

25 NCAC 01I .1902 POSTING AND ANNOUNCEMENT OF VACANCIES

(a) Vacant positions to be filled shall be posted by the agency having the vacancy.

(b) Vacancies that will be filled from within the agency workforce shall have an application period of not less than seven calendar days. These vacancies will be posted in an area known to employees in an announcement that includes, at minimum the title, salary range, duties, knowledge and skill requirements, minimum training and experience standard, closing date, and contact person for each position to be filled. Posting is not required when an agency head determines it will not openly recruit based upon a business need for vacancies:

- (1) that are committed to a budget reduction;
- (2) used to avoid a reduction in force;
- (3) used for disciplinary transfers or demotions;
- (4) to be filled by transfer of an employee to avoid the threat of bodily harm;
- (5) that must be filled immediately to prevent work stoppage in constant demand situations, or to protect the public health, safety, or security;
- (6) to be filled by a legally binding settlement agreement;
- (7) to be filled in accordance with a pre-existing written agency workforce plan; or
- (8) that must be filled immediately because of a widespread outbreak of a serious communicable disease.

(c) Any vacancy for which an agency wishes to consider outside applicants or outside applicants concurrently with the internal workforce may be listed with the local NCWorks Career Center of the Division of Employment Security. Listings shall include the announcement information specified in Paragraph (b) of this Rule and vacancies so listed shall have an application period of not less than seven calendar days.

(d) If an agency makes an effort to fill a vacancy from within, and is unsuccessful, the listing with the Division of Employment Security may take place when the decision is made to recruit outside of the agency. A vacancy that an agency will not fill for any reason shall not be posted; if conditions change, it shall then be treated as a new vacancy.

*History Note: Authority G.S. 96-29; 126-3(b); 126-4(4); 126-7.1; 126-14;
Eff. August 3, 1992;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 20, 2016;
Amended Eff. September 1, 2019.*