

25 NCAC 01A .0104 EXCEPTIONS AND VARIANCES

(a) The number of state employees, the variety of work done by them and the variations in the circumstances under which they work, make it impossible to establish for the government of the state a system of personnel administration based on accepted principles of personnel administration and applying the best methods as evolved in government and industry, as required by N.C.G.S. 126-1, unless there is given to the State Human Resources Director in his role as day to day administrator of the State Human Resources Commission's policies and rules, authority to grant exceptions and variances from the policies and rules where necessary to promote efficiency of administration and to provide for a fair and reasonable system of personnel administration.

(b) Therefore, to the end that a system of personnel administration may be established as contemplated by N.C.G.S. 126-1, the State Human Resources Director shall have authority to grant exceptions and/or variances to the policies and rules promulgated by the State Human Resources Commission in those limited and special instances in which he makes written findings of fact that the granting of such exceptions and variances are necessary to promote efficiency of administration and provide for a fair and reasonable system of personnel administration, setting forth fully in such written findings of fact the circumstances and need for the exceptions and/or variances granted.

(c) Written reports of the granting of exceptions and variances shall be made by the Director to the Commission at its meeting next following the date the same are granted that is more than five business days from such date. Such written reports shall include the Director's findings of facts upon which the exceptions and/or variances granted were based.

*History Note: Authority G.S. 126-4(10);
ARRC Objection May 25, 1989;
Eff. October 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 28,
2014.*