

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H.B. 419
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30198-LR-73B

Short Title: Save NC Call Center Jobs Act. (Public)

Sponsors: Representatives Richardson, Grange, Sauls, and Everitt (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ENACT THE "SAVE NC CALL CENTER JOBS ACT."
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** This act shall be known and may be cited as the "Save NC Call Center
5 Jobs Act of 2019."

6 **SECTION 2.** Article 3 of Chapter 95 of the General Statutes is amended by adding
7 a new section to read:

8 "**§ 95-31.1. Call center job protection.**

9 (a) Definitions. – The following definitions apply in this section:

10 (1) Agency. – A State executive branch agency.

11 (2) Call center employer or employer. – Any business that employs for the
12 purpose of customer service or back-office operations:

13 a. 50 or more employees, excluding part-time employees; or

14 b. 50 or more employees who in the aggregate work at least 1,500 hours
15 per week (exclusive of overtime hours).

16 (3) Commissioner. – The Commissioner of Labor.

17 (4) Part-time employee. – An employee who is employed for an average of fewer
18 than 20 hours per week or who has been employed for fewer than six of the
19 last 12 months preceding the date on which notice is required.

20 (b) Notice Requirements. – A call center employer that intends to relocate a call center,
21 or one or more facilities or operating units within a call center comprising at least thirty percent
22 (30%) of the call center's or operating unit's total volume when measured against the previous
23 12-month average call volume of operations, or substantially similar operations, from North
24 Carolina to outside the State shall notify the Commissioner at least 120 days before such
25 relocation.

26 (c) Compilation. – The Commissioner shall compile a semiannual list of all call center
27 employers that relocate a call center, or one or more facilities or operating units with a call center
28 comprising at least thirty percent (30%) of the call center's total volume of operations outside the
29 State.

30 (d) Distribution. – The Commissioner shall distribute the list required in subsection (c)
31 of this section to all agencies subject to this Chapter.

32 (e) Ineligibility. – Except as provided in this section and notwithstanding any other
33 provision of law, an employer that appears on the list described in subsection (c) of this section
34 shall be ineligible for any direct or indirect State grants, State guaranteed loan or tax benefit for
35 five years after the date the list is published.



1 (f) Reversion. – Except as provided by subsection (g) of this section, and notwithstanding
2 any other provision of law, an employer that appears on the list described in subsection (c) of
3 this section shall remit the unamortized value of any grants, guaranteed loans, tax benefits, or
4 any other governmental support it has previously received to the Commissioner.

5 (g) Exceptions. – The Commissioner in consultation with the appropriate agency
6 providing a loan or grant may waive the ineligibility requirement provided under subsection (e)
7 of this section if the employer applying for the loan or grant demonstrates that a lack of the loan
8 or grant would (i) result in substantial job loss in this State or (ii) harm the environment."

9 **SECTION 3.** The head of each State agency shall ensure that all
10 State-business-related call center and customer service work performed by State contractors or
11 their agents or subcontractors is conducted entirely within this State.

12 State contractors who currently perform such work outside this State shall have two years
13 following the enactment of this act to comply with this requirement; however, if any such
14 contractors add customer service employees who will perform work on such contracts, those new
15 employees shall immediately be employed within this State.

16 **SECTION 4.** To recover the loss of call center employees within the State, the call
17 center employer in partnership with the North Carolina Community College System shall
18 implement a program for the retraining of affected employees who have become unemployed
19 due to the relocation of a call center outside of the State. Each relocating call center employer
20 shall remit retraining tuition for its former employees to the office of the North Carolina
21 Community College System.

22 **SECTION 5.** No provision of this act shall be construed to permit withholding or
23 denial of payments, compensation, or benefits under any other State law (including State
24 unemployment compensation, disability payments, or worker retraining or adjustment funds) to
25 workers employed by call center employers that relocate outside the State.

26 **SECTION 6.** The provisions of this act are severable. If any of its provisions are
27 declared to be invalid under the State or federal constitution, or preempted by federal law or
28 regulation, the validity of the remainder of this act shall not be affected.

29 **SECTION 7.** This act is effective when it becomes law and applies to the relocation
30 of call center jobs from this State on or after that date.