



**RESOLUTION TITLE: RESOLUTION PLACING LOCAL DHHS EMPLOYEES UNDER THE GASTON COUNTY PERSONNEL POLICY**

WHEREAS, certain federal grant programs require, as a condition of eligibility, that state and local agencies that receive federal grants establish merit personnel systems for their personnel engaged in administration of the grant-aided program, including Food and Nutrition Services (Supplemental Nutrition Assistance Program (SNAP) benefits), Medicaid, and disability benefits, foster care, and adoption assistance; and,

WHEREAS, North Carolina law has traditionally complied with these requirements by requiring employees of social services departments, health departments, and emergency management departments be subject to the recruitment, selection, and dismissal procedures of the State Human Resources Act, rather than county policies and ordinances that apply to all other employees; and,

WHEREAS, in 2012, the General Assembly authorized counties to create a Consolidated Human Services Agency (CHSA) that carries out the human services functions of various agencies in the county, including the local health department and the county department of social services (DSS); and,

WHEREAS, employees of Consolidated Human Services Agencies are automatically subject to county personnel policies that comply with federal merit principles, unless the county opts to keep them subject to the State Human Resources Act; and,

WHEREAS, in 2013, pursuant to Resolution 2013-201, Gaston County opted to consolidate the social services and public health functions under a CHSA, the Department of Health and Human Services, but chose to keep the employees subject to the State Human Resources Act; and,

WHEREAS, Gaston County's Personnel Policy aligns with federal merit personnel requirements and provides processes that meet or exceed those contained in the State Human Resources Act; and,

WHEREAS, the Board of Commissioners believe it is in the best interests of Gaston County that employees of DHHS be subject to the County's Personnel Policy to ensure consistency, fairness, and efficiency.

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**I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:**

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NOW, THEREFORE BE IT RESOLVED by the Gaston County Board of Commissioners as follows:

**SECTION 1. DHHS EMPLOYEES SUBJECT TO GASTON COUNTY PERSONNEL POLICY.**

Pursuant to N.C.G.S. § 153A-77(d) and § 126-5(a), the staff of the Gaston County Department of Health and Human Services shall be subject to the Gaston County Personnel Policy and no longer subject to the State Human Resources Act.

**SEC. 2. CONFORMING CHANGES TO GASTON COUNTY PERSONNEL POLICY.**

The Gaston County Personnel Policy is amended as follows:

(a) Section 2.1 (Exceptions) is amended to read as follows:

**2.1 Exception**

Merit System personnel (~~Department of Social Services, Health Department, and Emergency Management~~) are subject to State Personnel Commission regulations with respect to some disciplinary matters. ~~These employees may appeal disciplinary matters to the State Personnel Commission, in accordance with NCGS 126-4.~~

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(b) Section 31.3 (Review) is amended as follows:

**31.3 Review**

As indicated in the proceeding section, the County Manager, or his designee, shall review every RIF proposed elimination from the already approved RIF plan. No employee shall be entitled to any other review, except for Emergency Management employees ~~of the Department of Health, Social Services, and Emergency Management~~, who have appeal rights pursuant to G.S. 126-5.

**SEC. 3. EFFECTIVE DATE.**

Sections 1 and 2 shall become effective upon adoption.