

**STATE OF NEVADA
PERSONNEL COMMISSION**

Carson City at the Legislative Counsel Bureau, 401 South Carson Street;
with video conference to
Las Vegas at the Grant Sawyer State Building, Room 4401, 555 East Washington Avenue

**MEETING MINUTES
Friday, September 25, 2015**

COMMISSIONERS PRESENT

IN CARSON CITY: None

COMMISSIONERS PRESENT

IN LAS VEGAS: Mr. David Sanchez, Commissioner
Mr. Andreas Spurlock, Commissioner
Mr. Gary Mauger, Commissioner

COMMISSIONERS NOT PRESENT

IN CARSON CITY: Ms. Katherine Fox, Chairperson
Mr. David Read, Commissioner

STAFF PRESENT:

Ms. Lee-Ann Easton, Administrator, DHRM
Ms. Jennifer Chisel, Deputy Attorney General,
Office of the Attorney General
Ms. Tawny Polito, Administrative Assistant, DHRM
Mr. Peter Long, Deputy Administrator, DHRM
Ms. Shelley Blotter, Deputy Administrator, DHRM
Ms. Carrie Hughes, Personnel Analyst, DHRM
Ms. Heather Dapice, Personnel Analyst, DHRM
Ms. Katie Holmberg, Personnel Analyst, DHRM
Ms. Lisa Friend, Personnel Analyst, DHRM

I. CALL TO ORDER; WELCOME; ROLL CALL; ANNOUNCEMENTS.

Commissioner Sanchez: Opened the meeting at 9:00 a.m. He welcomed everyone and took roll.

II. PUBLIC COMMENT NOTICE: Read into record by Commissioner Sanchez:

No vote or action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken.

Commissioner Sanchez: Asked if there was any public comment. There was none.

III. APPROVAL OF MINUTES OF PREVIOUS MEETINGS – Action Item

MOTION: Moved to approve the minutes of the meeting held June 19, 2015.

BY: Commissioner Mauger

SECOND: Commissioner Spurlock

VOTE: Motion passed unanimously.

MOTION: Moved to approve the minutes of the meeting held June 19, 2015 to adopt emergency regulations.
BY: Commissioner Mauger
SECOND: Commissioner Spurlock
VOTE: Motion passed unanimously.

IV. PRESENTATION OF HEARING OFFICER CASE HANDLING STATISTICS, SATISFACTION SURVEY RESULTS AND POSSIBLE RECOMMENDATIONS FOR THE HEARINGS DIVISION AND/OR THE DIVISION OF HUMAN RESOURCE MANAGEMENT.

Shelley Blotter, Deputy Administrator, Division of Human Resource Management: explained that her presentation was in response to the Commission's request for additional information in previous discussion of the matter. She stated she was pleased to report that cases were being handled in less than 160 days in most cases and per the rules for hearing officers and that it had also resulted in a cost savings for the State. She further explained that the decisions for the cases handled came out similarly to the pool of hearing officers, so from a perspective of the number they were affirming or reversing, it was very similar to the past. She added that a small number of cases had been handled compared to the larger pool and that she felt it would remain consistent over time and that it showed movement in the right direction. She noted that overall, they were pleased with the work that was done. Ms. Blotter asked if there were questions and noted that further detail or additional information could be provided at the next meeting if directed by the Commission.

Commissioner Sanchez noted that the information was very useful and that the matter should be added to the agenda of the next meeting so that the full Commission could then take action to either extend or not extend the contract. **Ms. Blotter** noted that she had anticipated the matter would go to the next regular meeting in November or December and not the special meeting in October. **Commissioner Sanchez** agreed. He then asked Mr. Brian Nix for comment.

