

**STATE HUMAN RESOURCES COMMISSION MEETING**  
**LEARNING AND DEVELOPMENT CENTER, COMMISSION CONFERENCE ROOM**  
**101 WEST PEACE STREET - RALEIGH, NORTH CAROLINA**

**MEETING MINUTES – June 7, 2018**

**Members Present**

Members present at the Learning and Development Center for the meeting were: Chair Judy Estevez, Commissioner John Eller, Commissioner Martin Falls, Commissioner April Page and Commissioner Philip Strach,

**Other Attendees**

Other attendees present were: Barbara Gibson, Director Office of State Human Resources; Lars Nance and Jessica Middlebrooks, Legal Division, Office of State Human Resources; Denise Mazza, State Human Resources Commission Administrator, Office of State Human Resources; Andrea Clinkscales, Bailey Bruce, Sharisse Brown, Vanessa Voight and Vivian Jackson, of the Office of State Human Resources.

**Opening**

The State Human Resources Commission (SHRC) last convened on April 5, 2018. Pursuant to North Carolina General Statute § 163A and the North Carolina Ethics Act, Chair Judy Estevez asked all Commissioners if there were any conflicts of interest or potential conflicts of interest with respect to any matters coming before the Commission. There were no conflicts of interest or potential conflicts of interest noted by any Commissioner.

The Commission convened its open meeting at 9:02 a.m. in the Learning and Development Center Commission Conference Room.

There were no adjustments or approvals to the agenda as proposed for the June 7, 2018 meeting.

**CONSENT AGENDA ITEMS**

Approval of the minutes for the April 5, 2018 State Human Resources Commission Meeting.

**Motion:** Commissioner Falls made a motion to recommend approval of the consent agenda.

**Seconded:** Commissioner Eller seconded the motion.

The motion carried.

## **Business Session**

### **Public Comment**

No one signed up for public comment.

### **State Human Resources Director's Report**

Director Gibson began by welcoming everyone and reporting that OSHR had passed the first great hurdle of launching the new classification and compensation system - pay increases were in effect the first of June for 1,836 State employees that were eligible for salary adjustments to bring them to the new minimum of their new pay grade. More than 500 government jobs are now posted in the new system with the new specs. She noted that some members of the OSHR and State Controller team worked Memorial Day Holiday to make that happen and gave them a special thanks and thanked the Commission for supporting OSHR through this portion of the project and the future steps ahead such as agencies who have been invited to study positions in the post implementation process which will take 6 to 12 months conservatively with the classification analysis from both the agency and OSHR team working together. It is anticipated that adjustments will probably be made sooner than expected after meeting some of the big milestones. A number of HR changes to the new budget have been endorsed by the legislature. The first was on June 1<sup>st</sup>, literally the same day the new system took effect, some exceptions were endorsed that in our view weaken some of the focus on consolidating job classes and aligning the compensation to be one system consistently throughout the State. We will have to reassess how to fit that in to make sure as much fairness and equity remains in the scenario statewide. Salary administration will now be the primary focus in the implementation process such as working with agencies on interim salary adjustment guidelines and the launch of biweekly workshops to help the agency HR staff work through the examples and any concerns they have about our interim guidelines. Another key priority is updating the labor market data. The labor market data was done for the implementation in 2016 and it will be a lot of work to update and bring that up to pace with where we are in 2018. Part of getting the labor market updated is talking to agencies and finding out exactly what their labor market is, where they lose people, where they can attract people from, and what the competition is. Also, OSHR was invited to take over the Linked-In page for the State of North Carolina – a new opportunity to recruit difficult to fill and executive position. We are investigating ways to use that resource and its better visibility to reach out in a different way.

Director Gibson then gave a brief overview of the two presentations that would be given at this meeting. First, John Bogner, Safety and Worker's Compensation Director, who has been working hard to reinvigorate and create an outreach program with cabinet agencies and universities to increase hazardous recognition, make policies more transparent and ensure that employees are receiving the best training that they can in these matters. The data his team collected will assist the State in its continuing efforts to reduce workplace injuries and provide cost containment in worker's compensation expenditures. Director Gibson praised John for his constantly process improvement and work to make sure we are as safe as we can be in State

government. Second, Nancy Astrike, Diversity & Workforce Services Division Director, with an update on addressing unlawful workplace harassment. Nancy and her team hosted a very well attended event on May 24<sup>th</sup> for the CEO and Employee Relations Network meeting with guest speaker Doctor Brent Lewis of Fayetteville State University who he spoke on transgender issues in the workplace. Director Gibson wasn't able to attend, but several people who did found Dr. Lewis' presentation helpful in giving them guidance in how to initiate respectfully conversations investigating reports of harassment and insuring the governor's charge that all State employees feel valued and respected in the workplace.

