

Burgos, Alexander N

Subject: FW: Update: May Rules Review Commission Meeting

From: Perkinson, Anna S <anna.perkinson@nc.gov>
Sent: Friday, May 29, 2026 10:41 AM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: Update: May Rules Review Commission Meeting

Thank you, Seth. I appreciate the update.

Anna Perkinson
Deputy General Counsel
N.C. Office of State Human Resources
Cell Phone: (919) 710-0740 (primary)
Desk Phone: (984) 236-0824

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Friday, May 29, 2026 10:41 AM
To: Perkinson, Anna S <anna.perkinson@nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: Update: May Rules Review Commission Meeting

Good morning,

The Commission has approved removing 25 NCAC 01O from the 2024-2027 periodic review schedule since the rules have been removed from the code.

Seth Ascher
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984) 236-1934

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Burgos, Alexander N

Subject: FW: Update: May Rules Review Commission Meeting

From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Thursday, May 28, 2026 5:43 PM
To: Jake Parker <jakeparkerrrc@gmail.com>; Perkinson, Anna S <anna.perkinson@nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Re: Update: May Rules Review Commission Meeting

Anna,

I spoke to soon, and the chair had given the speaker who was interrupted by the power outage assurances that the meeting would pick up right where we left off. Given the public interest in the rules we were in the middle of, we do not want to give any more appearance of irregularity by rearranging the schedule.

The chair has also indicated to me that he sees no problems with your request and that no other commissioners have indicated to him that there will be concerns. As a result, I have every expectation that there will be no discussion and removing the repealed subchapter from the report schedule should be a non-issue.

Seth Ascher
Counsel to the North Carolina Rules Review Commission
Office of Administrative Hearings
(984) 236-1934

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From: Ascher, Seth M <seth.ascher@oah.nc.gov>
Sent: Thursday, May 28, 2026 4:39 PM
To: Jake Parker <jakeparkerrrc@gmail.com>; Perkinson, Anna S <anna.perkinson@nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: Fw: Update: May Rules Review Commission Meeting

Anna,

Like I mentioned before, I do not expect that there will be any discussion of your report.

As you may or may not be aware, the Commission lost power mid public comment on the election rules forcing a recess, so the plan was to pick up there. I will check with the chair (cc'ed here) to see if he minds handling removing your repealed rules from the periodic review report first before we resume.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

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From: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Sent: Thursday, May 28, 2026 2:52 PM
To: Ascher, Seth M <seth.ascher@oah.nc.gov>
Subject: FW: Update: May Rules Review Commission Meeting

FYI

Alexander Burgos

Paralegal

Office of Administrative Hearings

1711 New Hope Church Road

Raleigh NC, 27609

(984) 236-1940

Alexander.burgos@oah.nc.gov

From: Perkinson, Anna S <anna.perkinson@nc.gov>
Sent: Thursday, May 28, 2026 2:40 PM
To: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: Update: May Rules Review Commission Meeting

Hi Alex,

I will not be able to be there in person but can be on the WebEx for one hour from 10-11. I am on an interview panel from 9-10 and 11-12.

I know there is one matter for OSHR under commission business. I don't know if questions from the commissioners are taken during "commission business" items but I will be available on WebEx between 10 and 11 if there are questions related to repealing Section O of the rules. I don't know if I'm able to speak on WebEx, but I can if allowed and I can also put information in the chat.

Thank you.

Anna Perkinson

Deputy General Counsel

N.C. Office of State Human Resources

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Desk Phone: (984) 236-0824

Burgos, Alexander N

Subject: FW: 25 NCAC 01O - Your report(s) for the Periodic Review and Expiration of Existing Rules schedule

From: Ascher, Seth M <seth.ascher@oah.nc.gov>

Sent: Tuesday, May 26, 2026 12:32 PM

To: Perkinson, Anna S <anna.perkinson@nc.gov>; Liebman, Brian R <brian.liebman@oah.nc.gov>

Cc: Julie B. Eddins <julie.eddins@oah.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: Re: 25 NCAC 01O - Your report(s) for the Periodic Review and Expiration of Existing Rules schedule

Anna,

Your request is on the Rules Review Commission's agenda under Commission business. Given that these rules are no longer in the code, I will be recommending that 25 NCAC 01O be removed from the periodic review schedule. Let me know if you have any questions.