Bryan Nix, Administrator, Hearings and Appeals Division: Made comment that Ms. Blotter had done an excellent job since adoption of the contract. He noted that all deadlines had been met and that the Division had done everything they said they would, should the contract be adopted. He further stated that since adoption of the contract, the Governor had appointed seven attorneys as Special Appeals Officers and **Mr. Nix** stated he was looking forward to seeing their performance. **Mr. Nix** stated that he anticipated costs would rise due to hourly rate charges however, everything would be monitored.

Commissioner Sanchez asked for clarification in regard to how the strike list currently operated and how it would operate in the future with the new attorneys on board. **Mr. Nix** stated that rules had been adopted for when an appeal was received and explained that in the south there were four names on the list although only three were needed and that those names were alternated. He continued that in Carson City, there were three Special Appeals Officers that would be going on strike lists and parties would have those appeals officers to choose from. He stated each side would strike one name and the remaining appeals officer was who was assigned the case. He stated the appeals officer heard the case, decided it and monitored the case during the entire process. **Commissioner Sanchez** asked who strikes first. **Mr. Nix** stated that it was mutual. **Commissioner Sanchez** asked if in the future, with the new attorneys on board, were they going to be incorporated into the list. **Mr. Nix** explained that only the new attorneys would be on the list and that the appeals officers who have heard these cases so far will not be.

Commissioner Mauger asked if the position of the State was to eliminate Charlie Cockrill, Independent Counselor. **Ms. Blotter** explained that Mr. Cockrill was interested in having a contract again and when the

Commission makes selections in November or December, a determination can be made. **Mr. Nix** added that should a contract be renewed with Mr. Cockrill, that Mr. Cockrill would be added to the strike list for rotation.

Commissioner Sanchez reaffirmed that the matter would be on the agenda for the next meeting for a determination to be made.

V. DISCUSSION AND APPROVAL OR DENIAL OF INDIVIDUAL CLASSIFICATION APPEAL - Action Item

- A. Alexandra Smith, Program Officer I, Nevada State Treasurer's Office, Millennium Scholarship

Commissioner Sanchez gave the appellant directions for the presentation of her appeal for reclassification.

Alexandra Smith stated that she loved her job and was simply present to present what she saw as clear facts about what she does in her position. She stated that prior to her employment in the Treasurer's Office, there was an Executive Director of the Scholarship Program, the position was paid approximately \$97,000 a year and that the incumbent had no other responsibilities other than the oversight of the Millennium Scholarship Program. **Ms. Smith** stated that when this person resigned, the Administration had decided to fold those duties of the previous Executive Director into the Deputy for College Savings position. **Ms. Smith** continued that by fall of 2013, the Office had begun launching the College Kick Start Program which went statewide in early 2014. She stated that at that time, the Deputy for College Savings was no longer able to maintain the workload with the additional oversight of an entirely new program. **Ms. Smith** stated that the administration had determined that the duties of the previous Executive Director would fall to her current position, the Program Officer for the Millennium Scholarship. She stated that it was her understanding that in her position, she still performed many of the same responsibilities listed in the previous NPD-19 from when reclassification occurred in 2005 and that there was one major difference between then and now. She stated that she now was essentially the de facto Executive Director of the Millennium Scholarship, including being the key and sole decision maker. She further stated in substance that in the class specifications for the Program Officer series it stated that the class was distinguished from the Program Officer II class by its increased latitude in decision making resulting from coordinating broad, non-specific rules and/or regulations. She stated that she believed the level of authority that was granted to her with the reassignment of duties constituted the concept distinction. She further stated that she could provide examples of her duties to align with each of the concepts of the series as well. She stated that as part of the reasoning behind the initial denial of her NPD-19, the Division of Human Resource Management had stated, although the Millennium Scholarship affects a significant number of people, the intent of the requested Program Officer III is to administer a large program, which affects a significant number of people on a continuing basis while interpreting and applying broadly stated and non-specific policies; in contrast, as policies are already established and clearly outlined for the Millennium Scholarship therefore, the Program Officer I Class remains appropriate for this position. **Ms. Smith** argued that the Millennium, much like many State programs was ever evolving and changing and that it would be inaccurate to state that once the program was established it only required a Program Officer I to maintain it. She stated that if that were the case, most Program Officer III positions would then be downgraded after the establishment of policy and procedures. She additionally argued that it was in fact inaccurate altogether to state that she did not establish policies and procedures on a reoccurring basis. She stated that for example, in the Legislative Session of 2015, two bills were passed regarding the Millennium and that those bills had changed the way the scholarship was administered at the institutional college level and also changed the way students could qualify for the scholarship. She stated that she was solely responsible for designing and coordinating the implementation of those changes into policy and procedure. She stated that the Millennium will be in the spotlight of the next legislative session as it was reaching financial hardship and that there

