



State of North Carolina

ROY COOPER
GOVERNOR

March 23, 2017

EXECUTIVE ORDER NO. 5

**TO FACILITATE EMPLOYEE ACCESS TO
STATE FACILITIES AND CABINET AGENCY LEADERS**

WHEREAS, regular communication and exchange of ideas between employees and managers is essential to addressing service delivery and achieving greater levels of efficiency and effectiveness in governmental operations; and

WHEREAS, ensuring an effective, accountable, reliable, and efficient state government requires the commitment, dedication and cooperation of all state employees in both managerial and non-managerial positions; and

WHEREAS, employee organizations that articulate the views, concerns, and ideas of state employees are important participants in improving the efficiency and quality of service delivery and government operations; and

WHEREAS, ensuring reasonable opportunities for public employees to communicate with the representatives of their employee organizations is in the interest of furthering effective dialog between state employees and managers; and

WHEREAS, the Office of State Human Resources is charged with ensuring that employees receive information about human resources programs and services.

NOW THEREFORE, as Governor of the State of North Carolina, I do hereby order and direct the Office of State Human Resources, which is charged with the administration of state human resources policies, and all agencies, managers, supervisors, and employees under the jurisdiction of the Governor, to take the following actions:

Section 1. Reasonable Access to Facilities

a. All heads of state institutions, departments, bureaus, agencies, or commissions subject to the authority of the Governor (hereinafter "executive branch agency") shall permit reasonable access to their facilities for the purposes of membership recruitment, distribution of educational materials related to membership, and consultation regarding membership with representatives of a domiciled employee association that has at least 5,000 members who are State employees (hereinafter "covered employee association").

b. A covered employee association desiring access to facilities under this Order must submit a request for access to the head of an executive branch agency at least two weeks prior to the requested date of access, unless a shorter time period is authorized by the head of the executive branch agency. A covered employee association's access under this Order shall be limited to two (2) times each year, as determined by the head of the executive branch agency.

Section 2. Meet and Confer

a. The representatives of each covered employee association shall have the opportunity to meet annually with representatives of the Governor and quarterly with the State Human Resources Director regarding issues of mutual concern.

b. Additionally, the representatives of a covered employee association whose membership includes at least 20 percent of the employees in an executive branch agency shall have the opportunity to meet at least quarterly with representatives of that agency to confer regarding areas of mutual concern. The head of an executive branch agency may authorize additional meetings as the executive branch agency head deems appropriate.

Section 3. Participation of Employees in Certain Association Activities

State employees who serve as elected officers or delegates of covered employee associations shall be allowed up to three (3) days of managerially approved leave to participate in the annual convention or annual conference of the covered employee association without a loss of the employees' personal leave time.

Section 4. Participation by Associations in this Order

Any domiciled employee association that desires to be included in the provisions of this Order shall provide to the Director of the Office of State Human Resources evidence that it meets the criteria under Section 1.a of this Order. Any domiciled employee association that desires to meet with an executive branch agency shall provide to the head of that agency evidence that it meets the criteria under Section 2.b of this Order.

Section 5. Employee and State Rights and Responsibilities Maintained

This Order is intended to encourage communication between employees and State leaders. The provisions of this Order shall not be construed or interpreted to diminish any rights, responsibilities, powers, or duties of individual employees in their service to the State or to require or prohibit any state employee's participation in a covered employee association. Further, the provisions of this Order shall not diminish or infringe upon any rights, responsibilities, powers, or duties conferred upon any state officer or agency by the Constitution or laws of the State of North Carolina.

Section 6. Participation by Other State Entities

The Board of Governors of the University of North Carolina System, the State Board of Community Colleges, the State Board of Education, and each head of the Council of State agencies are encouraged and invited to participate in this Executive Order.

Section 7. Effect and Duration

This Executive Order shall be effective immediately and shall remain in effect until rescinded. All other Executive Orders or portions of Executive Orders inconsistent with this Order are hereby rescinded. This Order specifically rescinds Executive Order No. 84 signed on December 18, 2015.

IN WITNESS WHEREOF, I have hereunto signed by name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this 23rd day of March in the year of our Lord two thousand and seventeen.



Roy Cooper
Governor

ATTEST:



Elaine F. Marshall
Secretary of State

