

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 2025

Short Title: Uniform Salary Adjustment Criteria/State Govt. (Public)

Sponsors: Representatives Blackwell; and Cleveland.

Referred to: State Government/State Personnel, if favorable, Appropriations, if favorable, Rules, Calendar, and Operations of the House.

May 26, 2010

A BILL TO BE ENTITLED

AN ACT TO APPLY THE SAME CRITERIA THROUGHOUT STATE GOVERNMENT REGARDING SALARY INCREASE ACTIONS SO THAT THE SALARY FREEZE WITHIN STATE GOVERNMENT IS APPLIED IN A MORE EQUITABLE MANNER.

The General Assembly of North Carolina enacts:

SECTION 1. Section 26.1A(a) of S.L. 2009-451, as amended by Section 21 of S.L. 2009-575, reads as rewritten:

"**SECTION 26.1A.(a)** The salaries of those officers and employees, whose salaries for the 2008-2009 fiscal year were set or increased in Sections 26.1, 26.2, 26.3, 26.4, 26.5, 26.6, 26.7, 26.8, 26.9, 26.10, 26.11, 26.11A, 26.12, 26.12D, 26.13, 26.14, 26.18, and 26.19 of Session Law 2008-107, and in effect on June 30, 2009, or the last date in pay status during the 2008-2009 fiscal year if earlier, shall remain in effect and shall not increase for the 2009-2010 and 2010-2011 fiscal years, except:

(1) As provided for by Section 29.20A of S.L. 2005-276.

(2) ~~For Community College faculty as otherwise provided in Section 8.1 of this act.~~

(3) ~~For University of North Carolina faculty as otherwise provided by the Faculty Recruiting and Retention Fund, the Distinguished Professors Endowment Fund, or retention adjustments funded from available non State funding sources.~~

(4) Salaries may be increased for reallocations or promotions, ~~in range adjustments for job change, career progression adjustments for demonstrated competencies, or any other adjustment related to an increase in job duties or responsibilities,~~ none of which are subject to the salary freeze otherwise provided by this subsection. All other salary increases are prohibited."

SECTION 2. S.L. 2009-451, as amended by S.L. 2009-575, is further amended by adding a new subsection to read:

" **SECTION 26.1A.(a1)** All salary increase actions, as authorized by subsection (a) of this section that are initiated:

(1) By (i) State agencies, departments, and institutions, including authorities, boards, and commissions; (ii) the judicial branch; and (iii) The University of North Carolina and its constituent institutions, for both SPA and EPA employees, shall be subject to prior approval by the Office of State Personnel to ensure that the salary increase action complies with applicable personnel policies governing reallocations and promotions notwithstanding any delegation of authority, other prior agreement, or law to the contrary and



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- 1 subject to certification by the Office of State Budget and Management that
2 funding is available.
- 3 (2) For employees of the General Assembly, shall be subject to the prior
4 approval by the Legislative Services Officer to ensure that the salary
5 increase action complies with applicable personnel policies governing
6 reallocations and promotions and that funding is available for the increase.
- 7 (3) For employees of community college institutions, shall be subject to the
8 prior approval by the President of the North Carolina Community Colleges
9 System to ensure that the salary increase action complies with applicable
10 personnel policies governing reallocations and promotions and that funding
11 is available for the increase.
- 12 (4) For employees of local boards of education, shall be subject to the prior
13 approval by the superintendent of the local education unit to ensure that the
14 salary increase action complies with applicable personnel policies governing
15 reallocations and promotions and that funding is available for the increase."
- 16 **SECTION 2.** This act becomes effective July 1, 2010.