Seth Ascher

Counsel to the North Carolina Rules Review Commission

Office of Administrative Hearings

(984) 236-1934

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Burgos, Alexander N

From: Liebman, Brian R
Sent: Friday, May 8, 2026 5:12 PM
To: Perkinson, Anna S
Cc: Julie B. Eddins; Burgos, Alexander N; Ascher, Seth M
Subject: RE: 25 NCAC 01O - Your report(s) for the Periodic Review and Expiration of Existing Rules schedule

Hi Anna,

Recapping our conversation from earlier today. After further consideration of the language of SL 2025-34, and your representation that the rules on performance management and performance evaluation are housed in 25 NCAC 01O, I agree that Section 8.(b) effectuates the repeal of Subchapter 01O as of July 1, 2025, and requires that the rules be removed from the Code without further action from SHRC.

I will receive our phone conversation as your request to remove the rules from the Code, and we will prepare a proof of the repeals for your approval within the next few days. I will add the following language to the history note of each rule subject to repeal:

Repealed Eff. July 1, 2025 by act of the General Assembly pursuant to S.L. 2025-34, s. 8.(b).

To confirm, the existing rules in Subchapter 01O which will be removed and this note applied are:

.0107, .0108, .0109, .0110, .0111, .0112, .0113, .0114, .0115, .0207, .0208, .0209, .0210, and .0211.

As to your concerns regarding the periodic review report, as the rules are repealed, you should no longer need to complete the report. I've copied Seth Ascher on this email, and he can coordinate removing 25 NCAC 01O from the schedule.

Please let me know if you have any further questions or concerns.

Best,
Brian

Brian Liebman
Codifier of Rules
Office of Administrative Hearings
(984)236-1941
brian.liebman@oah.nc.gov

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From: Perkinson, Anna S <anna.perkinson@nc.gov>
Sent: Friday, May 8, 2026 10:55 AM
To: Liebman, Brian R <brian.liebman@oah.nc.gov>
Subject: RE: 25 NCAC 01O - Your report(s) for the Periodic Review and Expiration of Existing Rules schedule

Brian,

It looks like my 10-11 meeting is going to run long. I will call you as soon as this meeting ends. Please accept my apologies.

Anna Perkinson
Deputy General Counsel
N.C. Office of State Human Resources
Cell Phone: (919) 710-0740 (primary)
Desk Phone: (984) 236-0824

From: Liebman, Brian R <brian.liebman@oah.nc.gov>
Sent: Wednesday, May 6, 2026 1:56 PM
To: Perkinson, Anna S <anna.perkinson@nc.gov>
Subject: RE: 25 NCAC 010 - Your report(s) for the Periodic Review and Expiration of Existing Rules schedule

Yep, that's the best number for me. Look forward to talking with you.

Brian Liebman
Codifier of Rules
Office of Administrative Hearings
(984)236-1941
brian.liebman@oah.nc.gov

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From: Perkinson, Anna S <anna.perkinson@nc.gov>
Sent: Wednesday, May 6, 2026 12:35 PM
To: Liebman, Brian R <brian.liebman@oah.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: 25 NCAC 010 - Your report(s) for the Periodic Review and Expiration of Existing Rules schedule

Yes, 11am on Friday works! Thanks again!

Is 984-236-1941 the best number to reach you? I will call you at 11.

Anna Perkinson
Deputy General Counsel
N.C. Office of State Human Resources
Cell Phone: (919) 710-0740 (primary)
Desk Phone: (984) 236-0824

From: Liebman, Brian R <brian.liebman@oah.nc.gov>
Sent: Wednesday, May 6, 2026 11:09 AM
To: Perkinson, Anna S <anna.perkinson@nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: 25 NCAC 010 - Your report(s) for the Periodic Review and Expiration of Existing Rules schedule

Can we do 11 am on Friday? I'm usually best on the phone; Teams always needs about 5-10 minutes to figure out why my mic or camera isn't working. 😊

Brian Liebman
Codifier of Rules
Office of Administrative Hearings

(984)236-1941

brian.liebman@oah.nc.gov

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law N.C.G.S. Chapter 132 and may be disclosed to third parties.

