

## Employment Contracts

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### Policy

- (a) Except as to apprenticeship agreements executed according to the provisions of N.C.G.S. Chapter 94 and except as to provisions of Paragraph (b) below, the following provisions apply to employment contracts:
- (1) No employee shall be required, as a condition of employment subject to N.C.G.S. Chapter 126 to enter into a contractual arrangement with any state agency as defined in 25 NCAC 01A .0003 for employment with that agency .
  - (2) No state agency may require, as a condition of employment, that an employee agree, in writing or otherwise, to a minimum specified length of employment.
  - (3) No state agency may prohibit, as a condition of initial or continued employment, any employee from transferring to another state agency or university.
  - (4) No state agency may require, as a condition of employment, that an employee agree, in writing or otherwise, that a payment be made to the employing agency if a minimum specified period of employment is not met.
  - (5) No agency may require the repayment of the cost of job training required by the employing agency as a condition of continued employment.
- (b) An agency that provides all or part of the cost of professional development seminars or other educational opportunities to employees that are not a requirement for the job and that are in excess of \$5000 may condition the provision of agency funds upon agreement of the employee to repay the funds subject to the following conditions:
- (1) The employee is informed about the repayment provisions in advance,
  - (2) The amount of time that the agency expects the employee to remain employed is clearly specified and does not exceed one year,
  - (3) The prorated amount that the employee will have to repay for each month the employee leaves prior to the end of the term is specified in the agreement, and
  - (4) The terms of the agreement are reduced to writing and the employee and the human resources director both sign the agreement.
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**EMPLOYMENT CONTRACTS  
SUMMARY OF REVISIONS**

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- 9-1-89            New policy.
  - 11-1-90        Added provision of paragraph 1 and 2 for apprenticeship agreements.
  - 5-1-08        Revised policy to allow an agency to require repayment of a portion of the cost for optional training if the employee does not remain employed with the agency for a predetermined length of time. The employee would be informed of this requirement in writing along with details about the amount of time required to work.
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