

G.S. 150B-21.3A Report for 25 NCAC Subchapter 01B, STATE PERSONNEL COMMISSION

Agency - State Human Resources Commission

Comment Period - April 17, 2014 through June 27, 2014

Date Submitted to APO - August 28, 2014

Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SECTION .0100 - GENERAL PROVISIONS	25 NCAC 01B .0104	STATE PERSONNEL DIRECTOR	Eff. February 1, 1976	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
SECTION .0200 - RULE-MAKING	25 NCAC 01B .0201	CONTENT AND PROCEDURE	Amended Eff. February 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	25 NCAC 01B .0204	PRESENTATIONS	Amended Eff. February 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	25 NCAC 01B .0205	ORAL PRESENTATIONS	Amended Eff. March 1, 1996	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	25 NCAC 01B .0208	HEARING PROCEDURE	Eff. February 1, 1976	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	25 NCAC 01B .0213	REQUESTS FOR DECLARATORY RULING	Amended Eff. February 1, 2008	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	25 NCAC 01B .0214	CONTENT	Eff. February 1, 1976	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	25 NCAC 01B .0215	REFUSAL TO ISSUE RULING	Eff. February 1, 1976	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	25 NCAC 01B .0216	TIME	Eff. February 1, 1976	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	25 NCAC 01B .0217	PROCEDURE	Eff. February 1, 1976	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
SECTION .0300 - CONTESTED CASE HEARING PROCEDURE	25 NCAC 01B .0350	TIME FRAME FOR RAISING ALLEGATION OF DISCRIMINATION	Eff. February 1, 1985	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
SECTION .0400 - APPEAL TO COMMISSION	25 NCAC 01B .0413	EXERCISE OF COMMISSION DISCRETION	Amended Eff. May 1, 1989	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	25 NCAC 01B .0414	SITUATIONS IN WHICH ATTORNEY'S FEES MAY BE AWARDED	Amended Eff. August 1, 2000	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	25 NCAC 01B .0415	ATTORNEY'S FEES MAY BE AWARDED AS A RESULT OF A SETTLEMENT	Eff. September 1, 1987	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	25 NCAC 01B .0421	BACK PAY	Eff. September 1, 1987	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	25 NCAC 01B .0422	FRONT PAY	Eff. September 1, 1987	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	25 NCAC 01B .0423	LEAVE	Eff. September 1, 1987	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	25 NCAC 01B .0424	HEALTH INSURANCE	Eff. September 1, 1987	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	25 NCAC 01B .0425	INTEREST	ARRC Objection Removed Eff. February 16, 1989	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	25 NCAC 01B .0426	CERTAIN REMEDIES NOT AVAILABLE	ARRC Objection Removed Eff. February 16, 1989	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	25 NCAC 01B .0427	VOLUNTARY PROGRAMS OR BENEFITS	Eff. September 1, 1987	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	25 NCAC 01B .0428	REINSTATEMENT	Eff. September 1, 1987	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code

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	25 NCAC 01B .0429	RECOMMENDATION OF DISCIPLINARY ACTION	Eff. September 1, 1987	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	25 NCAC 01B .0430	REMOVAL OF MATERIAL FROM PERSONNEL FILE	Eff. September 1, 1987	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	25 NCAC 01B .0431	CAUSES FOR REINSTATEMENT	Amended Eff. March 1, 1996	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	25 NCAC 01B .0432	REMEDIES FOR PROCEDURAL VIOLATIONS	Amended Eff. November 1, 1991	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	25 NCAC 01B .0433	SUSPENSION WITHOUT PAY	Eff. September 1, 1987	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	25 NCAC 01B .0434	DISCRIMINATION	Amended Eff. August 1, 2000	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	25 NCAC 01B .0435	REMEDIES: SALARY ADJUSTMENTS	Eff. January 1, 1990	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	25 NCAC 01B .0436	SETTLEMENTS/CONSENT AGREEMENTS IN GRIEVANCES, CONTESTED CASES	Amended Eff. July 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	25 NCAC 01B .0437	STATE PERSONNEL COMMISSION: PROCEDURES	Amended Eff. August 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	25 NCAC 01B .0438	ESTABLISHMENT OF REASONABLE ATTORNEY FEES BY THE COMMISSION	Amended Eff. August 1, 2012	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	25 NCAC 01B .0439	CONTINUANCES	Amended Eff. February 1, 2008	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code