



MEETING OF THE BOARD OF GOVERNORS
Committee on University Personnel

May 25, 2022 at 3:15 p.m.
Via Videoconference and PBS North Carolina Livestream
University of North Carolina System Office
140 Friday Center Drive, Room 128
Chapel Hill, North Carolina

AGENDA

OPEN SESSION

- A-1. Approval of the Open Session Minutes of April 6, 2022..... Kellie Hunt Blue
- A-2. Informational Reports
 - a. Faculty Recruitment and Retention Fund Utilization Under Delegated Authority to the President..... Kimberly van Noort
 - b. President's Delegated Faculty Promotion and Tenure Conferral Report Kimberly van Noort
 - c. New UNC System Office and SAAO-I Appointments Under Delegated Authority to the President..... Matthew Brody
- A-3. General Updates for the Committee Matthew Brody and Kimberly van Noort
- A-4. Delegation of Authority to the President to Issue Instructions for SHRA and EHRA Annual Raise Process (ARP)..... Matthew Brody
- A-5. Delegated Authorities Regarding Non-Base Salary Compensation for Employees Exempt from the State Human Resources Act Matthew Brody
- A-6. Delegated Authorities to the President Related to Campus Law Enforcement Officers Exempt from the Provisions of the State Human Resources Act Matthew Brody

CLOSED SESSION

- A-7. Approval of the Closed Session Minutes of April 6, 2022..... Kellie Hunt Blue
- A-8. EHRA Salary Pre-Authorizations Requiring Approval by the Committee on University Personnel..... Matthew Brody
- A-9. Executive Personnel Matter..... Peter Hans
- A-10. Informational Report: EHRA Salary Adjustment Pre-Authorizations Delegated to the President or His Designee Matthew Brody

OPEN SESSION

- A-11. Adjourn

Additional Information Available:

Salary Increase Metrics

Update on System-wide Employee Engagement, Turnover, and New Hires

Closed Session Motion

Motion to go into closed session to:

- Prevent the disclosure of information that is privileged or confidential under Article 7 of Chapter 126 of the North Carolina General Statutes, or not considered a public record within the meaning of Chapter 132 of the General Statutes.
- Consult with our attorney to protect attorney-client privilege.
- Consider the qualifications, competence, performance, or condition of appointment of a public officer or employee or prospective public officer or employee.

Pursuant to: G.S. 143-318.11(a)(1), (3), and (6).

DRAFT MINUTES

April 6, 2022 at 2:30 p.m.
Via Videoconference and PBS North Carolina Live Stream
A.K. Hinds University Center, Grand Room (3rd Floor)
Western Carolina University
Cullowhee, North Carolina

This meeting of the Committee on University Personnel was presided over by Chair Kellie Hunt Blue. The following committee members, constituting a quorum, also attended: Reginald R. Holley, Art Pope, C. Philip Byers, Carolyn Coward, and John Fraley.

Chancellors participating were Johnson Akinleye, Harold Martin, and Jose Sartarelli. Crystal Woods, chair of the UNC Staff Assembly, was also in attendance.

Staff members present included Matthew Brody, Mary Griffin Inscoe, and others from the UNC System Office.

1. Call to Order and OPEN Session Minutes (Item A-1)

The chair called the meeting to order at 2:45 p.m., Wednesday, April 6, 2022, and called for a motion to approve the open session minutes of February 23, 2022.

MOTION: Resolved, that the Committee on University Personnel approve the open session minutes of February 23, 2022, as distributed.

Motion: Reginald R. Holley
Motion carried

2. Informational Reports (Item A-2)

The committee received informational reports on new UNC System Office SAAO-I appointments under delegated authority to the president, and faculty recruitment and retention fund utilization under delegated authority to the president.

3. General Updates for the Committee (Item A-3)

The committee received an additional informational report on recent salary increase metrics.

