Brian Sandoval
Governor

Patrick Cates
Director

Peter Long
Administrator

STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
Division of Human Resource Management

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PERSONNEL COMMISSION

Meeting Notice

DATE: Friday, December 7, 2018

TIME: 9:00 a.m.

State Library and Archives 100 N. Stewart Street Room 110 Carson City, Nevada 89701	Grant Sawyer Building 555 E. Washington Avenue Room 1400 Las Vegas, NV 89101

The sites will be connected by videoconference. The public is invited to attend at either location. As video conferencing gives the Commission, staff and others flexibility to attend meetings in either Northern or Southern Nevada, handouts to the Commission on the day of the meeting might not be transmitted to the distant locations.

Notice: The Personnel Commission may address agenda items out of sequence to accommodate persons appearing before the Commission or to aid the efficiency or effectiveness of the meeting at the Chair's discretion. The Commission may combine two or more agenda items for consideration, and the Commission may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Comments will be limited to three minutes per person and persons making comment will be asked to begin by stating their name for the record and to spell their last name. The Commission Chair may elect to allow public comment on a specific agenda item when the item is being considered.

Agenda

I. Call To Order, Welcome, Roll Call, Announcements

II. Public Comment: 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. (NRS 241.020)

FOR POSSIBLE ACTION **III. Approval of Minutes of Previous Meeting Dated September 7, 2018 ..... 5-17**

FOR POSSIBLE ACTION **IV.** **Discussion and Approval of Addition or Removal of Classes Approved for Pre-employment Screening for Controlled Substances 18-42**

A. The Nevada Department of Veterans Services requests the addition of classes/positions to the list approved for pre-employment screening for controlled substances:

3.530 Transportation and Safety Attendant III; PCN: All
3.535 Transportation and Safety Attendant II, PCN: All
3.540 Transportation and Safety Attendant I, PCN: All

B. The Nevada Department of Veterans Services requests the addition of classes/positions to the list approved for pre-employment screening for controlled substances:

10.364 Licensed Practical Nurse III, PCN: All
10.365 Licensed Practical Nurse I, PCN: All
10.368 Certified Nursing Assistant III, PCN: All
10.370 Nursing Assistant Trainee, PCN: All
10.371 Certified Nursing Assistant I, PCN: All

C. The Nevada Department of Veterans Services requests the removal of classes/positions from the list approved for pre-employment screening for controlled substances:

10.355 Registered Nurse III, PCN: All
11.260 Security Officer Supervisor, PCN: All
11.263 Security Officer, PCN: All

FOR POSSIBLE ACTION **V.** **Discussion and Approval of Proposed Regulations Changes to Nevada Administrative Code, Chapter 284……..43-106**

A. LCB File No. R163-18

Sec. 1. NEW Restoration of permanent employee who voluntarily transfers and either fails to complete trial period in the new position or voluntarily chooses to revert to his or her prior position.
Sec. 2. NAC 284.058 "Eligible person" defined.
Sec. 3. NAC 284.108 "Trial period" defined.
Sec. 4. NAC 284.444 Application of probationary period.
Sec. 5. NAC 284.448 Time not counted toward completion of probationary period.

B. LCB File No. R164-18

Sec. 1. NAC 284.172 Rate of pay: Effect of promotion.
Sec. 2. NAC 284.204 Adjustment of steps within same grade: Conditions for approval; request; effective date; revocation.
Sec. 3. NAC 284.206 Special adjustments to pay.
Sec. 4. NAC 284.360 Certification and provision of certain lists by Division of Human Resource Management; certification of eligible persons on ranked or unranked lists or waiver of lists.
Sec. 5. NAC 284.374 Active lists: Removal and reactivation of names; no requirement or refusal to consider certain persons.
Sec. 6. NAC 284.437 Underfilling of positions.

C. LCB File No. R166-18

Sec. 1. NAC 284.468 Standards for performance of work.

Sec. 2. NAC 284.576 Catastrophic leave: Use and administration; appeal of denial.

D. LCB File No. R175-18

Sec. 1. Amends Chapter 284 to add Sections 2 and 3.

Sec. 2. NEW "Gender identity or expression" defined.

Sec. 3. NEW "Sexual orientation" defined.

Sec. 4. NAC 284.010 Definitions.

Sec. 5. NAC 284.114 Affirmative action program and equal employment opportunity.

Sec. 6. NAC 284.374 Active lists: Removal and reactivation of names; no requirement or refusal to consider certain persons.

Sec. 7. NAC 284.470 Preparation, filing, contents, discussion and distribution of reports; powers and duties of employees; review; adjustment of grievances.

Sec. 8. NAC 284.602 Resignations.

Sec. 9. NAC 284.718 Confidential records.

Sec. 10. NAC 284.726 Access to confidential records.

INFORMATIONAL ITEM VI. Report of Uncontested Classification Plan Changes Not Requiring Personnel Commission Approval per NRS 284.160 107-117

The following items were posted for at least 20 working days. No written objections were received by the Administrator before the end of the posting period therefore, the changes automatically went into effect.

Posting: #1-19
7.211 Executive Branch Auditor Series

Posting: #2-19
12.342 School/Community Nutrition Program Coordinator Series

Posting: #3-19
12.466 Substance Abuse Counselor Series

Posting: #4-19
7.422 Review Appraiser Series

Posting: #5-19
12.127 ESD Program Specialist Series

Posting: #6-19
7.209 Director, Office of Project Management
7.208 Organizational Change Manager, OPM

Posting: #7-19
5.223 School/Community Nutrition Supervisor Series

Posting: #8-19
1.955 Park Aid Series

Posting: #9-19
10.316 Correctional Nurse Series

Posting: #10-19
12.395 Casework Management Specialist II

VII. Discussion and Announcement of Dates for Upcoming Meetings. Next Meeting Scheduled for March 8, 2019.

VIII. Commission Comments

IX. Public Comment: 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. (NRS 241.020)

X. Adjournment

Supporting material for this meeting is available at the Division of Human Resource Management at 209 E. Musser Street, Suite 101, Carson City, Nevada, 89701; 555 E. Washington Avenue, Suite 1400, Las Vegas, Nevada, 89101, or on our website http://hr.nv.gov/Boards/PersonnelCommission/Personnel_Commission_-_Meetings/. To obtain a copy of the supporting material, you may contact Carrie Lee at (775) 684-0131 or carrie.lee@admin.nv.gov.

Inquiries regarding the items scheduled for this Commission meeting may be made to Frank Richardson at (775) 684-0105 or frichardson@admin.nv.gov.

We are pleased to make reasonable accommodations for individuals who wish to attend this meeting. If special arrangements or audiovisual equipment are necessary, please notify the Division of Human Resource Management in writing at 209 E. Musser Street, Suite 101, Carson City, Nevada, 89701, no less than (5) five working days prior to the meeting.

Persons who wish to receive notice of meetings must subscribe to the Division of Human Resource Management LISTSERV HR Memorandums which can be found on the following webpage: http://hr.nv.gov/Services/HRM_Email_Subscription_Management/. If you do not wish to subscribe to LISTSERV and wish to receive notice of meetings, you must request to receive meeting notices and renew the request every 6 months thereafter per NRS 241.020(3)(c) which states in part, "A request for notice lapses 6 months after it is made." Please contact Carrie Lee at (775) 684-0131 or carrie.lee@admin.nv.gov to make such requests.

Notice of this meeting has been posted at the following locations:

Carson City
Blasdel Building, 209 East Musser Street
Nevada State Library & Archives Building, 100 North Stewart Street
Nevada State Capitol Building, 101 North Carson Street
Nevada Public Notice website: http://notice.nv.gov
Division of Human Resource Management website: www.hr.nv.gov

Las Vegas
Grant Sawyer Building, 555 East Washington Avenue

STATE OF NEVADA
PERSONNEL COMMISSION

Held at the Legislative Counsel Bureau, 401 South Carson Street, Room 3138, Carson City, Nevada 89701; and via video conference in Las Vegas at the Grant Sawyer Building, Room 4412, 555 East Washington Avenue.

MEETING MINUTES
September 7, 2018
(Subject to Commission Approval)

COMMISSIONERS PRESENT IN CARSON CITY: Ms. Patricia Hurley, Commissioner

COMMISSIONERS PRESENT IN LAS VEGAS:
Ms. Katherine Fox, Chairperson
Mr. Gary Mauger, Commissioner
Mr. Andreas Spurlock, Commissioner
Mr. David Sanchez, Commissioner

STAFF PRESENT IN CARSON CITY:
Mr. Peter Long, Administrator, Division of Human Resource Management (DHRM)
Ms. Shelley Blotter, Deputy Administrator, DHRM
Ms. Beverly Ghan, Deputy Administrator, DHRM
Ms. Carrie Hughes, Personnel Analyst, DHRM
Ms. Michelle Garton, Supervisory Personnel Analyst, DHRM
Mr. Frank Richardson, Compliance Investigator 2, DHRM

STAFF PRESENT IN LAS VEGAS:
Ms. Heather Dapice, Supervisory Personnel Analyst, DHRM

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

Chairperson Fox: Opened the meeting at approximately 9:00 a.m. She welcomed everyone and took roll.

II. PUBLIC COMMENT

Chairperson Fox: Advised that 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 under NRS 241.020. She asked if there were any public comments. There were none.

III. APPROVAL OF MINUTES OF PREVIOUS MEETING DATED JUNE 8, 2018 – Action Item

Chairperson Fox: Called for revisions or additions.

MOTION: Moved to approve the minutes of the June 8, 2018, meeting.
BY: Commissioner Mauger
SECOND: Commissioner Hurley
VOTE: The vote was in favor of the motion with Commissioner Sanchez abstaining.

IV. DEPARTMENT OF ADMINISTRATION HEARINGS DIVISION FY18 HEARING OFFICER PERFORMANCE SURVEY REPORT

Paul Trepanier: Introduced himself as the Information Systems Specialist for the Hearings Division.

Michelle Morgando: Introduced herself as the Administrator of the Hearings Division. She asked if anyone had any questions about the survey.

Commissioner Sanchez: Asked if the speakers could provide an overview of how this particular performance survey was done. **Paul Trepanier:** Replied he compiled the active cases of the last fiscal year of all the cases that the agency heard, pulled out the names of the participants and provided them a link to the Survey Monkey website to complete the questionnaire. **Commissioner Sanchez:** Asked what the type of return rate was on the survey. **Paul Trepanier:** Responded the return rate was 9 percent. **Commissioner Sanchez:** Asked why the rating scale was zero to five in one section and in another section there was a scale from zero to one hundred percent. **Paul Trepanier:** Answered that the zero to one hundred percent section of the questionnaire was in a yes/no format. He totaled up the responses and that's where he came up with one hundred percent. The standard format of the survey was based on the biennial survey of the Appeals Officers who hear Workers' Compensation hearings. The small response rates made the charts look misleading. **Commissioner Sanchez:** Asked about one particular section for one Hearing Officer whose overall rating was a 4, but it also stated, "do not retain this individual." How could that be? **Paul Trepanier:** Replied perhaps the respondent did not like that particular officer; it's impossible to gauge the intent. **Commissioner Sanchez:** Asked that given such a small return rate, how valuable is this survey in terms of going forward with it? **Paul Trepanier:** Stated that it depends on the Special Appeals Officers that get a two-year contract; he does not make those decisions himself.

Michelle Morgando: Clarified that the Special Appeals Officers, with one exception, that hear the DHRM cases, also hear a variety of other agency appeals through interlocal agreement. They are gubernatorial appointees, like the Appeals Officers that are employed by the Hearings Division and are appointed by the Governor every two years and under contract with the Hearings Division for two years. **Commissioner Sanchez:** Asked what the plan was for using the report at this point. **Michelle Morgando:** Responded they were requested to provide this information to the Commission. The information will be provided to the Special Appeals Officers, so they know how the surveys were compiled and rated, but its purpose is to provide information to the Commission.

Commissioner Spurlock: Asked if there is any strategizing going on about how to possibly increase the response rate? While any information is always better than no information, they really need to be careful with low sample sizes. **Paul Trepanier:** Answered that their regular Workers' Compensation returns were also 9-10 percent, but the difference was there are about 6,500 cases for Workers' Comp and only 45 for the personnel appeals.

Chairperson Fox: Asked for clarification on how participants were defined. Would you define a participant in the survey as either an employee who appeared before the hearing officer or a management representative? **Paul Trepanier:** Affirmed that they did define participants as those two parties but excluded the AG's Office. **Michelle Morgando:** Clarified the surveys went to the attorneys that appeared in the cases, as well as representatives. **Paul Trepanier:** Stated that personal assistants were also excluded from the survey. **Michelle Morgando:** Clarified the Attorney Generals who appeared in the cases were included, but not their assistants.

Commissioner Mauger: Stated he had some concerns that besides the very low return rate, the reports of the hearings were all on the side of the agency. He was not a fan of hearing officers because there shouldn't be any connection between who's paying you or not. He was very interested to see, maybe the year prior to bringing on the Hearings Division, the decisions of the contracted arbitrators versus the decisions of the now-in-place Hearings Division and thinks there needs to be a better plan to get a response from the individuals that are actually using hearing officers and somehow hold them accountable.

Chairperson Fox: Asked Ms. Morgando if she had some thoughts, recommendations, or ideas going forward about surveys, how to do them differently, how to get more responses and can there be a way that the data can be separated between contracted hearing officers and those that are employees within the Hearings Division. **Michelle Morgando:** Stated that Chairperson Fox's points are very well taken. They have always been disappointed with the response rate for the appeals officers who are employees of the Division and they will most certainly undertake all of these concerns and develop a way to advertise better to the individuals that they want to respond. **Chairperson Fox:** Stated the Commission had received some data about the number of cases that go to the Hearings Division and the results; those that were unfounded, those that were sustained, those that were decided before the actual hearing was held. And marrying the two data pieces would be meaningful information for the Commission and for the Division of Human Resource Management, and the Hearings Division, too. **Michelle Morgando:** Replied that they most certainly could

combine that information with the revisions to the actual survey.

Chairperson Fox: Asked if there were any other comments from the Commissioners.

Paul Trepanier: Shared that the previous year, they only had one survey respondent; this year, they used Survey Monkey with some success. There were one or two respondents per appeals officer instead of one total and changes are being considered.

Chairperson Fox: Thanked Mr. Trepanier and asked if there were any other comments from the Commissioners. **Shelley Blotter:** Explained DHRM did compile information from FY18, 17 and 16. Of the number of cases that went before the hearing officers in FY18, 16 of those were affirmed, nine were reversed and five were settled during the process. In FY17, 13 were affirmed, two were reversed and 12 were settled. In FY16, 19 were affirmed, four reversed and 16 settled. We can go back and see if we can get additional information for those years when we used independent contractors, but isn't sure if that information is available, so we will work on that. And if it is available, we can send it out to the Commissioners in the interim before the next meeting.

The data that Commissioner Mauger was referencing was compiled by the Division of Human Resource Management. We typically would have married those two pieces together, but because we were trying to provide information requested by the Commissioners at the previous meeting as quickly as possible, it was separated out. In the future, we will make a note to marry that information together and then hopefully present it at the September meeting again.

Commissioner Mauger: Told Ms. Blotter he has not been getting the decisions in favor of the individual; he is only getting the ones that are in favor of the agency. Could someone please look into that? **Shelley Blotter:** Stated they will go back and look at the records to make certain that the Commissioner receives all of those in FY18.

Chairperson Fox: Thanked everyone and indicated the next item was for possible action. She stated they would first hear Item V-A, have a discussion and render a decision, and then move to Item V-B.

V. DISCUSSION AND APPROVAL OF PROPOSED REGULATIONS CHANGES IN NEVADA ADMINISTRATIVE CODE, CHAPTER 284 – Action Item

A. LCB File No. R118-17
- Sec. 1. Amends Chapter 284 of NAC to add Sections 2 and 3.
- Sec. 2. NEW Report of suspension, revocation or cancellation of a professional or occupational license, certificate or permit or driver's license.
- Sec. 3. NEW Report of arrest, charge or conviction of an offense.
- Sec. 4. NAC 284.646 Dismissals.
- Sec. 5. NAC 284.650 Causes for disciplinary action.
- Sec. 6. NAC 284.653 Driving under the influence; unlawful acts involving controlled substance.
- Sec. 7. NAC 284.890 Transportation of employee to and from location of screening test.

Carrie Hughes: Introduced herself as a Personnel Analyst with the Division of Human Resource Management. She said the changes outlined in Sections 1 through 6 of LCB File Number R118-17 are based on a request from an agency due to having to address a public incident with an employee who committed offenses while off duty. Section 1 amends Chapter 284 of the Nevada Administrative Code to add Sections 2 and 3 of LCB File Number R118-17. Section 2 proposes a new regulation requiring an employee to report the suspension, revocation or cancellation of a professional or occupational license, certificate, permit or driver's license within five working days if it is listed as required in one of the items outlined in the regulation.

This regulation supports the causes for disciplinary action outlined in NAC 284.646 and 284.650 by requiring this notification to an agency. Section 3 proposes a new regulation requiring an employee to report being arrested for, charged with or convicted of an offense if this results in the employee being temporarily or permanently unable to perform the duties of his or her position. The intent is to protect the State and the public if an employee can no longer meet the requirements of his or her position due to off-duty behavior.

The amendment to NAC 284.646 in Section 4 allows an agency to immediately dismiss an employee based on the new requirements in Sections 2 and 3 of this file. The amendment to NAC 284.650 in Section 5 allows an agency to

discipline an employee based on the new requirements in Sections 2 and 3 of this file. The amendment to NAC 284.653 in Section 6 will require employees to report to their appointing authorities, within five working days, arrests and convictions relating to driving under the influence, the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, or violation of any State or federal law prohibiting the sale of a controlled substance. The report is required regardless of whether the incident leading to the arrest or conviction occurs while the employee is working or is on his or her personal time. Violation of this requirement will require the dismissal of an employee.

While an amendment to NAC 284.890 was recently brought before this Commission, this further amendment in Section 7 of this file is based on concerns received from an agency after they needed to address an employee's medical need following a reasonable suspicion test. As the use of alcohol and/or drugs can at times lead to a need for immediate medical intervention, the intent of the amendment is to provide agencies with the flexibility to respond as necessary to ensure an employee's safety when arranging for appropriate transportation following a screening test that does not immediately establish an employee is not impaired.

The determination that an employee needs emergency medical assistance does not require a medical professional's evaluation, but rather relies on a reasonable person's standard. It allows for an employee to choose to make his or her own transportation arrangements. However, all three options in the regulation continue to require an appointing authority to actively ensure that the employee has appropriate transportation. Additionally, the amendment clarifies that an agency is responsible for ensuring transportation for an employee to and from the test collection site only when the test is based upon reasonable suspicion of impairment. Comments were solicited from employee organizations and agencies on the proposed changes in this file.

Chairperson Fox: Thanked Ms. Hughes and asked if there were any questions or comments from the Commissioners about Item V-A, LCB File R118-17.

Commissioner Spurlock: Said he had a question about Section 2, page 56, where it says, "Certificate or permit or driver's license is a requirement of the position at the time of appointment." Then later on at the end of the sentence the section said, "or required thereafter pursuant to federal or State law." He understands that the Feds or the State could add a new certification requirement at anytime and that that would still apply, that if it's mandated and added to the specification because of a federal or State law, then the same rule still applies that the employee would have to notify the employer. The part in the middle though, where it says, "at the time of appointment" is where he had some questions.

For example, I have a Combination Plans Examiner job. It's a very heavily certified job that requires eight or nine certifications and is extremely hard to recruit for. Right now, it's a hot job in the marketplace. They tried to redesign the job, so it comes in with a minimum amount of those certifications. But then, they have a three- to four-year period to get all the certifications or face termination. And after they get the certifications, employees have to maintain them. If there is anything similar like that at the State where certifications have to be gained after the time of appointment, would that be different? The language only says, "at the time of appointment." What about those other situations where you're letting people, or having to have people get two certifications at time of appointment, two certifications within a year after that, and another two certifications within a year after that?

Peter Long: Stated Commissioner Spurlock was correct and their intent is to address this issue. Some positions require certain licensures or certification at the time of appointment and may need additional certifications as their tenure increases. I think that's addressed where it says, "or class specifications for the position." Those specifications would note that additional licenses or certifications would be required within a certain amount of time. So, they are trying to address it when they say, "at the time of appointment, or as determined in the class specifications" They would allow someone to get additional certifications as their tenure progressed.

Commissioner Spurlock: Thanked Mr. Long for the clarification.

Chairperson Fox: Asked a process kind of question. Say that somebody has been arrested, off-duty. The agency learns about the charges and might suspend someone until they learn the facts and circumstances in more detail. The agency doesn't necessarily have to dismiss. Are there a variety of disciplinary actions available to the agency before dismissal?

Shelley Blotter: Responded in the affirmative. There may be no discipline at all if there's no conviction. It's just a

matter of informing us so that we can make decisions if we need to possibly place that person in a position where that license or certificate isn't required while this is making its way through the process, or potentially, there may be a situation where they need to be placed on leave. It may be disciplinary in nature or it could be something other than that. It's just so a good management decision can be made with that information.

Commissioner Mauger: Asked how many of the representatives from the different groups were present at these meetings on these changes. Was there anyone at the workshop? **Shelley Blotter:** Answered no employee association representatives were at the workshops. There was a written comment provided by one member of an employee's association regarding a different proposed regulation, but it didn't impact any of these regulations. We did reach out to AFSCME representatives prior to this meeting and neither of them had concerns with the proposals that are being made, and they're not present today.

Chairperson Fox: Thanked Ms. Blotter and asked if there were any other questions or comments from the Commissioners about V-A, LCB File R118-17. Hearing none, she entertained a motion.

MOTION: Moved to approve Item V-A, LCB File Number R118-1: Section 1, Amends Chapter 284 of NAC to add Sections 2 and 3; Section 2, NEW Report of suspension, revocation or cancellation of a professional or occupational license, certificate or permit or driver's license; Section 3, NEW Report of arrest, charge or conviction of an offense; Section 4, NAC 284.646, Dismissals; Section 5, NAC 284.650, Causes for disciplinary action; Section 6, NAC 284.653, Driving under the influence; unlawful acts involving controlled substance; and Section 7, NAC 284.890, Transportation of employee to and from location of screening test.
BY: Commissioner Mauger
SECOND: Commissioner Sanchez
VOTE: The vote was unanimous in favor of the motion.

B. LCB File No. R063-18
Sec. 1. NEW Refusal to submit to a screening test: Reasons an applicant or employee shall be deemed to have refused a test; potential consequences of a refusal to submit to a screening test by an applicant.
Sec. 2. NAC 284.578 Leave of absence without pay.

Carrie Hughes: NAC 284.882 adopts the U.S. Department of Health and Human Services standards for federal workplace drug testing programs by reference which outlines what constitutes a refusal to submit to a drug test and the consequences for refusing to submit to a drug test. However, due to concerns raised by a 2017 disciplinary appeal decision and a need to address what constitutes a refusal to submit to an alcohol test, the Division of Human Resource Management is proposing the new regulation in Section 1 of LCB File Number R063-18, which is based on those adopted federal workplace standards.

Subsection 1 outlines what situations would constitute a refusal to test. Subsection 2 addresses the consequences for an employment candidate who refuses to submit to a drug test. The consequences for an employee who refuses to submit to an alcohol or drug test is not addressed in this regulation as it is already outlined in NRS 284.4063, and Subsection 3 defines the terminology used in the regulation. The amendment to NAC 284.578 in Section 2 is a housekeeping change for consistency with similar provisions in other regulations; it does not substantially change the provision. Comments were solicited from employee organizations and agencies regarding these proposed changes in this file.

Chairperson Fox: Thanked Ms. Hughes and asked if there were any questions or comments from the Commissioners about Item V-B, LCB File No. R063-18. Hearing none, she entertained a motion.

MOTION: Moved to approve LCB File Number R063-18, Sections 1 and 2: Section 1 NEW Refusal to submit to a screening test: Reasons an applicant or employee shall be deemed to have refused a test; potential consequences of a refusal to submit to a screening test by an applicant; and Section 2 NAC 284.578 Leave of absence without pay.
BY: Commissioner Mauger
SECOND: Commissioner Sanchez

VOTE: The vote was unanimous in favor of the motion.

VI. DISCUSSION AND APPROVAL OF PROPOSED CLASS SPECIFICATION MAINTENANCE REVIEW OF CLASSES RECOMMENDED FOR REVISION – Action Item

A. Mechanical & Construction Trades
   1. Subgroup: Semi-Skilled General Labor
      a. 9.490 Sign Fabricator

Heather Dapice: Introduced herself as Supervisory Personnel Analyst for the State of Nevada's Division of Human Resource Management, Compensation, Classification and Recruitment Section.

As part of the biennial class specification review process, a review was conducted on the Sign Fabricator class. In consultation with subject-matter experts from the Department of Transportation, it is recommended that minor revisions be made to this series concept to clarify existing duties and responsibilities. Also, minor revisions were made to the education and experience of the minimum qualifications to add an equivalent Associate's degree as well as to maintain consistency with formatting.

The equivalent Associate's degree can be obtained through a variety of sources: trade schools, vocational schools, as well as the community college. For example, CSN offers an Apprenticeship Associate's Program as an operations engineer with a machinist emphasis. Through the course of this study, management, agency staff and analysts within the Division of Human Resource Management participated by offering recommendations and reviewing changes as the process progressed and they support these recommendations.

Chairperson Fox: Thanked Ms. Dapice and asked if there were any questions or comments from the Commissioners about Item VI-A-1-a. Hearing none, she entertained a motion.