will be some major changes to the scholarship and that the Program Officer will be hugely responsible for many extended duties during that time, including speaking to Legislators, implementing policy, providing documents and reports and the authority placed upon this position will become all the more clear. She stated that the Pre-Paid Tuition Program had a Program Officer III assigned to it and that the role had been reclassified based on the decision that it held a high level of authority over the program it administered and stated that position performs identical tasks to what she did for the other program. She stated that she respectfully disagreed with their determination but appreciated the time and due diligence that was spent during the process. She stated that she looked at those identical duties and it was the level of authority that made it different and she did have that granted to her. She then introduced Steve George, her former Chief of Staff to speak on her behalf.

Commissioner Sanchez thanked Ms. Smith and asked if there were any questions of the Appellant from the Commission before testimony from Mr. George was heard. **Commissioner Mauger** asked for clarification on how long Ms. Smith had been with the State. **Ms. Smith** stated since May of 2013. **Commissioner Mauger** asked if the additional work she said she was doing was for the Millennium Scholarship Program. **Ms. Smith** stated that it was and stated that when the College Kick Start Program enacted, there was no longer time for Executive Director duties therefore, at the time of the statewide launch in early January 2014, that was the point when she took on the major duties of the Executive Director. **Commissioner Mauger** asked the Appellant what she believed to be the percentage of additional work she had been performing from the time she started to the present. **Ms. Smith** stated that speaking only in terms of Millennium, that really spoke more to the decision making level. **Ms. Smith** stated that she previously had to run everything by the Executive Director, all approvals must be signed by her, payments, reconciliations, balance irregularities, those things used to have to be signed off by the Executive Director but now they were signed off by her and that she takes full responsibility for those payments and for any kind of inaccuracies in the audits, etc. **Ms. Smith** further stated that when it came to the Millennium, the duties had changed as far as what she did but she did have major duties in addition and she also administered or helped administer the College Kick Start and the College Savings Plan and her duties had significantly increased.

Commissioner Sanchez asked if there were any questions of the Appellant from the Commission prior to hearing from Mr. George. There were none. He then asked to hear from Mr. Steve George.

Steve George, Administrator, Division of Industrial Relations: Stated that he was the Chief of Staff at the Treasurer's Office for approximately six years and that he would provide a historical perspective on the matter from his position as Chief of Staff at the time all of the changes took place. **Mr. George** testified that they did have an Executive Director which was in NRS at the time and that as Ms. Smith had said, that position was paid about \$97,000 and was essentially a Deputy level position. **Mr. George** stated that when that Executive Director had resigned, he and the Treasurer decided to fold that position in with the College Savings Deputy at that time for a matter of convenience, at the time, cost savings. **Mr. George** stated that a few years later, the College Kick Start Program was started, which has become a huge program. **Mr. George** further stated that it was the program that gives college savings accounts to all kindergarten students in Nevada and that the program had taken on a complexity on its own and that as a result, while he was still there as the Chief of Staff, the decision was to try and start pushing those duties back to the Program Officer and that it was him who made the decision that they should put in a request to change the position to a Program Officer III based on the fact that the complexity and the decision making that that position was now making—which was essentially what the Executive Director had done years ago. **Mr. George** stated that it wasn't long after he had made that decision that he had decided to go over as the Administrator of Division of Industrial Relations so he hadn't carried through with the reclassification but that he had certainly got the ball rolling. **Mr. George** stated that he wanted to add that historical value and to say, as Alex said in her comments, she is essentially the Executive Director which is a \$97,000 a year job before it had been melded into the College Savings Deputy and now is being separated out. **Mr. George** stated