4. Report on Human Resources Turnover Metrics (Item A-4)

The committee reviewed a presentation on University workforce turnover, both over the last 4 years as well as more detailed analysis of data following the summer of 2021. Generally, system-wide voluntary turnover over the past 4 years has typically been at or below relevant benchmarks for higher education institutions with some observed variations among our campuses. Beginning in the summer of 2021, a little over a year after the beginning of the pandemic, the University's employee turnover rates increased dramatically, and this trend continues to-date, although it is not clear how long these trends will continue.

5. Performance Review of Tenured Faculty Report (Item A-5)

The committee reviewed an informational report on the performance review of tenured faculty. This annual report is conducted to assure the continuing rigorous application of post-tenure review to support and encourage excellence among tenured faculty. Of the 548 tenured faculty who were reviewed this year, over 96% met or exceeded expectations.

6. Delegated Authorities Regarding the Senior Administrative Officer and Senior Athletic Employee Retirement Programs (Item A-6)

The committee reviewed proposed changes to expand eligibility for the existing Senior Administrative Officer Retirement Program to other campus and System Office senior administrators as well as to delegate increased authorities to the president for administration of the program as well as a similar plan that serves selected head coaches and athletic directors.

MOTION: Resolved, that the Committee on University Personnel approve for a vote by the Board of Governors a resolution expanding eligibility for the University's senior administrative officer's retirement program and increasing the president's delegated authority in managing both this plan and a similar plan that serves senior athletic employees.

Motion: C. Philip Byers

Motion carried

7. Closed Session

The chair called for a motion to move into closed session.

MOTION: Resolved, that the Committee on University Personnel move into closed session to prevent the disclosure of information that is privileged or confidential pursuant to Article 7 of Chapter 126 of the North Carolina General Statutes [N.C.G.S. 143-318.11(a)(1)]; to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged [N.C.G.S. 143-318.11(a)(3)]; and to consider the qualifications, competence, performance, or conditions of appointment of a public officer or employee or prospective public officer or employee [N.C.G.S. 143- 318.11(a)(6)].

Motion: Reginald R. Holley

Motion carried

THE MEETING MOVED INTO CLOSED SESSION AT 3:21 PM
(The complete minutes of the closed session are recorded separately.)

THE MEETING RESUMED IN OPEN SESSION AT 3:25 p.m.

There being no further business and without objection, the meeting adjourned at 3:27 p.m.

Art Pope, Secretary

AGENDA ITEM

A-2a. Informational Report: Faculty Recruitment and Retention Fund
Utilization Under Delegated Authority to the President..... Kimberly van Noort

Situation: This is an informational report provided to the committee at each meeting pursuant to Section 200.6 of the UNC Policy Manual.

Background: Authority has been delegated to the president for approval of salary increases supported by the University of North Carolina Faculty Recruitment and Retention Fund.

Assessment: This month's report includes the following:

Faculty Retention and Recruitment Fund Expenditure:

- University of North Carolina at Asheville, two approved requests
- University of North Carolina at Chapel Hill, five approved requests
- University of North Carolina at Greensboro, two approved requests

Remaining Balance of Fund

Note: Permanent adjustments to salary may be accomplished only with recurring funds. However, nonrecurring funds may be used for retention bonuses, research equipment and facilities, and other one-time inducements to counter outside offers. The remaining balances are:

\$0 in nonrecurring funds
\$5,566,206 in recurring funds

Action: This item is for information only.



