

**Regulation on Campus Law Enforcement Officers
Exempt from the Provisions of the State Human Resources Act**

I. Purpose. Pursuant to the Board of Governors Resolution,¹ which delegated authority to the president to implement a human resources program for campus law enforcement officers that are exempt from certain provisions of the North Carolina Human Resources Act (“NC HR Act”), this regulation sets forth guidelines and procedures for the constituent institutions to implement and administer this program. This regulation relates to sworn campus law enforcement officers employed by the constituent institutions of the University of North Carolina System (“law enforcement officer” or “LEO”).

II. Coverage and Position Conversion of Existing Law Enforcement Employees. These regulations apply to employees in LEO positions subject to Section 300.2.1 of the UNC Policy Manual.²

A. Upon adoption of this regulation, constituent institutions shall provide that all employees currently serving in LEO classifications subject to the NC HR Act, and all vacant LEO positions, shall be transitioned to EHRA non-faculty appointments (“EHRA”) subject to Section 300.2.1 of the UNC Policy Manual as soon as practicable, but no later than June 30, 2023. Each employee so affected shall receive an appointment letter confirming their new EHRA non-faculty status pursuant to Section 300.2.1 of the UNC Policy Manual and the additional EHRA provisions relevant to LEO positions contained herein.

B. Unless otherwise set forth in this regulation, employees in LEO positions subject to this regulation are subject to the same human resources policies and regulations applicable to other information technology, instruction, and research (IRIT) positions pursuant to Section 300.2.1 of the UNC Policy Manual.

III. Job Protections and Grievance Procedures. Consistent with the authority granted in G.S. 126-5(c16) and notwithstanding any provisions to the contrary in paragraph III of Section 300.2.1 of the UNC Policy Manual, all employees in positions covered by this regulation remain subject to Articles 6, 7, and 8 of the NC HR Act and shall be subject to the disciplinary action and grievance policies as prescribed for employees subject to that Act. As such, EHRA LEOs, other than those classified as Senior Academic and Administrative Officers (“SAAO”), shall not be considered at-will employees of the University.

A. Probation and Employment Eligibility for Disciplinary and Grievance Procedures. Employees in LEO positions subject to this regulation must complete an initial probationary employment period. During the probationary period, employee appointments remain at-will, and employees may be separated from employment during probation without the protections of the disciplinary policy and without coverage under most provisions of the grievance policy. Those who have completed Basic Law Enforcement Training (BLET) certification must have worked at least 12 continuous months in a permanent position, including any continuous service achieved at the time of conversion to EHRA status, to satisfy the probation requirement. Employees who have not completed BLET at the time of conversion from SHRA status or at the time of hire into an EHRA LEO position must have worked at least 24 continuous months in a permanent position and must have completed BLET training certification to satisfy the probation requirement.

B. Repayment of Certain BLET Expenses. At the chancellor's discretion, the institution may require an employee to repay all or part of any expenses for BLET training that the institution provided, including costs associated with any custom-issued equipment, if the employee separates from a LEO position at that institution within 24 months of completing BLET training. Such repayment requirements if implemented must be included in the terms and conditions of employment communicated to the employee at the time of hire.

IV. Constituent Institution Authority for Classification Actions.

A. The chancellors or their authorized designee(s) at institutions that have received classification authority from the UNC System Office for IRIT positions are authorized to establish EHRA LEO positions in the same manner as all other positions in this category.

B. For institutions without IRIT classification authority, all EHRA non-faculty LEO classification actions must be submitted for approval by the UNC System Office in the same manner as all other positions in this category.

C. Classification actions for LEO positions that are classified as SAAO Tier II must be submitted for approval to the UNC System Office in the same manner as all other SAAO positions. This is relevant for LEOs that function as campus police agency heads or deputy agency heads.²

V. Compensation Policies.

A. Salary Ranges. Salary ranges for employees covered under this regulation shall be published and periodically updated by the UNC System Office. These ranges may be revised at any time at the direction of the president or their designee.

B. Fair Labor Standards Act. All employees subject to the overtime provisions of the Federal Fair Labor Standards Act ("FLSA") in positions covered by this regulation shall be subject to the same policies concerning hours of work and overtime compensation as prescribed for employees subject to the NC HR Act unless otherwise specified herein.

C. Special Pay Compensation. All employees subject to the overtime provisions of the FLSA, in positions covered by this regulation, shall be subject to the same compensation policies concerning holiday premium pay, shift premium pay, and on-call and emergency call-back pay as may be prescribed for employees subject to the NC HR Act unless otherwise specified herein.

D. Longevity Pay. Employees in LEO positions who were originally appointed to their LEO positions as subject to the NC HR Act shall be subject to the same policies concerning longevity pay as may be prescribed for employees subject to that Act, and such compensation shall be carried through and effected. For employees hired into LEO positions initially as EHRA, there shall be no eligibility for longevity compensation.

E. Career Progression Steps and Salary Adjustments. The UNC System Office will establish, publish, and periodically revise an LEO career progression structure. These shall include defined career progression steps and an associated salary range for each step. This structure shall be governed by the following procedures and shall be subject to change at any time at the sole

discretion of the president or their designee.

1. Each career progression step shall have specified eligibility criteria based on years of experience as a certified LEO, years of experience in a particular LEO career progression step, and/or achievement of a specified state law enforcement certificate.

