

## CHAPTER 20 - EMPLOYMENT AND TRAINING

### SUBCHAPTER 20A - GENERAL PROVISIONS

**04 NCAC 20A .0101      DEFINITIONS**  
**04 NCAC 20A .0102      APPLICABILITY OF RULES**

*History Note:*      Authority G.S. 143B-430(b); 20 C.F.R. 626.4; Ex. O. No. 93, June 8, 1983;  
Eff. July 1, 1980;  
Temporary Amendment Eff. July 25, 1991 for a period of 180 days to expire on January 21, 1992;  
Amended Eff. May 1, 1992; December 1, 1991; August 1, 1988; July 1, 1988; December 1, 1985;  
October 1, 1984; August 1, 1982;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,  
2019;  
Expired Eff. November 1, 2024 pursuant to G.S. 150B-21.3A.

**04 NCAC 20A .0103      FUNCTIONS AND LOCATION OF THE DIVISION**  
**04 NCAC 20A .0104      REQUESTS FOR INFORMATION BY THE PUBLIC**

*History Note:*      Authority G.S. 132-1 through 132-9; 143B-430(b); 20 C.F.R. 626.1; Ex. O. No. 93, June 8, 1983;  
Eff. October 1, 1984;  
Amended Eff. May 1, 1992;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,  
2019;  
Expired Eff. November 1, 2024 pursuant to G.S. 150B-21.3A.

### SUBCHAPTER 20B - ADMINISTRATIVE PROVISIONS

#### SECTION .0100 - DESIGNATION OF SERVICE DELIVERY AREAS

**04 NCAC 20B .0101      DESIGNATION OF SERVICE DELIVERY AREAS**  
**04 NCAC 20B .0102      REDESIGNATION OF SERVICE DELIVERY AREAS**

*History Note:*      Authority G.S. 143B-430(b); 20 C.F.R. 628.1; Ex. O. No. 93, June 8, 1983;  
Eff. February 1, 1976;  
Transferred from T01: 18 Eff. September 15, 1981;  
Amended Eff. August 1, 1988; July 1, 1988; October 1, 1984; August 1, 1982;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,  
2019;  
Expired Eff. November 1, 2024 pursuant to G.S. 150B-21.3A.

**04 NCAC 20B .0103      RESERVED**  
**04 NCAC 20B .0104      LOCATION**  
**04 NCAC 20B .0105      REQUESTS FOR INFORMATION BY THE PUBLIC**  
**04 NCAC 20B .0106      FUNCTIONS**  
**04 NCAC 20B .0107      ADMINISTRATIVE PROCEDURES: COMPLAINTS AND SANCTIONS**  
**04 NCAC 20B .0108      GENERAL HEARING AND APPEAL PROCEDURES**

*History Note:*      Legislative Objection Lodged Eff. March 9, 1983;  
Statutory Authority G.S. 132-1; 132-6; 143B-430(b); 150B-2(2); 150B-11; 150B-23;  
Eff. February 1, 1976;  
Transferred from T01: 18 Eff. September 15, 1981;  
Amended Eff. March 1, 1983; August 1, 1982;  
Repealed Eff. October 1, 1984.

**04 NCAC 20B .0109 COMPLAINTS: DEMONSTRATED EFFECTIVENESS: CONTRACT BIDS**

*History Note:* Legislative Objection Lodged Eff. March 9, 1983;  
Statutory Authority G.S. 143B-430(b); 150B-2(2); 150B-11; 150B-23;  
Eff. March 1, 1983;  
Repealed Eff. October 1, 1984.