Report: Faculty Recruitment and Retention Fund Utilization Under the Delegated Authority to the President

The University of North Carolina at Asheville

Melissa Mahoney, associate professor in the Department of Economics, \$16,000 from the Faculty Recruitment and Retention Fund with UNC Asheville funding the cost of benefits
(\$112,266 **from** \$92,266 effective April 22, 2022)

Rebecca Helm, assistant professor in the Department of Biology, \$7,456 from the Faculty Recruitment and Retention Fund with UNC Asheville funding the cost of benefits
(\$81,000 **from** \$73,544 effective April 27, 2022)

The University of North Carolina at Chapel Hill

Marijel Melo, assistant professor in the School of Information and Library Sciences, \$13,000 from the Faculty Recruitment and Retention Fund with UNC-Chapel Hill funding the cost of benefits
(\$107,095 **from** \$94,095 effective April 4, 2022)

Timothy Ryan, associate professor in the Department of Political Science, \$7,372 from the Faculty Recruitment and Retention Fund with UNC-Chapel Hill funding the cost of benefits
(\$106,325 **from** \$98,953 effective April 4, 2022)

Brian Pietrosimone, associate professor in the Department of Exercise and Sport Science, \$7,416 from the Faculty Recruitment and Retention Fund with UNC-Chapel Hill funding the cost of benefits
(\$117,584 **from** \$110,168 effective April 4, 2022)

Valentin Verdier, assistant professor in the Department of Economics, \$18,952 from the Faculty Recruitment and Retention Fund with UNC-Chapel Hill funding the cost of benefits
(\$150,392 **from** \$131,440 effective April 4, 2022)

Jonathan Defreese, clinical assistant professor in the Department of Exercise and Sport Science, \$3,396 from the Faculty Recruitment and Retention Fund with UNC-Chapel Hill funding the cost of benefits
(\$69,778 **from** \$66,382 effective April 4, 2022)

The University of North Carolina at Greensboro

Samantha Harlow, assistant professor in the Department of University Libraries, \$6,044 from the Faculty Recruitment and Retention Fund with \$5,000 to going toward salary and \$1,044 toward funding the cost of benefits, with UNC Greensboro funding any remaining cost of benefits
(\$68,537 **from** \$63,537 effective March 17, 2022)

Margaret Murphy, assistant professor in the Department of University Libraries, \$3,627 from the Faculty Recruitment and Retention Fund with \$3,000 to going toward salary and \$627 toward funding the cost of benefits, with UNC Greensboro funding any remaining cost of benefits
(\$60,400 **from** \$57,400 effective March 17, 2022)

AGENDA ITEM

A-2b. Informational Report: President's Delegated Faculty Promotion
and Tenure Conferral Report Kimberly van Noort

Situation: This is an informational report provided to the committee.

Background: Authority has been delegated to the president to approve faculty promotions and confer tenure for institutions without management flexibility.

Assessment: This meeting's report includes the following:

Faculty Promotion and Tenure Conferrals at Fayetteville State University:

- One (1) tenure conferral
- Nine (9) promotion and tenure conferrals

Faculty Promotion and Tenure Conferrals at North Carolina Central University:

- Three (3) tenure conferrals
- Ten (10) promotion and tenure conferrals

Action: This item is for information only.



President's Delegated Faculty Promotion and Tenure Conferral Report

Actions effective 3/22/2022

North Carolina Central University

Promotion and Tenure Conferral

- Yvette Bonaparte, associate professor, Business Administration
- Lorraine Graves, associate professor, Social Work
- Cherise Harrington, professor, Public Health Education
- Erastus Karanja, associate professor, Computer Information Systems
- Anthony Patterson, associate professor, Kinesiology and Recreation Administration
- Nichelle Perry, associate professor, Law
- Frank Rodriguez, associate professor, Criminal Justice
- Jeffrey Warren, professor, Counseling and Higher Education
- LaTrice Washington, associate professor, Political Science
- Shanika Lavi Wilson, associate professor, Social Work

Tenure Conferral

- Po-Ju Chen, professor, Hospitality and Tourism Administration
- David Jackson, professor, History
- Michelle Mayo, associate professor, Counseling and Higher Education

