

Promotional Priority

Policy A promotional priority consideration shall be provided by all agencies to all current State employees who have achieved career status.

Nature of Priority Promotional priority consideration shall be provided as outlined below. If it is determined that an eligible employee and an outside applicant have “substantially equal qualifications,” then the eligible employee must receive the job offer over an outside applicant.

“Substantially equal qualifications” occur when the employer cannot make a reasonable determination that the job-related qualifications held by one applicant are significantly better suited for the position than the job-related qualifications held by another applicant.

Advisory Note: Outside applicant is any applicant who is not subject to Articles 1, 2, 5, 6, 7, 8, 13 and 14 of G.S. 126.

Grade to Grade

If a State employee with career status applies and is qualified for another state position of a higher salary grade, and has substantially equal qualifications as those of the highest ranking applicant who is not a State employee, the State employee shall receive the job offer.

Grade to Band OR Band to Grade

For employees applying for positions in a different classification system than their current system (i.e. from graded to banded or vice versa) – a salary grade equivalent will be assigned for each competency level within a career banded classification to determine if the action is a promotion. If a State employee with career status applies and is qualified for another state position representing a promotion, and has substantially equal qualifications as those of the highest ranking applicant who is not a State employee, the State employee shall receive the job offer.

Advisory Note: The salary grade equivalent is not used when determining the promotional priority for a State employee who is currently in a banded class and is applying for another position in a banded class nor is the salary grade equivalent to be used to determine salaries.

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Promotional Priority, Continued**Nature of
Priority
(continued)****Band to Band**

For band to band actions, a promotion is defined as employee movement from one position to another with the same banded classification with a higher competency level or employee movement from one position to another with a different banded classification with a higher journey market rate. Then, if a State employee with career status, in a banded position, applies and is qualified for another banded state position that represents a promotion, and has substantially equal qualifications of those of the highest ranking applicant who is not a State employee, the State employee shall receive the job offer.

**Relationship to
Employees with
Priority Status**

State employees with priority status who were:

- separated from exempt policymaking or exempt managerial jobs for reasons other than cause,
- notified of or separated by reduction in force, or
- returning from workers' compensation leave

are not considered outside applicants for the purpose of the promotional priority policy.

**Equal
Employment
Opportunity
Considerations**

The Equal Employment Opportunity Program and Plan Policy requires recruitment procedures that attract a diverse pool of applicants and requires hiring authorities to act affirmatively in minimizing or eliminating under representation of women, minorities and persons with disabilities throughout all levels of the State's workforce. Specific recruitment efforts shall be taken, both internally and externally, to optimize the presence of highly qualified persons from underrepresented categories among applicants considered. When promotional opportunities exist in occupational categories where there is established under representation of minorities, women and persons with disabilities, and the selection decision will be made from among applicants in the existing state workforce, hiring authorities shall consider and support these diversity needs as usual.

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Promotional Priority, Continued

Appeals

Any State employee with career status who has reason to believe that a promotion was denied due to the failure of the agency to post notice of a vacancy pursuant to G.S. 126-7.1(a), or to afford the foregoing priority as required by G.S. 126-7.1(c), may appeal directly to the State Personnel Commission through the established contested case hearing process of the Office of Administrative Hearings.