**SECTION .0200 - PLANNING AND CONTRACTING**

**04 NCAC 20B .0201 JOB TRAINING PLANS FOR SERVICE DELIVERY AREAS**  
**04 NCAC 20B .0202 JOB TRAINING CONTRACTS BY THE DIVISION**  
**04 NCAC 20B .0203 CONTRACT STANDARDS**

*History Note:* Authority G.S. 143-277; 143B-430(b); 20 C.F.R. 627.21; 20 C.F.R. 628.4; 20 C.F.R. 629.34; Ex. O. No. 93, June 8, 1983;  
Eff. February 1, 1976;  
Transferred from T01: 18 Eff. September 15, 1981;  
Amended Eff. August 1, 1988; October 1, 1984; August 1, 1982;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;  
Expired Eff. November 1, 2024 pursuant to G.S. 150B-21.3A.

**04 NCAC 20B .0204 DIVISION RESPONSIBILITIES**  
**04 NCAC 20B .0205 TECHNICAL ASSISTANCE AND MONITORING**

*History Note:* Authority G.S. 143B-430(b) through 279; 20 C.F.R. 676.51 through 54;  
Eff. February 1, 1976;  
Transferred from T01: 18 Eff. September 15, 1981;  
Amended Eff. August 1, 1982;  
Repealed Eff. October 1, 1984.

**04 NCAC 20B .0206 REQUIRED REPORTING**  
**04 NCAC 20B .0207 REPORT TO THE GOVERNOR ON EQUAL EMPLOYMENT OPPORTUNITY**  
**04 NCAC 20B .0208 DISTRIBUTION OF REPORTS**

*History Note:* Authority Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972; Federal Executive Order 11246, as amended by Executive Order 113.75; Comprehensive Employment and Training Act of 1973, as amended by Public Law 93-567; 143B-430(b);  
Eff. February 1, 1976;  
Transferred From T01: 18 Eff. September 15, 1981;  
Repealed Eff. August 1, 1982.

**SECTION .0300 - FISCAL STANDARDS**

**04 NCAC 20B .0301 BUDGETING**  
**04 NCAC 20B .0302 ACCOUNTING STANDARDS**  
**04 NCAC 20B .0303 COST STANDARDS**  
**04 NCAC 20B .0304 PROCUREMENT AND PROPERTY STANDARDS**

*History Note:* Authority G.S. 143-277; 143B-430(b); 20 C.F.R. 629.41; 41 C.F.R. 29-70; OMB Circular A-102, January 1981; Ex. O. 93, June 8, 1983;  
Eff. February 1, 1976;  
Transferred from T01: 18 Eff. September 15, 1981;  
Amended Eff. June 1, 1985; October 1, 1984; August 1, 1982;

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;  
Expired Eff. November 1, 2024 pursuant to G.S. 150B-21.3A.*

**04 NCAC 20B .0305      ADMINISTRATION OF THE PLANS**

*History Note:      Authority G.S. 143B-430(b) through 279; 20 C.F.R. 676.37:  
Eff. February 1, 1976;  
Transferred from T01: 18 Eff. September 15, 1981;  
Amended Eff. August 1, 1982;  
Repealed Eff. October 1, 1984.*

**04 NCAC 20B .0306      PROGRAM ASSESSMENT  
04 NCAC 20B .0307      CORRECTIVE ACTION**

*History Note:      Authority G.S. 143B-430(b); 143B-395; P.L. 93-203 as amended by P.L. 93-567;  
Eff. February 1, 1976;  
Transferred From T01: 18 Eff. September 15, 1981;  
Repealed Eff. August 1, 1982.*

**SECTION .0400 - PERSONNEL STANDARDS FOR SUBRECIPIENTS**

**04 NCAC 20B .0401      GENERAL PERSONNEL STANDARDS FOR SUBRECIPIENTS**

*History Note:      Authority G.S. 126; 143B-430(b); Ex. O. 93, June 8, 1983; 20 C.F.R. 628.3; 5 C.F.R. 900, Subpart  
F;  
Eff. February 1, 1976;  
Transferred from T01: 18 Eff. September 15, 1981;  
Amended Eff. October 1, 1984; August 1, 1982;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,  
2019;  
Expired Eff. November 1, 2024 pursuant to G.S. 150B-21.3A.*