Actions effective 4/25/2022

Fayetteville State University

Promotion and Tenure Conferral

- Samer AbuBakr, associate professor, Biological and Forensic Sciences
- Bolarinwa Ekezue, associate professor, Accounting, Finance, Healthcare Administration, and Information Systems
- Bhoj Gautam, associate professor, Chemistry, Physics & Materials Science
- Kimberly Hardy, associate professor, School of Social Work
- Ashley Johnson Holder, associate professor, Early Childhood, Elementary, Middle Grades, Reading, and Special Education
- Xiaochen Hu, associate professor, Criminal Justice
- Sherry Leviner, associate professor, School of Nursing
- Danielle Nesbitt, associate professor, Health, Physical, and Secondary Education
- Robert Taber, associate professor, Intelligence Studies, Geospatial Sciences, Political Sciences, and History

Tenure Conferral

- Gavin Wu, associate professor, Graduate and Professional Studies in Business

AGENDA ITEM

A-2c. Informational Report: New UNC System Office and SAAO-I Appointments Under Delegated Authority to the President Matthew Brody

Situation: This is an informational report provided to the committee at each meeting pursuant to Section 200.6 of the UNC Policy Manual.

Background: Section 200.6 of the UNC Policy Manual delegates authority to the president to appoint and fix the compensation of senior academic and administrative officers and other employees exempt from the State Human Resources Act serving at the UNC System Office.

Section 600.3.4 of the UNC Policy Manual delegates authority to the president to create senior academic and administrative officer positions (Tier I) within the System.

Assessment: This meeting's report includes the following:

UNC System Office Appointments:

- One personnel appointment that is state funded

System SAAO-I Appointments

- Three SAAO-I Position Reclassifications

Action: This item is for information only.



President's Delegated Personnel Actions Report

The following actions have been approved by the president pursuant to Section 200.6 of the UNC Policy Manual during the period of March 14, 2022, to May 3, 2022.

UNC System Office

Appointments

State Funds:

Shannon Byers, Deputy Chief Operating Officer, Office of the Chief Operating Officer, April 18, 2022, \$205,000, vacant position

UNC System Institutions

New or Modified UNC System SAAO-I Positions or Appointments

University of North Carolina at Greensboro:

Reclassification from SAAO-I (General Counsel) to SAAO-I (Vice Chancellor for Institutional Integrity and General Counsel).

University of North Carolina System Office:

Reclassification from SAAO-II (Director Undergraduate Education & Assessment) to SAAO-I (Assistant Vice President for Undergraduate Programs).

Reclassification from SAAO-II (Director, Data Warehousing & Online Services) to SAAO-I (Associate Vice President for IT & Deputy Chief Information Officer).

AGENDA ITEM

A-3. General Updates for the Committee..... Matthew Brody and Kimberly van Noort

Situation: The committee will hear updates on recent Academic Affairs and Human Resources activities.

Background: The Committee on University Personnel reviews and makes recommendations to the UNC System Board of Governors on Academic Affairs topics that support faculty and the University's core academic mission and Human Resources matters, including all personnel actions under the jurisdiction of the Board. The Human Resources and Academic Affairs departments both provide updates to the committee at every meeting on both annual and ad hoc work, including HR-related efforts during the pandemic, the review of tenured faculty, and annual salary guidance related to any legislatively supported salary raise process.

Assessment: Information will be provided to the committee on recent updates in Academic Affairs and Human Resources at the UNC System Office and across the 17 institutions.

Action: This item is for information only.

AGENDA ITEM

- A-4. Delegation of Authority to the President to Issue Instructions for SHRA
and EHRA Annual Raise Process (ARP)..... Matthew Brody

Situation: The Appropriations Act of 2021 ("The Act") provided two and one-half percent (2.5%) compensation increases for faculty and other University employees exempt from the North Carolina Human Resources Act ("EHRA non-faculty employees"), as well as for employees subject to the North Carolina Human Resources Act ("SHRA employees"), effective July 1, 2022. To ensure the timely and efficient implementation of annual compensation increases after July 1, 2022, the Board of Governors is being asked to delegate authority to the president to develop and issue detailed instructions for an ARP to the UNC System Office and the constituent institutions in accordance with the parameters of the attached resolution.