MOTION: Move to approve Item VI-A-1-a, Mechanical & Construction Trades, Subgroup: Semi-Skilled General Labor, 9.490 Sign Fabricator
BY: Commissioner Mauger
SECOND: Commissioner Sanchez
VOTE: The vote was unanimous in favor of the motion.

Chairperson Fox: Indicated the next item on the agenda for possible action was Item VII, the Discussion and Approval or Denial of the Individual Classification Appeal of Pauline Beigel.

VII. DISCUSSION AND APPROVAL OR DENIAL OF INDIVIDUAL CLASSIFICATION APPEAL – Action Item

Pauline Beigel: Introduced herself as an Administrative Services Officer II with the Department of Transportation appealing the denial of her reclassification from an Administrative Services Officer II, 7.217 Grade 39, to an Administrative Services Officer III, 7.216 Grade 41. She believed she meets the requirements of an Administrative Services Officer III versus a II when compared to the study that started back in 2000. Exhibit 1 shows back in 2001 there was a $23 million budget which has since doubled. The number of employees increased from approximately 349 to 485.

Ms. Beigel stated the amount she is allowed to purchase, compared to the prior position, has doubled, as has the payment voucher authority. She is assigned to the new Traffic Management Center at Interstate 215 and Decatur and is exclusively responsible for the facility's budget. Previously, this facility didn't exist, nor did the building next to it, which is the South Maintenance Station. She is also responsible for the Searchlight Visitor Center and makes sure the contracts get done. She deals with personnel and the budget to make sure it is maintained. NDOT is going to be taking over Interstate 215 from Clark County, and there are a lot of land swaps that in progress. NDOT recently got rid of the pedestrian bridges at Tropicana and Las Vegas Boulevard, so there are a lot of moving parts, especially since the study was done back in 2001.

Ms. Beigel indicated she now has to deal with the CDL third-party testing for employees; one employee is certified and another that is becoming certified to be able to give CDL third-party tests. Another new program is Las Vegas

Roads which dispatches freeway service patrol for motorists. And finally, NDOT has the new federally mandated Stormwater Program. Exhibits 2 and 3 show the different budget organizations and the different dollar amounts compared from 2001 to Fiscal Year 2018 where it went basically from 15 to 18 budget organizations since the last study.

Exhibit 4 related to all the moving parts in NDOT. There are 18 budget organizations and each budget organization gets to spend money; they don't have a certain amount allotted to them. It's allotted in big buckets and they're all spending from the same bucket. Ms. Beigel has 85 different people spending from this one budget, or two buckets, depending upon whether it's Tonopah or Last Vegas. She needs to keep her people in check so they don't overspend. This year there was $50,000 left on the table after the initial $45 million, so it's definitely a challenge to keep up with the number. It used to be about 40 people that could spend, but when you keep adding staff and crews, you keep adding authority for people to spend. I am responsible for about 600 different utility accounts; there are electricity accounts, water accounts, and propane accounts. Any time a new facility is added, I get a new account and am now responsible for the budget for the installation of the Project Neon road closure signage and have to come up with a dollar amount to figure out how much electricity will be needed. The maintenance could be a couple hundred thousand dollars a year.

Exhibit 5 lists the 65 different spending organizations over which I keep track; Exhibit 6 shows the District 1 properties. Exhibit 7 goes over the organizational chart with the yellow being two proposed positions. The equipment operations instructor, certified to do third-party CDLs, also contacts me to decide whether or not drug tests need to be given. I have a lot more increase in consequence of error for drug tests where the previous position didn't deal with those things, and I have the responsibility to make sure the CDLs are following the rules at all times. The increase in authority, the increase in consequence of error and all the other things documented in the paperwork should justify increasing my grade from a 39 to a 41.

Chairperson Fox: Thanked Ms. Beigel and invited Ms. Dapice from the Division of Human Resource Management to speak to the Commission.

Heather Dapice: Stated she conducted the review of Appellant Pauline Beigel's position, and as a result of this review, it is determined that there had been no significant change in the duties and responsibilities of the position that would warrant reclassification from an Administrative Services Officer II to Administrative Services Officer III, that the Appellant's duties are consist with the ASO 2 level, are comparable to other ASO 2 positions within State service, that any change in duties are a result of increase in workload, and that this increase in workload is consistent with and comparable to duties already being performed. In short, significant change defined in NAC 284.126 means that duties assigned to a position have changed to such a degree that the current class concept no longer fairly describes the preponderance of duties being performed. In applying the definition of change that is the result of natural growth or an increase in workload common to most positions in State service is not considered to fall within the meaning of significant change, nor is the addition of duties and responsibilities that are similar in nature or complexity to current or previous performance responsibilities. The use of new technologies in methods to carry out the same or similar duties also would not constitute significant change.

In her appeal, the Appellant indicated an increase in significant decision-making for personnel decisions related to hiring, discipline, drug testing, accident investigations, et cetera. When this position was reclassified to an ASO 2, part of the determining factor was the additional responsibility for personnel functions at the district level to include payroll, filling vacant positions, terminations, grievances, disciplinary actions and the training plan. As such, these duties would not be considered new and would not constitute significant change.

The Appellant further detailed that this position is regularly called upon to make decisions regarding accidents and types of drug tests that should be performed, however, the State of Nevada's Alcohol and Drug Program and the Federal Motor Carrier Safety Administration, along with the U.S. Department of Transportation, have set policies, procedures, standards and mandates that set the requirements for testing individuals for alcohol and controlled substances. Also, per NAC 284.498, all supervisory and managerial employees must undergo training related to alcohol and drug testing, and it is their responsibility to take immediate action whenever they observe or are made aware of a situation when an employee is suspected of being under the influence of alcohol or a controlled substance; objective facts support a drug screening test. With regard to accident investigations, the incumbent is responsible for the implementation of and compliance with set policies and procedures related to accident responses and work-related injuries.

While the Appellant implements and coordinates these personnel functions for her district, it is the Department of Transportation's Human Resources section, under the direction of a Personnel Officer III, that is responsible for the development of and adherence to the Department's own personnel policies and procedures, prohibitions and penalties, as well as adherence to those required by DHRM. The Appellant also indicated she has a greater role in fiscal management as the budget has increased from $23 million to $43 million. She further states that population growth and increases in the number of visitors to Clark County has increased the usage of roads, visitor centers and rest areas requiring her to anticipate overages and shortfalls in budgeted funds, ensure contracts meet the public needs, and ensure that the increase in the number of property damage claims are processed timely.

As previously stated, increase in workload and the assignment of duties and responsibilities that are similar in nature and complexity to existing duties does not constitute significant change. The responsibilities for this position are still to function as the district's business manager, administrator service facilitator, and to obtain and maintain adequacies in budgeting, fiscal management and general resource management activities. Since this duty has been performed since the position was classified at the ASO 2 level, it's not considered new and therefore would not constitute significant change.

The Appellant also detailed in her appeal that she had increased responsibility and autonomy for the Traffic Management Center budget account. Per the Governor's Fiscal Year 18/19 recommended budget, the budget for the TMC was approximately $714,000. As the position already has autonomy and oversight of an assigned district budget at approximately $43 million, the addition of duties of a similar nature and complexity would not meet the definition of significant change.

Ms. Beigel also detailed that her position was instrumental in the 50-year contract for Hoover Power. When the position was reclassified to the ASO 2 level, the position became responsible for the Request for Proposals, contracting agreements and various program plans which were directly involved in contract compliance. As such, this duty would not be considered new and would not constitute justified reclassification. It should also be noted that the Department of Administration's State Public Works Engineering Efficiency Specialist and the Department of Correction's Energy Efficiency Manager, both also grade 39s, were instrumental in their agency's 50-year contract for Hoover Power as well.

While the Appellant gives further examples of why she feels her position should be classified from an ASO 2 to an ASO 3, it is still the determination of DHRM that these additional duties are not significantly different than when the position was classified to the ASO 2, are the result of an increase in workload and natural growth and would still not justify reclassification from the ASO 2 to the ASO 3. In allocating positions between levels within the ASO 2 series, the Series concept states, in part, that positions are compared to benchmark descriptions and to one another. This can be found on page two of the Class Specification located in Exhibit 9 of the appeal packet.

Ms. Beigel has requested classification to the ASO 3, however, the Appellant's duties and responsibilities neither compare to the benchmark, nor do they compare to other ASO 3 positions in State service. These ASO 3 positions have departmental or divisional responsibility versus the Appellant's district responsibility; have more complex accounting, budgeting and fiscal management responsibilities; increased responsibilities that range from $175 million to over $800 million; have increased budget complexity to include grants, revenues, trust funds, bonds, loans, tax collection, fees, fines, interest, et cetera; have federal reporting requirements, develop financial statements, create and implement fiscal policy for their agencies; and have supervisory responsibility over financial, business management, administrative and budget analyst positions. Additional details regarding these positions can be found in Exhibit 8.

The Appellant's position, however, while not as complex as some, does compare more favorably to other ASO 2 positions within State service. These ASO 2 positions have budgets of upwards of $75 million, have responsibility for smaller contracts and leases, some federal grants, smaller revenues and personnel functions. More detail of the comparable ASO 2 positions can be found in Exhibit 7. This position is also directly comparable to the ASO 2 position located in District 2 of the Department of Transportation.

Ms. Dapice concluded that, while there has been an increase in workload and new duties have been assigned to the position, there has been no significant change in the duties and responsibilities as required by NAC 284.126. This position also does not favorably compare to ASO 3 positions within State service. The position continues to perform duties and responsibilities associated with an ASO 2 as compared with other ASO 2 positions. The granting of the appeal would have a direct effect on the ASO 2 located in District 2 and would also create a cascading effect as it

previously mentioned ASO and ASO 3 positions that are more complex would seek upper reclassification. Therefore, it is respectfully requested that the Commission deny Ms. Beigel's appeal.

Chairperson Fox: Thanked Ms. Dapice and asked if there were any questions or comments from the Commission.

Commissioner Sanchez: Asked Ms. Beigel about a statement she made on page six of the packet. Regarding the letter of April 19th to Mr. Long she stated, "In conclusion, while I agree that looking at any one of the factors I mentioned in the original NPD-19 request, it's not a substantial change in and of itself, overall the combined change and responsibilities of the Division warrants an increase." In one sentence she was saying there is no substantial change and in another she was saying that if you put everything together it makes a substantial change. What was the logic of those statements? **Pauline Beigel:** Answered it's like synergy. When you put things together and they work differently together, you can say this tiny one little thing isn't substantial. But when you add seven or eight or 10 or 20 different tiny one little things, they become substantial; that was the logic behind the sentence.

Commissioner Sanchez: Thanked Ms. Beigel and asked Ms. Dapice how long had she been doing classification compensation studies. **Heather Dapice:** Answered a little over 11 years with the State of Nevada. **Commissioner Sanchez:** Asked Ms. Dapice if she had ever done any studies, as the Appellant has described, that would lead her to the conclusion of substantial change? **Heather Dapice:** Answered no.

Commissioner Mauger: Asked Ms. Beigel when she was hired. **Pauline Beigel:** Replied she was employed January 2, 2008, in this position. **Commissioner Mauger:** Asked what her duties were in 2001 when she came onboard. **Pauline Beigel:** Responded that the duties on the work performance standards when she was hired did not reflect accurately in this study. I had to work based on what they said the previous incumbent didn't do, not what I was doing when I was hired into the position. **Commissioner Mauger:** Did the additional work that you said you were doing create any additional hours to her work day? **Pauline Beigel:** Answered in the affirmative. I've started to delegate some of the easier service contracts to my Administrative Assistant IV who reviews the work and makes changes as opposed to starting from scratch. I'm trying to delegate and they're trying to add an additional Program Officer to help keep track of things. Right now I don't have the manpower to do all the additional things I'm trying to do. So yes, it did increase my number of hours per day. **Commissioner Mauger:** Asked if those additional hours per day went into additional pay for overtime. **Pauline Beigel:** Answered in the negative; some of it has extended into overtime, because I have to make types of decisions the previous incumbent did not make. I now have the authority to make decisions up to written reprimands, whereas the previous incumbent just made recommendations. It takes a little bit more time with the added responsibilities. There's not much overtime because I try to get everything done during the regular work hours. **Commissioner Mauger:** Noticed that there's been an uptick in these types of appeals regarding additional work versus the State saying no, it's not additional work. This is not just a one-time thing; it's beginning to pick up now. It probably stems from monetary reasons as to why, but I am concerned that these upticks are becoming more prevalent each time we have a quarterly meeting. Has your additional work cost the State anything in overtime pay? **Pauline Beigel:** Responded it has cost a couple of hours per month in overtime.

Commissioner Sanchez: Responded to Commissioner Mauger that while there may have been some upticks in terms of individuals coming before the Commission stating that they are working longer, simply because an individual is working longer does not mean that they should be reclassified. **Commissioner Mauger:** Agreed that was clear but needed to know if there was a trend beginning.

Heather Dapice: Stated the type of workload that's added to an agency would be an agency's determination to request additional positions to perform duties and responsibilities. The actual classification of the position is mandated by the duties. When additional duties are added to a position, the department looks at if that additional duty adds increased complexity to other positions classified at that higher level. The determination, in this case, was that the duties that were added were similar in nature and complexity and it did not equate to ASO 3 positions at other agencies.

Pauline Beigel: Stated that the comparison for her position to the Reno District's Administrative Services Officer II is very similar. An NPD-19 also submitted on his behalf for his position was also denied. The positions have grown similarly where we're doing more complex duties and given more responsibilities because, as the districts grow, the district engineers need to let us use some more of the complex stuff that we've been performing.

Commissioner Spurlock: Stated one has to be careful when talking about growth and budget size and other factors. Sometimes when it leads to significant increases in staff and whole new sublevels of subordinates, that could obviously

change a job. When you see things like a budget go from $23 to $42 billion over 17 years, it may seem that's about an 80 percent change; maybe subjectively that appears to be a lot to somebody. You really don't know when you factor in inflation and how much all relative other budgets have changed whether that's truly significant or not. You have to be careful when looking at measuring things one way based on a separate, sometimes potentially unrelated, factor like budgetary growth, inflationary growth. At that point, what we have to start looking at, if we are going to be fiscally responsible, is for all the managers out there in the State, if your budget hasn't kept up with the inflation growth rate from 2001 to 2018, can I lower your salary grade? Because I'd like to start looking for some savings that way. I don't know if it truly does exceed the inflation rate in Nevada since 2001. But even if it does, how relevant is it? And again if it's not, and there's others that haven't exceeded that inflation rate in their department's budget, how do you look at it? Are they fiscally responsible or should I be lowering their salary grade? We have to be careful on using things like budgetary growth over a period of time.

Chairperson Fox: Thanked the Commissioner and asked if there were any public comments. There were none.

MOTION:	Moved to deny the Individual Classification Appeal of Administrative Services Officer of Pauline Beigel with the Department of Transportation.
BY:	Commissioner Sanchez
SECOND:	Commissioner Spurlock
VOTE:	The motion passed with four ayes and one nay; Commissioner Mauger voted in the negative.

Chairperson Fox: Thanked Ms. Beigel for her presentation and her dedication to State service. She said the next item on the agenda was the Report of Uncontested Classification Plan Changes not requiring Personnel Commission Approval Per NRS 284.160.

VIII. REPORT OF UNCONTESTED CLASSIFICATION PLAN CHANGES NOT REQUIRING PERSONNEL COMMISSION APPROVAL PER NRS 284.160

Posting: #20-18
- 7.758 Energy Programs Manager

Posting: #21-18
- 12.455 Rehabilitation Manager II
- 12.409 Rehabilitation Manager I

Posting: #22-18
- 1.405 Metrologist III
- 1.403 Metrologist II
- 1.402 Metrologist I

Posting: #23-18
- 12.501 Warden

IX. UPDATE REGARDING THE ELIMINATION OF WRITTEN EXAMS

Commissioner Sanchez: Indicated he had a written statement he would like to read regarding this item. **Chairperson Fox:** Please go ahead, Commissioner Sanchez. **Commissioner Sanchez:** Regarding the elimination of written testing by the State of Nevada, I would like to go over a few items. In terms of written testing, during the Han Dynasty of Ancient China, public examinations, written examinations were given in districts throughout the country. There was an annual severe examination in Beijing where applicants for jobs in Chinese government gathered together. They were placed reportedly in ten thousand crib cells to write written responses to questions they were given.

The English adopted the Chinese method for their civil service system. In 1963, private industry throughout the country began to use written tests. In 1960, public-sector civil service written tests became very popular. And in 1974, there was a standard that was developed by the International Personnel Management Association in conjunction with the United States Civil Service Commission.

There was a manual that was produced called *The Public-Sector Employment Selection* and was developed by Dr. Grace White from the International Personnel Management Association in conjunction with other industrial psychologists from the U.S. Civil Service Commission. They developed a model selection plan for the public-sector.

There were five steps. Step number one is a job analysis to determine hiring qualifications; step two, recruiting applicants for jobs; step three, the selection, screening, examining, testing of job applicants; number four, hiring decisions; number five, follow-up.

The written test in the public-sector is one of the most complex items; I started my career with the Los Angeles County Department of Personnel doing this. One of the reasons that this manual was developed in the 1970s was that public agencies in 1972, under the EEO Act, then came under the jurisdiction of the Equal Employment Opportunity Commission in regard to the 1964 Civil Rights Act. So now, public agencies had to be reviewed in terms of employment discrimination. And so, personnel selection and testing became very important in terms of validation. There were guidelines put together about how to validate tests, et cetera. The written test in the public-sector measures cognitive and achievement abilities for some positions that are not readily measured or captured by T&Es, interviews and other features. It is interesting to note in the item that we got regarding the turn-around studies that it becomes very obvious. Turn-around studies for this data become rather rapid because they don't do written testing anymore; there's no administration. So that will speed up a selection process.

Employees rejected, that has nothing to do with the interview process or the written process, but more with a decision made after people are interviewed or there's a weighted application blank or performance test, et cetera. So, the elimination of written testing in the State of Nevada may have a subtle effect that we cannot really measure at this point without some complex designs and studies. There is a principle in personnel measurement, psychological testing, that a candidate's score - call it X - composite score or individual score, is equal to the candidate's T, true score plus error.

There's no such thing as a perfect employment test, interview, written test, et cetera. What I fear at this point is that because the State of Nevada has eliminated the written test from the model selection that was developed in the 1970s, that there is going to be more pronounced error in the personnel selection process.

Chairperson Fox: Thanked Commissioner Sanchez and stated that she, too, came from a robust public-sector selection background that had a continuum and variety of selection instruments to hire quality employees. In many cases, the written exam was the best instrument; sometimes T&E was. Assessment centers were used for promotion to management positions and the predictive value of written exams was something that hiring managers were assured of the kind of skill sets employees being hired to the organization had and what they could learn on the job. I echo Commissioner Sanchez' concerns that without those instruments in place and using T&Es, we're guessing a more subjective way about the skill sets employees come into are hired within an organization bring to the table.

Commissioner Spurlock: Echoed what Commissioners Fox and Sanchez said. The problem with written exams is often not with the person taking them or the department's perception of slow turn-around time from HR, but rather it's just that out of a fear of liability, HR departments don't strive to make the test better. If you have a bad test question, the first reaction is to throw out the question. Well, you don't throw out the question, you improve the question.

An obvious example would be multiple choice with four answers. If you have three answers with one word and a fourth answer with eight words, that's lazy test writing, and it will probably unnaturally steer the person answering the question to pick the answer with eight words because it stands out. That sounds like it's rocket science and it's not; it's natural psychology and human behavior and so much of that is in written exams. What happens in modern times is HR departments are buying test questions from outside people. From a liability standpoint, we're afraid to apply our own knowledge and fix the question. If it's not our question, we can't be sued for it; we'll just keep buying bad questions from consultants.

The famous Supreme Court case that basically started the field of HR back in 1971 was Griggs vs. Duke Power. This was in North Carolina where you had a large power plant, a multitude of functions and jobs, and you had a small little shack building next to it. That small little shack building contained the janitors and groundskeepers that maintained the building and grounds outside the larger building. But what the people always wanted to aspire to was to get into the janitor job in the large building because it had upward mobility. All of the people in the smaller building were African-American males, and they were not educated. The company tried to say that the janitor job in the large building was different, and it wasn't different. What it required was a high school education.

What they used back then was an off-the-shelf I.Q. test. They were using the only tools they knew how to use with a little bit of, maybe, laziness. So they required a high school degree. They thought, well we should require something; let's require a high school diploma. And the only way we can test on any kind of general confidence is to test on general intelligence, so let's take an off-the-shelf I.Q. test. The case went to the Supreme Court; the people sued. It was not considered a bona fide occupational qualification, and that changed the field of HR forever, because after that, we had to come up with testing that was tied into qualifications.

Are we able to do it without just having multiple choice questions? Yes, because a lot of our other areas like oral interviews have become more sophisticated. People in HR departments make sure that at least there's consistency in that oral interview. They make sure that each candidate is usually asked the same seven questions and they're not allowed to deviate. The Commission is under incredible pressure from departments to increase turn-around time, but we just have to really be careful of what we're potentially giving up by doing that.

Commissioner Sanchez: Clarified that the test in the Griggs vs. Duke Power Company case was the off-the-shelf Wonderlic test that is still being used today in the NFL. **Chairperson Fox:** Said the Commission understands the pressure and the scrutiny that the Division comes under. I have had this discussion with Mr. Long, and he also sees the value in written exams. It's a conundrum for the Division. **Commissioner Sanchez:** Stated he would like to hear from Mr. Long.

Peter Long: Shared he believed that an appropriately constructed written exam does a better job of determining on-the-job success than a simple application evaluation or a T&E. When he first started with the Department of Personnel, and then the Division of Human Resource Management, they used an organizational psychologist to develop their written exams. When that position went away, the Division moved to a test development unit that developed the test and looked for the bad questions and the adverse impact during the exam process. When that unit was downsized, we went with one analyst who developed the exams and outsourced the questions to an outside company where the Division got questions to create the exams. Over time, exams became more generic and could be used for multiple job classes in State service. The Division ended up with 27 written exams to test for 1300 various job classes. Over the years, the ability to create and deliver very specific written exams diminished. When the written exams were eliminated through the budget process, the ability to select the best qualified people for the job was diminished.

X. DISCUSSION AND ANNOUNCEMENT OF DATES FOR UPCOMING MEETINGS. NEXT MEETING SCHEDULED FOR DECEMBER 7, 2018.

Chairperson Fox: After deliberation advised the Commission that the next meeting is scheduled for Friday, March 8, 2019.

XI. COMMISSION COMMENTS

Chairperson Fox: Announced that Deputy Administrator Shelley Blotter is retiring from State service and that she is sad about this because Ms. Blotter is such a nice blend of professionalism, getting her point across, listening to opposing points of view and tying it up in a nice bow that we can all understand. This is going to be tough on the Commission because Ms. Blotter brought to her staff a high level of explaining the issues, training staff, moving items forward, and affecting change. I will miss her and wished her the best in retirement.

Shelley Blotter: Expressed her gratitude for being able to work with such a fabulous Commission and that it had been a joy. I appreciate the support and years that we had together and the good work that was done. I am looking forward to the future for hobbies and family time.

Commissioner Sanchez: Declared he would miss Ms. Blotter the most. He said that even though he was the "biggest pain" to the Commission, Ms. Blotter always treated him with dignity and settled him down. He thanked Ms. Blotter so much for her service to the State.

Commissioner Spurlock: Said he always appreciated Ms. Blotter's professionalism during his briefings before formal meetings. She had a true understanding of the field, welcomed all of his input during phone briefings and he is going to miss her, too.

Commissioner Mauger: Thanked Ms. Blotter for letting him pick her brain for knowledge and information over the years. He praised her professionalism and willingness to help others. He wished her a happy retirement.

Peter Long: Thanked Chair Fox for giving him the opportunity to speak during the Commission comments. He shared that he and Ms. Blotter "grew up" together with DOP and DHRM. He lamented that across State service, long-term employees are leaving, and institutional knowledge is walking out the door. The relationships Ms. Blotter developed allowed their division to do their job based on the trust earned with the Commission and the agencies being served; Ms. Blotter can never be replaced. Mr. Long said the thing he will miss the most was Ms. Blotter's ability to keep him in line and to help him not get in trouble. The person who will be taking Ms. Blotter's place was going to have big shoes to fill and introduced the person who would be filling those shoes, Mr. Frank Richardson.

Frank Richardson: Stated he had worked in both the private- and public-sectors in HR management and is eager to get started. He said it was an honor to replace Ms. Blotter and he would do his very best to follow in her pathway to create an office that remains professional and responsive to the needs of the Commission.

Chairperson Fox: Closed by saying the Commission wished Ms. Blotter the best. If Ms. Blotter approached retirement like she approached working with the Commission and the Division, she was going to have a great retirement.

XII. PUBLIC COMMENT

Chairperson Fox: Reminded everyone no vote or action may be taken upon the matter raised under this item of the agenda until the matter itself has been specifically included on the agenda as an item upon which action may be taken under NRS 241.020.

Peter Long: Announced that in honor of Ms. Blotter cupcakes were available to those in the north.

XIII. ADJOURNMENT

Chairperson Fox: Adjourned the meeting.

Personnel Commission Meeting
December 7, 2018

FOR INFORMATION ONLY

Attached is a list of classes and positions which have previously been approved for pre-employment testing. This list has been provided for you to use as a reference when determining which classes and/or positions the Commission may wish to approve at this meeting.

