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POL - 80.06.2 - EMPLOYMENT POLICIES FOR EHRA NON-FACULTY EMPLOYEES

Authority: Board of Trustees

Responsible Office: Human
Resources

Number: POL - 80.06.2 - EMPLOYMENT POLICIES FOR EHRA
NON-FACULTY EMPLOYEES

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Related Policies/Sources: [UNC Policy Manual - Senior Academic and Administrative Officers](#), [NC State Human Resources Manual - Holidays](#), [UNC Policy Manual - Employees Exempt from the State Personnel Act](#)

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1. Purpose

These policies govern the appointment of EHRA Non-Faculty Research Staff, Instructional Staff, and Tier I and Tier II Senior Academic and Administrative Officers at North Carolina Central University. They are consistent with UNC Policies Senior Academic and Administrative Officers (300.1.1) and Employees Exempt from the State Personnel Act (300.2.1) which governs the employment status, salary, grievance rights, and benefits of full time employees that are 'exempt' from the State Human Resources Act.

2. Scope of Policy and Definitions of Positions

2.1. Coverage

This policy applies to all permanent positions Exempt from the State Human Resources Act (EHRA positions) who are not faculty and are not subject to the State Human Resources Act. The positions covered by this policy fall into one of the following categories: Senior Academic and Administrative Officer-Tier I (SAAO-Tier I), Senior Academic and Administrative Officer-Tier II (SAAO-Tier II) and EHRA Professional (Instructional or Research).

2.2. Definitions of Covered Positions

2.2.1 Senior Academic and Administrative Officer Tier-I positions include the Chancellor [N.C.G.S. 116-11(4)]; vice chancellors, provosts, deans, and directors of major administrative, educational, research and public services activities designated by the Board of Governors [N.C.G.S. 116-11(5)].

2.2.2 Senior Academic and Administrative Officer Tier-II positions include administrative positions that have been designated and approved by the President.

2.2.3 EHRA Professional positions include employees designated as EHRA non-faculty Instructional or Research according to definitions approved by the UNC Board of Governors.

3. Appointment of EHRA Positions

3.1 Method of Appointment

Every appointment to an EHRA non-faculty position shall be made by the Chancellor or Chancellor's designee by means of a letter of appointment that fulfills the requirements of Section 3.2.

3.2 Letter of Appointment

Every letter of appointment to a covered position shall include the title of the position, the initial salary, provision for periodic review of compensation, provision for funding contingencies if applicable, the annual leave entitlement of the employee, notice that the employment is either for a stated definite term or is an "employment at will" subject to continuation or discontinuation at the discretion of the Chancellor; notice that these positions are contingent upon the successful verification of educational and professional credentials and completion of a background check; and notice that the employment is subject to these policies as adopted and as they may be periodically revised, and shall include a copy of these policies as an attachment.

3.3 Contingent Appointments

When an EHRA position is funded in whole or substantial part from sources other than continuing State budget funds or permanent trust accounts, the letter of appointment shall state that continuation of the employee's service in that position is contingent upon the continuing availability of funds from such other sources to support that position, specify the source of such funds, and that the effect of such contingency may apply without the additional notice otherwise required by Sections 4.1, 4.4 and 4.5 provided that the affected employee shall be informed at the earliest practicable date of the occurrence of such a funding contingency.

3.4 Individuals Covered by More Than One Employment Policy

When an employee is to serve simultaneously in more than one type of EHRA position, one position shall be designated in writing as the base that governs the conditions of employment and the rights and responsibilities of the employee. If appointment to an additional type of EHRA position occurs subsequent to the initial appointment, the letter of appointment to the additional position shall include the required designation of base employment. The designation of base employment shall specifically describe the different

rights, duties, and compensation for each position and the relationship, if any, between/among the positions.

Any funding contingency of the type referred to in Section 3.3 shall be set forth separately for the covered position and for the other position(s), since the operation of any such contingencies may be independent.