he didn't think the Appellant was asking to be the Executive Director of the program but that he thought with the level of complexity, the decision making and the fact that it is a large program, it certainly deserved to be elevated to a position of Program Officer III.

Commissioner Sanchez asked Mr. George, if before he left his position, had he had any discussion with the Division of Human Resources Management about the proposed change that he was thinking about? **Mr. George** responded that he didn't recall if he did or not. If he were guessing, he'd guess no because it was just in the planning stages and it wasn't long after that when he went to his other position. So, it was the people who were left there, although he did help them with the process of writing it and putting it together.

Commissioner Sanchez asked if there were any questions for Mr. George from the Commission. **Commissioner Spurlock** noted the confusing nature of the org chart that was presented asked if there was anyone present from the chain of command to testify. **Ms. Smith** stated that they were currently managing high priority issues and that her hearing did not take priority for them to be present. **Commissioner Spurlock** asked if there were any written materials of opinion presented either for or against from the chain of command. **Ms. Smith** stated that she was never asked to provide written support but that they do support her and that she was sure that they'd be willing to testify to that and that she could provide that support. **Commissioner Spurlock** stated that he wanted to be clear so that he wasn't asking questions of the Appellant or Mr. George which would have been best answered by someone else. **Ms. Smith** confirmed that was the case and stated that she had support from Chief of Staff Grant Hewitt, Chief Deputy Tara Hagan and her direct supervisor Linda English. **Commissioner Spurlock** asked for confirmation on who the Appellant reported to, if it was Ms. English or Ms. Salehian. **Ms. Smith** stated that she only reported to Ms. English, the Senior Deputy for the South. **Commissioner Spurlock** asked who another Program Officer III, Ms. Platt, reported to. **Ms. Smith** stated that Ms. Platt reported to both Sheila and Ms. English, indirectly and stated that Ms. Salehian is the day-to-day but Ms. English would be her overall point person. **Commissioner Spurlock** asked Mr. George if he was equating the level of responsibility of the person who is handling the 529 Plans and all things related to the Millennium Scholarship and stated that it was his feeling about the Millennium Scholarship that while it had early challenges in getting started, the criteria was fairly clear. **Commissioner Spurlock** noted that it was likely a constant challenge to keep reminding the high schools of that criteria and making sure they were doing outreach and assisting them with doing that outreach. **Commissioner Spurlock** further stated that possibly the biggest challenge and the maximum discretion and independent judgement levels that this person might have with the Millennium Scholarship might be these few dozen cases per year where they would have some interpretations regarding homeschoolers or people who have moved in from out of state at a certain time so there would have been residency issues. **Commissioner Spurlock** stated that he had never equated those challenges to challenges of the complete 529 Program and that he would like to know Mr. George's opinion on that.

Mr. George stated there was a tremendous amount of communication that needed to take place in that position between the colleges, the Nevada System of Higher Education and the high schools to ensure that the money was being properly distributed and the accounting that goes with it. **Mr. George** further stated that certainly the Legislature was going to ask for a dollar for dollar accounting of where the money went and that therefore that communication was very, very important. **Mr. George** stated that there were many instances where people asked for reviews to say, why am I not eligible and that type of thing and we have to help coordinate that again, through the Nevada System of Higher Education. **Mr. George** stated that to Commissioner Spurlock's point, it was kind of the same as Pre-Pay and that Pre-pay was pretty simple too in that either you buy a contract or you don't and that decision is made by you and so the programs were similar and the Pre-Pay Program had a Program Officer III. **Mr. George** stated that he wasn't there when that move was from a Program Officer I to a Program Officer III but Ms. Smith basically did the same thing and that she had the complexity of decision making and has to do the communication on that. **Mr. George** stated that in her case, the Program Officer III communicated with colleges across the country and he stated

