

NORTH CAROLINA DEPARTMENT OF COMMERCE		POLICY # HR 23
Title: Competency-Based Evaluation Appeal Process		
Effective Date: October 1, 1999	Administering Authority: Human Resources Dir.	
Revisions:		
Statutory Authority (if applicable):		

Purpose: To provide a means of communication between supervisors and employees who are In the Department’s Broadbanding Compensation Program

Policy:

The objective of this policy is to establish principles of administration to insure a prompt, orderly, and fair response to an employee's grievance or complaint. Employees have a right to present a grievance free from interference, restraint, coercion, or reprisal.

It shall be the policy of the Department of Commerce to ensure a fair and equitable procedure for the resolution of disputes resulting from the evaluation of employee competencies.

Any employee who has successfully completed a probationary period shall have the right to appeal an unfavorable decision regarding the **overall competency rating**. Employees who elect to challenge management's recommendations regarding the competency evaluation shall have the right to appeal that recommendation without interference, coercion, restraint, discrimination, or reprisal. Management may allow employees reasonable time off from their regular duties to prepare and present their appeal without loss of pay, vacation, or other time credits.

PROCEDURE

If an employee disagrees with the competency evaluation by the supervisor, then they must first submit a completed Appeal form to the Human Resources Office. A time will be scheduled with the supervisor to discuss any concern(s) with the supervisor in an attempt to resolve the dispute.

The employee shall request this meeting **within 15 calendar days** from the date that they are notified of their overall competency evaluation. It is the purpose of this discussion to ensure that the employee receives accurate information regarding the performance management system and the method of evaluation; performance expectations and indicators; and the documentation that supported the initial recommendation.

Upon receipt of the appeal, a representative from the Human Resources Office will meet with the employee and review all documentation submitted by the employee regarding the competency rating. After reviewing the material with the employee, the Human Resources representative will meet with the appropriate manager, and the manager’s supervisor, to ensure that the employee evaluation was properly documented.

The immediate supervisor shall provide a written response to the employee at the conclusion of these discussions. This response must be made within a reasonable period of time but **may not exceed 30 working days**. A copy of the response must be forwarded to the Human Resources Director.

It shall be the responsibility of the immediate supervisor to inform employees for whom they will evaluate job performance that an internal policy exists for the resolution of competency evaluation disputes. Every employee shall be made aware of their rights to dispute their evaluation and be made aware that a copy of the agency policy concerning pay performance disputes is available to them through the Human Resources Office.