Also attached is a request for the addition or removal of classes from the pre-employment testing list submitted by the Nevada Department of Veterans Services for your reference.

STATE OF NEVADA
POSITIONS/CLASSES APPROVED FOR PRE-EMPLOYMENT CONTROLLED SUBSTANCE TESTING CHANGES EFFECTIVE JUNE 8, 2018

(All positions in each class have been approved for pre-employment controlled substance testing, unless otherwise noted (*) for a specific agency(s) and/or position(s). Classes in ***bold/italics*** are new to the list.)

CLASS/TITLE CODE	TITLE	*ONLY CERTAIN POSITIONS AGENCY/POSITION CONTROL NO.
1.401	WEIGHTS AND MEASURES INSPECTOR IV*	AGR - PCNS 4551-0011, 4551-0022
1.404	WEIGHTS AND MEASURES INSPECTOR III*	AGR - PCN 4551-0013
1.407	WEIGHTS AND MEASURES INSPECTOR II*	AGR - PCNS 4551-0014, 4551-0015, 4551-0023, 4551-0024, 4551-0025, 4551-0028, 4551-0045, 4551-0047, 4551-0049, 4551-0102, 4551-0105
1.413	WEIGHTS AND MEASURES ASSISTANT (SEASONAL)*	AGR - PCNS 4551-8911, 4551-8912, 4551-8913
1.608	FIELD ASSISTANT II (PARC)	
1.737	BIOLOGIST I*	AGR - PCN 4600-0025
1.770	WILDLIFE AREA SUPERVISOR II	
1.771	WILDLIFE AREA SUPERVISOR I	
1.772	FISH HATCHERY SUPERVISOR II	
1.774	FISH HATCHERY SUPERVISOR I	
1.776	FISH HATCHERY TECHNICIAN III	
1.778	FISH HATCHERY TECHNICIAN II	
1.780	FISH HATCHERY TECHNICIAN I	
1.785	WILDLIFE AREA TECHNICIAN III	
1.786	WILDLIFE AREA TECHNICIAN II	
1.787	WILDLIFE AREA TECHNICIAN I	
1.811	FORESTER III	
1.812	FIRE MANAGEMENT OFFICER II	
1.813	FORESTER II	
1.814	FIRE MANAGEMENT OFFICER I	
1.816	BATTALION CHIEF	
1.817	CONSERVATION CREW SUPERVISOR III	
1.818	FORESTER I	
1.819	FIREFIGHTER II	
1.820	CONSERVATION CREW SUPERVISOR II	
1.822	FIRE CONTROL DISPATCHER III	
1.823	SEASONAL FIRE CONTROL DISPATCHER II*	DCNR-FORESTRY DIVISION - ALL PCNS
1.824	SEASONAL FIRE CONTROL DISPATCHER I*	DCNR-FORESTRY DIVISION - ALL PCNS
1.825	CONSERVATION CREW SUPERVISOR I	
1.826	FIRE CONTROL DISPATCHER II	
1.827	FIRE CONTROL DISPATCHER I	
1.828	SEASONAL FIREFIGHTER III*	DCNR-FORESTRY DIVISION - ALL PCNS
1.829	SEASONAL FIREFIGHTER II*	DCNR-FORESTRY DIVISION - ALL PCNS
1.831	SEASONAL FIREFIGHTER I*	DCNR-FORESTRY DIVISION - ALL PCNS
1.835	HELITACK SUPERVISOR	

CLASS/TITLE CODE	TITLE	*ONLY CERTAIN POSITIONS AGENCY/POSITION CONTROL NO.
1.850	FIRE CAPTAIN	
1.852	FIREFIGHTER I	
1.907	PARKS REGIONAL MANAGER (NON-COMMISSIONED)	
1.912	PARK INTERPRETER	
1.918	LIFEGUARD II	
1.919	LIFEGUARD I	
1.921	PARK RANGER III (NON-COMMISSIONED)	
1.922	PARK RANGER II (NON-COMMISSIONED)	
1.923	PARK RANGER I (NON-COMMISSIONED)	
1.967	PARK SUPERVISOR III (NON-COMMISSIONED)	
1.968	PARK SUPERVISOR II (NON-COMMISSIONED)	
1.969	PARK SUPERVISOR I (NON-COMMISSIONED)	
2.124	MAIL SERVICE SUPERVISOR*	BCN - ALL PCNS
2.126	MAIL SERVICE TECHNICIAN*	BCN - ALL PCNS
2.127	MAIL SERVICE CLERK I*	BCN - ALL PCNS
2.129	MAIL SERVICE CLERK II*	BCN - ALL PCNS
2.153	LEGAL SECRETARY II*	TAXI - PCN 0038
2.210	ADMINISTRATIVE ASSISTANT IV*	DPS - PCNS 3743-0106, 3743-33, 4701-0106, 4701-0155, 4701-0706, 4701-0805, 4701-0870, 4709-42, 4709-70, 4709-71, 4709-72, 4709-73, 4709-206, 4709-625, 4709-645, 4709-665, 4709-1004, 4709-1006, 4709-1007, 4709-1009, 4709-8004, 4709-8018, 4709-8031, 4709-8038, 4709-8039, 4709-8040, 4709-8041, 4709-8042, 4709-8043, 4709-9013, 4713-0706, 4713-155, 4713-805; TAXI - PCN 0023
2.211	ADMINISTRATIVE ASSISTANT III*	DMV - PCNS RE7015, WF7047; DPS - PCNS 3740-1412, 3743-0028, 3743-5, 3743-15, 3743-17, 3743-32, 3743-34, 3743-60, 3743-61, 3743-62, 3743-64, 3743-65, 3743-1011, 3743-1014, 3743-1017, 3743-1020, 3744-10, 3744-13, 3744-16, 3744-19, 4702-51, 4702-147, 4702-315, 4702-328, 4702-648, 4702-705, 4702-871, 4702-11033, 4702-11034, 4709-36, 4709-37, 4709-58, 4709-620, 4709-630, 4709-8005, 4709-8007, 4709-8010, 4709-8011, 4709-8016, 4709-8017, 4709-8019, 4709-8020, 4709-8021, 4709-9001, 4709-9002, 4709-9011, 4709-9012; TAXI - PCNS 0011, 0061

CLASS/TITLE CODE	TITLE	*ONLY CERTAIN POSITIONS AGENCY/POSITION CONTROL NO.
2.212	ADMINISTRATIVE ASSISTANT II*	DPS - PCNS 3743-1021, 4702-32, 4709-2, 4709-8044, 4709-8045, 4709-8046, 4709-8048, 4709-9003, 4709-9004, 4709-9005, 4709-9006, 4709-9007, 4709-9008, 4709-9009, 4709-9010, 4709-16, 4709-17, 4709-18, 4709-25, 4709-26, 4709-34, 4709-57, 4709-62, 4709-204, 4709-205, 4709-605, 4709-660, 4709-8006, 4709-8008, 4709-8009, 4713-0870; TAXI - PCNS 0003, 0013, 0020, 0043, 0046, 0066, 0074, 0075, 0092, 0095
2.301	ACCOUNTING ASSISTANT III*	DPS - PCNS 3743-16, 4709-38, 4709-8022
2.303	ACCOUNTING ASSISTANT II*	DPS - PCN 4709-15
2.819	SUPPLY TECHNICIAN III*	PURCHASING - PCN 0027
2.824	SUPPLY TECHNICIAN II*	PURCHASING - PCN 0029; BCN - ALL PCNS
2.827	SUPPLY ASSISTANT*	BCN - ALL PCNS
2.836	SUPPLY TECHNICIAN I*	BCN - ALL PCNS
3.203	FOOD SERVICE COOK/SUPERVISOR II*	BCN - ALL PCNS
3.206	FOOD SERVICE COOK/SUPERVISOR I*	BCN - ALL PCNS
3.213	FOOD SERVICE WORKER II*	BCN - ALL PCNS
3.218	FOOD SERVICE WORKER I*	BCN - ALL PCNS
3.505	DRIVER - SHUTTLE BUS	
3.506	DRIVER - VAN/AUTOMOBILE	
3.520	FAMILY SUPPORT WORKER III*	BCN - ALL PCNS
3.521	FAMILY SUPPORT WORKER II*	BCN - ALL PCNS
3.524	FAMILY SUPPORT WORKER I*	BCN - ALL PCNS
5.103	PRINCIPAL	
5.104	VICE PRINCIPAL	
5.106	ACADEMIC TEACHER	
5.112	VOCATIONAL EDUCATION INSTRUCTOR	
5.174	CHILD CARE WORKER II*	BCN - ALL PCNS
5.175	CHILD CARE WORKER I*	BCN - ALL PCNS
6.209	SUPERVISOR III, ASSOCIATE ENGINEER*	NDOT - PCNS 017009, 017046, 018-037, ALL PCNS BEGINNING W/ 930
6.211	SUPERVISOR II, ASSOCIATE ENGINEER*	NDOT - PCNS 027006, 028006, 255001, ALL PCNS BEGINNING W/ 930
6.215	SUPERVISOR I, ASSOCIATE ENGINEER*	NDOT -PCNS 017021, 017034, 017048, 028008, ALL PCNS BEGINNING W/ 930
6.223	ADMINISTRATOR I, PROFESSIONAL ENGINEER*	NDOT - PCN 301012
6.224	MANAGER I, PROFESSIONAL ENGINEER*	NDOT - ALL PCNS BEGINNING W/ 930
6.228	STAFF II, ASSOCIATE ENGINEER*	NDOT - PCNS 018024, 018025, 018036, 018037, 018046, 018047
6.229	STAFF I, ASSOCIATE ENGINEER*	NDOT - PCNS 020014, 034001, 255002, 080001, 080002, 080005, 080006, 080007, 080010

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6.305	ENGINEERING TECHNICIAN V*	NDOT - PCN 028015
6.308	ENGINEER TECHNICIAN IV*	NDOT - PCN 027023, ALL PCNS BEGINNING W/ 930
6.313	ENGINEERING TECHNICIAN III*	NDOT - PCNS 017037, 017038, 017039, 017040, 017041, 017042, 017050, 017051, 017052, 027019, 027022, 028010, 028011, 028013, 028016, 028021, 028022, 028030, 101342, 255003, ALL PCNS BEGINNING W/ 930
6.355	ARCHITECTURAL DRAFTER IV*	BCN - ALL PCNS
6.358	ARCHITECTURAL DRAFTER III*	BCN - ALL PCNS
6.750	CONSTRUCTION PROJECT COORDINATOR III*	BCN - ALL PCNS
6.751	PROJECT MANAGER III*	BCN - ALL PCNS
6.754	BUILDING CONSTRUCTION INSPECTOR III*	BCN - ALL PCNS; D of A - ALL PCNS
6.755	BUILDING CONSTRUCTION INSPECTOR IV*	D of A - ALL PCNS
6.758	CONSTRUCTION PROJECT COORDINATOR II*	BCN - ALL PCNS
6.762	PROJECT MANAGER II*	BCN - ALL PCNS
6.763	PROJECT MANAGER I*	BCN - ALL PCNS
6.966	DEVELOPMENT TECHNICIAN IV*	BCN - ALL PCNS
6.978	DEVELOPMENT TECHNICIAN III*	BCN - ALL PCNS
6.979	DEVELOPMENT TECHNICIAN II*	BCN - ALL PCNS
6.980	DEVELOPMENT TECHNICIAN I*	BCN - ALL PCNS
6.981	ELECTRONICS TECHNICIAN II*	BCN, NDOC - ALL PCNS
6.987	ELECTRONICS TECHNICIAN III*	BCN, NDOC - ALL PCNS
6.988	ELECTRONICS TECHNICIAN I*	BCN, NDOC - ALL PCNS
7.141	ACCOUNTANT TECHNICIAN II*	DPS - PCNS 0030, 4709-1010
7.143	ACCOUNTANT TECHNICIAN I*	DPS - PCN 4702-30
7.154	AUDITOR II*	DHHS PBH - PCNS 0031, 0033, 0041
7.217	ADMINISTRATIVE SERVICES OFFICER II*	DPS - PCN 4709-23
7.218	ADMINISTRATIVE SERVICES OFFICER I*	DPS - PCN 3743-6
7.519	TRAINING OFFICER I*	NDOT - ALL PCNS
7.524	TRAINING OFFICER II*	DPS - NHP - HAZARDOUS MATERIALS - PCN 5
7.624	MANAGEMENT ANALYST III*	DPS - PCNS 4709-3, 4709-200
7.625	MANAGEMENT ANALYST II*	DPS - PCN 4709-39; TAXI - PCNS 0002, 0078
7.637	MANAGEMENT ANALYST I*	DPS - PCNS 3743-9, 3743-79, 4709-40
7.643	PROGRAM OFFICER III*	DHHS PBH - PCN 0038; DPS - PCN 4702-0086
7.647	PROGRAM OFFICER II*	BCN - PCN 41234; DMV - PCN CC4019; DPS- PCNS 3743-1022, 4701-0950, 4709-19, 4709-24, 4709-35, 4709-8003, 4709-8012
7.649	PROGRAM OFFICER I*	DPS - PCN 3744-82, 4702-322, 4709-8030, 4709-8036, 4709-8037; FIRE MARSHAL - PCNS 4, 106; NDOC - PCNS 3710-0064, 3710-0202; BCN - PCNS 41672, 41673
7.653	PUBLIC SERVICE INTERN II*	NDOT - ALL PCNS BEGINNING W/ 940

CLASS/TITLE CODE	TITLE	*ONLY CERTAIN POSITIONS AGENCY/POSITION CONTROL NO.
7.655	BUSINESS PROCESS ANALYST III*	DPS - PCN 4709-8023
7.656	BUSINESS PROCESS ANALYST II*	DPS - PCNS 4702-0046, 4709-8024, 4709-8025
7.665	PUBLIC SERVICE INTERN I*	MIN - PCNS 09015, 09016, 09017, 09018, 09019, 09020, 09022, 09023
7.713	TRANSPORTATION TECHNICIAN III*	NDOT - ALL PCNS BEGINNING W/ 805 & 813
7.714	TRANSPORTATION TECHNICIAN IV*	NDOT - ALL PCNS BEGINNING W/ 805 & 813
7.715	TRANSPORTATION TECHNICIAN II*	NDOT - ALL PCNS BEGINNING W/ 805 & 813
7.722	TRAFFIC CENTER TECHNICIAN SUPERVISOR	
7.724	TRAFFIC CENTER TECHNICIAN II	
7.725	TRAFFIC CENTER TECHNICIAN I	
7.726	TRAFFIC CENTER TECHNICIAN TRAINEE	
7.745	STATISTICIAN II*	DPS - PCN 4709-21
7.901	CHIEF IT MANAGER*	NDOT - PCN 016060
7.902	IT MANAGER III*	DPS - PCN 4709-0207
7.904	IT MANAGER I*	NDOT - PCN 016065; BCN UNR - PCN 42286
7.921	IT PROFESSIONAL IV*	DPS - PCN 4709-8032; NDOT - PCNS 016061, 016063
7.925	IT PROFESSIONAL III*	DPS - PCNS 4709-0150, 4709-8033; NDOT - PCNS 016062, 016064, 91001, 92001, 93002; BCN UNR - ALL FACILITIES SERVICES PCNS
7.926	IT PROFESSIONAL II*	NDOT - PCNS 91005, 92002, 93001, 93003, 95001, 96001, 92003, 93005, 94003; BCN UNR - ALL FACILITIES SERVICES PCNS
7.929	IT PROFESSIONAL I*	BCN UNR - ALL FACILITIES SERVICES PCNS
7.951	IT PROFESSIONAL TRAINEE*	BCN UNR - ALL FACILITIES SERVICES PCNS
9.103	HIGHWAY MAINTENANCE MANAGER	
9.106	HIGHWAY MAINTENANCE SUPERVISOR II	
9.115	HIGHWAY MAINTENANCE SUPERVISOR I	
9.117	HIGHWAY MAINTENANCE WORKER IV	
9.120	HIGHWAY MAINTENANCE WORKER III	
9.127	HIGHWAY MAINTENANCE WORKER II	
9.130	HIGHWAY MAINTENANCE WORKER I	
9.137	HIGHWAY CONSTRUCTION AID	
9.200	SPECIAL EQUIPMENT OPERATOR III	
9.201	EQUIPMENT OPERATION INSTRUCTOR	
9.203	SPECIAL EQUIPMENT OPERATOR II	
9.204	GROUNDS EQUIPMENT OPERATOR I*	BCN - ALL PCNS
9.205	SEASONAL FORESTRY EQUIPMENT OPERATOR	
9.208	DRIVER WAREHOUSE WORKER TRAINEE*	NDOC - ALL PCNS
9.209	GROUNDS EQUIPMENT OPERATOR II*	BCN - ALL PCNS
9.210	DRIVER WAREHOUSE WORKER I	
9.211	DRIVER WAREHOUSE WORKER II	

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9.212	DRIVER WAREHOUSE SUPERVISOR	
9.315	HIGHWAY EQUIPMENT MECHANIC SPVR I	
9.317	HIGHWAY EQUIPMENT MECHANIC III	
9.318	HIGHWAY EQUIPMENT MECHANIC II	
9.321	HIGHWAY EQUIPMENT MECHANIC I	
9.322	EQUIPMENT MECHANIC IV*	BCN, DCNR-FORESTRY DIVISION - ALL PCNS
9.323	EQUIPMENT MECHANIC III*	BCN, DCNR-FORESTRY DIVISION, NDOC, NDOW - ALL PCNS
9.326	EQUIPMENT MECHANIC-IN-TRAINING IV*	BCN, NDOT - ALL PCNS
9.327	AUTO BODY WORKER*	NDOT - ALL PCNS
9.328	EQUIPMENT MECHANIC-IN-TRAINING III*	BCN, NDOT - ALL PCNS
9.330	EQUIPMENT MECHANIC-IN-TRAINING II*	BCN, NDOT - ALL PCNS
9.331	EQUIPMENT MECHANIC II*	BCN, DCNR-FORESTRY DIVISION, NDOC, NDOT, NDOW - ALL PCNS
9.332	EQUIPMENT MECHANIC-IN-TRAINING I*	BCN, NDOT - ALL PCNS
9.333	EQUIPMENT MECHANIC I*	BCN, DCNR-FORESTRY DIVISION, NDOC, NDOT, NDOW - ALL PCNS
9.334	FLEET SERVICE WORKER IV*	BCN, NDOT - ALL PCNS
9.335	FLEET SERVICE WORKER III*	BCN, NDOT - ALL PCNS
9.336	FLEET SERVICE WORKER II*	BCN, NDOT - ALL PCNS
9.337	FLEET SERVICE WORKER I*	BCN, NDOT - ALL PCNS
9.353	AVIATION SERVICES OFFICER	
9.354	CHIEF PILOT	
9.355	PILOT II	
9.356	PILOT III	
9.357	AIRCRAFT MAINTENANCE SPECIALIST	
9.359	PILOT I	
9.404	HVACR SPECIALIST IV*	BCN - ALL PCNS
9.408	HVACR SPECIALIST II*	BCN, NDOC - ALL PCNS
9.413	HVACR SPECIALIST III*	BCN, NDOC - ALL PCNS
9.417	WELDER I*	BCN, NDOC, NDOT - ALL PCNS
9.418	LOCKSMITH I*	BCN, NDOC - ALL PCNS
9.420	HEAT PLANT SPECIALIST II*	BCN, NDOC - ALL PCNS
9.421	HVACR SPECIALIST I*	BCN, NDOC, NDOT - ALL PCNS
9.422	HEAT PLANT SPECIALIST IV*	BCN, NDOC - ALL PCNS
9.423	CARPENTER I*	BCN, NDOC, NDOT - ALL PCNS
9.424	CARPENTER II*	BCN, NDOC - ALL PCNS
9.425	HEAT PLANT SPECIALIST III*	BCN, NDOC - ALL PCNS
9.426	ELECTRICIAN I*	BCN, NDOC, NDOT - ALL PCNS
9.428	HEAT PLANT SPECIALIST I*	BCN, NDOC - ALL PCNS
9.429	PAINTER I*	BCN - ALL PCNS
9.430	WELDER II*	BCN, NDOC, NDOT - ALL PCNS
9.431	LOCKSMITH II*	BCN, NDOC - ALL PCN'S
9.432	PLUMBER I*	BCN, NDOC - ALL PCNS
9.434	EVENTS CENTER TECHNICIAN II*	BCN - ALL LAWLOR EVENTS CENTER PCNS
9.437	EVENTS CENTER TECHNICIAN I*	BCN - ALL LAWLOR EVENTS CENTER PCNS
9.439	CARPENTER III*	BCN - ALL PCNS

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9.441	MAINTENANCE REPAIR SPECIALIST I*	BCN, NDOC, NDOT, NDOW, NSVH - ALL PCNS
9.445	MAINTENANCE REPAIR SPECIALIST II*	BCN, NDOC, NDOW - ALL PCNS
9.447	ELECTRICIAN II*	BCN, NDOC, NDOT - ALL PCNS
9.448	ELECTRICIAN III*	BCN, NDOC, NDOT - ALL PCNS
9.459	PAINTER II*	BCN - ALL PCN'S
9.460	PAINTER III*	BCN - ALL PCNS
9.462	PLUMBER II*	BCN, NDOC - ALL PCNS
9.463	PLUMBER III*	BCN - ALL PCNS
9.465	CRAFT WORKER-IN-TRAINING IV*	BCN - ALL PCNS
9.466	CRAFT WORKER-IN-TRAINING III*	BCN - ALL PCNS
9.467	CRAFT WORKER-IN-TRAINING II*	BCN - ALL PCNS
9.468	CRAFT WORKER-IN-TRAINING I*	BCN - ALL PCNS
9.470	THEATER TECHNICIAN I*	BCN - ALL PCNS
9.471	THEATER TECHNICIAN II*	BCN - ALL PCNS
9.481	MAINTENANCE REPAIR AID IV*	BCN - ALL PCNS
9.482	MAINTENANCE REPAIR AID III*	BCN - ALL PCNS
9.483	MAINTENANCE REPAIR AID II*	BCN - ALL PCNS
9.484	MAINTENANCE REPAIR AID I*	BCN - ALL PCNS
9.485	MAINTENANCE REPAIR WORKER IV*	BCN, NDOC - ALL PCNS
9.486	MAINTENANCE REPAIR WORKER III*	BCN, NDOC - ALL PCNS
9.487	MAINTENANCE REPAIR WORKER II*	BCN, NDOC, NSVH - ALL PCNS
9.488	MAINTENANCE REPAIR WORKER I*	BCN, NDOC, NSVH - ALL PCNS
9.496	WASTEWATER TREATMENT OPERATOR II*	NDOC - ALL PCNS
9.497	WASTEWATER TREATMENT OPERATOR I*	NDOC - ALL PCNS
9.514	RANCH MANAGER*	BCN UNR - PCN 41154
9.534	RESEARCH AID II*	BCN - ALL WOLF PACK MEATS PCNS
9.555	RESEARCH AID I*	BCN - ALL WOLF PACK MEATS PCNS
9.580	RESEARCH TECHNICIAN*	BCN - ALL WOLF PACK MEATS PCNS
9.603	FACILITY MANAGER*	BCN, NDOC - ALL PCNS
9.606	FACILITY SUPERVISOR III*	BCN, NDOC - ALL PCNS
9.609	FACILITY SUPERVISOR II*	BCN, NDOC - ALL PCNS, NDOT - PCN 302001
9.610	GROUNDS SUPERVISOR III*	BCN - ALL PCNS
9.612	FACILITY SUPERVISOR I*	BCN, NDOC - ALL PCNS
9.616	CUSTODIAL SUPERVISOR IV*	BCN - ALL PCNS
9.617	CUSTODIAL SUPERVISOR III*	BCN - ALL PCNS
9.620	GROUNDS SUPERVISOR II*	BCN - ALL PCNS
9.623	CUSTODIAL SUPERVISOR II*	BCN - ALL PCNS
9.625	CUSTODIAL SUPERVISOR I*	BCN - ALL PCNS
9.627	GROUNDS SUPERVISOR I*	BCN - ALL PCNS
9.630	GROUNDS MAINTENANCE WORKER V*	BCN - ALL PCNS
9.631	CUSTODIAL WORKER II*	BCN - ALL PCNS
9.633	GROUNDS MAINTENANCE WORKER IV*	BCN - ALL PCNS
9.634	CUSTODIAL WORKER I*	BCN - ALL PCNS
9.635	GROUNDS MAINTENANCE WORKER III*	BCN - ALL PCNS
9.637	FACILITY ATTENDANT*	BCN - ALL PCNS