3.5 Terms of Appointment and Reappointment

3.5.1 Senior Administrative Officers-Tier I

Except with regard to the appointment of the Chancellor, no contract or other writing (except for The Code) may vary these terms, nor may any oral agreement modify these provisions. The appointments of these senior officers are subject to the approval of the Board of Governors and/or the Board of Trustees. Such officers do not have tenure in their administrative positions. Except for the Chancellor, they serve at the discretion of their employer and are typically not appointed to serve for specified periods of time. If the appointment is for a specified period of time, the appointment beginning and ending dates will be specified in the appointment letter and shall be deemed to constitute full and timely notice of non-reappointment when the term expires. The continuance of these administrators in office therefore is at all times subject to determination by the appropriate authority as follows:

3.5.1.1 The continuance in office of the Chancellor is determined by the Board of Governors, which may act to terminate such an appointment upon its own initiative or upon recommendation of the President. The Board of Governors in all instances shall consult the Chair of the Board of Trustees prior to terminating the appointment of the Chancellor. The President may place the Chancellor on temporary leave, with or without pay, if the President has reason to believe that illness, injury, misconduct, neglect of duty or other circumstances may interfere with the Chancellor's performance of the duties of the position. Before placing the Chancellor on temporary leave, the President shall consult with the Chairman of the Board of Governors, the Chair of the Committee on Personnel and Tenure, and the Chair of the Board of Trustees.

3.5.1.2 The continuance in office of vice chancellors, provosts, deans, and directors of major educational, research and public services activities shall be determined by the Chancellor. The Board of Governors, in accordance with the provisions of Chapter 100.1, Section 501(B)(6) of The Code, reserves the right to initiate action to terminate appointment of these officers when it deems such action to be necessary in the best interests of the University.

3.5.2 Senior administrative officers are subject to the direction and control of the Chancellor and serve at the Chancellor's discretion. They are employees at will; thus, the Chancellor may not purport to confer on any such officer a period of employment of fixed duration or otherwise confer any property interest in such employment. However, such an officer may be appointed to a period of

employment not to exceed a specified number of years, so long as the appointment letter states clearly that the incumbent officer is subject to removal at any time, during that period, at the option of the Chancellor.

3.5.3 The compensation of senior officers shall be set by the Board of Governors or a Board of Trustees delegated such authority by the Board of Governors. No Chancellor and no senior academic and administrative officer may be paid, in addition to his or her salary, for any services rendered to any institution-related foundation, endowment, or other entity that was established by officers of the University, that is controlled by the University, or that is tax exempt based on being a support organization for the University in accordance with policy 300.1.1, Section B of the UNC Policy Manual, as adopted by the Board of Governors to complement the provisions of Chapter 5 of the Code of the University of North Carolina.

3.5.4 Senior Academic and Administrative Officers—Tier II Appointment to a Senior Academic and Administrative Officer-Tier II position is "employment at will" subject to continuation or discontinuation at the discretion of the Chancellor, except that contracts or letters of appointment of Directors of Athletics may be for a term of years and are governed by UNC Policy 1100.3.

3.5.3 EHRA Non-Faculty Professionals

An initial appointment and any reappointment(s) for a permanent EHRA Professional position may be either "fixed-term" or "at will." An appointment may be designated as "employment at will" subject to continuation or discontinuation at the discretion of the Chancellor or Chancellor's designee. Such an appointment is for an indefinite term. A fixed-term appointment may be converted to an "at will" appointment at the end of a fixed-term. An "at will" appointment may be converted to a fixed-term appointment at any time.

4. Discontinuations of Employment

4.1 Discontinuation of Appointment

Employment within a Tier II SAAO position that is established by the letter of appointment to be employment "at will" is subject to discontinuation at any time at the discretion of the Chancellor or Chancellor's designee; provided, that such a discontinuation (as distinguished from discharge for cause, Section 5) shall be subject to advance timely notice of discontinuation, as follows: 1) during the first year of service, not less than thirty (30) days' notice prior to discontinuation of employment; 2) during the second and third years of service, not less than sixty (60) days' notice prior to discontinuation of employment, and (3) during the fourth and all subsequent years of continuous service, not less than ninety (90) days' notice prior to discontinuation of employment. After consultation with the provost, vice chancellor, and/or dean as appropriate, the Chancellor may determine that, in his or her discretion, it is in the best interest of the University to provide the employee with severance

pay in lieu of notice. The severance pay amount must be directly related to the required notice period.

