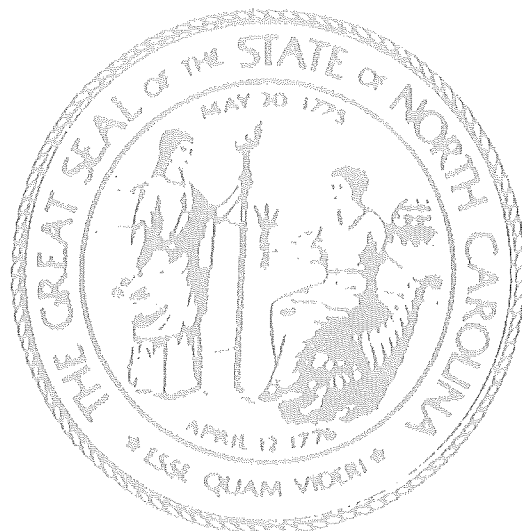


North Carolina
Office of State Human Resources

LOCAL GOVERNMENT
DELEGATION OF AUTHORITY GUIDE



CANDIDATE QUALIFICATIONS

PROCESS FOR REQUESTING DELEGATION OF AUTHORITY AGREEMENTS
Qualification Determinations

STEPS:

- 1.) Review relevant internal human resources/personnel policies and procedures for compliance with administrative code requirements of *25 NCAC SUBCHAPTER 1I. SERVICE TO LOCAL GOVERNMENT*.
- 2.) Review present HR staffing levels, experience and assess workload capabilities within the local jurisdiction or county.
- 3.) Review Memorandum of Understanding form.
- 4.) Discuss process and steps with the OSHR Local Gov't Program Manager.
- 5.) Determine whether to proceed with request for delegation of authority.
- 6.) Prepare and submit memorandum of request for delegation of authority with a listing of classification titles along with the appropriate Director and Board signatures
- 7.) OSHR Local Government Program Manager will approve or deny qualification determination request.
- 8.) Once the classification titles have been agreed upon between OSHR and the local county/agency, the Memorandum of Understanding will be completed and signed by all relevant parties.

Director:
Tracie McMillan

Deputy Director:
Jennifer Parsons



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Ashe County Department of Social Services
150 Government Circle, Suite 1400
Jefferson, NC 28640

MEMORANDUM

TO: Dominick D’Erasmus, M.A. CPM, Local Government Program Manager
FROM: Tracie McMillan, Director
DATE: 10 December 2024
SUBJECT: Request for Delegation of Authority for Qualification Determinations

This memorandum requests delegation of authority for qualification determinations for Ashe County Department of Social Services for the classifications listed on page 7 of the attached MOU.

This request is based on the Ashe County Department of Social Services’ commitment to maintain trained and experienced Human Resources staff to manage the day-to-day requirements of the delegation agreement. The Ashe County Department of Social Services further commits to administering human resources programs in compliance with State Human Resources Commission rules, Office of State Human Resources policies and Federal Standards for a Merit System of Personnel Administration as described in the Code of Federal Regulation.

The Ashe County Department of Social Services has not previously had delegation of authority for the certification of a candidate’s qualifications under the North Carolina Human Resources System.

The following signatures serve as formal authorization for this request and confirm our commitment to meeting the prescribed conditions as stated in the second paragraph:

Tracie McMillan, Agency Director: _____
Signature Date

Todd McNeill, Chairman, Ashe County Board of Commissioners

Signature Date

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
OFFICE OF STATE HUMAN RESOURCES AND
ASHE COUNTY DEPARTMENT OF SOCIAL SERVICES
FOR DELEGATION OF AUTHORITY
QUALIFICATION DETERMINATIONS

I. BASIS:

Title 25 Section 11 of the North Carolina Administrative Code contains rules for local agencies subject to the State Human Resources Act adopted by the State Human Resources Commission pursuant to the provisions of Chapter 126 of the North Carolina General Statutes.

II. PURPOSE:

This Memorandum of Understanding (MOU) extends to and commits the Agency Director and Chair, through its designated agents, to act on behalf of the State Human Resources Director and staff of the Office of State Human Resources (OSHR) in screening employment applications. This mutual commitment supports a flexible, results oriented Human Resources system that is operated collaboratively by the Agency and the Office of State Human Resources. This MOU specifies both OSHR's and the Agency's responsibilities and authority for managing the qualifications process.

III. CONDITIONS:

This MOU defines the agency's responsibilities for evaluating applicant education and experience for the specific job classes listed in this MOU hereinafter referred to as qualification determinations. This MOU applies only to qualification determinations for job classes found in the Local Pay Plan. This MOU does not delete, nullify or modify the powers, responsibilities and authority of the State Human Resources Director and State Human Resources Commission. All parties agree that Michele Blevins shall serve as the agent of the Agency Director with the right to act officially on his or her behalf concerning the provisions of this MOU. Michele Blevins shall have direct access to the Agency Director and have authority to act on his or her behalf concerning issues relating to this MOU. Subsequent changes to this MOU may be made by mutual consent of both parties in writing. Termination of this MOU may be initiated by either party at any time.

In the administration of this MOU, the Agency Head agrees to comply with statutory provisions, regulations, and standards of the Office of State Human Resources and the State Human Resources Commission.