From: Perkinson, Anna S <anna.perkinson@nc.gov>

Sent: Wednesday, May 6, 2026 10:59 AM

To: Liebman, Brian R <brian.liebman@oah.nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: 25 NCAC 010 - Your report(s) for the Periodic Review and Expiration of Existing Rules schedule

Brian,

Thank you so much! Would 10am on Friday work? If not, I'm free 10-1 on Friday and can meet at whatever time works best for you.

Do you prefer Teams or a phone call?

Talk soon,

Anna Perkinson
Deputy General Counsel
N.C. Office of State Human Resources
Cell Phone: (919) 710-0740 (primary)
Desk Phone: (984) 236-0824

From: Liebman, Brian R <brian.liebman@oah.nc.gov>

Sent: Wednesday, May 6, 2026 10:51 AM

To: Perkinson, Anna S <anna.perkinson@nc.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Cc: Julie B. Eddins <julie.eddins@oah.nc.gov>

Subject: RE: 25 NCAC 010 - Your report(s) for the Periodic Review and Expiration of Existing Rules schedule

Anna,

I'd be happy to discuss with you. I'm pretty free tomorrow or Friday. Let me know when is good for you.

Best,
Brian

Brian Liebman
Codifier of Rules
Office of Administrative Hearings
(984)236-1941
brian.liebman@oah.nc.gov

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law N.C.G.S. Chapter 132 and may be disclosed to third parties.

From: Perkinson, Anna S <anna.perkinson@nc.gov>

Sent: Wednesday, May 6, 2026 10:47 AM

To: Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Cc: Liebman, Brian R <brian.liebman@oah.nc.gov>; Julie B. Eddins <julie.eddins@oah.nc.gov>
Subject: RE: 25 NCAC 01O - Your report(s) for the Periodic Review and Expiration of Existing Rules schedule

Hi Alex,

I do have a question about this. 25 NCAC 01O was repealed by SL 2025-34. We have been going through the repeal process (though we weren't quite sure we needed to since they were repealed by law) and our Commission voted on it at our last meeting on March 5. I would love a chance to chat with someone about the best way to proceed in this situation.

Thanks so much,

Anna Perkinson
Deputy General Counsel
N.C. Office of State Human Resources
Cell Phone: (919) 710-0740 (primary)
Desk Phone: (984) 236-0824

From: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Sent: Thursday, April 30, 2026 1:40 PM
To: Perkinson, Anna S <anna.perkinson@nc.gov>
Cc: Liebman, Brian R <brian.liebman@oah.nc.gov>; Julie B. Eddins <julie.eddins@oah.nc.gov>
Subject: 25 NCAC 01O - Your report(s) for the Periodic Review and Expiration of Existing Rules schedule
Importance: High

Good afternoon Anna, here is your first report from me. If you have any questions, please feel free to give me a call or email me directly.

Please acknowledge receipt of this email!

Attached is your agency's report for 25 NCAC 01O for the periodic review of existing rules. This report is scheduled for review by the RRC at the **May 2027** meeting. The filing deadline for the final determinations is **April 20, 2027**.

Please email alexander.burgos@oah.nc.gov within 10 business days of any errors in the report(s) after reviewing the following:

1. Verify that we have the correct Rulemaking Agency listed on row 2 of the report(s)
2. Ensure no rules are missing from the report and that the date and last agency action are correct.

Please remember that the following steps must be taken to file the report with the initial determinations:

1. The rulemaking body, the Board, Commission, or agency head, must make initial determinations.
2. G.S. 150B-21.3A(c)(1) requires the agency to file the report on its and OAH websites for 60 days and accept public comments.
3. File the Excel report with initial determinations and the accompanying [form](#) to alexander.burgos@oah.nc.gov

If you have any questions, please let me know.

Thank you,
Alex

Alexander Burgos
Paralegal
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(984) 236-1940
Alexander.burgos@oah.nc.gov

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