

## REQUEST FOR TECHNICAL CHANGE

AGENCY: State Human Resources Commission

RULE CITATION: 25 NCAC 01C .0802

**DEADLINE FOR RECEIPT: August 5, 2020**

**PLEASE NOTE:** *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following technical changes be made:

*Please format this Rule in accordance with 26 NCAC 02C .0108 by using 1.5 spacing.*

*At lines 5-6, what is a "time limited" employee? Is this defined in rule or statute? What is the difference between a "temporary employee" and a "time limited employee?"*

*At lines 5-6, why is "time limited" in quotations?*

*At line 6, please delete or define "wholly."*

*By "within management discretion," I take it you mean within that agency's discretion, whether that be the agency head or that employee's direct supervisor, correct?*

*Was this Rule approved by the Governor in accordance with G.S. 126-4?*

*In your history note, why is S.L. 1999-328 listed? Is that still necessary?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Permanent Amendment for Publication in the NCAC

25 NCAC 01C .0802 is amended with changes as published in 34:19 NCR 1783 as follows:

**25 NCAC 01C .0802      COVERED EMPLOYEES**

Teleworking is available as a work option in every agency for full time and part time classified, temporary and "time limited" employees. The decision whether to allow a position or an employee to telework is wholly within management discretion and is not appealable to the State Human Resources Commission.

*History Note:      Authority G.S. 126-4; S.L. 1999-328;  
Temporary Adoption Eff. January 19, 2000;  
Temporary Adoption Expired on November 11, 2000;  
Eff. April 1, 2001;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 28,  
~~2014-2014~~;  
Amended Eff. September 1, 2020.*