4.2 Retreat to a Faculty Position

4.2.1 An EHRA non-faculty employee who holds a concurrent tenured faculty appointment may assume the rights and responsibilities of that faculty appointment in the home department after voluntary or involuntary removal from an administrative appointment, unless a proceeding is initiated to discharge or demote the employee from the faculty position. If there has been an administrative stipend during the appointment, the stipend should be removed and the salary adjusted from a 12-month administrative salary to a 9-month or 12-month salary commensurate with the salaries of comparable faculty members.

4.2.2 For those individuals hired into such position before May 2, 2010, at the Chancellor's discretion, the Chancellor may provide for a reasonable period of time with full administrative salary to provide an opportunity for the employee to prepare for teaching and research responsibilities. The reasonable period of time should be related to the time spent in administrative duties. If the Chancellor proposes to pay the administrator full or partial administrative pay after the termination of the administrator's administrative duties for longer than one year, the agreement must be approved by the Board of Trustees.

4.2.3 For those individuals hired into covered positions on or after May 2, 2010, at the discretion of the Chancellor, the Chancellor may provide for up to a one semester research leave for any tenured faculty member who has served in one or more consecutive Senior Academic and Administrative Officer positions subject to Policy 300.1.1, I.A for at least five years in order to provide an opportunity for the faculty member to prepare for teaching and research responsibilities. Prior to the beginning of the research leave, the administrator shall submit a work plan for the leave period to include expected outcomes. The plan will be reviewed and approved by the Chancellor. The leave will be paid at a salary commensurate with the salaries of comparable faculty members.

4.3 Reappointment of an Administrator without Faculty Retreat Rights

An EHRA non-faculty employee who is employed at will has no claim to a position at the University. The University may determine that it is in its best interest to assign an employee without faculty retreat rights to another administrative or teaching position. In the case of such reassignment, the employee must receive advance notice in accordance with Section 4.1 above, and the new salary must be appropriate to the assignment.

4.4 Expiration of a Fixed-Term Appointment

Employment within an EHRA non-faculty position that is established by the letter of appointment to be for a stated definite term expires automatically at the conclusion of the stated term; such an appointment may be renewed or extended at the option of the employer, by a new appointment as required by Section 3. If the employer intends not to renew or extend the term contract: 1) with respect to an appointment of one year or less, no notice of intent not to renew shall be required; the letter of appointment is considered to be adequate

notice of the expiration of the term; 2) with respect to an appointment of more than one year but less than four years, notice of intent not to renew shall be transmitted in writing at least sixty (60) days prior to the expiration date of the term; and (3) with respect to a term of four years or more, notice of intent not to renew shall be transmitted in writing at least ninety (90) days prior to the expiration date of the term. Failure to provide written notice as required shall result in the automatic extension of employment for a period that would equal the notice requirement.

4.5 Termination of Employment Because of Financial Exigency or Program Curtailment or Elimination

Employment within a position covered by this policy that is established by the letter of appointment to be for a stated definite term may be terminated prior to expiration of the stated term because of: 1) demonstrable, bona fide institutional financial exigency or 2) major curtailment or elimination of a program. "Financial exigency" is defined to mean a significant decline in financial resources of the University that compels a reduction in the institution's budget. The determination of whether a condition of financial exigency exists or whether there shall be a major curtailment or an elimination of a program shall be made by the Chancellor, with advance notice to and approval by the President and the Board of Governors. If the financial exigency or curtailment or elimination of a program is such that the contractual obligation to an employee cannot be met, the employment of the individual may be terminated, subject to the following notice requirements; 1) during the first year of service, not less than thirty (30) days' notice prior to termination; 2) during the second and third years of employment, not less than sixty (60) days' notice prior to termination; and, 3) during the fourth and all subsequent years of service, not less than ninety (90) days' notice prior to termination.