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9.639	GROUNDS MAINTENANCE WORKER II*	BCN - ALL PCNS
9.641	GROUNDS MAINTENANCE WORKER I*	BCN - ALL PCNS
10.124	PSYCHOLOGIST IV*	NDOC - ALL PCNS
10.126	PSYCHOLOGIST III*	NDOC - ALL PCNS
10.132	PSYCHOLOGIST II*	NDOC - ALL PCNS
10.139	MENTAL HEALTH COUNSELOR II*	NDOC - ALL PCNS
10.141	MENTAL HEALTH COUNSELOR I*	NDOC - ALL PCNS
10.143	PSYCHOLOGIST I*	NDOC - ALL PCNS
10.144	CLINICAL SOCIAL WORKER II*	NDOC - ALL PCNS
10.146	TREATMENT HOME SUPERVISOR	
10.148	TREATMENT HOME PROVIDER	
10.150	CLINICAL SOCIAL WORKER I*	NDOC - ALL PCNS
10.151	CLINICAL SOCIAL WORKER III*	NDOC - ALL PCNS
10.179	PSYCHOMETRIST *	NDOC - ALL PCNS
10.217	HEALTH PROGRAM MANAGER II*	DHHS PBH - PCN 0037
10.229	MID-LEVEL MEDICAL PRACTITIONER*	DHHS, NDOC - ALL PCNS
10.244	QUALITY ASSURANCE SPECIALIST I*	NSVH - ALL PCNS
10.260	DENTAL CLINIC SUPERVISOR*	UNLV - ALL PCNS
10.262	DENTAL ASSISTANT III*	NDOC, UNLV - ALL PCNS
10.263	DENTAL ASSISTANT II*	NDOC, UNLV - ALL PCNS
10.264	DENTAL ASSISTANT I*	NDOC, UNLV - ALL PCNS
10.300	DIRECTOR, NURSING SERVICES II*	DHHS, NDOC - ALL PCNS, NSVH - ALL PCNS
10.301	DIRECTOR, NURSING SERVICES I*	DHHS, NDOC - ALL PCNS
10.305	PSYCHIATRIC NURSE III*	DHHS, NDOC - ALL PCNS
10.306	PSYCHIATRIC NURSE IV*	DHHS, NDOC - ALL PCNS
10.307	PSYCHIATRIC NURSE II*	DHHS, NDOC - ALL PCNS
10.309	PSYCHIATRIC NURSE I*	DHHS, NDOC - ALL PCNS
10.310	CHIEF OF NURSING SERVICES*	NDOC - ALL PCNS
10.316	CORRECTIONAL NURSE III*	NDOC - ALL PCNS
10.318	CORRECTIONAL NURSE II*	DHHS, NDOC - ALL PCNS
10.319	CORRECTIONAL NURSE I*	DHHS, NDOC - ALL PCNS
10.338	MENTAL HEALTH TECHNICIAN IV*	DHHS - ALL PCNS
10.339	DEVELOPMENTAL SUPPORT TECH IV*	DHHS - ALL PCNS
10.346	MENTAL HEALTH TECHNICIAN III*	DHHS - ALL PCNS
10.347	DEVELOPMENTAL SUPPORT TECH III*	DHHS - ALL PCNS
10.352	REGISTERED NURSE V*	NSVH - ALL PCNS
10.354	REGISTERED NURSE IV*	NSVH - ALL PCNS
10.355	REGISTERED NURSE III*	NSVH - ALL PCNS
10.356	MENTAL HEALTH TECHNICIAN II*	DHHS - ALL PCNS
10.357	DEVELOPMENTAL SUPPORT TECH II*	DHHS - ALL PCNS
10.358	NURSE I*	DHHS, NDOC, NSVH - ALL PCNS
10.359	REGISTERED NURSE II*	NSVH - ALL PCNS
10.360	LICENSED PRACTICAL NURSE II*	DHHS, NDOC, NSVH - ALL PCNS
10.364	LICENSED PRACTICAL NURSE III*	DHHS, NDOC - ALL PCNS
10.365	LICENSED PRACTICAL NURSE I*	DHHS, NDOC - ALL PCNS
10.366	MENTAL HEALTH TECHNICIAN I*	DHHS - ALL PCNS
10.367	DEVELOPMENTAL SUPPORT TECH I*	DHHS - ALL PCNS
10.369	CERTIFIED NURSING ASSISTANT*	NDOC, NSVH - ALL PCNS
10.375	COMMUNITY HEALTH NURSE IV*	DHHS - ALL PCNS

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10.376	COMMUNITY HEALTH NURSE III*	DHHS - ALL PCNS
10.377	COMMUNITY HEALTH NURSE II*	DHHS - ALL PCNS
10.378	COMMUNITY HEALTH NURSE I*	DHHS - ALL PCNS
10.536	ENVIRONMENTAL SCIENTIST II*	NDOT - PCNS 018012, 018013
10.540	MARIJUANA PROGRAM SUPERVISOR	
10.541	MARIJUANA PROGRAM INSPECTOR II	
10.542	MARIJUANA PROGRAM INSPECTOR I	
10.545	ENVIRONMENTAL SCIENTIST IV*	NDOT - PCN 018011
10.707	CHEMIST V*	BCN - ALL PCNS
10.708	CHEMIST IV*	BCN - ALL PCNS
10.710	MICROBIOLOGIST V*	BCN - ALL PCNS
10.711	MICROBIOLOGIST IV*	BCN - ALL PCNS
10.712	CHEMIST III*	BCN - ALL PCNS
10.713	CHEMIST II*	BCN - ALL PCNS
10.715	MICROBIOLOGIST III*	BCN - ALL PCNS
10.717	MICROBIOLOGIST II*	BCN - ALL PCNS
10.721	MICROBIOLOGIST I*	BCN - ALL PCNS
10.724	CHEMIST I*	BCN - ALL PCNS
10.723	PHARMACY TECHNICIAN II*	DHHS, NDOC - ALL PCNS
10.726	LABORATORY TECHNICIAN II*	BCN - ALL PCNS
10.728	PHARMACY TECHNICIAN I*	DHHS, NDOC- ALL PCNS
10.729	LABORATORY ASSISTANT II*	BCN - ALL PCNS
10.733	LABORATORY TECHNICIAN I*	BCN - ALL PCNS
10.736	LABORATORY ASSISTANT I*	BCN - ALL PCNS
10.769	STAFF RESEARCH ASSOCIATE IV*	BCN - ALL PCNS
10.770	STAFF RESEARCH ASSOCIATE III*	BCN - ALL PCNS
10.771	STAFF RESEARCH ASSOCIATE II*	BCN - ALL PCNS
10.772	STAFF RESEARCH ASSOCIATE I*	BCN - ALL PCNS
11.117	PUBLIC SAFETY DISPATCHER VI	
11.118	PUBLIC SAFETY DISPATCHER V	
11.120	PUBLIC SAFETY DISPATCHER IV	
11.122	PUBLIC SAFETY DISPATCHER III	
11.124	PUBLIC SAFETY DISPATCHER II	
11.126	PUBLIC SAFETY DISPATCHER I	
11.128	N.C.J.I.S. PROGRAM SPECIALIST SUPERVISOR*	DPS - PCNS 4709-13, 4709-14
11.129	N.C.J.I.S. PROGRAM SPECIALIST*	DPS - PCNS 4709-41, 4709-63, 4709-74, 4709-600, 4709-615, 4709-650, 4709-680, 4709-1005
11.130	N.C.J.I.S. PROGRAM SPECIALIST TRAINEE	
11.132	MANAGER, CRIMINAL JUSTICE RECORDS*	DPS - ALL PCNS
11.133	FINGERPRINT/RECORDS EXAMINER III*	DPS - PCNS 4709-201, 4709-8015
11.134	FINGERPRINT/RECORDS EXAMINER II*	DPS - PCNS 4709-6, 4709-7, 4709-33, 4709-59, 4709-61, 4709-202, 4709-590, 4709-8014
11.135	FINGERPRINT/RECORDS EXAMINER I	
11.144	FINGERPRINT/RECORDS SUPERVISOR*	DPS - PCNS 4709-4, 4709-5
11.239	MILITARY SECURITY OFFICER V	
11.240	MILITARY SECURITY OFFICER IV	
11.241	MILITARY SECURITY OFFICER III	
11.242	MILITARY SECURITY OFFICER II	

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11.243	MILITARY SECURITY OFFICER I	
11.260	SECURITY OFFICER SUPERVISOR*	BCN, NSVH - ALL PCNS
11.263	SECURITY OFFICER*	BCN, MILITARY, NSVH - ALL PCNS
11.354	SUPERVISORY COMPLIANCE INVESTIGATOR*	DMV - PCN WF8508
11.358	COMPLIANCE INVESTIGATOR II*	DMV - PCNS ***RE4079***, RE8018, RE8025, RE8026, RE8028
11.363	COMPLIANCE/AUDIT INVESTIGATOR III*	B&I-INSURANCE DIV - PCN 0072; SOS - PCNS 0030, 0031, 0035, 0062, 0063, 0066
11.365	COMPLIANCE/AUDIT INVESTIGATOR II*	B&I-INSURANCE DIV - ALL PCNS; SOS - PCNS 0022, 0028, 0068
11.424	DMV SERVICES TECHNICIAN III*	DMV - PCNS RE5324, RE5328
11.506	FIRE & LIFE SAFETY INSPECTOR I	
11.510	FIRE & LIFE SAFETY INSPECTOR II	
11.513	SAFETY REPRESENTATIVE, RAILWAY	
11.515	SAFETY SPECIALIST, RAILWAY	
11.550	TAXICAB VEHICLE INSPECTOR I	
11.552	TAXICAB VEHICLE INSPECTOR II	
11.560	MANUFACTURED HOUSING INSPECTOR II	
11.561	MANUFACTURED HOUSING INSPECTOR I	
11.565	AGENCY LOSS CONTROL COORDINATOR*	NDOT - PCN 078002
12.466	SUBSTANCE ABUSE COUNSELOR III	
12.469	SUBSTANCE ABUSE COUNSELOR II	
12.470	SUBSTANCE ABUSE COUNSELOR I	
12.501	WARDEN	
12.510	CORRECTIONAL MANAGER	
12.517	CORRECTIONAL ASSISTANT*	NDOC - ALL PCNS
12.523	ASSISTANT SUPERINTENDENT, YOUTH FACILITY	
12.532	HEAD GROUP SUPERVISOR	
12.534	ASSISTANT HEAD GROUP SUPERVISOR	
12.535	GROUP SUPERVISOR IV	
12.537	GROUP SUPERVISOR III	
12.538	GROUP SUPERVISOR II	
12.541	GROUP SUPERVISOR I	
12.553	ASSOCIATE WARDEN	
12.556	CORRECTIONAL CASEWORK SPECIALIST III	
12.559	CORRECTIONAL CASEWORK SPECIALIST II	
12.565	CORRECTIONAL CASEWORK SPECIALIST I	
12.571	CORRECTIONAL CASEWORK SPECIALIST TR	
12.616	PAROLE & PROBATION SPECIALIST III*	DPS - PCNS 3740-0564, 3740-1251, 3740-1439, 3740-1440, 3740-1441, 3740-1442
13.101	AGRICULTURE ENFORCEMENT OFFICER III	
13.102	AGRICULTURE ENFORCEMENT OFFICER II	
13.103	AGRICULTURE ENFORCEMENT OFFICER I	
13.111	DEPUTY BRAND INSPECTOR (COMMISSIONED)	
13.115	STAFF GAME WARDEN	
13.121	GAME WARDEN IV	
13.122	GAME WARDEN III	
13.123	GAME WARDEN II	

CLASS/TITLE CODE	TITLE	*ONLY CERTAIN POSITIONS AGENCY/POSITION CONTROL NO.
13.124	GAME WARDEN I	
13.131	PARKS REGIONAL MANAGER (COMMISSIONED)	
13.135	PARK SUPERVISOR III (COMMISSIONED)	
13.136	PARK SUPERVISOR II (COMMISSIONED)	
13.137	PARK SUPERVISOR I (COMMISSIONED)	
13.141	PARK RANGER III (COMMISSIONED)	
13.142	PARK RANGER II (COMMISSIONED)	
13.143	PARK RANGER I (COMMISSIONED)	
13.202	DPS MAJOR	
13.203	DPS CAPTAIN	
13.204	DPS LIEUTENANT	
13.205	DPS SERGEANT	
13.206	DPS OFFICER II	
13.207	DPS OFFICER I	
13.215	UNIVERSITY POLICE LIEUTENANT	
13.217	UNIVERSITY POLICE DETECTIVE	
13.221	UNIVERSITY POLICE SERGEANT	
13.222	UNIVERSITY POLICE OFFICER II	
13.223	UNIVERSITY POLICE OFFICER I	
13.234	SENIOR LAW ENFORCEMENT SPECIALIST	
13.237	AG CYBERCRIME INVESTIGATOR II	
13.238	AG CYBERCRIME INVESTIGATOR I	
13.241	SUPERVISORY CRIMINAL INVESTIGATOR II	
13.242	SUPERVISORY CRIMINAL INVESTIGATOR I	
13.243	CRIMINAL INVESTIGATOR III	
13.244	CRIMINAL INVESTIGATOR II	
13.245	CRIMINAL INVESTIGATOR I	
13.246	AG DEPUTY CHIEF INVESTIGATOR*	AG - ALL PCNS
13.247	AG CRIMINAL INVESTIGATOR, SUPERVISOR*	AG - ALL PCNS
13.248	AG CRIMINAL INVESTIGATOR II*	AG - ALL PCNS
13.249	AG CRIMINAL INVESTIGATOR I*	AG - ALL PCNS
13.251	CHIEF INVESTIGATOR, COMPLIANCE/ ENFORCEMENT	
13.255	SUPERVISORY COMPLIANCE/ENFORCEMENT INVESTIGATOR	
13.256	COMPLIANCE/ENFORCEMENT INVESTIGATOR III	
13.257	COMPLIANCE/ENFORCEMENT INVESTIGATOR II	
13.258	COMPLIANCE/ENFORCEMENT INVESTIGATOR I	
13.263	UNIT MANAGER, YOUTH PAROLE BUREAU	
13.265	YOUTH PAROLE COUNSELOR III	
13.266	YOUTH PAROLE COUNSELOR II	
13.267	YOUTH PAROLE COUNSELOR I	
13.301	INSPECTOR GENERAL	
13.309	CORRECTIONAL CAPTAIN	
13.310	CORRECTIONAL LIEUTENANT	
13.311	CORRECTIONAL SERGEANT	
13.312	SENIOR CORRECTIONAL OFFICER	

CLASS/TITLE CODE	TITLE	*ONLY CERTAIN POSITIONS AGENCY/POSITION CONTROL NO.
13.313	CORRECTIONAL OFFICER	
13.314	CORRECTIONAL OFFICER TRAINEE	
13.321	FORENSIC SPECIALIST IV	
13.322	FORENSIC SPECIALIST III	
13.323	FORENSIC SPECIALIST II	
13.324	FORENSIC SPECIALIST I	
U3720	DIVISION ADMINISTRATOR, RECORDS & TECHNOLOGY*	DPS - PCN 4709-1
U3916	PROGRAM MANAGER, OIL/GAS/GEOTHERMAL	MIN - PCN 0002
U3918	DEPUTY ADMINISTRATOR, MINERALS	MIN - PCN 0006
U3919	CHIEF FOR DANGEROUS MINES	MIN - PCN 0007
U3930	CHIEF FOR MINE REGULATION	MIN - PCN 0009
U3932	FIELD SPECIALIST, MINERALS	MIN - PCNS 0011, 0021, 0031
U4102	BUREAU CHIEF, YOUTH PAROLE	
U4103	DIVISION ADMINISTRATOR, TAXICAB AUTHORITY	
U4141	DEPUTY DIVISION ADMINISTRATOR, TAXICAB AUTHORITY	
U4706	ADMINISTRATOR, MINERALS	MIN - PCN 0001
U9005	***DEPUTY ADMINISTRATOR, COMPLIANCE ENFORCEMENT DIVISION****	***DMV – PCNS RE2013, WF2014***
U9010	CHIEF, NEVADA HIGHWAY PATROL	
U9021	***DIVISION ADMINISTRATOR, COMPLIANCE ENFORCEMENT DIVISION***	
U9033	DEPUTY DIRECTOR, INDUSTRIAL PROGRAMS	
U9034	DEPUTY DIRECTOR, OPERATIONS SOUTH	
U9041	CHIEF GAME WARDEN	
U9074	PHARMACIST 1*	DHHS, NDOC - ALL PCNS
U9075	PHARMACIST 2*	DHHS - ALL EXCEPT PCN 3243-0014; NDOC - ALL PCNS
U9076	PHARMACIST 3*	DHHS, NDOC - ALL PCNS
U9085	SENIOR INSTITUTIONAL DENTIST (RANGE A)*	NDOC - ALL PCNS
U9086	SENIOR INSTITUTIONAL DENTIST (RANGE B)*	NDOC - ALL PCNS
U9087	SENIOR PHYSICIAN (RANGE C)*	DHHS, NDOC - ALL PCNS
U9088	SENIOR PSYCHIATRIST (RANGE C)*	DHHS, NDOC - ALL PCNS

ACRONYMS

Acronym	Agency
AG	Office of the Attorney General
AGR	Department of Agriculture
BCN	(Nevada System of Higher Education) Business Center North
BCN UNR	(Nevada System of Higher Education) Business Center North, University of Nevada Reno
B&I	Department of Business & Industry
DCNR	Department of Conservation & Natural Resources
DHHS	Department of Health & Human Services

DHHS PBH	Department of Health & Human Services, Division of Public & Behavioral Health
DMV	Department of Motor Vehicles
D of A	Department of Administration
DPS	Department of Public Safety
ESD	Department of Employment, Training & Rehabilitation, Employment Security Division
MIN	Commission on Mineral Resources, Division of Minerals
NHP	Department of Public Safety, Nevada Highway Patrol
NDOC	Department of Corrections
NDOT	Department of Transportation
NDOW	Department of Wildlife
NSVH	Office of Veterans Services, Nevada State Veterans Home
SOS	Secretary of State
TAXI	Department of Business & Industry, Nevada Taxicab Authority
UNLV	(Nevada System of Higher Education) University of Nevada Las Vegas

BRIAN SANDOVAL
Governor

STATE OF NEVADA
NEVADA DEPARTMENT OF VETERANS SERVICES
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MEMORANDUM

Date: November 7, 2018

To: Frank Richardson, Deputy Administrator
Division of Human Resource Management

Through: Carrie Hughes, Human Resource Analyst III
Division of Human Resource Management

From: Stephanie Neill, Human Resource Officer 1
Nevada Department of Veterans Services

Subject: Pre-employment Drug Testing Request

The Department of Veterans Services is requesting the following classifications be added to the list of positions approved for pre-employment drug screening for controlled substance:

10.364, Licensed Practical Nurse III, NDVS – ALL PCNS
10.365, Licensed Practical Nurse I, NDVS – ALL PCNS
10.368, Certified Nursing Assistant III, NDVS – ALL PCNS
10.371, Certified Nursing Assistant I, NDVS - ALL PCNS
10.370, Nursing Assistant Trainee, NDVS – ALL PCNS

These clinical positions are assigned to work at the Southern Nevada State Veterans Home, where they maintain the safety, health and well-being of elderly residents in a therapeutic environment. The incumbents work with residents who may have dementia, are frail, confused or disoriented, and at times aggressive. They provide restorative health and basic nursing services in accordance with the Patient's Bill of Rights and within the authorized scope of practice specified in the Nurse Practice Act.

3.530, Transportation and Safety Attendant III, NDVS – ALL PCNS
3.535, Transportation and Safety Attendant II, NDVS – ALL PCNS
3.540, Transportation and Safety Attendant I, NDVS – ALL PCNS

Previously, the above positions were reclassified from the Security Officer series, class code 11.260 to the newly created Transportation and Safety Attendant series, 3.530,

HR#07-18.

These positions are assigned to work at the Southern Nevada State Veterans Home, and are required to transport skilled nursing facility frail and elderly Veterans to medical appointments and community outings in motor vehicles such as shuttle buses, automobiles, vans, light trucks and golf carts. The residents may have physical, intellectual, or cognitive impairment. Incumbents are required to meet federal patient safety guidelines, handle, secure, and transport medical gas equipment on vehicles, as well as properly secure wheelchair bound passengers in mechanical lifts and in transport vehicles. Failure to handle and secure medical gas equipment and wheelchair bound passengers could negatively impact public safety and the safety of the passengers. In addition, the incumbents are required to conduct interior and exterior fire and life safety facility patrols to ensure compliance with State and federal rules, regulations, policies and procedures. The Southern Nevada State Veterans Home houses 180 residents and 180 to 200 employees. These patrols include daily safety maintenance checks on the following: E-Tank Oxygen Levels and fire safety equipment on Buses, Refrigerator & Freezer Temps, Handrails, Lighting, Fire Magnets, Fire Pull Stations Unobstructed, 18"Clearence/Fire Sprinklers Unobstructed, ABHR Dispensers Clear of Ignition Sources, Resident Neighborhood Unit Door functionality (4 wings of facility), Primary Oxygen Tank Level, Fire Alarm Panel, Emergency Generator Panel functions, Security Cameras. Weekly safety maintenance checks are conducted on the following: Exterior Grounds & Shrubbery, Fire Extinguisher Markers & Placards, Medical Vacuum System, and Automated Electronic Defibrillators.

The Department of Veterans Services is also requesting NSVH agency specific allocation be removed from the following classifications, as the Department no longer has these classifications:

10.355, Registered Nurse III, NSVH-ALL PCNS
(Classification specific to outpatient facilities, our facility is an inpatient facility)
11.260, Security Officer Supervisor, NSVH-ALL PCNS
(Position reclassified to 3.530)
11.263, Security Officer, NSVH-ALL PCNS
(Positions reclassified to 3.535)

In addition, the Department of Veterans Services is requesting a change to the agency acronym designation from NSVH (Nevada State Veterans Home), a division of the Nevada Department of Veterans Services, to NDVS (Nevada Department of Veterans Services), the Department acronym, wherever it appears in the Positions/Classes Approved for Pre-Employment Controlled Substance Testing.

Thank you for your consideration.

FOR DISCUSSION AND POSSIBLE ACTION

NRS 284.4066 provides for the pre-employment testing for controlled substances of applicants for positions affecting public safety. This law requires the appointing authority to identify the specific positions that affect public safety, subject to the approval of the Personnel Commission.

The Nevada Department of Veterans Services (NDVS) has requested the following classes be added to the classes/positions approved for pre-employment screening for controlled substances for the provided reason(s):

AGENCY	CLASS/ TITLE CODE	TITLE	POSITION CONTROL NUMBER	AGENCY'S BASIS FOR REQUEST
NDVS	3.530	Transportation and Safety Attendant III	All	Transportation of residents and fire and life safety patrols
NDVS	3.535	Transportation and Safety Attendant II	All	Transportation of residents and fire and life safety patrols
NDVS	3.540	Transportation and Safety Attendant I	All	Transportation of residents and fire and life safety patrols

Positions in these classes were previously approved for pre-employment screening for controlled substances under the Security Officer class series. In comparison, positions in class code 3.506 (Driver – Van/Automobile), which does not require a commercial drivers' license, are currently approved for pre-employment screening for controlled substances.

While positions in classes 3.530, 3.535, and 3.540 drive the vehicles used for transporting residents, the vehicles used do not meet the definition of a commercial vehicles (as defined by the U.S. Department of Transportation, Federal Motor Carrier Safety Administration), which require a commercial drivers' license. The 9th Circuit Court of Appeals case, Lanier v. City of Woodburn, addressed the types of safety sensitive duties that could outweigh a public-sector employment candidate's reasonable expectation of privacy. The 9th Circuit decision used the example of "operation of dangerous instrumentalities, such as… that carry more than fourteen passengers at a time…". NDVS has also indicated that when residents are transported by vehicle, a clinical staff member is present to attend to the safety, health, and well-being of residents.

Positions in classes 3.530, 3.535, and 3.540 are responsible for fire and life safety patrols. Life safety patrols include completing checklists relating to safety equipment and patrolling the grounds of the home. However, these positions were removed from the Security Officer class series as they are not performing security related functions. While they complete prescribed checklists

involving safety (e.g., fire) and life support (e.g., oxygen) equipment, the primary responsibility for the safety, health, and well-being of residents rests with positions in other classes.

If the above classes are approved for pre-employment screening for controlled substances, the class specification for the class series, Transportation & Safety Attendant, will need to be revised to reflect the addition of the requirement for pre-employment screening for controlled substances. For this reason, the Division of Human Resource Management is recommending a revision of the class specification conditioned upon the approval of pre-employment screening for controlled substances for classes 3.530, 3.535, and 3.540.

A representative of NDVS has been requested to be available at the meeting to answer Commissioners' questions.

STATE OF NEVADA
Department of Administration
Division of Human Resource Management

CLASS SPECIFICATION

TITLE	GRADE	EEO-4	CODE
TRANSPORTATION & SAFETY ATTENDANT III	**28**	**H**	**3.530**
TRANSPORTATION & SAFETY ATTENDANT II	**26**	**H**	**3.535**
TRANSPORTATION & SAFETY ATTENDANT I	**24**	**H**	**3.540**

SERIES CONCEPT

Transportation & Safety Attendants, within the Nevada State Veterans Home (NSVH), operate various types of motor vehicles such as shuttle buses, automobiles, vans, light trucks, or golf carts in order to transport Veterans who have physical, intellectual, psychiatric and/or advanced cognitive impairment to medical appointments and community outings to include parks, restaurants, movie theaters, church and other leisure and recreational activities; conduct both interior and exterior fire and life safety patrols to ensure compliance with State and federal rules, regulations, policies and procedures.

Transport residents to and from medical appointments, events, leisure and recreational activities in accordance with established policies; provide assistance to residents with physical, intellectual and/or cognitive disabilities with getting in and out of the vehicle and to and from the location destination; safely load and secure wheelchairs, walkers and equipment in vehicles; ensure documentation is completed by both NSVH nursing staff and physicians' office staff as required; provide additional assistance to residents as required.

Provide courier services by picking up and/or delivering a variety of materials such as supplies, equipment, medical documents, mail, reports, legal documents, bank deposits, and other items as required.

Conduct pre- and post-trip vehicle inspections; inspect on-board oxygen tanks to ensure proper operation; perform basic vehicle maintenance by checking oil, gas, radiator coolant, windshield cleaning chemicals and tire pressure; clean exterior and interior of assigned vehicles as required; report vehicle malfunctions and needed repairs in accordance with established policies; complete logs and maintain records related to pre- and post-trip vehicle inspections, mileage, passengers transported and other data for various reports.