Background: The ARP instructions issued by the president shall include detailed criteria, as are customarily developed each year by the System Office. For EHRA employees, this may include an across-the-board increase at the president's discretion not to exceed the percentage increase appropriated by The Act as well as any supplementary increases, either recurring or in the form of a one-time payment, using pre-existing appropriated or non-appropriated funds of the University. If permitted by The Act, any supplementary increases for SHRA employees beyond any across-the-board increase, whether recurring or in the form of a one-time payment, shall be determined based on meritorious performance, labor market and/or equity. Any compensation adjustments that fall outside of the scope of the ARP process shall still receive the regular required approvals of the president and/or the Committee on University Personnel, as set forth in policy.

Assessment: The attached resolution, titled "Implementation of Fiscal Year 2022-23 Compensation Adjustments for Employees Pursuant to the Appropriations Act of 2021 and the University's Annual Raise Process," formalizes this guidance in writing.

Action: This item requires a vote by the committee and a vote by the full Board of Governors.



RESOLUTION OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA
Implementation of Fiscal Year 2022-23 Compensation Adjustments for Employees Pursuant to the
Appropriations Act of 2021 and the University's Annual Raise Process
May 26, 2022

The Appropriations Act of 2021 ("The Act") provided for a two and one-half percent compensation increase for University faculty and staff employees, including those both exempt from the North Carolina Human Resources Act ("EHRA non-faculty employees") and those subject to the North Carolina Human Resources Act ("SHRA employees"). The Act instructs the Director of the State Budget to transfer funds for annual legislative compensation increases for university employees to the Board of Governors. The University will then conduct an annual raise process ("ARP") for employees, with guidelines approved and issued by the president, consistent with provisions of the Act.

To ensure the timely and efficient implementation of annual legislative compensation increases after July 1, 2022, the Board of Governors hereby delegates to the president the authority to develop and issue detailed instructions for an ARP to the UNC System Office and the constituent institutions upon allocation of funds to the Board of Governors pursuant to The Act.

The ARP instructions issued by the president shall include detailed criteria, as are customarily developed each year by the System Office. For EHRA employees, this may include an across-the-board increase at the president's discretion not to exceed the percentage increase appropriated by The Act as well as any supplementary increase, either recurring or in the form of a one-time payment, using existing appropriated or non-appropriated funds of the System Office and the constituent institutions. Any supplementary increases shall primarily be based on demonstrated meritorious performance, with labor market and/or equity as permissible secondary factors. If permitted by The Act, any supplementary increases for SHRA employees beyond any across-the-board amounts, whether recurring or in the form of a one-time payment, shall also be determined based on meritorious performance, with labor market and/or equity as permissible secondary factors. Any amount of increase beyond that which is appropriated in The Act must be funded entirely by existing funding sources that permit such an expenditure.

This Resolution shall satisfy any requirement for pre-approval with the Committee on University Personnel with respect to Fiscal Year 2022-23 ARP actions within the parameters set forth in this resolution. This Resolution shall not apply to salary adjustments for the chancellors or the president not otherwise provided for as the standard legislative increase in the Appropriations Act.

Further, compensation adjustments that fall outside of the scope of the ARP process shall still receive the regular required approvals of the president and/or the Committee on University Personnel, as set forth in policy.

BE IT SO RESOLVED.

_____, 2022

APPROVED BY THE BOARD OF GOVERNORS OF
THE UNIVERSITY OF NORTH CAROLINA SYSTEM

By: _____

Meredith R. McCullen
Secretary of the University

(Seal)

AGENDA ITEM

A-5. Delegated Authorities Regarding Non-Base Salary Compensation for Employees Exempt from the State Human Resources Act..... Matthew Brody

Situation: The proposed resolution would grant the president the authority to establish regulations and/or guidelines for the constituent institutions and the System Office which permit various forms of non-base salary compensation for EHRA employees such as sign-on bonuses, retention bonuses, and merit-based bonus compensation within prescribed limits. These mechanisms are intended to offer alternative forms of non-recurring compensation to incent recruitment and retention as well as reward exceptional employee performance by means other than permanent adjustments to base salary.

