparation of grievances. Mr. McKoy gave a breakdown of the use of the hours used by employees. Commissioner Lee asked for the history of the request for this exception. Mr. McKoy stated that since the Commission considers and approves the grievances of state agencies, the request was probably made during the consideration of the approval of the grievance for UNC-CH. Some of the Commissioners felt that the time should be consistent. All state employees should have 8 hours of use towards their grievances. **[See Attachment]**

Madam Chair Anderson asked Mr. McKoy if the Commission needed to take any action on the Report. Mr. McKoy stated that the Report was just for informational purposes since the Commission has requested that the University report annually on the use of time for grievances filed by their employees. State Personnel Director Thomas Wright added that if the Commission wanted to take action on this, they could. The Commission asked that they be given history on this issue. Commissioner Richardson stated that he felt that UNC-CH should be alerted regarding this matter, so that they could assist in a solution on this matter. Commissioner Richardson stated that he felt that it should be on the next agenda. All Commissioners were in agreement to receive the history on this matter, that UNC-CH be made aware of this matter so that they could assist with a resolution, and that the matter be presented at the next Commission meeting.

The Commission went into executive session in order to consider the case that was presented for oral argument.