

What is the background on these changes?

As part of the 2017 Appropriations Act, the North Carolina General Assembly expanded the exemptions under the North Carolina Human Resources Act (“EHRA non-faculty”) to include University information technology professional positions. This change in the law means that these positions will become EHRA non-faculty positions (“EHRA”) under the University’s human resources policies rather than be subject to the NC Human Resources Act (“SHRA”). The University sought this flexibility to be more competitive with respect to certain compensation and leave issues given a very competitive IT labor market.

When will this change take effect?

UNC General Administration currently is developing the new EHRA information technology position job classifications and salary ranges and is implementing technical updates to the relevant University regulations and policies to reflect this change. These updates should be completed over the next several months. Employees covered by this change will be notified directly by their manager and/or their institution’s human resources office. These employees will receive specific information on what it means to become an EHRA non-faculty employee and the specific differences as compared to the University’s SHRA employment policies. Information will also be included on how an employee may exercise the option to become EHRA non-faculty or remain in their current status as SHRA.

Will affected employees be required to convert to EHRA status?

No. Affected employees will be provided the option to convert to EHRA status or to stay SHRA for as long as they remain in their current position. No employee is compelled or required to make this change.

Who is covered under this change?

Any individual employee currently in an SHRA information technology classification that is FLSA exempt (those salaried and not subject to overtime) will be offered a one-time opportunity to convert from SHRA to EHRA non-faculty status. FLSA non-exempt employees (those paid hourly and subject to overtime) are not affected by this change. Exempt IT employees who do not choose to convert to EHRA non-faculty status will continue as SHRA employees.

There have been discussions about changes to the federal Fair Labor Standards Act (FLSA) in terms of who is exempt from the overtime provisions of FLSA. What happens if an employee converts to EHRA status and the position subsequently changes to non-exempt due to a change in federal law? Does the position/employee revert to SHRA status?

Generally, the requirements for a position to be EHRA status also make it exempt from the overtime provisions of the FLSA. Should a position change to non-exempt status due to a change in FLSA regulations, the position would remain EHRA but with a non-exempt FLSA status. Once the position is vacated, it would revert to SHRA status for hiring. We do not anticipate that current discussions on FLSA changes as of the date of this memo, if enacted, would affect this transition.

What is the difference between being SHRA and EHRA?

Although some human resources policies, such as sick leave and holiday schedules, are generally the same for both SHRA and EHRA employees, other policies differ. Examples include different policies for salary ranges, salary adjustments, leave accruals, terms of appointment, and grievance rights. Affected employees will receive detailed information in the differences between EHRA status and SHRA employment in order to make the decision whether or not to convert. UNC-GA Human Resources [provides a chart on its website](#) that shows many of the differences between SHRA and EHRA employment.

If I move to EHRA status, will I lose my longevity pay?

Employees who become EHRA are no longer eligible to receive longevity pay. You will be informed at the time you are given the option to elect EHRA status of any change to your base salary amount. Eligible employees will receive a pro-rata longevity payment at the time they convert to EHRA status. It is possible but not guaranteed that your management, with Human Resources approval, may adjust your compensation to reflect the new IT classification’s labor market or internal pay equity as part of your reclassification to EHRA status, and your prior total compensation, including longevity pay, could be taken into consideration among other market factors in making that determination.

If I move to EHRA status, what will happen to my current leave balances and leave accruals?

All of your current sick leave, vacation leave, and bonus leave balances will transfer with you to EHRA status. (The vacation leave transfer is not capped at 240 hours.) Your sick leave accruals remain 8 hours per month (pro-rated for part-time) as an EHRA employee. With respect to annual (vacation) leave, regardless of your current SHRA leave accrual amount, all EHRA non-faculty IT employees receive 24 days per calendar year (2 days per month) regardless of length of service. Because EHRA employees do not receive paid time off (for example, holiday equal time off), any accrued equal-time off that you have will be paid out or forfeited as required by SHRA policies at the time of changing to EHRA status.

If I move to EHRA status, will my benefits change?

Other than vacation leave and longevity, EHRA employees have the same benefits programs as SHRA employees. Employees converting to EHRA status will be given the option to move from the Teachers' and State Employees' Retirement program (TSERS) to the Optional Retirement Program (ORP) if they have not already had the option to make that choice. [Click here for more information about making decisions between TSERS and ORP.](#)

Do employees have to have a degree to convert to EHRA status or to be considered for any new EHRA positions?

Although it is true that EHRA positions generally require a college degree, the University recognizes that it is common in the IT field that employees may qualify for positions with substantially equivalent training and experience, so in the initial implementation of this change, any education and experience requirements for these positions will be waived for employees converting from SHRA to EHRA.

As UNC-GA Human Resources finalizes the EHRA information technology classifications and pay ranges, the necessity for a bachelor or graduate degree for certain classifications will be considered carefully to determine if substantially equivalent training and experience will be sufficient requirements for future IT vacancies.

What about positions that are not in an actual IT classification but perform a significant amount of IT work?

UNC-GA Human Resources will review related classifications outside the defined career banding IT job family to determine if any would meet the requirements for the new EHRA classifications. Once the new EHRA classifications have been established, management can use their regular position reclassification process to determine if any positions outside the classifications converted by UNC-GA Human Resources may qualify for EHRA status.

What about employees who are currently on extended leave?

Because this status change is driven by employee choice, no action would occur until the employee has returned to work. If the employee does not return to work, then the position would be converted to EHRA prior to job posting.

If I have an active disciplinary action, will it remain active if I move to EHRA status?

No. EHRA employees are not subject to the same disciplinary policy and procedures as an SHRA employee. At the time of transition from SHRA to EHRA status, any active disciplinary actions would become inactive. Even so, management may determine, based on current employee performance, if any additional documented expectations, such as a performance improvement plan, may be developed for the employee.

What happens when an EHRA employee is discontinued (termination of employment)?

An EHRA employee must receive written notice of discontinuation. The minimum notice period for discontinuation is based on the employee's years of service as defined by the institution's EHRA policies. Employees in their first year of service receive at least a 30-day notice; employees in their second or third year of service receive at least a 60-day notice; and employees in their fourth and subsequent years of service receive at least a 90-day notice. Institutions have the option to provide an employee an equivalent payout in lieu of the days of notice, or some combination of the two.

At separation from state employment, vacation and bonus leave are paid out, consistent with current EHRA policy, and any sick leave is retained for five years, the same as occurs with SHRA employees.

How many employees across the system does this change affect?

There are approximately 2100 University employees currently in SHRA exempt information technology positions who may be eligible for conversion from SHRA to EHRA status.