Background: The University's longstanding policy on non-salary and deferred compensation has provided a mechanism for the constituent institutions and the System Office to award various forms of non-base salary compensation with boards of trustees' and/or board of governors' approvals. However, the policy does not incorporate any detailed approval thresholds, or address with any specificity, various important forms of non-base salary compensation, such as sign-on or retention bonuses and merit-based bonus pay. Given recent employee turnover trends reported to the Committee and the labor market challenges being observed nationally as an outcome of the COVID-19 event (e.g., the "Great Resignation"), the president believes it is imperative that we equip our constituent institutions and the System Office with additional methods of recruiting and retaining talent and recognizing exceptional performance. Relatedly, there is strong interest in lessening reliance on permanent, recurring base salary adjustments and being able to focus more on at-risk, non-recurring compensation approaches that can better align with real-time performance and leverage non-recurring funding sources. Of special note, next month the Office of State Human Resources will issue a new policy on recruitment and retention bonuses for employees subject to the NC Human Resources Act (SHRA), and the University wants to ensure that there are parallel mechanisms in place for University employees exempt from the NC Human Resources Act (EHRA).

Assessment: With a very dynamic labor market and rapidly evolving turnover and retirement trends, the implementation of more nimble and non-recurring forms of bonus compensation are deemed of substantial benefit to the University's EHRA human resources program. This item extends authorities to the president to issue regulations and/or guidelines to facilitate these added forms of compensation to strengthen the University's ability to recruit, retain, and reward talent.

Action: This item requires a vote by the committee and a vote by the full Board of Governors.



**RESOLUTION OF
THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA SYSTEM

DELEGATED AUTHORITIES REGARDING
NON-BASE SALARY COMPENSATION FOR UNIVERSITY EMPLOYEES EXEMPT
FROM THE STATE HUMAN RESOURCES ACT**

May 26, 2022

WHEREAS, the Board of Governors may authorize the president, the boards of trustees, the chancellors, and/or their designees to approve compensation actions to employees exempt from most provisions of the NC Human Resources Act (G.S. 126) pursuant to Sections 200.6 and 600.3.4 of the UNC Policy Manual;

WHEREAS, the Board of Governors previously approved Section 300.2.14 of the UNC Policy Manual to provide the president and the constituent institutions authority to provide non-salary and deferred compensation programs to university employees; and

WHEREAS, the North Carolina State Human Resources Commission approved on April 14, 2022, sign-on and retention bonus authority for employees subject to the NC Human Resources Act, effective June 1, 2022, to address a competitive recruitment and retention environment;

NOW, THEREFORE, BE IT RESOLVED, that notwithstanding any university policies or regulations to the contrary, the UNC Board of Governors delegates authority to the president of the University of North Carolina System to issue or amend any necessary regulations and/or guidelines as deemed necessary by the president to implement the following related to employees exempt from most provisions of the State Human Resources Act:

I. The boards of trustees for the constituent institutions, and the president for the UNC System Office, may provide in writing for sign-on bonuses and/or retention bonuses to recruit and retain needed talent to support the operations of the University in accordance with the provisions herein.

A. The use of a sign-on bonus shall be based on a specific demonstrated recruitment issue or when it is determined to be customary in the labor market for a particular position or group of positions. It may also be used on an exceptional basis when necessary to obtain acceptance by a candidate of an offer for a position deemed of critical importance to the University. Any such use must be accompanied by documented need which is reviewed and approved by the board of trustees or the chancellor or designee when so delegated by the board of trustees. A sign-on bonus may not exceed the lesser of \$25,000 or 20 percent of the annualized base salary of the new position without seeking the approval of the president or his designee.

