

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

**SESSION LAW 2008-82
HOUSE BILL 2748**

AN ACT TO DISAPPROVE RULES ADOPTED BY THE STATE PERSONNEL COMMISSION RELATING TO TEMPORARY EMPLOYMENT SERVICES AND APPOINTMENT OF TEMPORARY EMPLOYEES AND TO DIRECT THE OFFICE OF STATE PERSONNEL TO STUDY THE ISSUE OF NONPERMANENT EMPLOYMENT.

The General Assembly of North Carolina enacts:

SECTION 1. Pursuant to G.S. 150B-21.3(b1), 25 NCAC 01C .0216 (Temporary Employment Services), 25 NCAC 01C .0217 (Office of State Personnel Temporary Employment Service), 25 NCAC 01C .0405 (Temporary Appointment), and 25 NCAC 01C .0407 (Temporary Part-Time Appointment) as adopted by the State Personnel Commission on February 16, 2007, and approved by the Rules Review Commission on May 17, 2007, are disapproved.

SECTION 2. The Office of State Personnel shall conduct a thorough analysis of the use of nonpermanent employees by State agencies, including:

- (1) The number of nonpermanent employees currently working in State agencies.
- (2) The position classifications of nonpermanent employees.
- (3) The average duration of nonpermanent appointments.
- (4) The length of time during which nonpermanent employees have been used to meet agency personnel needs in each category of position for which they have been used.
- (5) The various categories of nonpermanent employees currently being utilized by agencies, including temporary, seasonal, intermittent, time-limited, and contract.
- (6) The number of current nonpermanent employees who are actually seeking full-time permanent employment with full benefits, including retirement and health insurance, versus those who either do not need or are not seeking employment with benefits.

The Office of State Personnel shall use the results of the analysis to develop recommendations for definitions to distinguish various categories of nonpermanent employment and policies regarding the selection, appointment, and duration of various categories of nonpermanent employment. In developing its recommendations, the Office of State Personnel shall seek input from any interested parties outside of State government. The recommendations shall also include a prohibition against the establishment of any new temporary employment services by individual State agencies, other than those in existence on the effective date of this act. The Office of State Personnel shall submit its findings to the General Assembly, including any recommendations for proposed legislation, on or before December 31, 2008.

To the extent it accepts the recommendations of the Office of State Personnel, the State Personnel Commission shall adopt rules in accordance with Chapter 150B of the General Statutes to implement a plan for nonpermanent employment in State government.

SECTION 3. This act is effective when it becomes law.
In the General Assembly read three times and ratified this the 3rd day of July,
2008.

s/ Beverly E. Perdue
President of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 12:12 p.m. this 11th day of July, 2008