he thought the complexity was making sure everything was right and decision making was budgetary, making sure that the right money goes to the right people and the decisions and the communication with those parents and those students. **Mr. George** stated that in July, when students were looking, they would get a lot of phone calls from people and they had to put other people on the lines because as simple as it did look, it wasn't, because people had tremendous amounts of questions on that.

Commissioner Sanchez asked if there were any other questions. There were none. He then asked to hear from the Division of Human Resource Management's representative.

Lisa Friend, Personnel Analyst, Division of Human Resource Management: Stated that she appreciated Mr. George coming to speak on Ms. Smith's behalf however, he wasn't contacted at the time of the audit because he was no longer with Treasurer's Office. **Ms. Friend** stated that they had communicated with Ms. Smith's supervisor at that time regarding the duties Ms. Smith was performing. **Ms. Friend** stated that at the time of the audit, Linda English was the Appellant's supervisor, and that the Appellant had testified that she was currently her supervisor. **Ms. Friend** stated that at the time of the audit, Ms. English's title was Director of the Millennium Scholarship and that was also the title used on the unclassified pay bill. **Ms. Friend** stated that it appeared that currently, Ms. Salehian had the title of Director of the Millennium Scholarship and has since 2015. **Ms. Friend** stated that she had shadowed the study of Alexandra Smith's position conducted by Personnel Analyst, Denise Banditini, who had since retired. **Ms. Friend** stated that she had been assigned to Ms. Smith's appeal because she had shadowed the audit. **Ms. Friend** stated that Ms. Smith was appealing the determination of 'no change' to her current classification, Program Officer I, Grade 31, to Program Officer III, Grade 35. **Ms. Friend** stated that the Program Officer was a highly responsible classification, used statewide by many agencies and what determined the levels of those classifications was increased latitude and decision making resulting from coordinating broad, non-specific rules and/or regulations. **Ms. Friend** stated that in order for an incumbent to be reclassified from one level in a series to a higher level, the position must spend the majority of work time performing higher level duties that meet the class concepts. **Ms. Friend** stated that the position was last reviewed in 2005 when it was reclassified from an Administrative Assistant IV, Grade 29, to a Program Officer I, Grade 31 and that at that time, the position was responsible for evaluating applications and residency documents for homeschool, General Education Development ("GED") and out of state applicants to determine eligibility for the Millennium Scholarship. **Ms. Friend** stated that this information, along with the list of eligible students received from Nevada System of Higher Education ("NSHE") and other school partners for the semester would be downloaded by the incumbent into the integrated Nevada Scholarship Tracking and Eligibility Program and the scholarship packets would then be sent out. **Ms. Friend** stated that the Board of Regents of NSHE adopted the policy guidelines for administering the scholarship however, guidelines for eligibility determination were not provided and therefore, the Treasurer's Office and the incumbent at that time had to assume responsibility by developing guidelines and procedures of acceptable documentation to support eligibility based on established criteria. **Ms. Friend** stated, to reiterate, the incumbent at that time was responsible for reviewing applications for homeschool and out of state applications and made determinations whether students were accepted or denied for program participation; issuing acceptance or denial letters; allocating funds for those that were accepted; and ensuring accurate and timely payments were made to NSHE. **Ms. Friend** stated that the incumbent was solely responsible for coordinating and monitoring the Millennium Scholarship Trust Fund; providing answers to complex questions; troubleshooting non-routine issues requiring additional research and follow-up; balancing irregularities and reconciling exceptions; and processes based upon the statutes of the Board of Regents of the Nevada System of Higher Education System policies and the Guide of the Millennium Scholarship Program; compiling annual reconciliation reports that were submitted to Legislature; database management of the Millennium website including website updates; pertaining program, emails and written communications; along with coordinating data submitted by NSHE and other school partners; attending college planning events; and supervising responsibilities. **Ms. Friend** stated that with the exception of the duties pertaining to the College Kick Start administrative tasks and outreach, which totaled 15% of Ms.