4.6 Discharge for Cause

Any employee occupying an EHRA non-faculty position may be discharged for stated cause. Discharge for cause is to be distinguished from discontinuation of appointment with notice or severance pay, expiration of a fixed-term appointment and termination of employment because of financial exigency or program curtailment or elimination. Stated causes for discharge shall include, but not necessarily be limited to, incompetence, unsatisfactory performance, neglect of duty, or misconduct that interferes with the capacity of the employee to perform effectively the requirements of his or her employment. Discharge for cause is to be preceded by written notice of intent to discharge and is subject to Section 5 of this policy. When an employee has been notified of the intention to discharge the employee for cause, the Chancellor may suspend the employee's employment at any time and continue the suspension until a Chancellor decision has been made. The power to suspend shall be invoked only in exceptional circumstances and such suspension shall be with full pay. If the final decision is to discharge the employee, then the employee may be discharged without further pay without regard to whether there is an appeal to a Board of Trustees in accordance with Section 611 of The Code. No provision of the Policy shall be interpreted to extend an employee's right to pay beyond the expiration of the employee's term of appointment while an appeal is pending under this Policy.

5. Procedures for Discharge for Cause

The penalties of discharge or suspension may be imposed only in accordance with the procedures set forth in this section. For purposes of this policy, an individual serving a stated term should be regarded as having the protection of these procedures until the end of the term. These discharge procedures shall not apply to cases of non-reappointment, discontinuation, or expiration of a term appointment.

5.1 Notification of Intent to Discharge

5.1.1 The executive officer of the employee's division shall send the individual by certified mail, return receipt requested, a written statement of intention to discharge the individual. The statement shall include notice of the individual's rights, upon request, to both written specification of the reasons for the intended action and a hearing.

5.1.2 If, within five (5) calendar days after receiving the notice of intent to discharge, the individual makes no written request for either a specification of reasons or a hearing, the individual may be discharged without recourse to any University grievance or appellate procedure.

5.2 Request for Specification of Reasons for Discharge

If, within five (5) calendar days after receiving the notice of intent to discharge, the individual makes written request, by certified mail, return receipt requested, for a specification of reasons, the executive officer shall supply such specification in writing by certified mail, return receipt requested, within five (5) calendar days after receiving the request. If the individual makes no written request for a hearing within five (5) calendar days after receiving the specification, the individual may be discharged without recourse to any University appellate procedure.

5.3 Request for Grievance Hearing

If the individual makes a written request for a hearing to the Chair of the EHRA Non-faculty Grievance Committee within five (5) calendar days of receiving the specification of reasons for discharge, the Chair may attempt to resolve the issue through mediation. If the issue is not resolved through mediation, the Chair shall appoint a hearing committee of not less than three members of the EHRA Non-faculty Grievance Committee. The hearing shall be on the written specification of reasons for the intended discharge. The hearing committee shall accord the individual twenty (20) days from the time it receives a written request for a hearing or from the failure of mediation, whichever is later, to prepare a defense. The hearing committee may, upon the individual's written request and for good cause, extend this time by written notice to the individual and to the Chancellor.

5.4 Grievance Hearing

The hearing panel shall conduct a hearing in accordance with the procedures specified in Section 6 and make a written recommendation to the Chancellor.

5.5 Grievance Decision

If the Chancellor concurs in a recommendation of the committee that is

favorable to the individual, the Chancellor's decision shall be final. If the Chancellor declines to accept a committee recommendation that is favorable to the individual or concurs in a recommendation that is unfavorable to the individual, the individual may appeal the decision consistent with provisions of Section 5.6.

5.6 Appeal of Grievance Decision

An employee may appeal the Chancellor's decision to the Board of Trustees. The employee must file a written notice of appeal to the Board of Trustees within fourteen (14) calendar days after the date of the Chancellor's decision by submitting notice to the Chancellor, for transmission to the Board of Trustees, a written notice of appeal including a brief statement of the basis for the appeal, by certified mail, return receipt requested, or by another means that provides proof of delivery, and alleges as set out in The Code of the Board of Governors of The University of North Carolina, Section 611, sub-section (1)(b). The decision of the Board of Trustees is final, subject only to discretionary review by the Board of Governors.

