



State of North Carolina

ROY COOPER
GOVERNOR

March 13, 2023

EXECUTIVE ORDER NO. 278

RECOGNIZING THE VALUE OF EXPERIENCE IN STATE GOVERNMENT HIRING

WHEREAS, the State of North Carolina is dedicated to broadening access to career opportunities in state government; and

WHEREAS, the undersigned has issued previous executive orders to eliminate barriers to employment with the state; and

WHEREAS, these previous executive orders have included Executive Order No. 92, which directs state agencies to implement best practices in recruiting workers with disabilities and create an inclusive job climate; Executive Order No. 93, which eliminated from state job applications the salary history questions that created a barrier to equal pay for equal work; and Executive Order No. 158, which removed criminal arrest or history questions from employment applications when those questions were unnecessary; and

WHEREAS, state agencies continue to face challenges recruiting and retaining the skilled workforce essential to ensuring North Carolinians have safe, effective, and efficient government programs and services; and

WHEREAS, the undersigned recognizes that state employees bring value to their jobs from their experience and skills, not only from academic degrees; and

WHEREAS, applicants to state government jobs bring with them a variety of directly related knowledge and skills from prior jobs and experiences—such as military service, on-the-job training, apprenticeships, internships, industry-recognized credentials and AmeriCorps service—and this experience equips them with the skills and competencies to work successfully in state government; and

WHEREAS, access to skill development opportunities—including career and technical education, work-based learning, youth apprenticeships, and apprenticeships—continues to grow, and these programs create new opportunities for individuals to prepare for the careers of today and tomorrow; and

WHEREAS, two-thirds of North Carolinians do not have a bachelor's degree or higher, according to statistics from the U.S. Census Bureau; and

WHEREAS, diversity is a key strength of the State of North Carolina, promoting innovation and deepening trust and connections to communities and people throughout the state; and

WHEREAS, lowering barriers to people with experience-based qualifications provides an opportunity to further diversify and strengthen the state government workforce, especially given the historical inequities in access to traditional higher education for individuals from diverse backgrounds, including people of color, people with disabilities, and people living in rural areas; and

WHEREAS, today, approximately 75% of state job classifications either do not require a higher education degree or allow experience to be substituted for education; however, more should be done to ensure that people's limited access to higher education does not become an unnecessary barrier to recruitment; and

WHEREAS, it is in the State's interest to reach out to skilled and talented people from all kinds of backgrounds—including people who have learned from experience rather than education—and it is in the State's interest to lower any barriers that would prevent skilled and experienced people without formal degrees from applying for state jobs; and

WHEREAS, pursuant to Article III of the Constitution of North Carolina and N.C. Gen. Stat. §§ 143A-4 and 143B-4, the Governor is the chief executive officer of the State and is responsible for formulating and administering the policies of the executive branch of state government; and

WHEREAS, pursuant to N.C. Gen. Stat. § 147-12, the Governor has the authority and duty to supervise the official conduct of all executive and ministerial officers; and

WHEREAS, pursuant to N.C. Gen. Stat. § 126-3, the State of North Carolina uses a decentralized Human Resources system, where each agency has its own human resources staff and the Director of the Office of State Human Resources (the "Director of OSHR") is responsible for providing policy, rule development, and training in personnel management to staff at other agencies, departments, and institutions; and

WHEREAS, pursuant to N.C. Gen. Stat. § 126-4, the State Human Resources Commission (the "HR Commission") shall establish state human resources rules and policies subject to approval of the Governor, including position classification plans and, for each class of positions, qualifications as to education, experience, specialized training, licenses, certifications, and other job-related requirements pertinent to the work to be performed.

NOW, THEREFORE, by the authority vested in me as Governor by the Constitution and the laws of the State of North Carolina, **IT IS ORDERED**:

Section 1. Emphasize in Job Postings that Experience Can Replace Formal Education.

The undersigned directs and authorizes the Director of OSHR to develop human resources policies, training, and statements to illustrate how directly related experience can replace formal education.

OSHR, with directed assistance from Cabinet Agencies, is directed to take the following actions to emphasize how directly related experience substitutes for formal education in job recruitment. These actions should include, at a minimum:

1. Require job postings to include a statement explaining how experience can qualify an applicant for all classifications that indicate an equivalent combination of education and experience is allowed. This statement must show how, to meet the minimum requirements of the position, directly related experience can be a substitute for education.
2. Review the experience and education requirements to determine whether experience can substitute, and whether specified educational degrees should be required, for classifications that do not indicate an equivalent combination of education and experience is allowed.
3. Work directly with Cabinet agencies' human resources staff to eliminate unnecessary management preferences for degrees.

4. Train Cabinet agency human resources staff on how directly related experience helps an applicant meet minimum qualifications. Additional training, developed with the support of Cabinet agencies, will include support for hiring justice-involved individuals, individuals with disabilities, veterans and their families, and other priority populations.
5. Support and encourage the use of trainee progression pathways and apprenticeships.

Section 2. Providing Opportunities to Gain Experience through Internships.

The North Carolina Department of Administration (“DOA”), which administers the State Government Internship Program, is directed to conduct a review of existing state internship programs to encourage engagement of students at community and technical colleges. In addition, DOA is directed to determine how best to create new internship opportunities for individuals not currently enrolled in secondary and postsecondary institutions, in consultation with OSHR and other state agencies.

Section 3. Implementation.

OSHR will propose to the HR Commission and to the Office of the Governor for approval those policy or rule changes needed to implement this Executive Order which require approval.

Agency human resources staff will be important partners in implementing this Executive Order. Cabinet agency leadership and human resources staff are expected to work cooperatively with OSHR to perform tasks necessary to carry out this Executive Order.

Section 4. Exceptions.

The requirements of this Executive Order regarding job postings, management preferences, and training apply only to Cabinet agencies. Non-Cabinet agencies are encouraged to voluntarily opt into those portions of this Executive Order. Agencies that voluntarily opt into this Executive Order should send a notification letter to the Director of OSHR. All North Carolina employers are encouraged to review their human resources practices to eliminate unnecessary barriers to employment.

Section 1 of this Executive Order does not apply when the state classification requires an applicant to be licensed and the license requires an academic degree. All state licensing boards are encouraged to review their licensing requirements by September 1, 2023, to determine whether there are any academic requirements that are unnecessary. Section 1 of this Executive Order also does not apply where statutes require the employees in state positions to have a particular level of education or amount of academic training.

Section 5. No Private Right of Action.

This Executive Order is not intended to create, and does not create, any individual right, privilege, or benefit, whether substantive or procedural, enforceable at law or in equity by any party against the State of North Carolina, its agencies, departments, political subdivisions, or other entities, or any officers, employees, or agents thereof.

Section 6. Distribution.

I hereby order that this Executive Order be: (1) distributed to the news media and other organizations calculated to bring its contents to the attention of the general public and (2) distributed to others as necessary to ensure proper implementation of this Executive Order.

Section 7. Effective Date.

This Executive Order is effective immediately and shall remain in effect until rescinded or superseded by another applicable Executive Order.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this the 13th day of March in the year of our Lord two thousand twenty-three.



Roy Cooper
Governor

ATTEST:



Elaine F. Marshall
Secretary of State