Smith's duties, the information collected during the recent desk audit reflected that the duties of the position itself had not significantly changed and that although they may be new duties to Ms. Smith, those aforementioned duties were actually part of the consideration to initially reclassify the position to a Program Officer I in 2005. **Ms. Friend** stated that although they did not disagree that the College Kick Start administrative tasks and outreach was a new duty, it was determined: that Ms. Smith performed those outreach duties in conjunction with her outreach duties for the Millennium Scholarship and the College Savings Plans of Nevada; that the duties were within the scope of the class, as described in the class specifications for a Program Officer I; and that the change which was the result of the addition of duties which were similar in nature or complexity to previous responsibilities was not within the meaning of significant change. **Ms. Friend** stated that based on the information collected during the study process, it had been determined that the level and scope of responsibilities that were assigned to Ms. Smith's position supported the current classification of Program Officer I. **Ms. Friend** stated that they respectfully requested that the determination not to reclassify the position to a Program Officer III be upheld.

Commissioner Sanchez asked if there were any other questions from Commissioners. **Commissioner Spurlock** asked what the date was for the prior re-class for the Administrative Assistant series to the Program Officer. **Ms. Friend** confirmed that it was 2005. **Commissioner Sanchez** further asked about the letter dated May 7, 2015 from the Appellant to Administrator Easton regarding the location of the original NPD-19 form submitted to reclassify the position from Admin Assistant IV to Program Officer I in 2005 and wanted to know if it was true that it was not located. **Mr. Peter Long** noted that it was in the Division's packet, Exhibit 6. **Ms. Smith** commented that throughout the process they didn't have access to the original and that the first time she was presented with the original NPD-19 form was when she had received the packet for the upcoming meeting.

Commissioner Sanchez asked if there were any other questions from Commissioners. **Commissioner Spurlock** asked what Ms. English's primary job was and was it still oversight over the Millennium Scholarship. **Mr. George** responded that she no longer did the Millennium Scholarship Program that Ms. Smith was the one who handled those functions. He additionally testified Ms. English did the College Savings Program and the College Kick Start Program, which were very complex programs and that because of the added responsibilities of the College Kick Start Program and the growth of the Nevada College Savings Program, the decision was made to have Ms. Smith take over duties of the Millennium Scholarship. He further testified that the report from staff was that the person became a Program Officer I and that he wasn't there when they did that so couldn't provide a history however, those duties that that person did, reported to the Executive Director and that person didn't make all the decisions, they were essentially clerical, helping to run the program and doing a lot of those duties and had someone to report to get approvals. **Mr. George** continued that that position no longer existed and that was the reason for asking for the Program Officer III and that the Program Officer III that was there before reported to the Executive Director and had no decision making. **Mr. George** stated that Appellant was essentially the current Executive Director, that she was making the decisions for the Millennium Scholarship Program.

Mr. Long added that staff was prepared to explain the difference between Ms. Smith's position as Program Officer I and the Program Officer III position. **Commissioner Sanchez** asked that they proceed.

