

April 5, 2023

Ms. Jill Grossman
Assistant Code Revisor
North Dakota Legislative Council
State Capitol
600 East Boulevard, 2nd Floor
Bismarck, ND 58505-0360

Dear Ms. Grossman:

The Notice of Intent to amend Administrative Rules and a copy of the proposed rules are enclosed as required by N.D.C.C. § 283210(1).

Sincerely,



Molly Herrington
Interim Chief People Officer, Human Resource Management Services

Enclosures

600 E Boulevard Ave, Dept 110 | Bismarck, ND 58505-0400 | omb.nd.gov

DIRECTOR
& ADMINISTRATION
4th Floor
701.328.4904

CENTRAL
SERVICES
14th Floor
701.328.2740

FACILITY
MANAGEMENT
4th Floor
701.328.2471

FISCAL
MANAGEMENT
4th Floor
701.328.2680

HUMAN RESOURCE
MANAGEMENT SERVICES
14th Floor
701.328.3293

RISK
MANAGEMENT
1600 E Century Ave, Suite 4
Bismarck, ND 58503
701.328.7584

FULL NOTICE OF INTENT TO AMEND ADMINISTRATIVE RULES

TAKE NOTICE that ND Human Resource Management Services (HRMS), in cooperation with the State Personnel Board, will hold a public hearing to address proposed amendments to N.D. Admin. Code Article 4-01 and 4-07 at 9:00 am on Thursday, May 18, 2023, in the Red River room of the North Dakota State Capitol, 600 E Boulevard Ave, Bismarck, ND 58505. The purpose of the proposed amendments is to improve and clarify processes.

ND Human Resource Management Services will be amending rules of the Division relating to the following chapters of N.D. Administrative Code Article 4-01: N.D.A.C. 4-01-01-01 relating to organization and function of the Office of Management and budget and N.D. Administrative Code Article 4-07: N.D.A.C. 4-07-01-01 relating to organization of human resource management services; N.D.A.C. 4-07-01-03 relating to the methods the public may use to obtain information from organization of human resource management services; N.D.A.C. 4-07-04-09 relating to pay grade exception process; N.D.A.C. 4-07-08 relating to working and inclement weather conditions; N.D.A.C. 4-07-12-13 relating to assumption of accrued leave and N.D.A.C. 4-07-20.1 relating to appeals of employer actions.

The proposed amendments and repeals are not expected to have an impact on the regulated community in excess of \$50,000, and neither the Governor nor any member of the Legislative Assembly requested a regulatory analysis.

The proposed rules may be reviewed at the office of ND Human Resource Management Services, 600 East Boulevard Avenue, Dept. 113, Bismarck ND 58505-0120, or on the HRMS website at <https://www.omb.nd.gov/news/public-hearing-proposed-amendments-nd-administrative-code>. A copy of the proposed rules may be requested by writing the above address, e-mailing HRMS@nd.gov, or calling (701)328-3293. Written or oral comments on the proposed rule sent to the above address or telephone number receive May 29, 2023, will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the ND Human Resource Management Services at the above telephone number or email at least 7 days prior to the public hearing.

Dated this 4 day of April 2023 _____.



Molly Herrington
Interim Chief People Officer, Human Resource Management Services

Section	Change
<p>N.D. Admin. Code § 4-01-01-01 Organization of Office</p>	<p>Organization and Function of the Office of management and budget Deletes “(7) State Radio Communications” and corresponding sections related to State Radio Communications. State Radio was transitioned to Department of Emergency Services (Adjutant General) as part of HB1016 during the 59th legislative session.</p> <p>Functions of Office Divisions Deletes telephone and website from each division.</p>
<p>N.D. Admin. Code § 4-07-01-01 History, functions, organization of human resource management services</p>	<p>History of human resource management services. Enhanced the description of the functions of human resource management services to align with broader services human resource management services provides.</p> <p>Organization of human resource management services. Deletes the areas that human resource management services staff are assigned to allow for more flexibility to meet business needs.</p>
<p>N.D. Admin. Code § 4-07-01-03 Methods the public may use to obtain information</p>	<p>Modified the method for public to obtain information from human resource management services from mail to email.</p>
<p>N.D. Admin. Code § 4-07-04-09 Pay grade review process, pay grade exceptions and notifications</p>	<p>Deletes the job evaluation committee determination (JEC) from pay grade exception notification and approval.</p>
<p>N.D. Admin. Code § 4-07-08-02 Reporting to work</p>	<p>Clarifies the ability to work remotely/telework enabled.</p>
<p>N.D. Admin. Code § 4-07-08-06 Employee not scheduled to work</p>	<p>Deletes “Employee not scheduled to work”.</p>
<p>N.D. Admin. Code § 4-07-12-13 Assumption of accrued annual leave</p>	<p>Replaced “county social service” with “Human Service Zones” to align with SB2124 during the 66th legislative session.</p>

<p>N.D. Admin. Code § 4-07-20.1-08 Procedure for appeals of employer actions to human resource management services</p>	<p>Revised procedure for appeals of employer actions to human resource management services to be delivered by electronic means.</p> <p>Revised procedure for human resource management services director to deliver appeal request by electronic means to the office of administrative hearings director.</p> <p>Revised procedure for the administrative law judge to return the completed appeal file to human resource management services by electronic means.</p> <p>Revised procedure for any party to the appeal to request to review the recordings of the hearing by making a request to human resource management services by electronic means.</p>
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