

**25 NCAC 01H .0639      DISCIPLINARY ACTION BECAUSE OF FALSE OR MISLEADING  
INFORMATION ON STATE APPLICATION**

When an agency discovers, after employment, that an employee provided false or misleading information on a State application, or its equivalent, or concealed employment history or other required information significantly related to job responsibilities, but not used to meet minimum qualifications, disciplinary action is required and shall be administered in accordance with the following criteria:

- (1) Disciplinary action, up to and including dismissal, shall be taken.
- (2) The agency head's decision, while discretionary, shall consider: the effect of the false, misleading or concealed information on the hiring decision, the advantage gained by the employee over other applicants, the effect of the false information on the starting salary, and the advantage gained by employee in subsequent promotion and salary increases; and
- (3) Job performance shall not be considered in such cases, nor can decisions be made on the basis of race, creed, color, religion, national origin, sex, age, disability or political affiliation.

*History Note: Authority G.S. 126-4; 126-30;  
Eff. February 1, 2007;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 20,  
2016.*