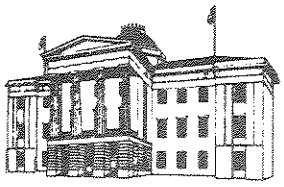
State of North Carolina



MICHAEL F. EASLEY
GOVERNOR

EXECUTIVE ORDER NO. 105

TO FACILITATE GOVERNMENT EMPLOYEE ACCESS

WHEREAS, all citizens have the right under both the U.S. Constitution and the Constitution of North Carolina to assemble peaceably, to speak freely, and to petition their government, either individually or through their chosen representatives; and,

WHEREAS, the public interest in efficient and informed state government is served by consultation with persons affected by those functions, including state employees, and

WHEREAS, the public interest is served by ensuring reasonable access for members of employee organizations to their chosen representatives and by providing a fair opportunity for employees to choose their representatives.

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

(1) That all state institutions, departments, bureaus, agencies, or commissions subject to the authority of the Governor shall permit reasonable access to its facilities for the purposes of membership recruitment and consultation with representatives of a domiciled employees' association that has at least 2,000 members in the state, 500 of whom are employees of the State, a political subdivision of the State, or are public school employees;

(2) That reasonable access shall include requirements that the employee association submit its request for use of state facilities in a timely manner, that requests for use of the same facility be limited to a reasonable number of times each year, that public health and safety not be jeopardized, and that the access be held to the extent possible at the beginning or end of the workday or shift changes or at the lunch hour;

(3) That representatives of such a domiciled employees' association, who are state employees, shall meet annually with representatives of the Governor regarding issues of mutual concern prior to the annual convening of the General Assembly;

(4) That any such domiciled employees' association desiring to be included by the provisions of this Order provide to the representatives of the Governor evidence that it meets all of the criteria under this Order; and

(5) That the provisions of this Order shall not diminish or infringe upon any rights, responsibilities, powers, or duties conferred upon any entity by the Constitution of the State of North Carolina or the North Carolina General Statutes.

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

This Executive Order shall take effect immediately and remain in effect until rescinded.

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 eighteenth day of August in the year of our Lord two thousand and six, and of the Independence of the United States of America the two hundred and thirtieth.

Michael F. Easley
Governor

ATTEST:

Elaine F. Marshall
Secretary of State