

March 17, 2005

H 716. MEDIATE STATE EMPLOYEE GRIEVANCE/TIME FRAME. PROVIDING FOR THE MEDIATION OF STATE EMPLOYEE GRIEVANCES UNDER THE STATE PERSONNEL ACT AND RELATING TO THE TIME FRAME FOR CONTESTED CASES UNDER G.S. 126-34.1.

Amends GS 126-34 to provide that the internal grievance procedure of each State agency, department, institution, and UNC shall include mediation as the first step of the procedure. Creates new GS 126-34.1(f) providing that the Office of Administrative Hearings must conduct a contested case hearing and render a decision on cases filed under that section no later than 210 days from the date the case was filed. If the Office fails to complete the contested case hearing process in 210 days, the petitioner who filed the case may petition the Superior Court of Wake County for a hearing de novo.

Intro. by Coleman.

Ref. to State Personnel

GS 126

June 1, 2005

H 716. MEDIATE STATE EMPLOYEE GRIEVANCE/TIME FRAME. Intro. 3/17/05. House committee substitute makes the following changes to 1st edition. Amends GS 126-34 to require that an independent third party who is not employed by the same agency as the employee filing the grievance conduct the mediation of the grievance. Modifies proposed GS 126-34.1(f) to provide that if the Office of Administrative Hearings fails to complete a contested case hearing within 210 days, a party may petition the State Personnel Comm'n Chair to appoint an experienced personnel law attorney to complete the administrative hearing process and certify an official record within 60 days, expenses to be paid by the Office of Administrative Hearings (was, party may petition the Wake County Superior Court for a hearing de novo).

August 23, 2005

H 716. STUDY EMP'EE MEDIATION/OAH TIME FRAME (NEW). Intro. 3/17/05. House committee substitute makes the following changes to 2nd edition. Removes amendment to GS 126-34 providing for mediation as the first step in state agency internal grievance procedures and replaces it with a new provision creating the Legislative Study Commission on the State Employee Grievance Process. The Commission is to submit its final report to the 2006 Regular Session. Modifies proposed new GS 126-34.1(f) by deleting provision allowing party to petition the chair of the State Personnel Commission for appointment of an attorney to complete the decision-making process if the Office of Administrative Hearings fails to conduct a hearing within 210 days after a contested case is filed. Conforms title.

August 23, 2005

H 716. STUDY EMP'EE MEDIATION/OAH TIME FRAME. Intro. 3/17/05. House amendment makes the following changes to 3rd edition. Modifies proposed GS 126-34.1 to specify that the 210-day deadline for conducting a contested case hearing under the State Personnel Act does not include the number of days the case was delayed at the state employee's request.