**04 NCAC 20B .0402      FEDERAL PERSONNEL STANDARDS  
04 NCAC 20B .0403      STATE PERSONNEL STANDARDS FOR SUBRECIPIENTS**

*History Note:      Authority G.S. 115C, Subchapter V (Rule .0403); 126-1 (Rule .0403); 143-16; 143-16.1; 143-341;  
143B-430(b); 5 C.F.R. 900, Subpart F (Rule .0402); 20 C.F.R. 629.1 (Rule .0402);  
Eff. February 1, 1976;  
Transferred from T01: 18 Eff. September 15, 1981;  
Amended Eff. October 1, 1984; August 1, 1982;  
Repealed Eff. July 1, 2012.*

**04 NCAC 20B .0404      CERTAIN POLITICAL ACTIVITIES PROHIBITED**

*History Note:      Authority G.S. 143-16; 143-16.2; 143-341; 143B-430(b); 5 U.S.C. 1502(a)(3); 5 U.S.C. 1503; 20  
C.F.R. 629.3;  
Eff. February 1, 1976;  
Transferred from T01: 18 Eff. September 15, 1981;  
Amended Eff. October 1, 1984; August 1, 1982;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,  
2019;  
Expired Eff. November 1, 2024 pursuant to G.S. 150B-21.3A.*

**04 NCAC 20B .0405      FISCAL REPORTING REQUIREMENT: GENERAL  
04 NCAC 20B .0406      METHODS OF PAYMENT**

**04 NCAC 20B .0407 INVOICE PROCEDURES AND PENALTIES**  
**04 NCAC 20B .0408 OTHER REPORTING REQUIREMENTS**  
**04 NCAC 20B .0409 AUDITING REQUIREMENTS**  
**04 NCAC 20B .0410 PROGRAM MONITORING REQUIREMENTS**  
**04 NCAC 20B .0411 CONTRACTS ADMINISTRATION POLICIES AND PROCEDURES BULLETIN**

*History Note:* Authority G.S. 143B-430(b); 143B-395; P.L. 93-203 as amended by P.L. 93-567;  
Eff. February 1, 1976;  
Transferred From T01: 18 Eff. September 15, 1981;  
Repealed Eff. August 1, 1982.

**04 NCAC 20B .0412 NON-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY**  
**04 NCAC 20B .0413 NEPOTISM PROHIBITED**

*History Note:* Authority G.S. 14-234; 143-16; 143-16.1; 143-341; 143B-430(b); Ex. O. 93, June 8, 1983; 20 C.F.R. 629.3;  
Eff. October 1, 1984;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;  
Expired Eff. November 1, 2024 pursuant to G.S. 150B-21.3A.

#### **SECTION .0500 - REPORTING AND EVALUATION**

**04 NCAC 20B .0501 REPORTING AND RECORDS**  
**04 NCAC 20B .0502 EVALUATION**

*History Note:* Authority G.S. 143-16; 143-16.1; 143-341; 143B-430(b); Ex. O. 93, June 8, 1983; 20 C.F.R. 529.35; 20 C.F.R. 629.46; 41 C.F.R. 29-70.203;  
Eff. November 17, 1976;  
Transferred from T01: 18; Eff. September 15, 1981;  
Amended Eff. August 1, 1988; July 1, 1988; October 1, 1984; August 1, 1982;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;  
Expired Eff. November 1, 2024 pursuant to G.S. 150B-21.3A.

**04 NCAC 20B .0503 MEETINGS**  
**04 NCAC 20B .0504 STAFF SUPPORT**

*History Note:* Authority G.S. 143B-430(b); 143B-341; 20 C.F.R. 676.7(c);  
Eff. November 17, 1976;  
Transferred from T01: 18 Eff. September 15, 1981;  
Amended Eff. August 1, 1982;  
Repealed Eff. October 1, 1984.

