

FISCAL NOTE**OFFICE OF STATE HUMAN RESOURCES**

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PROGRAM AFFECTED: State Human Resources Commission, Subchapter 1H, Title 25

RULES: 25 NCAC 1H .0633 Special Applicant Considerations And Employment Of Relatives (Amended)

25 NCAC 1H .0641 Employment of Relatives (Adopted)

STATUTORY AUTHORITY: G.S. 126-4(10) This rule is authorized by and is reasonably necessary to implement or interpret federal or State law and is necessary to serve the public interest of having a functional human resources system.

FISCAL IMPACT SUMMARY: State Government: No
Local Government: No
Substantial Impact: No
Federal Government: No
Small Businesses: No

RULE SUMMARY: These rules are simply being split apart into two separate rules to make it easier to search for the particular topic embodied by the each separate rule. This should increase efficiencies in the human resources administration process.

EFFECTIVE DATE: Upon conclusion of rulemaking process; approximately June, 2014.

ESTIMATED IMPACT: No additional funds would be required to implement these rule changes.

OSHR CERTIFICATION: The rule(s) covered by this Fiscal Note:

- was/were written in a clear and unambiguous manner,
- is/are not unnecessary or redundant,
- is/are based on sound, reasonably available, relevant information,
- is/are designed to achieve the regulatory objective in a cost-effective, timely, and least burdensome manner.

25 NCAC 01H .0633 SPECIAL APPLICANT CONSIDERATIONS AND EMPLOYMENT OF RELATIVES RELATED TO PRIORITY

~~(a)~~ Priority consideration shall be given to:

- (1) Employees with career status who have received written notification of imminent separation due to reduction in force;
- (2) Eligible employees who have been removed from exempt positions, for reasons other than cause;
- (3) Eligible employees who have been removed from an exempt managerial position for a violation of G.S. 126-14.2;
- (4) Employees returning from workers' compensation leave;
- (5) Career State employees seeking promotions; and
- (6) Eligible veterans.

~~(b) Members of an immediate family shall not be employed within the same agency if such employment will result in one member supervising another member of the employee's immediate family, or if one member will occupy a position which has influence over another member's employment, promotion, salary administration or other related management or personnel considerations. This includes employment on a permanent, temporary or contractual basis. The term immediate family includes wife, husband, mother, father, brother, sister, son, daughter, grandmother, grandfather, grandson and granddaughter. Also included is the step-, half- and in-law relationships based on the listing in this Paragraph. It also includes other people living in the same household, who share a relationship comparable to immediate family members, if either occupies a position which requires influence over the other's employment, promotion, salary administration or other related management or personnel considerations.~~

History Note: Authority G.S. 126-4(4); 128-15;

Eff. February 1, 2007

Amended Eff. May _____, 2014.

25 NCAC 01H .0641 EMPLOYMENT OF RELATIVES

Members of an immediate family shall not be employed within the same agency if such employment will result in one member supervising another member of the employee's immediate family, or if one member will occupy a position which has influence over another member's employment, promotion, salary administration or other related management or personnel considerations. This includes employment on a permanent, temporary or contractual basis. The term immediate family includes wife, husband, mother, father, brother, sister, son, daughter, grandmother, grandfather, grandson and granddaughter. Also included is the step-, half- and in-law relationships based on the listing in this Paragraph. It also includes other people living in the same household, who share a relationship comparable to immediate family members, if either occupies a position which requires influence over the other's employment, promotion, salary administration or other related management or personnel considerations.

History Note: Authority G.S. 126-4(4);

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