2. No LEO covered by this regulation shall fall below the minimum of the salary range or above the maximum of the salary range associated with the applicable EHRA LEO classification and career progression step without approval of the constituent institution chief human resources officer and the UNC System Office.

3. When an LEO employee covered by this regulation shall satisfy the criteria for attainment of a defined LEO career progression step, the LEO shall be responsible for submitting documentation of this qualification using a form provided for this purpose by the constituent institution.³ Such request shall be processed in accordance with procedures established by the constituent institution generally within thirty (30) days of such event. The constituent institution may establish mechanisms to assist eligible LEOs in tracking this eligibility, but the responsibility for initiating a career progression event shall rest with the eligible employee.

4. Upon confirmation of eligibility for attainment of a career progression step, the eligible employee shall be reclassified to their newly eligible step and granted a salary adjustment. This salary adjustment will include a pay increase of the greater of 5% above the employee's current base salary or the minimum increase necessary for the employee's new salary to achieve the minimum of the salary range for the new step. For purposes of this calculation, when using base salary, it shall exclude any overtime and special pay amounts, temporary pay amounts, salary supplements, educational supplement, or longevity pay. The effective date of this adjustment shall be the next pay period following submission by the eligible employee of the required documentation specified in paragraph V.E.3. above. There shall be no entitlement for a retroactive action solely due to a delay on the part of the eligible employee in submitting documentation of their eligibility for a new career progression step.

5. To be eligible for a career progression step and associated salary adjustment, the employee must be in good standing with a current overall performance rating of at least "Meeting Expectations" and not subject to an active internal investigation, performance improvement plan, or disciplinary action. In the event an employee shall be deemed ineligible, the career progression step and salary adjustment may be made effective as of the first of the month when any impediment to such action shall be no longer present. In the event an internal investigation shall sustain no misconduct, then the career progression step and salary action may be accomplished retroactively to its original eligibility date.

VI. Paid Leave. Employees covered by this regulation shall have the following paid leave provisions.

A. Employees shall accrue 24 days of annual leave each calendar year consistent with paragraph VII of Section 300.2.1 of the UNC Policy Manual as that section may be amended in the future.

B. A LEO employee of a constituent institution of the University who is converting to EHRA status who at that time earned more than 24 days of vacation leave each year as an SHRA employee will retain their higher accrual rate, which shall be carried through and effected across continuous employment in any position subject to this regulation. This shall not apply to an individual who is newly employed by the University as a transfer from another State agency.

C. Sick leave accruals for employees and eligibility for other paid leave programs covered by this regulation shall be equivalent to all other EHRA non-faculty employees.

VII. Expanded Educational Benefits.

A. Expanded Tuition Waiver Benefit. Pursuant to Paragraphs I.A.3. and II.B. of Section 1000.2.2.1[R] of the UNC Policy Manual (“Regulation on the Waiver of Tuition and Fees for Faculty and Staff”), employees in LEO positions (0.5 FTE or greater) are eligible to receive tuition waivers for all eligible academic courses taken at UNC constituent institutions with appropriate supervisory approval. These employees are not subject to the limit of three tuition waivers per academic year.

B. Educational Salary Supplement. Employees in LEO positions shall be entitled to additional annual pay for college degrees as described below.

1. Employees in Police Officer, Master Police Officer, and Police Supervisor classifications who hold a baccalaureate degree shall receive an educational salary supplement of \$1,500 per fiscal year, and those who also hold a post-baccalaureate degree receive an educational salary supplement of \$3,000 per fiscal year. The supplements are not cumulative and will be tracked separately from base salary, but treated as regular salary for benefits purposes. These supplements shall be paid out in equal amounts each pay period rather than paid as a single lump sum. Payments are prorated for part-time employees.

2. Employees in Senior Police Supervisor classifications who hold a post-baccalaureate degree shall receive an educational salary supplement of \$3,000 per fiscal year paid in the same manner as set forth in Section VII.B.1.

3. Employees in all other LEO classifications are not eligible for this benefit.

4. All degrees must be from accredited institutions and verified by the constituent institution’s central human resources office.

5. Once the degree has been verified by human resources, payment of the educational salary supplement shall begin in the next pay period.

VIII. Other Matters

A. Effective Date. The requirements of this regulation will be effective on the date of adoption of this regulation by the president.

B. Relation to State Laws. The foregoing regulation as adopted by the president is meant to supplement, and does not purport to supplant or modify, those statutory enactments, regulations, and policies which may govern the activities of public officials.

¹ See May 26, 2022, Resolution of the Board of Governors of The University of North Carolina System “Delegated Authorities to the President Related to Campus Law Enforcement Officers Exempt from the Provisions of the State Human Resources Act.”

² Pursuant to G.S. 126-5(c16). Cf. S.L. 2020-56, Section 7. This regulation does not apply to chiefs of police and other senior commissioned officers otherwise covered by Section 300.1.1 of the UNC Policy Manual for positions established under G.S. 116-11(5).

³ During initial implementation of this program at a constituent institution, the chief of police and chief human resources officer may implement a crosswalk of current LEOs to the appropriate EHRA job classification and career progression step without receiving requests from individual employees based on available documentation of qualifications and experience that is on file or available to the institution.