Perform scheduled interior and exterior facility fire and life safety patrols to ensure resident, employee and visitor safety and compliance with applicable State and federal laws, rules, regulations, policies and procedures; check windows, locks, doors and alarm systems to ensure proper operation and report violations as they occur; ensure hallways, handrails, doors, common areas and patios are free of obstructions; ensure ceiling tiles are free of leakages; complete all required documentation to include forms, logs and/or reports.

Assist with disaster and fire drills and ensure disaster kits are fully stocked and are up-to-date; perform fire watch patrols as required; assist in resident searches; ensure fire magnets are not missing; verify fire extinguishers are pressurized to correct level; perform monthly inspection of sprinklers and smoke detectors to ensure they are in proper working condition; clean fire sprinklers and smoke detectors as required; perform inspection of fire-rated doors for functionality; inspect Automated External Defibrillators to ensure proper function; complete all required documentation to include forms, logs and/or reports.

Monitor physical condition of facilities to include electrical, structural, mechanical and life safety systems and report failures and deficiencies as required; monitor the fire alarm panel, bulk oxygen tank annunciation panel, master medical gas alarm, medical vacuum panel, and emergency generator annunciation panel; respond to panel alarms and report incidents to appropriate staff; complete all required documentation to include forms, logs and/or reports.

SERIES CONCEPT (cont'd)

Monitor and observe individuals accessing the property and/or entering the facility as required; enforce laws, rules and regulations by verbally warning trespassers and contacting local law enforcement for assistance if trespassers refuse to leave; interact with other State and local law enforcement agencies and other personnel to maintain the safety of the facilities, property, staff and general public; monitor and/or retrieve camera surveillance as required; complete all required documentation to include forms, logs and/or reports.

Maintain proper use, control, accountability and issuance of keys, electronic access, identification cards, lockers, lost and found, etc., by following established procedures; ensure logs and reports are accurate, up-to-date and completed in a timely manner.

Provide emergency responses and/or assistance regarding safety matters; relay emergency communications; administer first aid as required; conduct initial incident review and coordinate efforts with agency staff, State and/or local law enforcement agencies for additional investigation; complete required forms, logs and/or reports.

Assist facility staff with routine operations as required and in accordance with established policies and procedures; perform weekly checks of water temperatures in resident care, dietary and laundry facilities; document water temperatures; clean wheelchairs as needed; clean-up trash, debris and ashtrays; report landscape repairs as required; complete required forms, logs and/or reports.

Provide administrative support to the facility with routine duties as required and in accordance with established policies and procedures; answer telephone and forward calls to appropriate staff; staff the information desk and have visitors sign in/out; assist the public by giving directions, answering questions, explaining rules, referring public to appropriate staff or providing necessary forms; deliver daily newspaper to residents; monitor music system; dim interior lights in the evening; escort mortuary staff as required.

Perform related duties as assigned.

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CLASS CONCEPTS

Transportation & Safety Attendant III: Under limited supervision, the incumbent is expected to perform the full range of duties as described in the series concept and, in addition, act as a first-line supervisor over a staff of lower level Transportation & Safety Attendants to include performance evaluations, work performance standards, scheduling, work assignment and review, training and discipline and may supervise lower level administrative staff as required. This is the supervisor level in the series.

The incumbent will coordinate and oversee the NSVH resident transportation activities to include, but not limited to: develop and modify transportation schedules based on the needs of the residents and the nursing and activities staff; develop, implement and maintain a preventative vehicle maintenance schedule; assist in the development, review, and implementation of transportation policies and procedures; assist in the development of the transportation budget; and develop and submit detailed analytical, narrative and/or statistical reports of transportation activities as required.

The incumbent will assist facility management with safety compliance activities to include, but not limited to: oversight of the NSVH exterior/interior facility safety inspection activities to ensure the facility and grounds are free of hazards; monitor the issuance of NSVH badges and keys for residents, staff and visitors; and ensure logs and forms are properly completed and maintained.

CLASS CONCEPTS (cont'd)

Transportation & Safety Attendant II: Under general supervision, incumbents perform the full range of duties described in the series concept. This is the journey level in the series.

Transportation & Safety Attendant I: Under close supervision, incumbents receive training in performing the duties described in the series concept. This is the trainee level in the series and progression to the journey level may occur upon meeting minimum qualifications, satisfactory performance and with the approval of the appointing authority.

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MINIMUM QUALIFICATIONS

SPECIAL REQUIREMENTS:

- Positions require a valid driver's license at the time of appointment and as a condition of continuing employment.
- Transportation & Safety Attendant II and III positions require CPR certification and basic first aid certification at the time of appointment and as a condition of continuing employment.
- Transportation & Safety Attendant I position's require CPR certification and basic first aid certification within 30 days of appointment and as a condition of continuing employment.
- ***Pursuant to NRS 284.4066, some positions in this series have been identified as affecting public safety. Persons offered employment in these positions must submit to a pre-employment screening for controlled substances.***

INFORMATIONAL NOTE:

- Some positions are required to work nights, weekends, and holidays.

TRANSPORTATION & SAFETY ATTENDANT III

EDUCATION AND EXPERIENCE: Graduation from high school or equivalent education and three years of combined experience performing fire and life safety patrols and transporting, coordinating and scheduling the transportation of individuals and/or multiple passengers; **OR** one year of experience as a Transportation & Safety Attendant II in Nevada State service; **OR** an equivalent combination of education and experience as described above. *(See Special Requirements and Informational Note)*

ENTRY LEVEL KNOWLEDGE, SKILLS AND ABILITIES (required at time of application):
Working knowledge of: State and federal fire and life safety requirements applicable to the Department. **General knowledge of:** transportation scheduling; motor vehicle preventative maintenance; control and accountability of keys and/or electronic access. **Skill in:** computer applications to include Microsoft Excel, Word, Outlook, scheduling and database software. **Ability to:** create and implement forms, logs and reports; effectively and efficiently coordinate, implement and manage transportation scheduling; develop policies and procedures for the assigned program area; assist in the development of the transportation budget; identify problems and make effective recommendations to resolve problems; supervise assigned staff; *and all knowledge, skills and abilities required at the lower level.*

FULL PERFORMANCE KNOWLEDGE, SKILLS AND ABILITIES (typically acquired on the job):
Detailed knowledge of: applicable State and federal laws, rules and regulations. **Working knowledge of:** supervisory principles and practices. **General knowledge of:** State budgetary practices; agency policies

MINIMUM QUALIFICATIONS (cont'd)

TRANSPORTATION & SAFETY ATTENDANT III (cont'd)

FULL PERFORMANCE KNOWLEDGE, SKILLS AND ABILITIES: (cont'd)
and procedures related to the assigned program areas. **Ability to:** train, supervise and evaluate the performance of assigned staff; establish and maintain cooperative working relationships; analyze information, problems, situations, practices, policies and procedures to organize work flow and accomplish established objectives; evaluate the effectiveness of the assigned program area and offer suggestions to improve operations.

TRANSPORTATION & SAFETY ATTENDANT II

EDUCATION AND EXPERIENCE: Graduation from high school or equivalent education and two years of experience one year of which included performing fire and life safety patrols and one year of which included the transportation of multiple passengers; **OR** one year of experience as a Transportation & Safety Attendant I within Nevada State service; **OR** an equivalent combination of education and experience as described above. *(See Special Requirements and Informational Note)*

ENTRY LEVEL KNOWLEDGE, SKILLS AND ABILITIES (required at time of application):
Working knowledge of: State of Nevada traffic laws and rules of the road; safe and proper operation of motor vehicles to include shuttle buses, automobiles, vans, light trucks and golf carts. **General knowledge of:** State and federal fire and life safety requirements. **Ability to:** conduct fire and life safety patrols; read, understand and implement fire and life safety rules and regulations; complete and maintain standard forms, logs and records applicable to the program area; write routine business correspondence to include both general and incident reports; communicate and work cooperatively with others including co-workers, program clientele and the public; *and all knowledge, skills and abilities required at the lower level.*

FULL PERFORMANCE KNOWLEDGE, SKILLS AND ABILITIES (typically acquired on the job):
(*These are identical to the Entry Level Knowledge, Skills and Abilities for the Transportation & Safety Attendant III.)*

TRANSPORTATION & SAFETY ATTENDANT I

EDUCATION AND EXPERIENCE: Graduation from high school or equivalent education and one year of general work experience and one year of valid motor vehicle driving experience. *(See Special Requirements and Informational Note)*

ENTRY LEVEL KNOWLEDGE, SKILLS AND ABILITIES (required at time of application):
General knowledge of: defensive driving techniques; State of Nevada traffic laws and rules of the road; safe and proper operation of a motor vehicle. **Skill in:** basic computer applications to include spreadsheet, word processing, database and e-mail software. **Ability to:** use computers, telephones, copiers, facsimile machines and other related office equipment to perform assigned duties; operate motor vehicles to include shuttle buses, automobiles, vans, light trucks, or golf carts; complete forms and logs; perform basic vehicle maintenance; read, understand, and follow city, county and State maps; understand and follow oral and written directions; communicate effectively both verbally and in writing; interact effectively and in a caring and professional manner with individuals who have a myriad of physical, psychological, intellectual and/or cognitive disabilities.

FULL PERFORMANCE KNOWLEDGE, SKILLS AND ABILITIES (typically acquired on the job):
(*These are identical to the Entry Level Knowledge, Skills and Abilities for the Transportation & Safety Attendant II.)*

TRANSPORTATION & SAFETY ATTENDANT III	**28**	**H**	**3.530**
TRANSPORTATION & SAFETY ATTENDANT II	**26**	**H**	**3.535**
TRANSPORTATION & SAFETY ATTENDANT I	**24**	**H**	**3.540**

This class specification is used for classification, recruitment and examination purposes. It is not to be considered a substitute for work performance standards for positions assigned to this class.

	3.530	3.535	3.540
ESTABLISHED:	3/12/18UC	3/12/18UC	3/12/18UC
REVISED:	***12/7/18PC***	***12/7/18PC***	***12/7/18PC***

FOR DISCUSSION AND POSSIBLE ACTION

NRS 284.4066 provides for the pre-employment testing for controlled substances of applicants for positions affecting public safety. This law requires the appointing authority to identify the specific positions that affect public safety, subject to the approval of the Personnel Commission.

The Nevada Department of Veterans Services (NDVS) has requested the following classes be added to the classes/positions approved for pre-employment screening for controlled substances for the provided reason(s):

AGENCY	CLASS/ TITLE CODE	TITLE	POSITION CONTROL NUMBER	AGENCY'S BASIS FOR REQUEST
NDVS	10.364	Licensed Practical Nurse III	All	Responsibility for safety, health & well-being of residents
NDVS	10.365	Licensed Practical Nurse I	All	Responsibility for safety, health & well-being of residents
NDVS	10.368	Certified Nursing Assistant III	All	Responsibility for safety, health & well-being of residents
NDVS	10.370	Nursing Assistant Trainee	All	Responsibility for safety, health & well-being of residents
NDVS	10.371	Certified Nursing Assistant I	All	Responsibility for safety, health & well-being of residents

Positions in class 10.369 (Certified Nursing Assistant) at NDVS were previously approved for pre-employment screening for controlled substances. After that approval, the class was split into a class series. Approval of classes 10.368, 10.370, and 10.371 would clarify what positions are currently subject to pre-employment screening for controlled substances.

Positions in the Licensed Practical Nurse and Nursing Assistant series at NDVS and other agencies have been previously approved. These positions are responsible for the safety, health, and well-being of the residents of the State Veterans Home.

A representative of NDVS has been requested to be available at the meeting to answer Commissioners' questions.

FOR DISCUSSION AND POSSIBLE ACTION

NRS 284.4066 provides for the pre-employment testing for controlled substances of applicants for positions affecting public safety. This law requires the appointing authority to identify the specific positions that affect public safety, subject to the approval of the Personnel Commission.

The Nevada Department of Veterans Services (NDVS) has requested the following classes have the requirement to pre-employment screen for controlled substances removed for the provided reason(s):

AGENCY	CLASS/ TITLE CODE	TITLE	POSITION CONTROL NUMBER	AGENCY'S BASIS FOR REQUEST
NDVS	10.355	Registered Nurse III	All	No positions
NDVS	11.260	Security Officer Supervisor	All	No positions
NDVS	11.263	Security Officer	All	No positions

NDVS has no positions in these classes.

A representative of NDVS has been requested to be available at the meeting to answer Commissioners' questions.

Personnel Commission Meeting
December 7, 2018

FOR INFORMATION ONLY

Attached are several items included for your information and consideration with regard to the proposed regulations. The minutes of the June 15, 2018, regulation workshops, and the Small Business Impact Statement have been provided, as they are related to all regulations proposed for permanent adoption.

STATE OF NEVADA
Department of Administration
Division of Human Resource Management

REGULATION WORKSHOP

Carson City at the Legislative Counsel Bureau, 401 S. Carson Street, Room 2135, Carson City, Nevada; and via video conference in Las Vegas at the Grant Sawyer State Building, Room 4412E, 555 East Washington Avenue.

MEETING MINUTES
Friday, June 15, 2018

STAFF PRESENT IN CARSON CITY:

Peter Long, Administrator, Division of Human Resource Management (DHRM)
Shelley Blotter, Deputy Administrator, DHRM
Beverly Ghan, Deputy Administrator, DHRM
Michelle Garton, Supervisory Personnel Analyst, DHRM

STAFF PRESENT IN LAS VEGAS:

OTHERS PRESENT IN CARSON CITY:

Ashley Kopp, Management Analyst, Department of Health and Human Services
Melody Duley, Personnel Officer, Division of Welfare and Supportive Services
Mavis Affo, Personnel Officer, Department of Public Safety (DPS)
Kevin Ranft, American Federation of State, County and Municipal Employees (AFSCME)

OTHERS PRESENT IN LAS VEGAS:

Brian Boughter, Personnel Officer, Department of Employment, Training and Rehabilitation (DETR)
Molly Koch, Personnel Analyst, DETR
Tim McFarling, Associate Vice President, Human Resources, Nevada System of Higher Education, Business Center North

I. CALL TO ORDER

Shelley Blotter: Opened the meeting and introduced herself as the Deputy Administrator for DHRM. She explained that the reason for the workshop was to solicit comments from affected parties with regard to the regulations proposed for permanent adoption. Based on the feedback received, the proposed language may be changed or deleted and additional regulations may be affected. If the regulations are submitted to the Personnel Commission for adoption, amendment or repeal, the minutes from the workshop and any other comments received will be provided to the Personnel Commission when the regulation is presented for their consideration. Staff will provide an explanation of the proposed change with time allowed for comments.

II. REVIEW OF PROPOSED CHANGES TO NAC 284

284.576	Catastrophic leave; use and administration, appeal of denial.
284.468	Standards for performance of work.
284.718	Confidential records.
284.726	Access to confidential records.
284.374	Active lists: Removal and reactivation of names; no requirement or refusal to consider certain persons.
284.058	"Eligible person" defined.
284.108	"Trial period" defined.
284.444	Application of probationary period.
NEW	Restoration of permanent employee who voluntarily transfers and either fails to complete trial period in the new position or voluntarily chooses to revert to his or her prior position.
284.360	Certification and provision of certain lists by Division; certification of eligible persons ranked or unranked lists or waiver of lists.
284.172	Rate of pay; effect of promotion.
284.204	Adjustment of steps within same grade; Conditions for approval; request; effective date; revocation.
284.437	Underfilling of positions.

Michelle Garton: Introduced herself as the Supervisory Personnel Analyst for DHRM's Consultation & Accountability Unit and addressed NAC 284.576, which contains two amendments. The first is based on SB 361 of the 2017 Legislative Session. Similar amendments were previously adopted and approved, requiring the granting of annual leave, sick leave and leave without pay for an employee in circumstances related to domestic violence. The amendment requires that catastrophic leave be approved for an employee eligible to receive catastrophic leave. The employee must be a victim or the immediate family member of a victim of domestic violence, if the employee is not the alleged perpetrator. The employee must have been employed for at least 90 days. The total amount of leave related to domestic violence must not exceed 160 hours of all combined leave types. An appointing authority may require evidence that the employee's attendance is necessary in circumstances when an immediate family member is the victim of domestic violence.

The intent is that the employee's situation must qualify for catastrophic leave and catastrophic leave hours from the agency bank, or donations must be available. It is not the intent that hours

be granted if none are available.

The second amendment removes the requirement for agencies to report to the Administrator of DHRM information regarding the donation or usage of catastrophic leave by employees, which is currently available through the payroll system as well as information related to the nature of the disability of each employee using catastrophic leave. Removal of Subsections 7 and 8 is intended to ease the administrative burden on agencies to submit reports relates to catastrophic leave. The potential downside of not reporting this information to DHRM is that Central Payroll would not be able to provide support in terms of reconciliation, if the information is not reported. If an issue comes up within the agency, Central Payroll would be unable to provide a failsafe to reconcile. Input is welcome in terms of holding off on such change until the new ERP software is rolled out, and specifically input regarding removing Subsection 7(b).

Shelley Blotter: Invited comments.

Melody Duley: Asked whether the requirement to exhaust all other leave types still applies for an employee requesting catastrophic leave for domestic violence. **Michelle Garton:** Confirmed that this is a qualifier.

Melody Duley: Expressed support for removing 7(b) as well as alleviating the reporting requirement, however she acknowledges this would make less information available in case of audit. For agency bank purposes, agencies will still need to track. This means the information should still be available, even if it is not reported to Central Payroll.

Brian Boughter: Expressed support for removing 7(a) and 7(b), preferring the lessening of reporting functions. The concern overall is determining how someone qualifies. **Michelle Garton:** Stated there have been no requests by agencies for consultation services regarding leave for domestic violence. **Brian Boughter:** Stated that DETR has not faced this issue thus far. **Shelley Blotter:** Noted that this relates to statute change during the last session and there has not yet been much experience with this. They may need to assist as circumstances arise. In some cases, documentation such as police report would substantiate a claim. **Brian Boughter:** Noted the sensitivity of the subject matter, which may lead to uncomfortable situations when collecting this type of documentation.

Shelley Blotter: Invited further comments. There were none.

Michelle Garton: Addressed NAC 284.468. The amendment revises the terms used to define job elements, so that they will align with a revised classified employee performance evaluation process. Proposing this amendment now will provide preparation for changing the performance evaluation process in the future. **Peter Long:** Stated that the Governor's Office asked the Department of Administration and DHRM to coordinate an HR working group for the State. The group has been in place since December, 2017, and has been meeting on a biweekly basis to review concerns regarding all aspects of HR operations and responsibilities. Many of these proposed regulation amendments are a result of recommendations from the HR working group. This regulation looks at work performance standards which would tie to the employee evaluation process.

Shelley Blotter: Invited comments.

Brian Boughter: Referenced work performance standards and asked whether the expectation of the agency would be immediate revision of current work performance standards to more closely align with the items identified. **Peter Long:** Replied that he doesn't believe they have gotten that far. If the standards get through the regulation workshop, the Personnel Commission and the Legislative Commission, then direction will be provided to the agencies. The intent is to make things easier for employees and agencies when putting together the appraisals. It is not expected that Mr. Boughter be required to revise 1,500 to 1,800 work performance standards for all employees overnight.

Tim McFarling: Stated that there is reference to a revised process for performance review and asked for an overview of expectations. **Peter Long:** Explained that the items listed in the performance of work would translate to the employee appraisal. The job elements would all have the same weighting. **Tim McFarling:** Noted that the job elements are quantitative and qualitative. He asked if the intent is for them to replace the language under the heading for the performance standards on the right hand side of the form (more descriptors). **Peter Long:** Confirmed the intent. The job element would be the larger category and performance standard would be the descriptor under the job element. **Shelley Blotter:** Added that the draft performance evaluation allows the potential response "Does not meet standard, meets standard, or exceeds standard," which would be the only checkbox. Alternatively, comments could be added in. It is encouraged that if the assessment states "Does not meet standards," that comments be included. **Tim McFarling:** Asked for a timeline, noting that his agency has just implemented an ERP system as of last October. They are looking to incorporate functionality for performance appraisals. They would prefer not to move forward with existing forms, if this is soon to be changed. **Peter Long:** Acknowledged that the intent for the timeline is as soon as possible, likely six months to one year.

Michelle Garton: Addressed NAC 284.718 and 284.726. The changes to NAC 284.718 clarify that the type of information included in the regulation either held by an agency or DHRM is confidential. It will not be released, except as allowed in NAC 284.726. Certain grievances, health and workers' compensation information has been included in NAC 284.718, which would be included in an employee's record of employment and considered confidential. With both NAC 284.718 and 284.726, consistency is created by using the term "record of employment," rather than "file." The term "record of employment" is intended to be broader than the personnel folder, which would be commonly referred to as a service jacket kept by Central Records, as it refers to information that would be either held by DHRM or an agency. The intent is to ease information sharing across agencies. Under federal and State laws, the State of Nevada is considered one employer. Agencies will still have the ability to limit access to the information using common protocols in place to allow specific individuals to have access. **Shelley Blotter:** Stated that an agency personnel liaison, head agency HR person, could access the records when making decisions related to hiring current State employees into their agency.

Molly Koch: Expressed appreciation for the regulation change. One of the hardest aspects of an employee moving from one agency to another is determining their medical history in terms of

FMLA and Workers' Comp. The ability for agencies to share information will make administration of the programs much easier.

Kevin Ranft: Addressed the issue of grievances being reviewed by other agencies. Sometimes an employee will simply accept a step one or step two response. There is an option to accept or withdraw the grievance. Often times, these employees do not want the information carried over to other agencies, should they transfer or promote. AFSCME advises that the employee withdraw the grievance if it has been settled. He asked whether a withdrawn grievance would not go into the official file. **Shelley Blotter:** Surmised that it would be in the Incident Tracking System and agencies would have the ability to review whatever is contained in that system. If the employee and management have come to an agreeable resolution, that is contained in the history as well.

Kevin Ranft: Asked whether there has been a change with regard to accepting a supervisor's recommendation on a certain step versus withdrawing by the employee and whether all these activities are seen through the record keeping process. **Shelley Blotter:** Said there is no change in terms of how it is currently being used. The point is to state that grievances are confidential up to the point where it goes to the EMC, which is a public hearing. **Kevin Ranft:** Stated that there are concerns that the grievance would follow an employee. **Shelley Blotter:** Reiterated that is a universal viewpoint, where the State of Nevada is considered as one employer, rather than agency-specific.

Beverly Ghan: Introduced herself as Deputy Administrator of the Compensation, Classification & Recruitment Section. DHRM proposes an amendment to subsection 4 of NAC 284.374 to include and clarify that the 12-month period in which an agency can refuse to consider an eligible person who has been subjected to discipline includes decisions made not only by a hearing officer but also decisions made by the court on a judicial review or a decision by the Supreme Court of Nevada.

Shelley Blotter: Invited comments, noting that this is just a clarification of the process, as it goes to levels beyond the initial hearing by a hearing officer. There were no comments.

Beverly Ghan: Addressed the amendment to NAC 284.058, which is broadens the definition of the term "eligible" to include not only those applicants meeting minimum qualifications and passing exams when required, but also to include those eligible persons listed in NAC 284.358, which are the reemployment, reassignment (those on the 700 Hour list), and transfers (noncompetitive appointments).

Shelley Blotter: Invited comments. There were none.

Beverly Ghan: Discussed the amendment to NAC 284.108 to include a trial period that will be served not only by the employees that promote, but also by those employees that are laterally or comparably transferring into a position, in the definition of "trial period." NAC 284.444 addresses the application of the trial period. The amendment adds subsection 2 to the regulation to require a trial period be served by an employee who laterally or comparably transfers. There is a small change to subection 10 to emphasize the requirement for probation or a trial period, if

an employee promotes.

Shelley Blotter: Invited comments.

Kevin Ranft: Said this is a concern with some State employees, noting that serving a probationary period upon transferring may be a deterrent from doing so. AFSCME is opposed to it at this time, but would like to know the reasoning behind the proposal. **Peter Long:** Stated that is seen as a benefit for employees and agencies. Currently, without a trial period, agencies are reluctant to bring someone onboard, because they have not had time to evaluate someone. It is a hindrance for employees to transfer to another position in another agency, which may be better for their career path. If someone fails to complete the trial period or wishes to voluntarily return to their previous job, there is a new proposed regulation to allow both options.

Melody Duley: Expressed support of the proposed change as being beneficial to both agencies as well as employees. She agrees that agencies are hesitant to take on a lateral or comparable transfer without a trial period. This will encourage them to do so.

Tim McFarling: Stated that the concern is the restoration process. The changes would place more people into the displacement from those hired to backfill positions. Restorations are difficult, involving a number of people, including the person being restored, the person backfilling the position and the agency that has spent time training another employee. At face value it sounds like a good thing, however, what needs to be considered is to what extent they would add to restoration and difficulties for backfilled and displaced employees. **Peter Long:** Noted that they proposed restoration regulation will be discussed next.