B. The use of a retention bonus must be based on a demonstrated risk of the loss of the employee to an outside entity external to the University. This includes conditions in the labor market which demonstrate heightened risk for loss of critical talent in a particular position or group of positions which would negatively impact the institution. Such bonuses however are not intended to be used in an across-the-board manner, which is reserved for bonuses awarded by the General Assembly. A retention bonus may not exceed the lesser of \$25,000 or 20 percent of the employee's current base salary without seeking the approval of the president or his designee.

C. An employee may receive either a sign-on bonus or a retention bonus, but not both, within any 24-month period.

D. The boards of trustees may delegate authority to approve sign-on and/or retention bonuses pursuant to this resolution to the chancellor and/or his/her designees with the exclusion of such bonuses for Tier I SAAOs, which may not be delegated.

E. Bonuses may be provided using either state funds or non-state funds. For State funds, such use must be permissible under the policies of the Office of State Budget and Management.

F. Institutions may establish rules to require an employee to pay back all or part of any bonus payments already received if the employee separates from the institution less than 12 months after payment of the bonus award.

G. The institution must establish specific procedures for reviewing and monitoring sign-on and retention bonuses including facilitating approval of such compensation by the chief human resources officer for non-faculty, the chief academic officer for faculty, or their authorized designees. Periodic reporting on this form of compensation will be required by the UNC System Office.

II. The boards of trustees for the constituent institutions, and the president for the UNC System Office, may provide in writing for performance-based bonus compensation in accordance with the provisions herein.

A. The award of performance-based bonus compensation shall be tied to an annual performance review for non-faculty employees and the provisions of a written incentive compensation plan for covered faculty. Performance-based pay for clinical faculty is subject to the relevant approved clinical incentive pay plans and is exempt from these provisions.

B. Performance-based bonus compensation awarded in a single fiscal year that exceeds either 20 percent of an individual employee's current base salary or \$50,000 must receive approval from the president and the Committee on University Personnel of the Board of Governors.

C. Performance-based bonus compensation may be provided using either state funds or non-state funds. For State funds, such use must be permissible under the policies of the Office of State Budget and Management.

D. The boards of trustees may delegate authority to approve performance-based bonus compensation under this resolution to the chancellor and/or designees with the exclusion of such compensation for Tier I SAAOs, which may not be delegated.

E. The institution must establish specific procedures for reviewing and monitoring performance-based bonus pay. Periodic reporting on this form of compensation will be required by the UNC System Office.

III. Section 300.2.14 of the UNC Policy Manual, *Policy on Non-Salary and Deferred Compensation* addresses, in part, University Policy on Non-Salary and Deferred Compensation. In certain instances, Section 300.2.14 requires the Board of Governors' review and approval for prescribed compensation actions and Paragraph V thereof requires consideration by the Committee on University Personnel for other policy revisions. Those requirements are deemed satisfied by this resolution and the president is hereby delegated the authority to approve non-salary compensation as provided by this resolution for employees of the UNC System Office, without further review or approval by the UNC Board of Governors, except as specified in Section II (D) above.

Adopted this ____th day of May, 2022

Randall C. Ramsey, Chair

Meredith R. McCullen, Secretary

AGENDA ITEM

- A-6. Delegated Authorities to the President Related to Campus Law Enforcement
Officers Exempt from the Provisions of the NC Human Resources Act.....Matthew Brody

Situation: This proposed Resolution would grant authority to the president to amend and/or issue regulations or guidelines which permit selected provisions of the State's human resources policies applicable to employees subject to the State Human Resources Act (SHRA) to apply to commissioned police officers of the University who are transitioning to exempt from State Human Resources Act status, otherwise known as EHRA non-faculty employees.