6. Review of Discontinuations or Non-Reappointments and Other Employment Grievances

6.1 Request for a Grievance Hearing

6.1.1 Grievances concerning discontinuation of employment with notice or severance pay pursuant to Section 4.1 or non-reappointment pursuant to Section 4.4 may be brought only upon allegations of violations of applicable notice or severance pay requirements or violations of any provision of Sections 8 or 9 of this policy.

6.1.2 Grievances shall be filed in writing with the Chair of the EHRA Non-faculty Grievance Committee within thirty (30) calendar days of the alleged mistreatment or other matter.

6.2 Mediation

The Chair may attempt mediation to resolve the grievance.

6.3 Grievance Hearing

If mediation is not successful within sixty (60) calendar days, the Chair shall convene a hearing panel to conduct a hearing in accordance with Section 7 below.

6.4 Grievance Decision.

If the Chancellor concurs in a recommendation of the committee that is favorable to the individual, the Chancellor's decision shall be final. If the Chancellor declines to accept a committee recommendation that is favorable to the individual or concurs in a recommendation that is unfavorable to the individual, the individual may petition the Chancellor to review the decision within ten (10) days after receipt of notice of the Chancellor's decision, if the petitioner alleges that appropriate procedures were not followed or that the individual was denied any opportunity to submit relevant evidence. Upon receipt of the petition for review, the Chancellor or Chancellor's designee shall

review the petition and any relevant information about appropriate procedures that were not followed or denial of an opportunity to submit relevant evidence. Upon conclusion of this review, the Chancellor may remand the matter to the hearing committee for further hearings or affirm the prior decision.

6.5 Appeal of Grievance Decision

An employee may appeal the Chancellor's decision to the Board of Trustees. The employee must file a written notice of appeal to the Board of Trustees by submitting notice to the Chancellor within fourteen (14) calendar days after the date of the Chancellor's decision. The appeal to the Board of Trustees shall be decided by the Board; however, the Board of Trustees may delegate the duty of conducting a hearing to a standing or ad hoc committee of at least three members. The Board of Trustees, or its committee, shall consider the appeal on the record, but may, in its discretion, hear other evidence as it deems necessary. In all cases, review shall be limited to the question of whether the Chancellor committed clear and material error in reaching his or her decision. The Board of Trustees decision shall be made within 120 days after the Chancellor received the request for appeal. The decision of the Board of Trustees shall be final.

7. Conduct of EHRA Non-Faculty Grievance Hearings

7.1 EHRA Non-faculty Grievance Committee

The Chancellor shall appoint an EHRA Non-Faculty Grievance Committee consisting of EHRA non-faculty employees generally representative of the types and locations of EHRA non-faculty positions in the institution. The Chancellor shall designate one member of the committee as Chair.

7.2 Mediation

At the discretion of the Chair, the grievant may be asked to consider mediation in an attempt to resolve the issue. Mediation may be conducted by the Chair or other member of the EHRA Non-Faculty Grievance Committee or by another mediator agreed to by both parties. Timeframes for conducting grievance hearings are suspended during the period of mediation. The time period of mediation cannot exceed sixty (60) days.

7.3 Grievance Hearing

7.3.1 Should mediation not be attempted or not resolve the issue, the Chair shall appoint a panel of not less than three members of the EHRA Non-faculty Grievance Committee to hear the grievance.

7.3.2 The hearing shall be closed to the public. The individual shall have the right to present the testimony of witnesses and other evidence, to confront and cross-examine adverse witnesses and to examine all documents and other adverse demonstrative evidence. Formal rules of evidence shall not apply; relevancy of evidence shall be determined by the chairperson of the hearing committee. All proceedings shall be recorded; upon request, a copy thereof shall be furnished to the individual for a reasonable charge not to exceed the cost of producing the copy.

