



STATE OF NORTH CAROLINA  
OFFICE OF STATE HUMAN RESOURCES  
1331 MAIL SERVICE CENTER • RALEIGH, NC 27699-1331

PAT MCCRORY  
GOVERNOR

C. NEAL ALEXANDER, JR.  
STATE HUMAN RESOURCES DIRECTOR

**MEMORANDUM**

**TO:** Agency Heads, Chancellors, Human Resources Directors  
and Other Interested Parties

**FROM:** Delores A. Joyner, Administrator  
State Human Resources Commission

**DATE:** January 15, 2014

**RE:** **Approved Personnel Actions for the December 12 and 13, 2013 State Human Resources Commission Meeting**

Please see below the following personnel actions that were approved by the Governor's Office and the State Human Resources Commission at the **December 12, 2013** State Human Resources Commission meeting.

The Commission approved the following actions:

1. **Minutes for the October 19, 2013 State Human Resources Commission Meeting**
2. **2014 State Human Resources Commission Meeting Dates**
3. **State Classification and Pay Items**
4. **Merit Based Recruitment and Selection Plan**  
(N.C. Office of the Commissioner of Banks)

5. Comprehensive Compensation System Rules

25 NCAC 01D .2501 - 2511 (Repeal)

6. In Range Policy (Amend)

7. Types of Appointment Policy (Amend)

8. State Human Resources Commission/Employee Relations Policy/Rule (Amend/Adopt)

Rules:

25 NCAC 01B .0413 Exercise of Commission Discretion (Amend)

25 NCAC 01J .1318 Exercise of Discretion in Determining  
Just Cause for Disciplinary Action (Adopt)

25 NCAC 01J .1319 Leave (Adopt)

25 NCAC 01J .1320 Health Insurance (Adopt)

25 NCAC 01J .1321 Interest (Adopt)

25 NCAC 01J .1322 Reinstatement (Adopt)

Policy: Grievance Review by State Agencies and the Office of State Human Resources and Available Remedies (Adopt)

9. State Agency Employee Grievance Policy (Agencies) (Amend)

10. University of North Carolina Employee Grievance Policy (UNC System Policy) (Adopt)

11. Equal Employment Opportunity (EEO) Rules (Repeal/Amend)

25 NCAC 01C .0202 Equal Employment Opportunity (Repeal)

25 NCAC 01J .0617 Discrimination and Retaliation (Adopt)

12. State Human Resources Commission Policy Revisions (Amend)

13. **Special Applicant Considerations and Employment of Relatives Policy/Rule Revisions**

- 25 NCAC 01H .0633 Special Applicant Considerations (Amend)
- 25 NCAC 01H .0641 Employment of Relatives (Adopt)

14. **Veteran's Preference Policy/Rule Revisions**

- 25 NCAC 01H .1103 Denial of Veteran's Preference (Amend)
- 25 NCAC 01J .0618 Appeal of Denial of Veteran's Preference (Adopt)

Policy: Veteran's Preference-Appeals (Amend)

15. **Employment: E Verify Rule Revisions**

- 25 NCAC 01H .0636 Employment of Aliens (Amend)

16. **Selection - Appeals Process (Amend)**

17. **Reorganization Through Reduction Policy (Amend)**

18. **Review of Hearing Officer's Report for the following rules in Title 25 of the North Carolina Administrative Code (Information and Discussion Purposes Only)**

**Subchapter B**

- 01B .0350 Time Frame for Raising Allegation of Discrimination (Amendment)
- 01B .0413 Exercise of Commission Discretion (Amendment)
- 01B .0414 Situations In Which Attorney's Fees May Be Awarded (Amendment)
- 01B .0429 Recommendation of Disciplinary Action (Amendment)
- 01B .0430 Removal of Material From Personnel File (Amendment)

**Subchapter C**

- 01C .0311 Remedies of Employees Objecting To Material In File (Adoption)
- 01C .0403 Trainee Appointments (Amendment)
- 01C .0404 Probationary Appointments (Amendment)

Approved Actions of the State Human Resources Commission  
Under the Authority of N.C.G.S. §126-4  
January 15, 2014

- 01C .0411 Types of Appointments Providing Probationary Period Credit (Amendment)
- 01C .0412 Personnel Changes Subject To/Not Subject To A Probationary Period (Repeal)

Subchapter D

- 01D .0201 Initial Employment (Amendment)