### **John Bogner – Safety and Worker's Compensation in North Carolina**

John Bogner, Safety and Worker's Compensation Director, presented an update on OSHR's work in workplace safety. He explained that in the past OSHR basically only sent out a survey to universities or State agencies to see if they were meeting the minimum requirements and OSHA requirements and, occasionally, sent somebody out to check on the facility, but he felt this wasn't addressing the issue. So he set up a collaborate outreach effort that consisted of OSHR, the State universities and State agencies to be positive and proactive creating more of a mentor relationship by including other university personnel in visits to universities. In 2017, eight universities were visited. During those visits, several program deficiencies were discovered - approximately 141 OSHA 1910 regulation violations of which about 61 were considered to be of a serious nature in that somebody could get severely injured at work at an estimated \$800,000 of potential fines. This collaborative outreach helped to put those programs back in line by making sure the minimum regulations were being met. The result was very positive and helped the safety professional at the universities feel supported. Bogner also encouraged on-going training for these matters. Using 2017 as a baseline, Bogner hoped in 2018, 19 and 20, that less workplace hazards would be identified and the injury rates would be reduced even more.

After becoming the State's Safety Health and Worker's Comp Director in 2013 Bogner went to work to put a goal in place to address steadily rising injuries – there were over 5,431 worker's comp claims for cabinet agencies, council of state, State universities, and the community. North Carolina is self-insured with close to 1 billion dollars of reserves and liability. Between FY13 and FY17 there was about a 16% reduction in claims. This issue was addressed by pushing the outreach, a major retooling of the Statewide Safety and Health Steering Committee and working to develop positive recognition. His section has also been addressing cases that need to be settled in an effort to be more cost effective. While the outlook for continued funding for settlements is not sure, OSHR will continue to be positive and continue to work with agencies and universities to address these matters.

The commission questioned how the 8 universities were chosen to which Bogner responded that the plan is to go to all the university and these were just the first 8 chosen and that some of them would be revisited as well.

Commissioner Strach praised Bogner for his work in reducing future costs.

**Nancy Astrike – Unlawful Workplace Harrassment Prevention**

Nancy Astrike, Diversity & Workforce Services Division Director, updated the Commission on OSHR's efforts to address unlawful harassment in the workplace through broad and comprehensive training initiatives supported by Director Gibson. Premised by Governor Cooper's letter of reaffirmation to all State employees to have a fair and respectful workplace, that message continues to be pushed out to agencies and universities through our EEO and ER Network and other avenues. This Division's efforts focused on senior leadership and accountability and comprehensive policies -not just one policy but a set of policies that all have an aspect of addressing the issue.

The key to the success of this effort is the commitment of senior leadership. Without that all the other efforts would not be effective in preventing unlawful workplace harassment. As for comprehensive policies addressing this matter, the State of North Carolina has had an unlawful workplace harassment prevention policy that actually goes further than policies found in the private sector by preventing harassment based on all the protected factors. While sexual harassment is clearly the more predominate form of harassment, federal and state law also prohibits harassment based on religion, gender, disability status and a variety of other protected factors so it is very important that that policy is comprehensive and clear. This is supplemented by our Equal Employment Opportunity Policy that includes a section specific for an agency and university to outline harassment prevention strategies. We also have an effective and contemporary grievance policy with a couple of key components. The first one is mediation which is new to the State, but has yielded great benefits. The goal is to listen to employees and to try to resolve their issues at the lowest possible level and to correct the conduct of the supervisor or the employee. Embedded within the grievance policy is a harassment complaint system and other training opportunities which include compliance training that is interactive, deals with conflict resolution, and teaches how to deal with difficult conversations; mandatory workplace harassment prevention training on-line for all State employees; legislatively required EEODF which managers and supervisors go through; agency specific training; and training in the process of employee relations. Overall, the State is very serious about this issue and addressing it on multiple fronts with a lot of commitment.

In answer to questions from the commission its relationship to whistleblowing policies or about a process of tracking harassment complaints, Astrike clarified that this policy related more to retaliation claims and that managers and supervisors were being instructed in how to respond to that issue and that there is a tracking process in place at the agency level.

Commissioners Strach and Falls praised the division's work in this area.

**Andrea Clinkscales – Classification Specs – New and Revised for the New Compensation System**

Andrea Clinkscales, Total Rewards Division Director, presented the new and revised specs to the SHRC for approval pursuant to the statewide compensation project. Clinkscales noted that the revision changes to the 15 specs are mostly concept changes to flush out and provided greater clarity around the roles and how the positions function as well as some adjustments to education and experience and a couple of title changes to better align with the way which the position function. The 10 new classification specs were born out of gaps that were identified at the agency level resulting from consolidated classifications and a need to have or recognize a different level of work and four training specs.

The commission questioned what prompted the changes to the general counsel specs. Clinkscales reported it was to align the duties with the title changes from April to provide a clear differentiation between roles and functions.

**Motion:** Commissioner Eller made a motion to recommend approval of the new and revised classification specs for the new compensation system.

**Second:** Commissioners Fall and Page seconded the motion.

Motion carried.

**Adjournment**

Chair Estevez asked if there were any other business items to be heard during the business session. There being no additional items on the agenda, Chair Estevez asked for a motion to adjourn the business session at 9:52 a.m.

**Motion:** Commissioner Falls made a motion to adjourn the Business Session.

**Seconded:** Commissioners Strach seconded the motion.

Motion carried.

**Executive Session**

The State Human Resources Commission did not have an executive session at its June 7, 2018 meeting.

**Minutes submitted by:**

Denise H. Mazza, State Human Resources Commission Administrator