7.3.3 The burden of proof shall be on the Executive Officer, or the Executive Officer's designee of the employee's division, and he/she may participate in the hearing to present evidence, cross-examine witnesses and make argument.

7.3.4 The committee shall consider only the evidence presented at the hearing and such written or oral arguments as the committee, in its discretion, may allow. The committee shall make its written recommendations to the Chancellor within ten (10) days after its hearing concludes.

8. Equal Employment Opportunity

It is the policy and intention of North Carolina Central University that there be equal employment opportunity and freedom from unlawful discrimination in all employment within the University as set out in Section 103 of The Code. Employment in covered positions shall be conducted in accordance with all provisions of state or federal law or regulation prohibiting any such discrimination, and in accordance with the University's Non-Discrimination, Title IX, and EEO/Affirmative Action policies and policy statements.

* Bona fide occupational qualifications or other exceptions to those general prohibitions, specifically provided for by State or Federal law are applicable to EHRA positions.

9. Protected Activity

Employment in EHRA non-faculty positions shall not be adversely affected by the exercise of rights guaranteed by the First Amendment to the United States Constitution or by Article I of the North Carolina Constitution; provided, that employees shall be subject to any limitations on political activity established by Article 5 of N.C.G.S. Chapter 126. The Board of Governors' policy in this regard, as adopted on January 16, 1976, and as it may be revised from time to time, shall apply to EHRA positions.

10. Holiday and Leave Entitlement

10.1 Holidays

EHRA non-faculty employees shall be subject to the same number of days as given to employees subject to the State Human Resources Act.

10.2 Annual Leave

10.2.1 Basic Leave Policy

10.2.1.2 Annual leave is accrued at a monthly rate and is adjusted proportionately for a part-time employee who works 75% time or more (0.75 - 0.99 FTE). The monthly earnings amount is equal to one-twelfth of the annual rate for each month the employee works or is on approved leave with pay. Monthly leave is earned when an employee works or is on approved leave with pay at least half the working days of a month. Scheduling of an employee's annual leave shall be subject to the approval of the employee's supervisor.

10.2.1.2 The maximum number of unused days of annual leave that an EHRA employee may accrue and carry forward from one fiscal year to the next shall

be 240 hours. Annual leave in excess of 240 hours will be automatically converted to sick leave at the end of the fiscal year.

10.2.1.3 Annual leave may not be advanced. If an employee separates from the University and has taken more annual leave than has been accrued, then the University will determine the amount of leave the employee must repay to the University and make all deductions from the employee's final paycheck accordingly.

10.2.1.4 An employee who has accrued unused annual leave upon discontinuation of employment from the University and who either does not request or is not eligible to transfer such accrued leave to another State or local governmental agency, shall be paid for such unused annual leave. The amount paid to an employee who has been employed an aggregate of twenty-four (24) months or less by one or more State or local governmental agencies is equal to one day for each month worked less the number of days of annual leave taken during the employment period. An employee who has been employed for more than twenty-four (24) months shall be paid subject to a maximum of 240 hours.

10.2.1.5 If an employee changes contract status from twelve (12) months to nine (9), ten (10) or eleven (11) months, then the employee's annual leave balance as of the effective date of the contract change will be paid out at the time of the appointment conversion. An employee who transfers inside the University to another leave earning EHRA or SHRA position shall have the annual leave balance transferred to that position.

10.2.1.6 The university will not accept transfer of annual leave or bonus leave from another UNC constituent institution or State or local agency. Any exception to this provision must be approved by the Chancellor.

10.2.2 Leave Earnings

10.2.2.1 The amount of annual leave to which a permanent full-time (1.00 FTE) EHRA Professional or SAAO Tier-II employee shall be entitled to earn is twenty-four (24) workdays per year.

10.2.2.2 The amount of annual leave to which a permanent full-time (1.00 FTE) EHRA SAAO-Tier I employee shall be entitled to earn is twenty-six (26) workdays per year.

10.2.2.3 With respect to an incumbent employee who was earning more than twenty-four (24) days per year as of July 1, 2001, such employee shall be entitled to continue to earn leave at that rate.

