REQUEST FOR TECHNICAL CHANGE

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01B, D and E – ALL RULES

DEADLINE FOR RECEIPT: Monday, June 11, 2012

***NOTE WELL: This request when viewed on computer extends 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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Please retype your rules using 1.5 line spacing.*

*Please submit some type certification that the Governor has approved the rules.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01B .0436

DEADLINE FOR RECEIPT: Monday, June 11, 2012

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a), if not defined someplace else, define "BEACON." Cite the rules with the approval standards. Change the first "which" to "that."*

*On line 8, change "such personnel action forms will be processed" to "the data may be input" or whatever you mean. Also include who would do the inputting.*

*Tell who makes the determination that the input of data into BEACON is required.*

*In (b), change ".0004" to ".0104." Change each "existing personnel policy" to "the Rules in this Chapter" or whatever rules you mean. Change "which" to "that."*

*In (c), change each "which" to "that."*

*In (d), change each "which" to "that." Delete "or which falls within the exemption set forth in paragraph (a)" as redundant. The exceptions are to requiring action by OSP. "Approval" is action. It seems you could delete the whole paragraph as unnecessary. If you keep it, please verify that "by either body" means OSP and BEACON.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01B .0437

DEADLINE FOR RECEIPT: Monday, June 11, 2012

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In 8A and 8B on your form, cite the Session Law and not the Senate Bill.*

*In (a), add "(OAH)" after "Hearings."*

*In (b), change each "shall be" to "is."*

*Add page numbers.*

*On page 1, line 21, change "may" to "will."*

*On page 1, lines 25 and 26, change "which" to "that."*

*In (d), correctly cite the statute. I think you mean "126-14.4." Change "Such document" to "The documents." Change "Such a document" to "Documents."*

*On page 1, line 35, change "document" to "documents."*

*In the sentence beginning on page 1, line 51, delete "but not limited to."*

*On page 2, line 21, change "may" to "shall" or set out the standards for making the decision.*

*On page 2, line 26, change "which" to "that."*

*On page 2, line 27 and 28, delete "but not limited to."*

*On page 1, lines 24 and 44, and page 2, lines 16 and 40, change "may" to "shall."*

*In (g), change "25 NCAC 01B .0437(h)" to "Paragraph (i) of this Rule."*

*In (h), delete or define "specific."*

*In (i), change "which" to "that." Change "25 NCAC 01B .0437" to "this Rule." Change "25 NCAC 01B .0437(c), (d) and (e)" to "Paragraphs (d), (e) and (f) of this Rule."*

*Add "150B-36" to your history note.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01B .0438

DEADLINE FOR RECEIPT: Monday, June 11, 2012

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Add "and " to the end of (a)(1)(C).*

*In (a)(1), move "incurred in connection with the[a] contested case proceeding before the Commission and with any successful appeal of a Commission decision in the General Courts of Justice" from (a)(1)(A) to line 6 before "as follows."*

*Make a similar change in (b)(1).*

*At the end of (b)(1)(C), change "or" to "and" if you intend for more than one of these to be awarded.*

*Delete the last 14 words in (b)(3) as making no sense.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01D .0303

DEADLINE FOR RECEIPT: Monday, June 11, 2012

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (a), tell to whom this rule applies. Delete or define "specific." Tell by whom published.*

*In (b), delete or define "on a current basis." Tell "in the comments section on the personnel action" of what. Tell what you mean by "personnel actions." Tell who submits them and to whom they are submitted. Tell "in the action block" of what.*

*In (c), tell what no notation is necessary on.*

*In (d), delete or define "officially."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01D .0308

DEADLINE FOR RECEIPT: Monday, June 11, 2012

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Tell to whom this rule applies.*

*On page 1, line 7, change "may" to "shall" or set out factors to be used in making the decision. Tell who gives the increases.*

*In (1)(a)(ii), change "can" to "shall."*

*In (1)(b), change each "may" to "shall" or set out factors.*

*In (1)(c) and (d), and (2)(a)(ii), clarify what you mean by "comments section of the personnel action."*

*Add page numbers.*

*On page 1, line 39, change "policy" to "Sub-item" or whatever you mean.*

*In (1)(d), delete "and only." Change "well-documented" to "documented" or define the distinction. Change "which" to "that." Change "will" to "shall." Change "Sub-item" to whatever you mean. The Sub-item is (1)(d). Change "considered" to "given."*

*In (1)(e), change "may" to "shall" or set out factors.*

*In (1)(f), change "may" to "shall" or set out factors.*

*In (2)(a), change the second "may" to "shall" or set out factors.*

*In (2)(a)(i) and (ii), change each "may" to "shall" or set out factors.*

*In (2)(b), change "may not be" to "are not." Either they are or they are not.*

*In (2)(c), change "should" to "shall" or delete the provision if it is not a requirement.*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01D .0605

DEADLINE FOR RECEIPT: Monday, June 11, 2012

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Tell to whom this rule applies.*

*Define "reallocate" or "reallocation."*

*In (a), change "should" to "shall." Tell who is to submit. Active voice is preferable.*

*Be specific in what you mean by "comments section of the personnel action."*

*On line 15, change "may" to "shall" or set out factors.*

*In (b), change "if/when" to "if." Change "should" to "shall." Delete "(or hiring, if applicable)" since apparently there is no longer a hiring rate.*

*In (c), tell who has the option and who recommends and to whom. Change "should" to "shall." Tell desired by whom.*

*Be sure all changes from the current rule are correctly shown.*

*In (c), define "on a current basis."*

*In (d), change "may" to "shall."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01D .0611

DEADLINE FOR RECEIPT: Monday, June 11, 2012

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Tell to whom this rule applies.*

*In (a)(1), change "Paragraph (3) of this Rule" to "Subparagraph (2) of this Paragraph" if that is what you mean.*

*On line 19, define what you mean by "personnel action forms." Change the language if that was intended but overlooked.*

*In (b)(2), change "(a)(3)(B)" to "(a)(2)(B)."*

*In (c), delete the first "and." Delete or define "well- ." Change "considered" to "given." Write the sentence in active voice telling who gives the increase. Change "will" to "shall." Change "which" to "that."*

*In (e), change "will" to "shall."*

*In (e)(1), change "The policy on demotion" to a reference to the specific rule.*

*In (e), delete "(4)" and move the language to the left margin. This is not correctly a part of the list.*

*In (f), change the first six words to "Management shall."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

REQUEST FOR TECHNICAL CHANGE

AGENCY: STATE PERSONNEL COMMISSION

RULE CITATION: 25 NCAC 01D .0808

DEADLINE FOR RECEIPT: Monday, June 11, 2012

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 this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Tell to what employee this rule applies.*

*Change each "it" to "the salary."*

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

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.