#### **SECTION .0600 - AUDIT STANDARDS**

**04 NCAC 20B .0601 ANNUAL FINANCIAL AND COMPLIANCE AUDIT**  
**04 NCAC 20B .0602 AUDIT CONTRACTS**  
**04 NCAC 20B .0603 EXCEPTIONS TO AUDIT REQUIREMENTS**  
**04 NCAC 20B .0604 AUDIT RESOLUTION PROCESS**

*History Note:* Authority G.S. 143B-430(b); Ex. O. 93, June 8, 1983; 20 C.F.R. 629.42; OMB Circular A-102, January 1981;  
Eff. November 17, 1976;  
Transferred from T01: 18 Eff. September 15, 1981;  
Amended Eff. October 1, 1984; August 1, 1982;

*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;*  
*Expired Eff. November 1, 2024 pursuant to G.S. 150B-21.3A.*

#### **SECTION .0700 - STATE JOB TRAINING COORDINATING COUNCIL**

- 04 NCAC 20B .0701 MEMBERSHIP AND FUNCTIONS OF COUNCIL**
- 04 NCAC 20B .0702 ACTIONS AGAINST THE COUNCIL OR COUNCIL MEMBERS**

*History Note: Authority G.S. 143B-430(b); Ex. O. 93, June 8, 1983; 20 C.F.R. 627.4; 20 C.F.R. 629.51; Eff. August 1, 1982;*  
*Amended Eff. August 1, 1988; October 1, 1984;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;*  
*Expired Eff. November 1, 2024 pursuant to G.S. 150B-21.3A.*

- 04 NCAC 20B .0703 MEETINGS**
- 04 NCAC 20B .0704 STAFF SUPPORT**

*History Note: Authority G.S. 143B-430(b); 143B-341; 20 C.F.R. 679.3-5;*  
*Eff. August 1, 1982;*  
*Repealed Eff. October 1, 1984.*

#### **SECTION .0800 - MISCELLANEOUS PROVISIONS**

- 04 NCAC 20B .0801 COOPERATIVE AGREEMENTS**
- 04 NCAC 20B .0802 STATE LABOR MARKET INFORMATION SYSTEM DESIGNATION**
- 04 NCAC 20B .0803 WAIVER UNDER SECTION 108(C) OF JTPA**
- 04 NCAC 20B .0804 DIVISION DIRECTIVES**
- 04 NCAC 20B .0805 SECTARIAN ACTIVITIES PROHIBITED**

*History Note: Authority G.S. 143B-430(b); Ex. O. 93, June 8, 1983; 20 C.F.R. 627.5; 20 C.F.R. 629.21; 20 C.F.R. 629.3; P.L. 97-300, Section 125;*  
*Eff. October 1, 1984;*  
*Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;*  
*Expired Eff. November 1, 2024 pursuant to G.S. 150B-21.3A.*

#### **SECTION .0900 - EMPLOYMENT AND TRAINING GRANT PROGRAM**

- 04 NCAC 20B .0901 PURPOSE**
- 04 NCAC 20B .0902 GRANT APPLICATIONS**

*History Note: Authority G.S. 143B-438.6;*  
*Filed as a Temporary Adoption Eff. July 25, 1991 for a period of 180 days to expire on January 21, 1992;*  
*Eff. December 1, 1991;*  
*Repealed Eff. July 1, 2012.*

- 04 NCAC 20B .0903 ALLOCATION OF GRANTS**

*History Note: Filed as a Temporary Adoption Eff. July 25, 1991 for a period of 180 days to expire on January 21, 1992;*  
*Statutory Authority G.S. 143B-438.6;*  
*ARRC Objection Lodged August 22, 1991;*  
*Repealed Eff. December 1, 1991.*

*Editor's Note: Agency repealed rule to satisfy objection to permanent rule.*

**04 NCAC 20B .0904      COORDINATION WITH OTHER EMPLOYMENT AND TRAINING FUNDS**

*History Note:      Authority G.S. 143B-438.6;  
Temporary Adoption Eff. July 25, 1991 for a period of 180 days to expire on January 21, 1992;  
Eff. December 1, 1991;  
Repealed Eff. July 1, 2012.*