Beverly Ghan: Explained that a recommendation has been made to have employees who transfer serve a trial period. The proposed new regulation will provide guidelines to be followed if an employee who transfers fails in a trial period or voluntarily chooses to revert to the position from which they transferred. Subsection 1 requires that if a permanent employee voluntarily transfers and fails to complete the trial period in the new position or chooses to revert, he or she must be restored to the position from which the employee transferred, if such position is vacant, or to the same class that is vacant, or to a comparable class that is vacant and of which the employee meets the minimum qualifications, or be placed on a reemployment list. The reversion can occur at any point during the trial period. Subsection 2 states that when an employee fails to complete the trial period and will be reverted, the appointing authority must give 30 days' written notice to the agency to which the employee will be reverted. Subsection 3 includes steps an employee and agency must take when the employee voluntarily chooses to revert, requiring that the employee must inform his or her current agency. The agency must then give 30 days' notice to the receiving agency.

Beverly Ghan: Noted that Mr. McFarling had expressed concern regarding displacing other employees that may have been trained. The proposed changed avoids displacements. She invited him to reaffirm his concerns. **Tim McFarling:** Affirmed that the explanation does provide an answer to his questions, stating his understanding is that an employee who reverts and whose position is currently occupied would have his/her name placed on the reemployment list. **Peter Long:** Clarified that if the position is vacant, they go back to the position. If it is not

vacant, they would go back to a position in the class that is vacant, or they would go back to a position in a comparable class for which they are qualified, or they would be placed on the reemployment list. Worst-case scenario would be the reemployment list. The employee should be made aware to all possibilities, should they choose to transfer.

Shelley Blotter: Invited further comments.

Ashley Kopp: Stated that the Department of Health and Human Services is supportive of the regulation in general, and appreciates the work done.

Beverly Ghan: Addressed NAC 284.360, which includes a small change in subsection 6 to allow the Administrator of DHRM to unrank or waive a list requirement of a class as determined appropriate by him or her. **Peter Long:** Stated that the change would allow an agency to make their case to the Administrator of DHRM that a list should be unranked.

Shelley Blotter: Invited comments. There were none.

Beverly Ghan: Discussed the addition of subsection 3 to NAC 284.172, which will allow the appointing authority to request an accelerated salary pursuant to NAC 284.204. **Peter Long:** Described the intent of the amendment, noting that he often receives calls from agencies and employees. Currently, if an employee promotes, they are limited to a maximum increase of 10 percent. Yet, under current regulation, you can bring someone new from the outside and request an accelerated rate. Therefore, a brand new employee can make more than a long-term employee. This would allow an agency to use the provisions of NAC 284 to adjust a promoting employee's step.

Shelley Blotter: Invited comments. There were none.

Beverly Ghan: Addressed the amendment to NAC 284.204, which removes subparagraph (c) of subsection 1, removing the ability to adjust a supervisor's steps based on the pay of the subordinate. **Peter Long:** Noted that this subsection was added 15 years ago with an amendment since that time. It originally indicated that the supervisor's step could be adjusted. It was then changed to not to exceed two steps. Moving in the direction of viewing the State as one employer, it was brought to DHRM's attention that agencies may not be applying this equitably across agency lines because there are agencies that may be fortunate enough to have funding available to increase the supervisor's step and other agencies that do not have available funding and are unable to increase the supervisor's step. In the interest of equity across State service, it is proposed that this section be removed.

Shelley Blotter: Invited comments.

Mavis Affo: Commented that the change is appreciated for DPS, as they have dealt with issues related to this. There have been issues in the Department, including grievances stemming from lack of funding since the recession.

Kevin Ranft: Stated that AFSCME is neutral on the amendment. The Department of

Corrections has Senior Correctional Officers (Cos) and COs, resulting in questions of authority. Many Senior COs are not given the supervisor tasks because they are not paid two grades higher than a CO. He asked whether the amendment would resolve this issue. **Peter Long:** Stated that this would not resolve the issue, as Senior COs are not eligible for the adjustment in the first place. The duties of a position and responsibilities of a position are associated with the grade of the position. Steps are more related to longevity with the State. Ultimately, the supervisor will be making more than a long-term employee once they become a long-term employee.

Shelley Blotter: Invited further comments. There were none.

Beverly Ghan: Addressed NAC 284.437, which references underfilling of positions. The proposed amendment allows the underfill at or below the journey level at the discretion of the appointing authority. Also being recommended is to allow for underfills above the journey level with written approval by DHRM. She invited questions.

Melody Duley: Stated that she is in support of the regulation change. She has found underfilling positions to be an extremely useful tool when the agency has been unable to fill at the full level of the position. Additional discretion is appreciated. Also appreciated is the ability to request underfilling at a higher level for positions that are difficult to fill and there is not a large applicant pool.

Kevin Ranft: Said this is a catch-22 situation. The need for underfill positions is understood. The change does provide for unintended consequences for people who may wish to use this option rather than the regular process to fill the position. The option should not be overused, but only used when needed to fill positions and ensure that the public is being taken care of. There is potential for abuse in the situation. **Peter Long:** Noted that his intent with "upon the approval of DHRM," is to review the request carefully and ensure there is a valid reason. It affords opportunities for current employees to move up to higher level positions for which they might not currently qualify. By moving up one class, this can move them to higher classes. **Kevin Ranft:** Thanked Peter Long for the assurances.

Shelley Blotter: Invited further comments. There were none. She reminded attendees that comment cards are available, if anyone wished to submit comments subsequent to the meeting. They will be discussing the feedback received today. Anything they decide to move forward with will be sent to the Legislative Council for preadoption review. Potentially, these will be discussed in the upcoming Personnel Commission meeting in September or December, if they move forward.

III. ADJOURNMENT

Shelley Blotter: Adjourned the meeting.

Brian Sandoval
Governor

Patrick Cates
Director

Peter Long
Administrator

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November 5, 2018

Regulation Small Business Impact Statement

Section 15 of Article 15 of the Nevada Constitution requires the Legislature to provide for a State merit system governing the employment of employees in the Executive Branch of State government and in 1969 the Legislature provided for such in NRS 284. Additionally, NRS 284.013 provides limitations to which employees of the Executive Branch are covered by NRS 284. NRS 284.065 authorizes the Personnel Commission to adopt regulations to carry out the provisions of this chapter.

Due to the limitations of the Nevada State Constitution and NRS 284, the Division of Human Resource Management staff has determined that the adoption of these proposed regulations does not affect small businesses, impose a significant economic burden on small businesses, nor will the regulations restrict the formation, operation or expansion of small business. These regulations only impact employees of the Executive Branch.

I certify that to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulations on small businesses and that the information contained in this statement was prepared properly and is accurate.

Peter Long
Peter Long, Administrator

November 5, 2018
Date

FOR DISCUSSION AND POSSIBLE ACTION

The following regulations have been proposed for permanent adoption. A brief explanation precedes each section and summarizes the intent of the regulation change. ***NOTE:*** Language in ***italics*** is new, and language in brackets ~~[omitted material]~~ is to be omitted.

The following summarizes the recommended action of the Personnel Commission and identifies if there has been support or opposition to the proposed action.

LCB File No. R163-18

The Division of Human Resource Management recommends the regulation amendments contained in LCB File No. R163-18.

First, a new regulation is proposed that will require a permanent employee who voluntarily transfers to serve a trial period. The regulation also describes the process to be used when such an employee fails to complete the trial period or voluntarily chooses to revert to the position he or she held prior to the voluntary transfer. The process does not allow an employee who fails to complete the trial period or voluntarily chooses to revert to his or her prior position to displace an employee if the prior position has subsequently been filled.

Next, the amendment to NAC 284.058 broadens the definition of "eligible person" to include applicants eligible pursuant to NAC 284.358.

The amendment to NAC 284.108 is a conforming change to incorporate the situation when an individual who voluntarily chooses to transfer in the definition of "trial period."

Next, the amendment to NAC 284.444 will require a permanent employee who voluntarily chooses to transfer to serve a trial period.

Finally, the amendment to NAC 284.448 is a conforming change based on the amendment to NAC 284.444.

At the June 15, 2018, Regulation Workshop, a concern was raised by a representative of the American Federation of State, County and Municipal Employees (AFSCME) regarding the requirement of a permanent employee to serve a trial period if he or she chooses to transfer. Other comments received were generally in support of the regulations.

EXPLANATIONS OF PROPOSED CHANGES
LCB File No. R163-18

Section 1: NEW Restoration of permanent employee who voluntarily transfers and either fails to complete trial period in the new position or voluntarily chooses to revert to his or her prior position.
This amendment, proposed by the Division of Human Resource Management, will lay out the options for an employee if he or she voluntarily transfers to a position and either fails to complete the trial period in the position or voluntarily chooses to revert to the position from which they transferred. If a permanent employee voluntarily transfers and fails to complete the trial period in the new position, or chooses to revert, he or she must be restored to the position from which the employee transferred if such position is vacant, or to the same class that is vacant, to a comparable class that is vacant and which the employee meets the minimum qualifications, or be placed on a reemployment list.

Section 2: NAC 284.058 "Eligible person" defined.
This amendment, proposed by the Legislative Counsel Bureau, will include lists that do not require competition into the types of lists for which an individual could be considered an "eligible person."

Section 3: NAC 284.108 "Trial period" defined.
This amendment, proposed by the Division of Human Resource Management, expands the definition of "trial status" to include the 6-month or 1-year period an employee who voluntarily transfers must serve.

Section 4: NAC 284.444 Application of probationary or trial period.
This amendment, proposed by the Division of Human Resource Management, will require a permanent employee who voluntarily transfers to serve a trial period.

Section 5: NAC 284.448 Time not counted toward completion of probationary period.
This amendment makes a conforming change based on the amendments proposed in other sections of this LCB File.

REVISED PROPOSED REGULATION OF THE

PERSONNEL COMMISSION

LCB File No. R163-18

October 19, 2018

EXPLANATION – Matter in ***italics*** is new; matter in brackets **[**~~omitted material~~**]** is material to be omitted.

AUTHORITY: §1, NRS 284.065, 284.155 and 284.375; §§2 and 3, NRS 284.065; §4, NRS 284.065, 284.155, 284.290 and 284.300; §5, NRS 281.145, 284.065, 284.155, 284.290 and 284.345.

A REGULATION relating to the State Personnel System; requiring a permanent employee who voluntarily transfers to certain classes to serve a trial period; requiring certain permanent employees who voluntarily transfer to certain classes to be restored to his or her former position or to be otherwise placed in another position or on a reemployment list; revising the definition of the term "eligible person"; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Personnel Commission to adopt: (1) regulations to carry out the provisions governing the State Personnel System; and (2) a code of regulations for the classified service. (NRS 284.065, 284.155)

Existing regulations set forth when a probationary or trial period applies to certain employees. (NAC 284.444) **Section 4** of this regulation requires a permanent employee who voluntarily transfers to any vacant position in the same class or a comparable class to serve a trial period. **Section 5** of this regulation makes conforming changes. Existing regulations define "trial period" to mean the 6-month or 1-year probationary period served by a permanent employee who has been promoted to a vacant position. (NAC 284.108) **Section 3** of this regulation makes conforming changes by applying the probationary period to a permanent employee who has been promoted to or who voluntarily transferred to a vacant position.

Existing law authorizes transfers to be made from one position to another position within the same grade under certain circumstances. (NRS 284.375) Existing regulations authorize an employee to request a transfer to certain positions that are in the same class or a comparable class as the employee's current class. (NAC 284.390) **Section 1** of this regulation requires a permanent employee who voluntarily transfers to any vacant position in the same class or a

comparable class and who fails to complete his or her trial period or who voluntarily reverts back to his or her former class to be restored to his or her former position or to be otherwise placed in another position or on a reemployment list. **Section 1** additionally requires written notice to be given to the agency from which the employee voluntarily transferred in such situations.

Existing law requires the Commission to adopt regulations requiring that an appointee who is promoted to a position and fails to attain a permanent status in the position to which the appointee was promoted must be restored to the position from which the appointee was promoted unless the position has been filled by an employee with greater seniority. (NRS 284.300) Existing regulations, adopted pursuant to existing law, provide such requirements. (NAC 284.462) **Section 1** clarifies that the provisions of **section 1** do not apply to existing regulations as **section 1** applies to a permanent employee who voluntarily transfers to any vacant position while existing regulations apply to an employee who is promoted to a position.

Existing regulations provide the types of lists of eligible persons and the required priority for such lists, with the following lists receiving first priority: (1) reemployment lists; (2) lists of certain persons with disabilities; (3) transfer lists; and (4) divisional promotional lists. (NAC 284.358) Existing regulations define "eligible person" as any person who applies, is eligible, competes and successfully passes all phases of an examination and is placed on an appropriate eligible list. (NAC 284.058) **Section 2** of this regulation revises the definition of the term "eligible person," in part, to include any person who is eligible to be placed on a: (1) reemployment list; (2) list of certain persons with disabilities; (3) transfer list; or (4) divisional promotional list.

Section 1. Chapter 284 of NAC is hereby amended by adding thereto a new section to read as follows:

1. If a permanent employee voluntarily transfers and the permanent employee fails to complete his or her trial period in the position to which he or she voluntarily transferred or voluntarily chooses to revert to his or her previous position, the permanent employee must, in the following order, be:

(a) Restored to the position from which the employee voluntarily transferred, if that position is vacant;

(b) If the position from which the employee voluntarily transferred is not vacant, appointed to another position in the agency from which the employee voluntarily transferred:

(1) For which a vacancy exists; and

(2) Which is in the same class as the position held by the employee immediately before he or she voluntarily transferred;

(c) If the position from which the employee voluntarily transferred is not vacant and a position described in paragraph (b) does not exist, appointed to a position in the agency from which the employee voluntarily transferred:

(1) For which a vacancy exists;

(2) Within a comparable class to the class of the position held by the employee immediately before he or she voluntarily transferred; and

(3) For which the employee meets the minimum qualifications;

(d) If the position from which the employee voluntarily transferred is not vacant and a position described in paragraph (b) or (c) does not exist, appointed to a position in the agency from which the employee voluntarily transferred:

(1) For which a vacancy exists;

(2) Within a class lower than the class of the position held by the employee immediately before he or she voluntarily transferred; and

(3) For which the employee meets the minimum qualifications; or

(e) If the position from which the employee voluntarily transferred is not vacant and a position described in paragraph (b), (c) or (d) does not exist, placed on the reemployment list for other classes:

(1) Which are equal to or lower than the class of the position held by the employee immediately before he or she voluntarily transferred; and

(2) For which the employee meets the minimum qualifications.

2. If an employee fails to complete the trial period and is restored to his or her former position or otherwise placed pursuant to subsection 1, the appointing authority which takes such action must give written notice to the agency from which the employee voluntarily transferred at least 30 calendar days before the effective date of the action. The agency which is taking the action is liable for the payment of the employee during this 30-day period unless the agency receiving the employee agrees to accept the employee before the expiration of that period. An employee does not gain permanent status if notice of the action has been provided to the employee and filed with the Division of Human Resource Management on or before the last day of his or her trial period, even though the action takes place after the last day of the trial period.

3. If an employee voluntarily chooses to revert to his or her previous position and is restored to his or her former position or otherwise placed pursuant to subsection 1, the employee must notify the agency to which the employee voluntarily transferred. The agency to which the employee voluntarily transferred must then give written notice to the agency from which the employee voluntarily transferred at least 30 calendar days before the effective date of the action. The agency which is taking the action is liable for the payment of the employee during this 30-day period unless the agency receiving the employee agrees to accept the employee before the expiration of that period. An employee does not gain permanent status if notice of the action has been filed with the Division of Human Resource Management on or

before the last day of his or her trial period, even though the action takes place after the last day of the trial period.

4. The provisions of this section do not apply to an employee described in NAC 284.462.

5. As used in this section, "voluntarily transfer" means any movement into a vacant position in the same class or a comparable class by a permanent employee, including, without limitation, transfers governed by NAC 284.390.

Sec. 2. NAC 284.058 is hereby amended to read as follows:

284.058 "Eligible person" means any person who ~~[applies, is eligible, competes]~~ ***meets the required minimum qualifications*** and ***:***

1. Applies, successfully passes all phases of an examination ***, when required,*** and is placed on an appropriate eligible list ~~[.]~~ ***; or***

2. Is eligible to be placed on a list described in paragraphs (a) to (d), inclusive, of subsection 1 of NAC 284.358.

Sec. 3. NAC 284.108 is hereby amended to read as follows:

284.108 "Trial period" means the 6-month or 1-year probationary period served by a permanent employee who has been promoted ***to or who voluntarily transferred*** to a vacant position.

Sec. 4. NAC 284.444 is hereby amended to read as follows:

284.444 1. A probationary employee who transfers:

(a) Within the same class must serve the remaining portion of the probationary period.

(b) From one class to another class must serve a new probationary period.

2. ***A permanent employee must serve a trial period if he or she voluntarily transfers:***

(a) Within the same class; or

(b) From one class to another class and such classes are comparable classes.

3. An employee who transfers from the unclassified or nonclassified service to the classified service must serve a new probationary period. Except for those unclassified employees who transfer pursuant to subsection 2 of NAC 284.398, the status of a permanent employee may not be attained until the satisfactory completion of the probationary period.

~~[3.]~~ ***4.*** An employee who is reinstated must serve a new probationary period unless it is waived in writing by the appointing authority. If an appointing authority waives the probationary period, the status of the appointment of the employee is permanent.

~~[4.]~~ ***5.*** A probationary employee who is reappointed must serve a new probationary period.

~~[5.]~~ ***6.*** A permanent employee who is reappointed to a class:

(a) At a higher grade level must serve a trial period unless it is waived by the appointing authority.

(b) At the same grade level or a lower grade level is not required to serve a ~~[probationary]~~ ***trial*** period.

~~[6.]~~ ***7.*** An employee who is laid off, but who is reemployed within 1 year, must serve a new probationary period if reemployed in a different class or in a different department than that from which he or she was laid off, and the employee is subject to the provisions of subsection 8 of NAC 284.630.

~~[7.]~~ ***8.*** A person with a permanent disability arising from a work-related injury or occupational disease who is reemployed in a different class or option than his or her regular position must serve a new probationary period as required by NAC 284.6018.

~~[8.]~~ ***9.*** A person who is on a military leave of absence pursuant to NRS 284.359 is entitled to return to the status of appointment held at the time he or she commenced the military leave of absence. If the employee did not complete the probationary period, he or she will only be required to complete the remaining portion thereof. Upon successful completion of the probationary period, permanent status must be granted to the employee as of the date on which permanent status would have been granted if the employee had not taken a military leave of absence.

~~[9.]~~ ***10.*** Promotion to a vacant position requires a new probationary ***or trial*** period. Promotions which result from reclassification are governed by NAC 284.134 and 284.138.

~~[10.]~~ ***11.*** Except as otherwise provided in subsection ~~[11:]~~ ***12:***

(a) No probationaryperiod will be required if a permanent employee is demoted.

(b) A new probationary period will be required if a probationary employee is demoted.

~~[11.]~~ ***12.*** An employee who is restored to his or her former position or class pursuant to NAC 284.462 following a promotional appointment must serve the portion of the trial period which was remaining at the time of the promotion. No probationary period is required if, pursuant to subparagraph (1) of paragraph (c) of subsection 2 of NAC 284.462, an employee is placed in a position in a class equal to or lower than the class held by the employee immediately before the promotion.

Sec. 5. NAC 284.448 is hereby amended to read as follows:

284.448 The following types of leave or temporary status do not count toward the completion of any probationary period:

1. Authorized military leave for active service, as set forth in subsection ~~[8]~~ ***9*** of NAC 284.444.

2. Authorized military leave for training beyond the 15 paid working days authorized by NRS 281.145 during a 12-month period, as prescribed in NAC 284.5875.

3. Except as otherwise provided in NAC 284.580, any leave without pay and catastrophic leave, combined, in excess of 240 hours or, in the case of an exempt classified employee, 30 working days, in a year if the regular work schedule of the employee is 80 hours or less biweekly. If the regular work schedule of an employee is more than 80 hours biweekly, the employee must be allotted additional leave without pay and catastrophic leave in proportion to the number of hours his or her regular work schedule exceeds 80 hours biweekly. As used in this subsection, "year" means a period equal to 12 months of full-time equivalent service measured backward from the employee's pay progression date.

4. Time which is served in a temporary position pursuant to NAC 284.414.

5. Any hours worked which exceed 40 in a week.

Personnel Commission Meeting
December 7, 2018

FOR DISCUSSION AND POSSIBLE ACTION

The following regulations have been proposed for permanent adoption. A brief explanation precedes each section and summarizes the intent of the regulation change. ***NOTE:*** Language in ***italics*** is new, and language in brackets ~~[omitted material]~~ is to be omitted.

The following summarizes the recommended action of the Personnel Commission and identifies if there has been support or opposition to the proposed action.

LCB File No. R164-18
The Division of Human Resource Management recommends the regulation amendments contained in LCB File No. R164-18.

First, the amendment to NAC 284.172 will allow an appointing authority to request an accelerated rate for an employee when that employee is promoted. Historically, the request for an accelerated rate has only been allowable when an employee is newly hired.

The amendment to NAC 284.204 removes the requirement that an appropriate differential between the base rate pay of a supervisor and subordinate must be maintained. Additionally, several housekeeping changes are proposed.

Next, the amendment to NAC 284.206 makes conforming changes.

The amendment to NAC 284.360 makes some housekeeping changes and also will allow the Administrator of the Division of Human Resource Management to unrank a list or waive the list as he or she deems appropriate.

Next, the amendment to NAC 284.374 also make some housekeeping changes and clarifies that an appointing authority is not required to consider an eligible person who has contested his or her suspension, demotion or termination for a period of 12 months after a final decision is made by any reviewing court.

Finally, the amendment to NAC 284.437 will allow an appointing authority to underfill a position at or below the journey level at his or her discretion. The amendment will allow an appointing authority to underfill a position above the journey level with the written approval of the Administrator of the Division of Human Resource Management, or his or her designee.

At the June 15, 2018, Regulation Workshop, a representative of the American Federation of State, County and Municipal Employees (AFSCME) stated they were neutral on the amendment to NAC 284.204. Other comments received were generally in support of the regulations.

EXPLANATIONS OF PROPOSED CHANGES
LCB File No. R164-18

Section 1: NAC 284.172 Rate of pay: Effect of promotion.
This amendment, proposed by the Division of Human Resource Management, allows an appointing authority to request an accelerated rate under NAC 284.204 for an employee that is receiving a promotion.

Section 2: NAC 284.204 Adjustment of steps within same grade: Conditions for approval; request; effective date; revocation.
This amendment, proposed by the Division of Human Resource Management, removes subparagraph (c) of subsection 1, which requires maintenance of an appropriate differential, not to exceed two steps, between the base rate of pay of a supervisor and the base rate of pay of an employee of that supervisor. The intent of this amendment is to maintain equity and consistency across State agencies.

Section 3: NAC 284.206 Special adjustments to pay.
This amendment makes conforming changes based on the amendments proposed in other sections of this LCB File.

Section 4: NAC 284.360 Certification and provision of certain lists by Division of Human Resource Management; certification of eligible persons on ranked or unranked lists or waiver of lists.
This amendment will allow the Administrator of the Division of Human Resource Management to make a determination to certify a list of eligible applicants who are not ranked, or to waive the list, in addition to the three options included in subsection 6 of the regulation.

Section 5: NAC 284.374 Active lists: Removal and reactivation of names; no requirement or refusal to consider certain persons.
This amendment, proposed by the Division of Human Resource Management, clarifies that the 12-month period to refuse to consider an eligible person who has been subject to discipline includes decisions by a hearing officer or decisions by any reviewing court.

Section 6: NAC 284.437 Underfilling of positions.
This amendment, proposed by the Division of Human Resource Management, will allow the underfill of a position at any level in a series. An appointing authority may use his or her discretion to underfill a position at or below the journey level. However, an appointing authority must obtain the approval of the Division of Human Resource Management to underfill those positions above the journey level in the series. This changes the current process which only allows a position to be underfilled at or below the journey level.

REVISED PROPOSED REGULATION OF THE

PERSONNEL COMMISSION

LCB File No. R164-18

October 12, 2018

EXPLANATION – Matter in ***italics*** is new; matter in brackets **[**~~omitted material~~**]** is material to be omitted.

AUTHORITY: §§1-3, NRS 284.065, 284.155 and 284.175; §4, NRS 284.065, 284.155 and 284.250; §5, NRS 284.065, 284.155, 284.250 and 284.295; §6, NRS 284.065, 284.155 and 284.305.

A REGULATION relating to the State Personnel System; revising provisions governing the adjustment of steps within a pay grade; revising provisions governing lists of eligible persons for appointment to a position; revising certain provisions concerning the refusal of consideration of certain eligible persons; revising provisions concerning the underfilling of a position; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Personnel Commission to adopt: (1) regulations to carry out the provisions governing the State Personnel System; and (2) a code of regulations for the classified service. (NRS 284.065, 284.155)

Existing law requires the Administrator of the Division of Human Resource Management of the Department of Administration to prepare a pay plan for all employees in the classified service that: (1) must include ranges for each class, grade or group of positions in the classified service; and (2) requires each employee in the classified service to be paid at one of the rates set forth in the pay plan for the class in which the employee is employed. Existing law also requires the Commission to adopt regulations to carry out this pay plan. (NRS 284.175) Existing regulations authorize the Division to approve an adjustment of steps within a pay grade to: (1) allow an appointing authority flexibility in adjusting the rate of pay for a position in certain situations; (2) maintain an equitable relationship in the status of steps among certain employees; and (3) maintain an appropriate differential between the base pay of a supervisor and the base pay of an employee. Before the Division may approve such an adjustment, the appointing authority must submit a request on a certain form that provides certain information. (NAC 284.204) **Section 2** of this regulation removes maintaining an appropriate differential between the base pay of a supervisor and the base pay of an employee as a reason for the Division to

approve an adjustment of steps within a pay grade. Existing regulations provide the procedure that governs the rate of pay which must be paid if an employee is promoted. (NAC 284.172) **Section 1** of this regulation makes existing regulations subject to **section 2**, thereby allowing an appointing authority to request an adjustment of steps for an employee that is receiving a promotion.