10.3 Sick Leave

10.3.1 A permanent EHRA non-faculty employee shall be subject to the same policies concerning sick leave as may be prescribed for employees subject to the State Human Resources Act.

10.3.2 If an employee changes contract status from twelve (12) months to nine (9), ten (10) or eleven (11) months, then the employee's sick leave balance as of the effective date of the contract change will be credited to the employee and remain available for use in case the employee returns to a leave earning position or for credit towards retirement.

10.3.3 An employee who transfers inside the University to another leave earning EHRA or SHRA position shall have the sick leave balance transferred to that position.

10.3.4 Appropriate uses for sick leave are prescribed in the State Human Resources Manual, Section 5.

10.3.5 Sick Leave may not be advanced. If an employee separates from the University and has taken more sick leave than has been accrued, then the University will determine the amount of leave the employee must repay to the University and make deductions from the employee's final salary check accordingly.

10.4 Compensatory Pay or Time

Neither compensatory pay nor compensatory time is available to EHRA Non-faculty employees. Compensatory time cannot be earned or paid out.

10.5 Family and Medical Leave, Family Illness Leave, Civil Leave, Military Leave, Community Service Leave and Special Annual Leave Bonus

A permanent EHRA Non-faculty employee shall be subject to the same policies concerning family and medical leave, family illness leave, civil leave, military leave, community service leave and special annual leave bonus as may be prescribed for employees subject to the State Human Resources Act.

10.6 Leave of Absence without Pay

10.6.1 Senior Academic and Administrative Officers-Tier I

A senior officer who desires a leave of absence for an interval of ninety (90) days or less must obtain the approval of the President, who shall report all such arrangements to the Board of Governors. A leave of absence for a period exceeding ninety (90) days shall require the approval of the Board of Governors.

10.6.2 Senior Academic and Administrative Officers-Tier II and EHRA Non-faculty Professionals

A permanent EHRA Non-faculty employee may request a leave of absence without pay, subject to approval of such leave by the Chancellor, or Chancellor's designee, as applicable.

10.7 Voluntary Shared Leave

A permanent EHRA non-faculty employee shall be subject to the same provisions concerning shared leave as are applicable to employees subject to the State Human Resources Act with the exception that the donation and acceptance of such leave shall be computed on the basis of days rather than hours.

10.8 Educational Entitlement

A permanent EHRA non-faculty employee is entitled to the same opportunities as other University employees to invoke the privilege of tuition waiver conferred by UNC Policy 1000.2.2.

11. Statutory and Other Rules of Employment

11.1 Privacy of Personnel Records

An EHRA non-faculty employee has the protections of and is subject to the provisions of Article 7 of N.C.G.S.126, entitled "The Privacy of State Employee Personnel Records."

11.2 Employment Preference for Veterans

An EHRA non-faculty employee has the protections of and is subject to the provisions of N.C.G.S.128, which provide for preference in employment for veterans of United States military service and their spouses and widows or widowers.

11.3 Employment of Related Persons

An EHRA non-faculty employee is subject to the policy concerning employment of related persons as adopted by the Board of Governors on April 13, 1973, and as it may be revised from time to time.

11.4 Retirement

An EHRA non-faculty employee may retire in accordance with the provisions of Chapter 135 of the North Carolina General Statutes.

11.5 Improper Relationships

An EHRA non-faculty employee is subject to the policy concerning Improper Relationships between Students and Employees as adopted by the Board of Governors on March 15, 1996, and as it may be revised from time to time.

11.6 Non-Salary and Deferred Compensation

An EHRA non-faculty employee is subject to the policy concerning Non-Salary and Deferred Compensation as adopted by the Board of Governors on September 8, 2005, and as it may be revised from time to time.

11.7 Conflicts of Interest and Commitment

An EHRA non-faculty employee is subject to the policy concerning Conflicts of Interest and Commitment Affecting Faculty and Non-faculty EHRA Employees as adopted by the Board of Governors on April 16, 1993, and as it may be revised from time to time.