Background: The General Assembly enacted an exemption for commissioned police officers of the University from most provisions of the North Carolina Human Resources Act (S.L. 2020-56 Section 7) which permits the University to classify these employees and their positions as EHRA non-faculty. However, given the unique nature of law enforcement work and the highly competitive labor market for commissioned law enforcement officers, there are certain aspects of the State's SHRA human resources program that are necessary to continue to apply to, and be reflected in, the University's human resources practices for this limited population of employees. This includes longevity pay, holiday and on-call pay, and access to certain disciplinary procedures and grievance rights afforded career status State employees. This resolution permits the president to continue to utilize selected SHRA human resources policies or implement their substantial equivalents for commissioned police officers of the University while classified as EHRA non-faculty employees.

Assessment: The authorities conveyed by this resolution to the president will permit a successful transition of the University's commissioned police officers from SHRA to EHRA non-faculty employee status.

Action: This item requires a vote by the committee and a vote by the full Board of Governors.



**RESOLUTION OF
THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA SYSTEM

DELEGATED AUTHORITIES TO THE PRESIDENT
RELATED TO CAMPUS LAW ENFORCEMENT OFFICERS EXEMPT FROM
THE PROVISIONS OF THE STATE HUMAN RESOURCES ACT**

May 26, 2022

WHEREAS, the North Carolina General Assembly enacted an exemption from most provisions of the North Carolina Human Resources Act (G.S. 126) for commissioned police officer positions within The University of North Carolina System (S.L. 2020-56 Section 7);

WHEREAS, the staff of the UNC System Office is in the process of making final preparations for the implementation of a new classification and compensation system designed exclusively for commissioned police officers of the University of North Carolina System under the provisions of the University's exempt from the State Human Resources Act (EHRA non-faculty) human resources program;

WHEREAS, such commissioned police officer positions once transitioned to EHRA non-faculty status will be subject to the provisions of Section 300.2.1 of the UNC Policy;

WHEREAS, it is deemed necessary that certain aspects of the State's human resources policies as applicable to employees subject to the State Human Resources Act, or substantially equivalent University policies, shall continue to apply the University's commissioned police officers following their transition to EHRA non-faculty status;

NOW, THEREFORE, BE IT RESOLVED, that the UNC Board of Governors delegates authority to president of The University of North Carolina System to issue or amend any necessary regulations and/or guidelines as deemed necessary by the president to implement the following regarding commissioned police officers of The University of North Carolina System (hereafter, "law enforcement officer") positions, effective July 1, 2022 or thereafter:

- I. COMPLIANCE WITH THE FEDERAL FAIR LABOR STANDARDS ACT. All law enforcement officer employees subject to this resolution that are classified as subject to the overtime provisions of the federal Fair Labor Standards Act may be covered by University procedures that are substantially equivalent to those issued by the North Carolina Human Resources Commission for SHRA employees regarding wage-hour compensation (the "Hours of Work and Overtime Compensation" policy).
- II. SPECIAL PAY COMPENSATION. All law enforcement officer employees subject to this resolution may be covered by University procedures that are substantially equivalent to the special pay compensation policies approved by the North Carolina Human Resources Commission for SHRA employees, including but not limited to:

- A. On-call emergency and callback pay policy;
- B. Shift premium pay policy; and
- C. Holiday premium pay policy.

III. LONGEVITY PAY. All law enforcement officer employees subject to this resolution who are originally appointed to their positions as subject to the state human resources act (SHRA) remain eligible to receive longevity pay substantially equivalent to that which would or will be received under the annual longevity pay policies approved by the North Carolina Human Resources Commission.

IV. DISCIPLINARY AND GRIEVANCE PROCEDURES. Consistent with the authority granted in G.S. 126-5(c16), all law enforcement officer employees subject to this resolution shall be covered by due process procedures defined in the "Disciplinary Action Policy" and the "University SHRA Employee Grievance Policy" as approved by the North Carolina Human Resources Commission or by future amendments or replacements to said policies as prescribed by the Commission.

Adopted this ____th day of May, 2022

Randall C. Ramsey, Chair

Meredith R. McCullen, Secretary