

§ 126A-12-3. Local human resources system.

(a) The board of county commissioners of any county may establish and maintain a human resources system for all employees of the county subject to its jurisdiction. This system and any substantial changes to the system are subject to the approval of the Commission. The Commission shall approve a system that is substantially equivalent to the human resources system established under this Chapter for employees of local departments of social services, local health departments, area mental health programs, and local emergency management programs. If approved by the Commission, the employees covered by the county system shall be exempt from all provisions of this Chapter except Article 15.

(b) With approval of each of the boards of commissioners of the county or counties which comprise the area mental health authority, the area mental health authority may establish and maintain a human resources system for all employees of the area mental health authority. This system and any substantial changes to the system are subject to the approval of the Commission. The Commission shall approve a system that is substantially equivalent to the human resources system established under this Chapter for employees of area mental health authorities. If approved by the Commission, the employees covered by the area mental health authority system shall be exempt from all provisions of this Chapter except Article 15.

(c) A board of county commissioners may petition the Commission to determine whether any portion of its human resources system meets the requirements in subsection (a) of this section. Upon such determination, county employees shall be exempt from the provisions of this Chapter relating to the approved portions of the county human resources system.

(d) The board of an area mental health authority, with the approval of each of the boards of commissioners of the county or counties which comprise the area mental health authority, may petition the Commission to determine whether any portion of its human resources system meets the requirements in subsection (b) of this section. Upon such determination, area mental health authority employees shall be exempt from the provisions of this Chapter relating to the approved portions of the area mental health authority human resources system except as provided in G.S. 122C-121.

(e) OSHR shall monitor at least annually county or area mental health authority human resources systems approved under this section to ensure compliance.

(f) To define "substantially equivalent," the Commission shall implement the federal merit system standards, which include recruitment and selection of employees, position classification, pay administration, training, and employee relations. (2026-40, s. 1.)