**04 NCAC 20B .0905      ELIGIBILITY**

*History Note:      Filed as a Temporary Adoption Eff. July 25, 1991 for a period of 180 days to expire on  
January 21, 1992;  
Statutory Authority 143B-438.6;  
ARRC Objection Lodged August 22, 1991;  
Repealed Eff. December 1, 1991.*

*Editor's Note: Agency repealed rule to satisfy objection to permanent rule.*

**04 NCAC 20B .0906      USE OF FUNDS**

**04 NCAC 20B .0907      COST LIMITATIONS/CATEGORIES**

*History Note:      Authority G.S. 143B-438.6;  
Temporary Adoption Eff. July 25, 1991 for a period of 180 days to expire on January 21, 1992;  
ARRC Objection Lodged August 22, 1991 (Rule .0907);  
Eff. December 1, 1991;  
Repealed Eff. July 1, 2012.*

**04 NCAC 20B .0908      REPORTING**

*History Note:      Filed as a Temporary Adoption Eff. July 25, 1991 for a period of 180 days to expire on  
January 21, 1992;  
Statutory Authority G.S. 143B-438.6;  
ARRC Objection Lodged August 22, 1991;  
Repealed Eff. December 1, 1991.*

*Editor's Note: Agency repealed rule to satisfy objection to permanent rule.*

**04 NCAC 20B .0909      PERFORMANCE STANDARDS**

**04 NCAC 20B .0910      MONITORING/OVERSIGHT**

**04 NCAC 20B .0911      FUND AVAILABILITY/REDISTRIBUTION**

*History Note:      Authority G.S. 143B-438.6;  
Temporary Adoption Eff. July 25, 1991 for a period of 180 days to expire on January 21, 1992;  
ARRC Objection Lodged August 22, 1991 (Rule .0909, .0911);  
Eff. December 1, 1991;  
Repealed Eff. July 1, 2012.*

**SUBCHAPTER 20C - ADJUDICATIVE PROVISIONS/GENERAL PROVISIONS FOR  
ADMINISTRATIVE ADJUDICATIONS**

**04 NCAC 20C .0101      ADMINISTRATIVE PROCEDURES GENERALLY**

**04 NCAC 20C .0102      PROCEDURES FOR ADMINISTRATIVE REVIEW**

**04 NCAC 20C .0103      PROCEDURES FOR DIVISION REVIEW**  
**04 NCAC 20C .0104      PROCEDURES FOR GRIEVANCES**

*History Note:*      Authority G.S. 143B-20; 143B-430(b); 150B; 20 C.F.R. 626.2(b); 20 C.F.R. 629.52; 20 C.F.R. 629.58; 29 C.F.R. 31.7; 29 C.F.R. 32.45(b); Section 504, Rehabilitation Act; Ex. O. 93, June 8, 1983; JTPA S 144;  
Eff. July 1, 1980;  
Amended Eff. May 1, 1992; August 1, 1988; October 1, 1986; February 1, 1986; October 1, 1984; March 1, 1983;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;  
Expired Eff. November 1, 2024 pursuant to G.S. 150B-21.3A.

**04 NCAC 20C .0105      DIRECT APPEALS TO THE SECRETARY**

*History Note:*      Authority G.S. 143B-430(b); 150B; Ex. O. 93, June 8, 1983; 20 C.F.R. 620.51;  
20 C.F.R. 629.58;  
Eff. March 1, 1983;  
Amended Eff. February 1, 1986; October 1, 1984;  
Repealed Eff. August 1, 1988.

**04 NCAC 20C .0106      SANCTIONS**

*History Note:*      Authority G.S. 143B-430(b); 150B; Articles 3 and 4; Ex. O. 93, June 8, 1983; JTPA S 164; 20 C.F.R. 629.44;  
Eff. October 1, 1984;  
Amended Eff. August 1, 1988;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;  
Expired Eff. November 1, 2024 pursuant to G.S. 150B-21.3A.