Subchapter E

- 01E .0901 Approved Holidays (Repeal)

Subchapter H

- 01H .0901 Policy And Scope (Amendment)
- 01H .0902 Requirements for Reduction in Force Priority Consideration (Amendment)
- 01H .0904 Agency and Employee Responsibilities (Amendment)
- 01H .0905 Office of State Personnel Responsibilities (Amendment)
- 01H .1001 Exempt Priority Consideration - Policy and Scope (Amendment)
- 01H .1003 Agency Responsibilities (Repeal)
- 01H .1004 Office of State Personnel Responsibilities (Repeal)
- 01H .1005 Mandatory Right to A Position (Amendment)

Subchapter I

- 01I .2002 Types of Appointments and Duration (Amendment)

Subchapter J

- 01J .0603 Appeals (Amendment)
- 01J .0610 Written Warning (Amendment)
- 01J .0615 Investigatory Leave (Amendment)
- 01J .0616 Credentials (Adoption)
- 01J .1101 Unlawful Workplace Harassment And Retaliation(Repeal)
- 01J .1201 General Provisions (Repeal)
- 01J .1202 Agency Responsibilities (Repeal) (Amendment)
- 01J .1203 Agency Grievance Reports (Repeal)
- 01J .1204 Discrimination And Retaliation/Special Provisions (Repeal)
- 01J .1205 Unlawful Workplace Harassment (Repeal)
- 01J .1206 Time Limits (Repeal)
- 01J .1207 Final Agency Action (Repeal)

Approved Actions of the State Human Resources Commission  
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January 15, 2014

- 01J .1208 Leave In Connection With Grievances (Repeal)
- 01J .1301 Minimum Procedural Requirements (Repeal)
- 01J .1302 General Agency Grievance Procedure Requirements (Adoption)
- 01J .1303 Agency Grievance Reports and Data Entry (Amendment)
- 01J .1304 Office of State Human Resources Review and Approval of Final Agency Decisions (FAD) (Adoption)
- 01J .1305 Situations in Which Attorney's Fees may be Awarded (Adoption)
- 01J .1306 Fees May Be Awarded As A Result Of A Settlement (Adoption)
- 01J .1307 Back Pay (Adoption)
- 01J .1308 Front Pay (Adoption)
- 01J .1309 Certain Remedies Not Available (Adoption)
- 01J .1310 Voluntary Program or Benefits (Adoption)
- 01J .1311 Causes For Reinstatement (Adoption)
- 01J .1312 Remedies for Procedural Violations (Adoption)
- 01J .1313 Suspension without Pay (Adoption)
- 01J .1314 Discrimination (Adoption)
- 01J .1315 Remedies: Salary Adjustments (Adoption)
- 01J .1316 Settlement/Consent Agreements in Grievances, Contested Cases (Adoption)
- 01J .1317 Establishment of Reasonable Attorney Fees (Adoption)
- 01J .1401 Minimum Procedural Requirements (Repeal)
- 01J .1402 Flexibility (Repeal)
- 01J .1403 Informal Meeting with Supervisor (Repeal)
- 01J .1404 Mediation Procedure (Repeal)
- 01J .1405 Conclusion of Mediation (Repeal)
- 01J .1406 Limitations on A Mediation Agreement (Repeal)
- 01J .1407 Post Mediation (Repeal)
- 01J .1408 Employee Responsibilities for Mediation (Repeal)
- 01J .1409 Agency Responsibilities for Mediation (Repeal)
- 01J .1410 Office of State Personnel Responsibilities (Repeal)
- 01J .1411 Agency Procedural Requirements for Employee Mediation and Grievance Policy (Repeal)
- 01J .1412 Office of State Personnel Responsibilities for Employee Mediation and Grievance Process (Repeal)

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January 15, 2014

**The State Human Resources Commission adjourned on December 12, 2013 and reconvened to vote on the aforementioned temporary rules in the Hearing Officer's Report at 9:00 a.m., December 13, 2013, via telephone conference. There was public access in the Commission Room, Learning and Development Center, 101 Peace Street, Raleigh, NC.**

**19. Adoption of Temporary Rules in Title 25 of the North Carolina Administrative Code**

These items may be viewed at the Office of State Human Resources' website:  
<http://www.oshr.nc.gov/>

Cc: Mr. C. Neal Alexander, Jr.  
Mrs. Paula Woodhouse