The Agency Director may petition for an increase or a decrease in the scope and extent of this Memorandum. The Local Government Program Manager shall determine the appropriateness of the request after considering the rationale for the proposed change. The Local Government Program Manager reserves the right to renegotiate the components of this MOU given indication that changes in the Agency Director's or HR staff's capability alters the effectiveness of administering the MOU. The Local Government Program Manager may choose to suspend any or all parts of the MOU if the

contributing conditions are of a temporary nature and there is a basis for remedial action. The Agency Director or designee shall implement remedial measures after discussion as prescribed by the Local Government Program Manager.

Actions processed in accordance with the provisions of this MOU are subject to program review by the Office of State Human Resources. The Agency Director or designee and the Local Government Program Manager agree that the Director is responsible for the review of personnel activities, transactions, and actions that are legally the responsibility of the Agency Director.

IV. AGENCY PROVISIONS:

The Agency Director, Tracie McMillan shall be responsible and accountable for execution of Commission policies and rules concerning qualifications review within the Ashe County Department of Social Services, which are subject to the provisions of State Human Resources Act. Administrative Officer I, Michele Blevins, shall be the Agency designee accountable for day-to-day decisions pursuant to this MOU. This authorization is predicated upon maintenance of adequate staffing level of trained and experienced human resources staff including professional HR positions commensurate with the size and complexity of HR programs and functions.

Subject to the above conditions, the Agency Director is delegated the authority and responsibility to:

- Render qualification determinations in accordance with the State of North Carolina classification system and policies, principles, and procedures as prescribed by the North Carolina Administrative Code and Office of State Human Resources standards and practices.
- Develop internal operating procedures to meet the qualification determination needs of the agency in a manner consistent with state statutes, codes and policies.
- Develop a mechanism for accountability that will ensure quality decisions that are consistent with state statutes, codes and federal merit system standards for personnel administration.
- Refer all requests and recommendations for exceptions to the Office of State Human Resources for decisions.
- Administer all qualification determinations in accordance with established State Human Resources regulations, procedures, and laws using standard or mutually approved forms and procedures.
- Treat all applicants and employees fairly in the administration of HR programs and functions without regard to race, color, religion, sex, national origin, political affiliation, age, genetic information or handicapping condition. This “fair treatment” principle includes compliance with federal and state equal employment opportunity and nondiscrimination laws.
- Ensure that any staff member associated with qualifications decisions has been through OSHR’s qualification training class.

QUALIFICATION DETERMINATIONS PROVISIONS:

The Agency Director accepts primary accountability for the qualification determinations for all classes covered under this MOU. Human Resources staff shares accountability for the impact of the resulting decisions on program operations, employees, and upon the State's classification plan. Subject to the above conditions, Administrative Officer I, Michele Blevins, is delegated the authority and responsibility to:

- Act in accordance with this Memorandum and with NC administrative code and State Human Resources practices.
- Comply with rules and policies as set out in Section. 1900, Recruitment and Selection, of the NC Administrative Code 25 NCAC 01I .1900.
- Maintain an alphabetical filing of all current classification specifications used in the agency.
- Ensure that all applicant qualification determinations comply with the Office of State Human Resources classification and specification requirements and are approved in accordance with a merit-based selection policy and procedure.
- Submit to the Office of State Human Resources all qualification determinations for equivalencies and reasonable substitutions for education and experience requirements, accompanied by justification for the request.
- Render qualification determinations for the classes listed on page 7. Such determinations shall be in accordance with established State Human Resources regulations, policies, and laws and meet the documentation requirements.
- All documents associated with each determination shall be maintained in the appropriate file.
- Submit to OSHR documentation for determinations for which the Agency does not have delegated authority. The Office of State Human Resources will make decisions on these requests within five calendar days after receiving the Agency's fully documented request.

CLASSES FOR WHICH DELEGATION IS APPROVED

List **each classification** title you are requesting delegated authority for:

1. Processing Assistants II, III, IV, V
2. Administrative Assistants I, II, III
3. Accounting Specialists I, II
4. Administrative Officers I, II, III
5. Office Assistants I, II, III
6. Income Maintenance Caseworkers I, II, III
7. Community Social Services Technician
8. Social Workers Trainee, I, II, III, I/A/T
9. Child Support Agents I, II
10. Income Maintenance Supervisors I, II, III
11. Child Support Supervisors I, II, III, IV
12. Social Work Supervisors I, II, III

V. OFFICE OF STATE HUMAN RESOURCES PROVISIONS:

The Office of State Human Resources is responsible for:

- Identifying critical or urgent problems requiring immediate intervention and resolution.
- Providing technical advice and consultation on all aspects of the recruitment and selection process.
- Providing classification specifications and other data for all classes used by the agency.
- Providing clear communication and interpretation of all rules and policy requirements regarding position classification.
- Providing staff training and assistance on all aspects of qualification determinations.
- Providing to the Agency Director or designee periodic assessments and reports that convey the results of monitoring and program review activities.

Upon acceptance of this agreement, return the signed original copy to the Office of State Human Resources and retain a signed copy with the agency records.

GRANTOR:

NC Office of State Human Resources
Local Government Program Manager

Signed and Effective Date

GRANTEE: (omit those that are not relevant to a specific agency)

_____, Todd McNeill, Ashe County Board of Commissioners Chairman
Signature

_____, Tracie McMillan, Director, Ashe County Department of Social Services
Signature