Ms. Friend, started by clarifying that when the desk audit first began on Ms. Smith's position, her supervisor was Ms. English and that Ms. English held the title of Executive Director of the Millennium Scholarship/Senior Deputy Treasurer. **Ms. Friend** stated that since then, it had been changed and everything that had to be approved or answered was done by Ms. English and that regarding budget and financial duties, the Program Officer I had authority to spend within budget parameters for supplies, outreach and education items; to determine when to request the transfer of funds from unclaimed property; and had control of the timing of transfers to eligible institutions based on established deadlines. **Ms. Friend** stated that as far as authority and day-to-day duties, the Program Officer I ensured the Millennium

Scholarship remained in compliance with statutes, State Treasurer's Office Policy and NSHE policies; ensured student data was received; that students were awarded in a timely manner; that eligibility was coordinated with NSHE; and accurate payments were made. **Ms. Friend** stated the position made independent decisions on how to implement policy changes and reported decisions and actions to the supervisor and the position reported status of projects to supervisor weekly. **Ms. Friend** stated that complaints, concerns, eligibility appeals and accounting matters were escalated to NSHE and that the consequence of error was the time that it took for all parties involved to remedy the situation. **Ms. Friend** stated the Program Officer III position was responsible for a qualified 529 Education Savings Program and must comply with Federal Internal Revenue Service Code Rules. **Ms. Friend** stated the position generated 1099s for tax purposes, reconciled the program's bank accounts including check deposits, cash deposits, remote deposits, credit cards, electronic check payments, payroll deductions and returned items; it also reconciled payment vouchers for tuition payments, rollovers, overpayments, refunds and payments made to vendors for daily operations. **Ms. Friend** stated the position had full authority to determine the amount of monies to invest on behalf of the program, along with performing monthly and quarterly cash allocation to be invested in the program's trust fund; determined actuarial fees for refinanced contracts, worked with the public and private sectors, including payroll centers, banks, colleges and universities, throughout the United States to process transactions and resolved issues if they occurred. On a daily basis the position worked with both the participants and stakeholders of the program to accurately administer all accounts, which included determining if participants were eligible, charging fees and penalties, waiving fees, modifying accounts, canceling accounts, voluntary or delinquency; making accurate tuition payments; working with participants that were unable to meet financial obligations and resolving other issues or complaints that occurred. The position had the authority to assess penalties, authorize cancellations of contracts and assess fees to participants for lack of payments. Only major decisions that alter the program go directly to the Senior Deputy Treasurer. The consequence of error was significant cost of money, which could consequently impair the payment of tuition benefits to the recipients of the program, which would be devastating to the participant, their higher education and the program.

Commissioner Sanchez asked if there were any other questions from Commissioners. He then asked Ms. Smith to give a closing statement.

Ms. Smith stated that she's listened to their statements and she was assuming that what they brought up was a comparison of her job to the Program Officer III within the office and she stated that all of the things that were stated for the Program Officer III in our office, she did as well in an equal and near capacity with the Millennium and that the only difference was that it was not a 529 Plan. **Ms. Smith** stated that to say that the position had authority over investments made was an inaccurate statement and there was an entire team of investment advisors that did that and it had nothing to do with the Program Officer. **Ms. Smith** stated that the positions were identical and that they only differed in the fact that they administered two different programs and that she administered three programs and the other position only did one and that she did in fact have all the same level of authority and the duties that she listed for the Program Officer III.

Commissioner Sanchez asked if Ms. Smith issued 1099s. **Ms. Smith** responded that it was not necessary for her to issue 1099s with the Millennium Scholarship but that she does work with the IRS and their forms on other programs. **Ms. Friend** stated that the information that they based all the duties and responsibilities on had come from the NPD-19 desk audit and questions asked of the supervisor and that was where with regard to level of authority, Ms. Smith had said that she had to report weekly, that she did not go to supervisor for questions and that press inquiries were escalated, eligibility appeals go to NSHE and any complaints or concerns, if they didn't like Ms. Smith's answer, were escalated to NSHE. **Ms. Friend** continued that at the time of the desk audit, what she presented was what was either verified by the supervisor or information given at the desk audit. **Ms. Smith** added that "reports to weekly," was the same that the Deputies do to the Chief of Staff, to the Treasurer himself and she informs her what has happened that week and just keeping people in the loop, it was not that she was asking permission and that if anything,

she had more authority then she did at the time of the original NPD-19 and it continued to grow and that the program was ever changing, ever growing and was a huge endeavor to administer, especially with those continuous changes.