Existing law requires the Commission to adopt regulations for the establishment of eligible lists for appointment and promotion, with such lists containing the names of successful applicants. (NRS 284.250) Existing regulations require the Division, upon receiving a request for eligible candidates for a class, to provide, if possible, the following lists in the following order: (1) a reemployment list; (2) any available reassignment lists of certain employees with a disability; (3) any available lists of persons with disabilities who are eligible for temporary limited appointments; (4) any available transfer lists of employees who are entitled to transfer to a position; or (5) if no such lists exist, certify the names of eligible persons on ranked or unranked lists or waive the lists. The Division may certify a list of eligible persons on an unranked list or waive the list for certain classes. (NAC 284.360) **Section 4** of this regulation authorizes the Division also to certify such a list or waive the list for a class which is determined to be appropriate by the Administrator of the Division.

Existing regulations authorize an appointing authority to refuse to consider an eligible person for a class of employment if the eligible person has been subject to a suspension, demotion or termination as a result of a disciplinary action that occurred in the preceding 12 months. This 12-month period begins, in a contested case, on the date the hearing officer issues a final decision upholding the suspension, demotion or termination. (NAC 284.374) **Section 5** of this regulation sets forth that the 12-month period begins, in a contested case, on the date the hearing officer or any reviewing court issues a final decision upholding the suspension, demotion or termination. Existing regulations further require the names of eligible persons to be removed from active lists for certain causes. (NAC 284.374) **Section 5** authorizes the names of eligible persons to be removed from active lists for certain causes.

Existing law authorizes the Commission to adopt regulations which provide for filling positions in the classified service without competition in certain cases. (NRS 284.305) Existing regulations provide for underfilling a position, which is the filling of a position with an employee who holds a position in a lower classification, as a way to fill a position without competition. (NAC 284.110, 284.437) **Section 6** of this regulation allows for the underfilling of a position at any level with such underfilling being accomplished at either the discretion of the appointing authority or, in certain situations, with the approval of the Administrator or his or her designee. **Section 3** of this regulation makes conforming changes.

Section 1. NAC 284.172 is hereby amended to read as follows:

284.172 1. ~~[The]~~ ***Except as otherwise provided in NAC 284.204, the*** following provisions govern the rate of pay which must be paid if an employee is promoted:

(a) The employee must be placed at the lowest step in the higher grade that meets one of the following requirements:

(1) If the employee moves one or two grades above his or her former grade, he or she must be placed at the same step in the new grade as the step held in his or her former grade.

(2) If the employee moves three or more grades above his or her former grade, the employee must be placed:

(I) At a step which is equivalent to an increase of two steps above the step held in his or her former grade; or

(II) At the lowest step of the new grade,

➥ whichever pay is higher and in accordance with the provisions of NAC 284.179.

(b) A special adjustment to an employee's pay for performing supervisory duties which is granted in accordance with paragraph (c) of subsection 2 of NAC 284.206 is the present level of pay for the purpose of calculating a promotional increase authorized by paragraph (a) only if the employee has received the special adjustment to his or her pay for more than 6 months of continuous full-time service.

(c) If an employee has been demoted, he or she may not, within 1 year after the demotion, receive a promotional increase in pay that is greater than the increase which he or she would have otherwise been entitled to receive had he or she not been demoted unless the Administrator approves the promotional increase.

(d) This subsection does not apply when an employee is reemployed or reappointed to his or her former grade within 1 year after holding that grade.

2. As used in this section, "present level of pay" means a rate of pay that is equal to the amount that is assigned to the step within the grade which is closest to, but does not exceed, the employee's pay after a special adjustment to pay pursuant to the provisions of NAC 284.206.

Sec. 2. NAC 284.204 is hereby amended to read as follows:

284.204 1. ~~[The]~~ ***Subject to the provisions of subsection 2, the*** Division of Human Resource Management may approve an adjustment of steps within the same grade to:

(a) Allow an appointing authority the flexibility to adjust the rate of pay for a position that will be filled by a person from a pool of eligible persons who are applying for the position on an open competitive basis in order to:

(1) Meet a difficult recruiting problem in which an effort to recruit a person for a position or class has failed to produce at least five eligible persons who are available to work, or the recruitment for the position or class has been deemed historically difficult. Such an adjustment of steps may be approved by the Division of Human Resource Management for a class for a period of 1 year.

(2) Employ a person whose education or experience is superior to those of another eligible person and who exceeds the minimum qualifications of the class. Any experience or education which is considered by the appointing authority pursuant to this subparagraph must be given a greater weight for those areas which are directly related to the position than general education and experience.

(b) Maintain an equitable relationship in the status of steps among the employees of the appointing authority if a disparity exists. An adjustment will not be granted pursuant to this section if the disparity in steps is:

(1) Among employees of different departments or agencies; or

(2) A result of:

(I) The length of service of employees;

(II) An adjustment in pay which was attained in a former class; or

(III) An adjustment in pay for an employee who resides in a particular geographical area.

~~[(c) Maintain an appropriate differential, not to exceed two steps, between the base rate of pay of a supervisor and the base rate of pay of an employee who is in the direct line of authority of the supervisor. An adjustment may be granted pursuant to this paragraph if, before the adjustment, the base rate of pay of the employee is the same or greater than the base rate of pay of the supervisor.]~~

2. Before ~~[granting]~~ ***the Division of Human Resource Management may approve*** an adjustment of steps pursuant to ~~[this section,]~~ ***subsection 1,*** the appointing authority must submit a request on a form prescribed by the Division of Human Resource Management to the Division of Human Resource Management which:

(a) Specifies the qualifying conditions and justification for the request; and

(b) Certifies that the appointing authority has, where applicable:

(1) Considered the requirements for the pay required to meet the need described in subparagraph (1) of paragraph (a) of subsection 1;

(2) Considered the qualifications of any other eligible person who is available for work for the purposes of subparagraph (2) of paragraph (a) of subsection 1;

(3) Ensured that the adjustment is feasible on the basis of its fiscal effects; and

(4) Prepared and maintained an accurate record of the consideration of the factors listed in this section.

3. If an adjustment of steps ~~[pursuant to this section]~~ is approved by the Division of Human Resource Management ~~[,]~~ ***pursuant to subsection 1,*** the effective date of such an adjustment is the date on which a request that complies with subsection 2 is received by the Division of Human Resource Management or the personnel office of the department or agency at which the employee who is receiving the adjustment is employed. If a request for an adjustment of steps is delayed because an administrative or clerical error prevented the delivery of the request, the effective date must be determined by the appointing authority and must be based on the date on which the request should reasonably have been submitted. A retroactive adjustment must not exceed 6 months from the date on which the Division of Human Resource Management receives the request.

4. An adjustment of steps which is made pursuant to subparagraph (1) of paragraph (a) of subsection 1 may be revoked when:

(a) The recruiting problem which caused the adjustment was due to the geographical location of the position; and

(b) The employee moves from one position to another position in either a different area within the department or agency in which the employee is currently employed or a different

department or agency than the department or agency in which the employee is currently employed, and a similar recruiting problem does not exist in the new area, department or agency. ~~[➥ The]~~

5. If an adjustment of steps is revoked pursuant to subsection 4, the employee must be placed at the step he or she would have received if he or she had not received the adjustment.

Sec. 3. NAC 284.206 is hereby amended to read as follows:

284.206 1. The Division of Human Resource Management may approve a special adjustment to the pay of an employee pursuant to this section. A request for a special adjustment to pay may be initiated by an employee, the appointing authority or the Division of Human Resource Management. A special adjustment to pay does not constitute a promotion.

2. An employee may receive a special adjustment to pay equivalent to 5 percent of the employee's base rate of pay during any period in which:

(a) The employee works out of his or her class on a continuing basis and performs essentially all the duties and responsibilities of a position classified at a higher grade. To receive the increase, the employee must be assigned duties and responsibilities of the higher grade which are clearly demonstrated in the class specification and carry out the duties and responsibilities for at least 16 consecutive workdays before the increase becomes effective. The adjustment to pay pursuant to this paragraph is effective retroactively, commencing on the date on which the employee assumed the additional duties and responsibilities. The adjustment to pay must not continue for more than 6 months in any 12-month period unless:

(1) The employee is underfilling a position pursuant to NAC 284.437 **.** ~~[and recruitment has failed to produce a sufficient number of applicants on the appropriate list.]~~

(2) The duties and responsibilities that the employee has been carrying out have been assumed from one or more positions that have not been authorized to be filled because of a hiring freeze or fiscal emergency. A hiring freeze or fiscal emergency must be certified by the Chief of the Budget Division or, in the case of an agency that does not receive money from the State General Fund or the Nevada System of Higher Education, certified by the administrator of that agency or the System.

(3) The appointing authority submits a written request to the Administrator accompanied by documentation justifying an extension of the 6-month period and certifies that money is available to pay for the continuation of the special adjustment to pay. The Administrator may authorize the continuation of the special adjustment to pay after receiving the request and documentation and determining that the extension of the 6-month period is a business necessity and in the best interest of the State.

(b) The employee is required to use bilingual skills or sign language for persons who are deaf at least 10 percent of his or her work time.

(c) The employee is supervising other employees of the same or a higher grade if the supervision:

(1) Is not part of the supervision or management responsibilities for a program that is provided for in the class specification; and

(2) Includes, without limitation, selection, work assignment, training, work review, reports on performance and discipline of employees.

(d) The employee is required regularly to perform custodial work and clean up human bodily waste in a medical, clinical or inpatient facility.

(e) Except as otherwise provided in this paragraph, the employee is conducting a formal training program for employees. The training program must:

(1) Be conducted weekly;

(2) Consist of training on the job and in the classroom or training only in the classroom;

(3) Include a test to determine the employees' progress in the program; and

(4) Result in the award of a certificate of completion or advancement in a class series to the journey level.

➥ If an adjustment to pay is granted pursuant to this paragraph, the adjustment begins when the employee starts conducting the training program and ends when the training program is completed. An adjustment will not be granted if the duty to conduct training is clearly set forth in the class specification. Informal orientation given to new employees will not be considered for this special adjustment.

(f) The employee, if employed as a law enforcement officer, is assigned to motorcycle duty.

(g) The employee, if employed by the Department of Corrections, is responsible for the supervision of a group of inmates assigned to a work area of an institution and who is responsible for implementing security procedures, including, without limitation:

(1) Securing the work area from inmates who are not authorized to enter the work area;

(2) Accounting for all inmates who have been assigned to the work area; and

(3) Accounting for all materials, tools and equipment in the work area.

➥ The adjustment to pay pursuant to this paragraph will be granted only if such duties are not provided for in the class specification.

(h) The employee is authorized by the Legislature to receive such an adjustment to his or her pay.

3. An employee may receive a special adjustment to pay if he or she occupies a position in which the duties have been recognized through the classification process as being at a higher level, but who does not meet the minimum qualifications for the class. The special adjustment to the employee's pay must be equivalent to 2.5 percent of the employee's base rate of pay if the employee performs duties classified one grade higher than his or her current position, or 5 percent of the employee's base rate of pay if the employee performs duties classified two or more grades higher than his or her current position. A special adjustment to an employee's pay made pursuant to this subsection may continue in effect from the date on which the position questionnaire is received:

(a) Until the employee meets the minimum qualifications and is promoted;

(b) For 1 year after the effective date of the special adjustment to pay; or

(c) Until the date the higher level duties are removed,

➥ whichever occurs first.

4. Except as otherwise provided in paragraph (a) of subsection 2, any special adjustment to pay made pursuant to subsection 2 must be revoked when the conditions justifying it cease to exist.

5. Except as otherwise provided in this section, the effective date of a special adjustment to pay is the date on which the written request is received by the Division of Human Resource Management or the personnel office of the agency at which the employee who is receiving the special adjustment to pay is employed. If the request for the special adjustment to pay is delayed

because an administrative or clerical error prevented its delivery, the effective date of the special adjustment to pay must be determined by the appointing authority and must be based on the date on which the request should reasonably have been submitted. A retroactive adjustment to pay must not exceed 6 months from the date on which the Division of Human Resource Management receives the written request.

Sec. 4. NAC 284.360 is hereby amended to read as follows:

284.360 1. After being contacted by an appointing authority pursuant to subsection 3 of NAC 284.358 regarding the availability of eligible candidates in a specific class, the Division of Human Resource Management must verify the availability of a reemployment list for that class. If a reemployment list is available, the Division of Human Resource Management must certify and provide the reemployment list to the appointing authority. Eligible persons who appear on reemployment lists are ranked in order of seniority. Except as otherwise provided in subsection 2 of NAC 284.6017, placement on a reemployment list must be determined using the criteria governing the determination of seniority for layoff pursuant to NAC 284.632.

2. If there is no reemployment list available, the Division of Human Resource Management must certify and provide to the appointing authority any available reassignment lists pursuant to NAC 284.405.

3. If there are no reassignment lists available, the Division of Human Resource Management must certify and provide to the appointing authority any available lists of persons with disabilities who are eligible for temporary limited appointments pursuant to NRS 284.327.

4. If there are no available lists of persons with disabilities who are eligible for temporary limited appointments pursuant to NRS 284.327, the Division of Human Resource Management

must certify and provide to the appointing authority any available transfer lists of employees who are entitled to transfer to a position pursuant to NRS 284.3775.

5. If no list described in subsection 1, 2 or 3 is available, the Division of Human Resource Management must, upon request of the appointing authority and in accordance with subsections 6 and 7 ~~[, certify]~~ ***:***

(a) Certify the names of eligible persons on ranked or unranked lists described in paragraphs (e) to (i), inclusive, of subsection 1 of NAC 284.358 ~~[, or waive]~~ ***; or***

(b) Waive the list.

6. The names of eligible persons on ranked lists must appear in the order of the total rating which they earned in the examination, including preferences for veterans and residents.

7. The Division of Human Resource Management may certify a list of eligible ~~[applicants]~~ ***persons*** who are not ranked, or may waive the list, for:

(a) A class that is grade 20 or below;

(b) A class designated in the classification plan as entry level; ~~[or]~~

(c) A class designated in the classification plan as a class for which applicants for promotion are not normally available ~~[.]~~ ***; or***

(d) A class determined to be appropriate by the Administrator.

8. Only an eligible person who has indicated the willingness to accept the location of the vacancy and the other conditions of employment may be certified.

Sec. 5. NAC 284.374 is hereby amended to read as follows:

284.374 1. The names of eligible persons ~~[will]~~ ***may*** be removed from the active lists for any of the following causes:

(a) Appointment after certification to fill a full-time permanent position in the class for which the examination was given ***;*** ~~[.]~~

(b) Expiration of the term of eligibility ***;*** ~~[.]~~

(c) Separation of a person who is eligible for promotion from the state service ***;*** ~~[.]~~

(d) Failure by an eligible person to respond within the required time to an inquiry of availability ***;*** ~~[.]~~

(e) A statement by the eligible person that he or she is not willing to accept any type of appointment from the eligible list ***;*** ~~[.]~~

(f) Any of the causes listed in NRS 284.240 pursuant to which the Administrator may refuse to examine ***an applicant*** or ***, after examination, may refuse to*** certify an eligible person ***;*** or ~~[, if the]~~

(g) If the eligible person is an employee ***who*** has been laid off ~~[,]~~ ***and placed on the statewide reemployment list,*** reemployment pursuant to subsection 7 of NAC 284.630.

2. An appointing authority need not consider an eligible person more than one time from a recruitment. Consideration of an applicant for other than full-time permanent positions must not be counted for the purposes of this subsection.

3. An appointing authority need not consider an otherwise eligible person who cannot perform the essential functions of the position with or without reasonable accommodation.

4. An appointing authority may refuse to consider an eligible person who has been subject to a suspension, demotion or termination as a result of an upheld or uncontested disciplinary action in the preceding 12 months. The 12-month period begins on the effective date of the uncontested action or, if it is contested, on the date the hearing officer ***or any reviewing court***

issues a final decision upholding a suspension, demotion or termination. If an employee is removed from consideration pursuant to this subsection, the appointing authority must notify the employee of that fact in writing before interviewing the next candidate or making its selection. The employee has 3 working days after being notified that he or she has been removed from consideration pursuant to this subsection to notify the appointing authority of any discrepancy in the information in his or her personnel file which led to the removal of the employee from consideration. The appointing authority may not make its selection:

(a) If the employee does not notify the appointing authority of a discrepancy, until after the end of the period pursuant to which the employee may notify the appointing authority of a discrepancy; or

(b) If the employee notifies the appointing authority of a discrepancy, until after the appointing authority determines whether the removal of the employee from consideration pursuant to this subsection was appropriate.

5. An appointing authority shall refuse to consider an eligible person whose appointment to a position will violate NRS 281.210, NAC 284.375 or a policy approved by the Commission pursuant to NAC 284.375.

6. An eligible person whose name has been removed from an active list may request that his or her name be reactivated by stating his or her reasons for the request. If the Division of Human Resource Management determines that the reasons are justified, and the ~~[person's]~~ term of eligibility ***for the person*** has not otherwise expired, his or her name may be reactivated.

Sec. 6. NAC 284.437 is hereby amended to read as follows:

284.437 1. ~~[Except as provided in subsection 4, before a position may be underfilled, it must be approved in writing by the Division of Human Resource Management. The Division of Human Resource Management will only approve a position to be underfilled if there are less than five eligible ranks on the appropriate list who are available for appointment.~~

~~2. Except as otherwise provided in subsection 4, if a position is approved to be underfilled, the Division of Human Resource Management will begin a recruitment for the class of the position unless a recruitment within 12 months before the approval failed to produce sufficient applicants on the appropriate list.~~

~~3. Except as otherwise provided in subsection 4, the position may not continue to be underfilled for more than 30 working days after five or more ranks of eligible persons on the appropriate list who are available for appointment are certified to the appointing authority.~~

~~4. Subsections 1, 2 and 3 do not apply to the underfilling of a position:~~

~~(a) If the position is authorized at or below the journey level and an employee fills that position in a class which is a training or intermediate level preparatory to promotion;~~

~~(b) If an employee's position is reclassified pursuant to NAC 284.138; or~~

~~(c) If an appointing authority has requested and received approval from the Division of Human Resource Management to underfill a position because money is not available and that fact has been certified by the Chief of the Budget Division or, in the case of an agency which is not funded from the General Fund or the Nevada System of Higher Education, by the administrator of that agency or System.~~

~~5.]~~ ***The appointing authority may underfill a position at or below the journey level at the discretion of the appointing authority.***

2. The appointing authority may underfill a position above the journey level upon written approval of the Administrator or his or her designee.

3. An employee or former employee may not be selected through noncompetitive means to underfill a position allocated at grade 30 or higher if that position is allocated at a higher grade than ~~[the]~~ ***:***

(a) The position the employee currently holds ***;*** or ~~[, in]~~

(b) In the case of a former employee, the current grade of the position the person formerly held.

Personnel Commission Meeting
December 7, 2018

FOR DISCUSSION AND POSSIBLE ACTION

The following regulations have been proposed for permanent adoption. A brief explanation precedes each section and summarizes the intent of the regulation change. ***NOTE:*** Language in ***italics*** is new, and language in brackets ~~[omitted material]~~ is to be omitted.

The following summarizes the recommended action of the Personnel Commission and identifies if there has been support or opposition to the proposed action.

LCB File No. R166-18
The Division of Human Resource Management recommends the regulation amendments contained in LCB File No. R166-18.

First, the amendment to NAC 284.468 changes the definition of "job elements" in respect to standards for the performance of work. The application of these specific job elements to each position will tie to the employee evaluation process and are intended to assist supervisors in preparing the required written statement of the expectations of each employee.

Next, the amendment to subsection 7(a) of NAC 284.576 is a housekeeping change. The intent of the amendment to subsection 7(b) of NAC 284.576 is to remove the requirement that an appointing authority is required to report the period and nature of the disability of each employee utilizing catastrophic leave, as this information is deemed unnecessary.

Comments received at the June 15, 2018, Regulation Workshop were generally in support of the regulations.

EXPLANATIONS OF PROPOSED CHANGES
LCB File No. R166-18

Section 1: NAC 284.468 Standards for performance of work.
This amendment, proposed by the Division of Human Resource Management, revises the terms previously used to define "job elements," to include the new terms to be used in a revised process to complete reports on performance of State of Nevada classified employees.

Section 2: NAC 284.576 Catastrophic leave: Use and administration; appeal of denial.
This amendment, proposed by the Division of Human Resource Management, will no longer require agencies to report on the nature of the disability.

REVISED PROPOSED REGULATION OF

THE PERSONNEL COMMISSION

LCB File No. R166-18

October 17, 2018

EXPLANATION – Matter in ***italics*** is new; matter in brackets **[**~~omitted material~~**]** is material to be omitted.

AUTHORITY: §1, NRS 284.065, 284.155 and 284.335; §2, NRS 284.065, 284.155, 284.3626 and 608.0198.

A REGULATION relating to the State Personnel System; revising the job elements of an employee's position upon which a standard for the performance of work is based; revising certain information concerning the donation and use of catastrophic leave that an appointing authority is required to provide to the Administrator of the Division of Human Resource Management of the Department of Administration; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the appointing authorities of the various state departments, agencies and institutions to: (1) establish standards of work performance for each class of positions; and (2) provide each employee with a copy of the standards for his or her position. (NRS 284.335) Existing regulations provide that a standard for the performance of work is a written statement prepared on a form prescribed by the Division of Human Resource Management of the Department of Administration of the results or behavior expected of an employee when the job elements of the employee's position are satisfactorily performed. (NAC 284.468) **Section 1** of this regulation revises the job elements of positions.

Existing law requires each appointing authority to report certain information concerning the use of an account for catastrophic leave to the Administrator of the Division of Human Resource Management of the Department of Administration. (NRS 284.3625; NAC 284.576) **Section 2** of this regulation removes a requirement that each appointing authority provide information regarding the period and nature of the disability for each employee using catastrophic leave.

Section 1. NAC 284.468 is hereby amended to read as follows:

284.468 1. A standard for the performance of work is a written statement prepared on a form prescribed by the Division of Human Resource Management of the results or behavior, or both, expected of an employee when the job elements of the employee's position are satisfactorily performed under existing working conditions. Standards are required for all classified positions.

2. The appointing authority is responsible for ensuring that each position has standards and that each employee is evaluated using those standards. The supervisor has responsibility for establishing the initial standards, but the employee must be given the opportunity to provide comments when the standards for his or her position are revised.

3. The appointing authority has final approval of the standards for a position.

4. Standards must be reviewed annually and amended when appropriate.

5. Each employee must be provided with a copy of the standards for his or her position.

6. As used in this section, "job elements" means ~~[the principal assignments, job tasks, goals, objectives, responsibilities or related factors, or any combination thereof.]~~ ***:***

(a) Quality of work;

(b) Quantity of work;

(c) Work habits;

(d) Relationships with other persons;

(e) Taking action independently;

(f) Meeting work commitments;

(g) Analyzing situations and materials; and

(h) If supervising the work of other persons is part of the responsibilities of an employee, supervising the work of other persons.

Sec. 2. NAC 284.576 is hereby amended to read as follows:

284.576 1. An account for catastrophic leave may be established for an employee when he or she or a member of his or her immediate family experiences a catastrophe and the employee has used all of his or her accrued leave.

2. An employee who is affected by a catastrophe and has used or is about to use all of his or her leave may request, on the appropriate form, the transfer of leave to an account for catastrophic leave for his or her personal use after the balance of all of his or her leave has been used. Such a request must be accompanied by a statement from a physician on a form provided by the Committee on Catastrophic Leave created pursuant to NRS 284.3627 which substantiates the necessity of the leave.

3. When a member of the immediate family of an employee is affected by a catastrophe, the appointing authority of the employee may require substantiating evidence that the member of the immediate family requires the employee's attendance before approving the transfer of leave to an account for catastrophic leave for use by the employee. Such evidence may include a statement by an attending physician regarding the status of the catastrophe.

4. The appointing authority shall approve or deny a request for catastrophic leave, taking into consideration the nature of the catastrophe and the expected duration of the leave. The decision of the appointing authority may be appealed to the Committee on Catastrophic Leave pursuant to NRS 284.3629.

5. An employee who wishes to donate hours to an account for catastrophic leave for use by another employee who has been approved to receive the donated hours shall notify his or her appointing authority on the appropriate form of his or her intent to donate the leave. The appointing authority of the employee donating the leave shall submit a copy of the form to the appointing authority of the employee receiving the leave. The appointing authority of the recipient shall use the notice to effect a transfer of leave from the account of the donor to the account of the recipient when the recipient needs to use those hours. If more than one notice of intent to donate leave is received by the recipient's appointing authority on behalf of the recipient, the notices must be maintained in chronological order and used, one at a time as needed, according to the date in which they were received.

6. A donor and his or her appointing authority must be notified on the appropriate form when the donated leave specifically designated for use by another employee has been used or if the amount of leave donated is in excess of the amount approved for use by the recipient. Except as otherwise provided in this subsection, excess leave must be restored to the account of the donor within 30 working days after the last day on which the recipient was eligible to receive catastrophic leave. If the donor is separated from state service before the excess leave is restored pursuant to this subsection, the excess leave must be transferred to the account for catastrophic leave of the appointing authority of the donor when the donation of leave was made.