Commissioner Sanchez asked if there were any other questions from Commissioners. There were none.

MOTION: Moved to deny Ms. Alexandra Smith's appeal for reclassification from Program Officer I to Program Officer III

BY: Commissioner Spurlock

SECOND: Commissioner Sanchez

OPPOSED: Commissioner Mauger

VOTE: Motion passed 2-1

VI. DISCUSSION AND APPROVAL OF PROPOSED CLASS SPECIFICATION MAINTENANCE REVIEW OF CLASSES RECOMMENDED FOR REVISIONS AND ABOLISHMENT - Action Item

- A. Clerical & Related Services
 - 1. Subgroup: Administrative Support
 - a. 2.131 Student Worker

- B. Fiscal Management & Staff Services
 - 1. Subgroup: Financial
 - a. 7.103 Chief Accountant
 - 2. Subgroup: Public Information
 - a. 7.803 Curator Series

- C. Medical, Health & Related Services
 - 1. Subgroup: Laboratory Services
 - a. 10.710 Microbiologist Series

Mr. Long, Deputy Administrator, Division of Human Resource Management: stated that regarding the Student Worker class, after meeting with subject matter experts from the agencies that use that job class, changes were not recommended to the class specification. For the Chief Accountant, minor revisions were recommended in order to update the duty statements and that the knowledge, skills and abilities revisions were to expand and clarify the relevant and acceptable knowledge, skills and abilities required to be able to perform the duties outlined. Regarding the Curator Series, revisions were made to the series and class concepts to update and accurately describe the duties performed by incumbents. Additionally, the minimum qualifications at each of the levels were modified to expand and clarify the type of relevant acceptable experience required and furthermore, the knowledge, skills and abilities of the classes were updated accordingly. In regard to the Microbiologist Series, in consultation with subject matter experts from the Division of Public and Behavioral Health, Department of Agriculture and the Nevada System of Higher Education, modifications were made to the series concept to account for changes in verbiage used and duties performed. As a result of the adjustments, minor changes were made to the class concepts at the Microbiologist V and IV levels and in addition, minor changes were made to the class concepts at the Microbiologist II and I levels in order to maintain consistency in verbiage used at the training and entry level. Informational notes were added to explain that certain positions were required to possess and maintain certifications from either the State of Nevada or the American Society for Clinical Pathology. Furthermore, an informational note was added indicating that some of the positions may require specialized and/or agency specific experience which would be identified at the time of recruitment. Lastly, minor changes to the minimum qualifications were required to represent the modifications. Throughout the

process, subject matter experts were involved and all agencies were on board with the changes.

MOTION: Moved to approve class specification revisions that were proposed in items 6-A Student Worker, 6-B Curator Series and 6-C Microbiologist Series.

BY: Commissioner Mauger

SECOND: Commissioner Spurlock

VOTE: Motion passed unanimously.

VII. REPORT OF UNCONTESTED CLASSIFICATION CHANGES

Mr. Long stated that the Report of Uncontested Classification Changes was posted and approved; and that it was a non-voting item.

VIII. DISCUSSION AND ANNOUNCEMENT OF DATES FOR UPCOMING MEETINGS

Commissioner Sanchez stated that the next meeting was scheduled for November 13, 2015 and asked if there were any revisions to that. **Ms. Lee-Ann Easton** stated that there was a request to change the date of the meeting to December 4th. The Commission confirmed that the date was acceptable and set the following meeting tentatively for March 4, 2016.

IX. PUBLIC COMMENT

Commissioner Sanchez asked for any public comment. There was none.

X. ADJOURNMENT

Commissioner Sanchez adjourned the meeting.