7. ~~[The]~~ ***For each employee who donates or uses catastrophic leave, the*** appointing authority shall ~~[provide the following information on a calendar year basis]~~ ***annually,*** or as requested by the Administrator ~~[:~~

~~(a) Each~~] ***, provide to the Administrator the number assigned to each*** employee [~~under its authority, identified by a number assigned~~] in accordance with subsection 8 [~~, donating or using catastrophic leave, his or her~~] ***and the*** grade and rate of pay and the number of hours and dollar value of the leave donated, excluding any excess leave restored to the account of a donor, pursuant to subsection 6, or used by [~~the~~] ***each such*** employee **.** [~~; and~~

~~(b) The period and nature of the disability for each employee using catastrophic leave.~~]

8. The appointing authority shall assign numbers to employees for the purposes of subsection 7 in a sequential order and in such a manner that ensures the confidentiality of the identity of those employees.

9. Hours donated to an account for catastrophic leave must be donated in increments of 8 hours.

10. As used in this section, "immediate family" has the meaning ascribed to it in NAC 284.562.

Personnel Commission Meeting
December 7, 2018

FOR DISCUSSION AND POSSIBLE ACTION

The following regulations have been proposed for permanent adoption. A brief explanation precedes each section and summarizes the intent of the regulation change. ***NOTE:*** Language in ***italics*** is new, and language in brackets ~~[omitted material]~~ is to be omitted.

The following summarizes the recommended action of the Personnel Commission and identifies if there has been support or opposition to the proposed action.

LCB File No. R175-18
The Division of Human Resource Management recommends the regulation amendments contained in LCB File No. R175-18.

First, two new regulations are proposed to define "gender identity or expression" and "sexual orientation" to be used in Chapter 284 of the Nevada Administrative Code (NAC). Previously, the definitions were included in NAC 284.114 to be used only in that section.

The amendment to NAC 284.010 is a conforming change to incorporate the two new definitions explained above into the general provisions of NAC 284.

Next, the amendments to NAC 284.374, 284.470 and 284.602 are conforming changes based on the terminology change in NAC 284.718 to refer to personnel information related to an employee as his or her "record of employment." An employee's record of employment will include any and all information described in NAC 284.718.

NAC 284.718 describes confidential personnel information that is held by a State of Nevada agency or the Division of Human Resource Management. Recordings used during an employment interview has been added as confidential in subsection 1(d). In addition, several types of information have been included in subsection 1(j) and subsection 8 to ensure confidentiality. A housekeeping change has been made to subsection 2 related to the address an employee prefers to be included in his or her record of employment.

As the State of Nevada is considered one employer, the intent of the amendments in NAC 284.726 will broaden access to confidential personnel related records among State of Nevada agencies. In addition to several conforming and housekeeping changes, the amendments include a list of persons to which information obtained from an internal administrative investigation is limited.

At the June 15, 2018, Regulation Workshop, a concern was raised by a representative of the American Federation of State, County and Municipal Employees (AFSCME) regarding the inclusion of employee grievances in NAC 284.718. Other comments received were generally in support of the regulations.

EXPLANATIONS OF PROPOSED CHANGES
LCB File No. R175-18

Section 1: Chapter 284 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Section 2: NEW "Gender identity or expression" defined.
This amendment, proposed by the Legislative Counsel Bureau, defines "Gender identity or expression" for the purposes of Chapter 284 of the Nevada Administrative Code, to have the meaning ascribed to it in NRS 0.034.

Section 3: NEW "Sexual orientation" defined.
This amendment, proposed by the Legislative Counsel Bureau, defines "Sexual orientation" for the purposes of Chapter 284 of the Nevada Administrative Code, to have the meaning ascribed to it in NRS 0.055.

Section 4: NAC 284.010 Definitions.
This amendment incorporates the two new definitions proposed in this file (e.g. "Gender identity or expression" defined and "Sexual orientation" defined) into the General Provisions pertaining to Chapter 284 of the Nevada Administrative Code.

Section 5: NAC 284.114 Affirmative action program and equal employment opportunity.
This amendment makes a conforming change based on the proposed addition of the definition, "Gender identity or expression" defined.

Section 6: NAC 284.374 Active lists: Removal and reactivation of names; no requirement or refusal to consider certain persons.
This amendment, proposed by the Division of Human Resource Management, makes a conforming change to reference an employee's "personnel file" to refer instead to a "record of employment." Throughout this LCB File, the new term, "record of employment," is intended to be broader than the "personnel file," as it will contain information held either by a State of Nevada agency or the Division of Human Resource Management.

Section 7: NAC 284.470 Preparation, filing, contents, discussion and distribution of reports; powers and duties of employees; review; adjustment of grievances.
This amendment, proposed by the Division of Human Resource Management, makes a conforming change to reference an employee's "file" to refer instead to a "record of employment."

Section 8: NAC 284.602 Resignations.
This amendment, proposed by the Division of Human Resource Management, makes a conforming change to reference an employee's "file" to refer instead to a "record of employment."

Section 9: NAC 284.718 Confidential records.
This amendment, proposed by the Division of Human Resource Management, clarifies that information either held by the Division or an agency is not public record and will not be released unless specifically allowed in NAC 284.726.

This amendment also adds several types of information to be included in an employee's record of employment. In addition, this amendment makes several housekeeping changes.

Section 10: NAC 284.726 Access to confidential records.
This amendment, proposed by the Division of Human Resource Management, broadens access to confidential records among State of Nevada agencies. As the State of Nevada is one employer under State and federal employment laws, this will allow ease in sharing information, including but not limited to, information related to health and disability information, leave balances, and performance. Agencies will still be able to limit access to this information using security protocols built into the human resource management data systems.

REVISED PROPOSED REGULATION OF

THE PERSONNEL COMMISSION

LCB File No. R175-18

October 22, 2018

EXPLANATION – Matter in ***italics*** is new; matter in brackets **[**~~omitted material~~**]** is material to be omitted.

AUTHORITY: §§1-8, NRS 284.065 and 284.155; §9, NRS 284.065, 284.155, 284.355 and 284.407; §10, NRS 284.065, 284.155, 284.335, 284.4068 and 284.407.

A REGULATION relating to state employees; revising provisions relating to confidential personnel records; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

This regulation changes references to an employee's file of employment to refer instead to a record of employment.

Existing regulations provide that certain types of information which are maintained by the Division of Human Resource Management of the Department of Administration or the personnel office of an agency are confidential. (NAC 284.718) **Section 9** of this regulation expands the scope of the confidentiality of certain types of information maintained by the Division or a state agency by eliminating references to specific entities who received, used or were the source of the information. **Section 9** makes the following additional information confidential: (1) certain grievances, complaints and requests and responses thereto and workers' compensation claims; (2) a recording used in the process of interviewing an applicant for employment; and (3) any notes, records, recordings, findings or other information obtained from an internal administrative investigation. **Sections 9 and 10** of this regulation clarify that information concerning the health, medical condition or disability of an employee or a member of his or her family are a part of the employee's record of employment and are confidential but must be kept in a locked cabinet, separate from any other portion of the employee's record of employment.

Existing regulations limit access to certain information in an employee's record of employment. (NAC 284.726) **Section 10** expands access to such information from the employing appointing authority to any appointing authority or his or her designated representative. **Section 10** limits access to any notes, records, recordings, findings or other information obtained from an internal administrative investigation to: (1) the employee who is the subject of the investigation;

(2) the appointing authority or a designated representative of the agency by which the employee is employed; and (3) certain other authorized persons. **Section 10** also revises: (1) who is authorized to access certain health-related information and information concerning an employee's usage or balance of annual leave and sick leave; and (2) the governmental entities to which the Division may provide the home address of an employee. **Section 10** additionally authorizes the Administrator of the Division, the appointing authority or a designated representative to release confidential records under his or her control to the United States Equal Employment Opportunity Commission.

Section 1. Chapter 284 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this regulation.

Sec. 2. ***"Gender identity or expression" has the meaning ascribed to it in NRS 0.034.***

Sec. 3. ***"Sexual orientation" has the meaning ascribed to it in NRS 0.055.***

Sec. 4. NAC 284.010 is hereby amended to read as follows:

284.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 284.021 to 284.1125, inclusive, ***and sections 2 and 3 of this regulation*** have the meanings ascribed to them in those sections.

Sec. 5. NAC 284.114 is hereby amended to read as follows:

284.114 1. The Division of Human Resource Management is responsible for establishing, coordinating and evaluating an affirmative action program for this State.

2. The Division of Human Resource Management will cooperate and consult with agencies to:

(a) Identify barriers in the personnel management system which may adversely affect the ability of applicants and employees to reach their full employment potential without regard to race, sex, sexual orientation, gender identity or expression, religion, color, national origin, age, genetic information, disability or whether or not the person is a domestic partner.

(b) Coordinate programs to remove barriers to equal employment opportunity while ensuring the effectiveness of the merit system and the opportunity for persons to enter the system and progress in it to the extent of their merit.

~~[3. As used in this section, "gender identity or expression" has the meaning ascribed to it in NRS 281.370.]~~

Sec. 6. NAC 284.374 is hereby amended to read as follows:

284.374 1. The names of eligible persons will be removed from the active lists for any of the following causes:

(a) Appointment after certification to fill a full-time permanent position in the class for which the examination was given.

(b) Expiration of the term of eligibility.

(c) Separation of a person who is eligible for promotion from the state service.

(d) Failure by an eligible person to respond within the required time to an inquiry of availability.

(e) A statement by the eligible person that he or she is not willing to accept any type of appointment from the eligible list.

(f) Any of the causes listed in NRS 284.240 pursuant to which the Administrator may refuse to examine or certify an eligible person or, if the employee has been laid off, reemployment pursuant to subsection 7 of NAC 284.630.

2. An appointing authority need not consider an eligible person more than one time from a recruitment. Consideration of an applicant for other than full-time permanent positions must not be counted for the purposes of this subsection.

3. An appointing authority need not consider an otherwise eligible person who cannot perform the essential functions of the position with or without reasonable accommodation.

4. An appointing authority may refuse to consider an eligible person who has been subject to a suspension, demotion or termination as a result of an upheld or uncontested disciplinary action in the preceding 12 months. The 12-month period begins on the effective date of the uncontested action or, if it is contested, on the date the hearing officer issues a final decision upholding a suspension, demotion or termination. If an employee is removed from consideration pursuant to this subsection, the appointing authority must notify the employee of that fact in writing before interviewing the next candidate or making its selection. The employee has 3 working days after being notified that he or she has been removed from consideration pursuant to this subsection to notify the appointing authority of any discrepancy in the information in his or her ~~[personnel file]~~ ***record of employment*** which led to the removal of the employee from consideration. The appointing authority may not make its selection:

(a) If the employee does not notify the appointing authority of a discrepancy, until after the end of the period pursuant to which the employee may notify the appointing authority of a discrepancy; or

(b) If the employee notifies the appointing authority of a discrepancy, until after the appointing authority determines whether the removal of the employee from consideration pursuant to this subsection was appropriate.

5. An appointing authority shall refuse to consider an eligible person whose appointment to a position will violate NRS 281.210, NAC 284.375 or a policy approved by the Commission pursuant to NAC 284.375.

6. An eligible person whose name has been removed from an active list may request that his or her name be reactivated by stating his or her reasons for the request. If the Division of Human Resource Management determines that the reasons are justified, and the person's term of eligibility has not otherwise expired, his or her name may be reactivated.

Sec. 7. NAC 284.470 is hereby amended to read as follows:

284.470 1. A person shall not complete a report on performance unless he or she has completed the training provided or approved by the Administrator concerning the preparation of a report on performance.

2. A report on performance must be prepared on the form prescribed by the Division of Human Resource Management.

3. A report on performance must be filed at the times prescribed by NRS 284.340, but may be filed more frequently at the discretion of the supervisor of the employee.

4. If a report on performance is filed on or before the times specified in NRS 284.340, the overall rating of performance of the employee will be reflected in the employee's ~~[file]~~ ***record*** of employment and the employee will receive a merit pay increase if he or she is otherwise eligible for the increase pursuant to NAC 284.194.

5. If a report on performance is not filed on or before the times specified in NRS 284.340, the performance of the employee shall be deemed to be standard for the purpose of determining the salary of the employee and the employee will receive a merit pay increase if he or she is otherwise eligible for the increase pursuant to NAC 284.194. If an untimely report on performance:

(a) Is filed thereafter, the employee's ~~[file]~~ ***record*** of employment will be updated to reflect the overall rating of performance of the employee as reported, but that rating will not affect any merit pay increase to which the employee is otherwise entitled.

(b) Is not filed thereafter, the employee's ~~[file]~~ ***record*** of employment will not include an overall rating of performance of the employee for that period of evaluation.

6. If the performance of an employee falls below standard, his or her supervisor shall inform the employee promptly and specifically of the deficiencies in the performance of the employee regardless of whether a report on performance of the employee is completed or filed.

7. If any information that would have affected the rating of performance of an employee during a period of evaluation becomes available after the date on which the report on performance of the employee is filed for that period, the information may be included in the report on performance for the current period of evaluation and taken into consideration in determining the rating of performance for the current period of evaluation.

8. When a report on performance is given which reports the overall rating of performance of an employee as substandard:

(a) The report must contain a written notice that such reports affect merit pay increases; and

(b) An additional report on the performance of the employee must, in accordance with subsection 4 of NRS 284.340, be filed at least once every 90 days after the initial report that includes the substandard rating until the performance of the employee improves to standard or disciplinary action is taken against the employee.

9. Except as otherwise provided in subsection 10, the preparation of each report on performance must include a discussion between the employee and his or her immediate supervisor. Within 10 working days after the discussion takes place:

(a) The employee must complete and sign the appropriate section on the report on performance and return the report to the supervisor for forwarding to the reviewing officer or appointing authority.

(b) If the employee contests the report on performance and requests a review, he or she must respond to the report in writing, identify the specific points of contention, if such specificity is provided, and return the response to the supervisor. Except as otherwise provided in this paragraph, the reviewing officer shall respond in writing on a form prescribed by the Division of Human Resource Management within 10 working days after the supervisor receives the request for review. If the reviewing officer is not the appointing authority, the reviewing officer must submit to the appointing authority a recommendation to uphold or modify the report on performance. The appointing authority shall review the recommendation of the reviewing officer regarding the contested report on performance and render a final decision to the employee within 10 working days after receiving the recommendation.

10. If an employee is unavailable for a discussion of the report on performance pursuant to subsection 9 because of an extended absence, the immediate supervisor of the employee shall cause the report to be mailed to the employee. Within 10 working days after the date on which the employee receives the report:

(a) The employee must complete and sign the appropriate section on the report on performance and mail the report to the supervisor for forwarding to the appointing authority or reviewing officer.

(b) If the employee contests the report on performance and requests a review, he or she must respond to the report in writing, identify any specific point of contention, if the report provides such specificity, and mail the response to the supervisor. Except as otherwise provided in this paragraph, the reviewing officer shall respond in writing on a form prescribed by the Division of Human Resource Management within 10 working days after the supervisor receives the request for review. If the reviewing officer is not the appointing authority, the reviewing officer must submit to the appointing authority a recommendation to uphold or modify the report on performance. The appointing authority shall review the recommendation of the reviewing officer regarding the report on performance and render a final decision to the employee within 10 working days after receiving the recommendation. For the purposes of this paragraph, a report on performance or request for review is deemed to have been received on the third day after the date on which the report or request is postmarked.

11. A copy of each report on performance and, if applicable, any written response to such a report requested by an employee pursuant to subsection 9 or 10 must be provided to the employee and filed with the Division of Human Resource Management.

12. If any written comments are added to a report on performance after a copy of the report has been provided to the employee pursuant to subsection 11:

(a) A copy of the revised report which includes the written comments must be provided to the employee; and

(b) The employee may respond, in writing, to the additional comments in the revised report not later than 10 working days after receiving a copy of the revised report and submit the response to the Division of Human Resource Management for inclusion in his or her ~~[file]~~ ***record*** of employment.

13. An employee and his or her appointing authority or the designee of the appointing authority may agree in writing to extend one or more of the periods prescribed in subsection 9 or 10.

14. If a reviewing officer fails to respond to a request for review from an employee within the time required by this section, the employee may institute the procedure for the adjustment of a grievance pursuant to NAC 284.658 to 284.6957, inclusive.

Sec. 8. NAC 284.602 is hereby amended to read as follows:

284.602 1. Unless the appointing authority and employee agree to a shorter period of time, an employee who wishes to resign shall submit his or her resignation in writing at least 2 weeks before resigning and notify the appointing authority of the reason for and the effective date of the resignation. If an employee fails to comply with this subsection, the appointing authority may note the insufficient notice in the employee's ~~[file.]~~ ***record of employment.***

2. The employee shall report and the appointing authority shall acknowledge the resignation to the Division of Human Resource Management on a form provided by the Division of Human Resource Management. The form must contain a statement of the employee's right to revoke the resignation pursuant to NRS 284.381.

Sec. 9. NAC 284.718 is hereby amended to read as follows:

284.718 1. The following types of information, which are maintained by the Division of Human Resource Management or the ~~[personnel office of an]~~ agency, are confidential:

(a) Information relating to salaries paid in other than governmental employment which is furnished ~~[to the Division of Human Resource Management]~~ on the condition that the source remain confidential;

(b) Any document which is used ~~[by the Division of Human Resource Management or an agency]~~ in negotiations with employees or their representatives which has not been made public by mutual agreement;

(c) The rating and remarks concerning an applicant by the individual members of the board or assessors of a center for assessment;

(d) Any ***recording or*** document which is used ~~[by the Division of Human Resource Management or an agency]~~ in the process of interviewing an applicant, including, without limitation, a document containing interview questions, evaluation tools used for rating applicants and any notes concerning an applicant that were taken by a person as part of the process of rating an applicant;

(e) Materials used in examinations, including suggested answers for oral examinations;

(f) Records and files maintained by an employee assistance program offered by the State of Nevada;

(g) Reports by employers, appointing authorities or law enforcement officials concerning the hiring, promotion or background of applicants, eligible persons or employees;

(h) The class title and agency of an employee whose name is excluded from the official roster, as provided in subsection 3 of NAC 284.714, when an inquiry concerning the employee is received;

(i) Any information contained on a person's application or relating to his or her status as an eligible person; and

(j) Information in the ~~[file or]~~ record of employment of a current or former employee which relates to ***:*** ~~[the employee's:]~~

(1) ~~[Performance;]~~ ***The employee's performance;***

(2) ~~[Conduct,]~~ ***The employee's conduct,*** including any disciplinary actions taken against the employee;

(3) ~~[Usage]~~ ***The employee's usage*** or balance of his or her annual leave and sick leave;

(4) ~~[Race,]~~ ***The employee's race,*** ethnic identity or affiliation, sex, ***sexual orientation, gender identity or expression,*** genetic information, disability or date of birth;

(5) ~~[Home]~~ ***The employee's personal*** telephone number; ~~[or]~~

(6) ~~[Social]~~ ***The employee's social*** security number ~~[.]~~ ***;***

(7) Any grievance filed by the employee pursuant to NAC 284.678, any response to the grievance and any other documents related to the grievance, unless a hearing is held to determine the disposition of the grievance pursuant to NAC 284.6955;

(8) Any complaint filed by the employee pursuant to NRS 281.755, any response to the complaint and any other document related to the complaint, unless a hearing is held to determine the disposition of the complaint pursuant to NAC 284.6955;

(9) Any request made pursuant to NAC 284.5243 and any response to the request;

(10) The health, medical condition or disability of the employee or a member of his or her immediate family; or

(11) Any claim for workers' compensation made by the employee and any documentation relating to the claim.

2. If the employee has requested that his or her ~~[personal mailing]~~ ***home*** address be listed as confidential, the employee's ~~[file]~~ ***record of employment*** must be so designated and list his or her ~~[business]~~ ***mailing*** address.

3. The name of any beneficiary of an employee contained in the payroll document must not be released to anyone unless:

(a) The employee dies; or

(b) The employee signs a release.

4. Any records in the possession of the Committee on Catastrophic Leave created pursuant to NRS 284.3627 that reveal the health, medical condition or disability of a current or former employee or a member of his or her immediate family are confidential.

5. Any notes, records, recordings or findings of an investigation ~~[conducted by the Division of Human Resource Management]~~ relating to sexual harassment or discrimination, or both, and any findings of such an investigation ~~[that are provided to an appointing authority]~~ are confidential.

6. Any notes, records, recordings, findings or other information obtained from an organizational climate study that directly relate to an employee's performance or conduct are confidential.

7. Any notes, records, recordings, findings or other information obtained from an internal study conducted by an agency that directly relate to an employee's performance or conduct are confidential.

8. Any notes, records, recordings, findings or other information obtained from an internal administrative investigation conducted pursuant to NRS 284.387.

Sec. 10. NAC 284.726 is hereby amended to read as follows:

284.726 1. Except as otherwise provided in this subsection and ~~[subsection]~~ ***subsections*** 2 ~~[,]~~ ***and 10,*** access to materials for an examination and information relating to an applicant or eligible person which are relevant to an appointing authority's decision to hire that person is limited to the appointing authority or his or her designated representative. If the name of the applicant is not disclosed and the information is used for the purposes of subparagraph (2) of paragraph (a) of subsection 1 of NAC 284.204, information relating to the education and experience of an applicant may be made available to any affected applicant, employee or the designated representative of either.

2. Except as otherwise provided in ***subsection 10 and*** NRS 284.4068, access to information concerning the results of an applicant's screening test which indicate the presence of a controlled substance is limited to ~~[the]~~ ***an*** appointing authority or his or her designated representative and the Administrator or his or her designated representative.

3. Except as otherwise provided in ~~[subsections 4 and 5,]~~ ***subsection 10,*** access to an employee's ~~[file]~~ ***record*** of employment containing any of the items listed in paragraphs (g) to (j), inclusive, of subsection 1 of NAC 284.718 is limited to:

(a) The employee.

(b) The employee's representative when a signed authorization from the employee is presented or is in his or her ***record of*** employment **.** ~~[file.]~~

(c) ~~[The]~~ ***An*** appointing authority or ~~[a]~~ ***his or her*** designated representative **.** ~~[of the agency by which the employee is employed.]~~

(d) ~~[The Administrator or a designated representative.~~

~~(e) An appointing authority, or a designated representative, who is considering the employee for employment in the agency.~~

~~(f)]~~ Persons who are authorized pursuant to any state or federal law or an order of a court.

~~[(g)]~~ ***(e)*** The State Board of Examiners if the Board is considering a claim against the State of Nevada filed pursuant to chapter 41 of NRS which involves the employee.

~~[(h)]~~ ***(f)*** Persons who are involved in processing records for the transaction of business within and between state agencies.

~~[(i)]~~ ***(g)*** Persons who are involved in processing records for the transaction of business that is authorized by the employee.

4. ~~[Information concerning]~~ ***The portion of an employee's record of employment that concerns*** the health, medical condition or disability of ~~[an]~~ ***the*** employee or a member of his or her immediate family must be kept ***in a locked cabinet,*** separate from ~~[the]~~ ***any other portion of the*** employee's ~~[file in a locked cabinet. Except as otherwise provided in subsection 10, access to such information is limited to the employee, his or her current supervisor, and the appointing authority or a designated representative.]~~ ***record of employment.***

5. ~~[Except as otherwise provided in subsection 10, access to information concerning the employee's usage or balance of annual leave and sick leave is limited to the employee, the~~

~~employee's immediate supervisor and the employee's appointing authority or the designated representative of the appointing authority.~~

~~6.]~~ Except as otherwise provided in subsection 10, access to any notes, records, recordings, findings or other information obtained from an organizational climate study that directly relate to an employee's performance or conduct is limited to:

(a) The employee.

(b) The Administrator or a designated representative of the Administrator.

(c) The appointing authority or a designated representative of the agency with which the employee is employed.

(d) Persons who are authorized pursuant to any state or federal law or an order of a court.

(e) The Governor or a designated representative of the Governor.

~~[7.]~~ ***6.*** Except as otherwise provided in subsection 10, access to any notes, records, recordings, findings or other information obtained from an internal study conducted by an agency that directly relate to an employee's performance or conduct is limited to:

(a) The employee.

(b) The appointing authority or a designated representative of the agency by which the employee is employed.

(c) Persons who are authorized pursuant to any state or federal law or an order of a court.

(d) The Governor or a designated representative of the Governor.

7. Except as otherwise provided in subsection 10, access to any notes, records, recordings, findings or other information obtained from an internal administrative investigation conducted pursuant to NRS 284.387 is limited to:

(a) The employee who is the subject of the internal administrative investigation.

(b) The appointing authority or a designated representative of the agency by which the employee who is the subject of the internal administrative investigation is employed.

(c) Persons who are authorized pursuant to any state or federal law or an order of a court.

(d) The Governor or a designated representative of the Governor.

8. Except as otherwise provided by specific statute, records maintained by an employee assistance program offered by the State of Nevada must not be released without written permission signed by the employee to whom the records pertain.

9. Upon request, the Division of Human Resource Management will provide the ~~[personal mailing]~~ ***home*** address of any employee ~~[on file with]~~ ***maintained by*** the Division of Human Resource Management ***in the employee's record of employment*** to the ~~[State Controller's Office]~~ ***Division of Welfare and Supportive Services of the Department of Health and Human Services, the Department of Employment, Training and Rehabilitation*** and the Internal Revenue Service.

10. The Administrator or the appointing authority, or a designated representative, shall authorize the release of any confidential records under his or her control which are requested by the Employee-Management Committee, a hearings officer, the Commission, the Committee on Catastrophic Leave created pursuant to NRS 284.3627, the Nevada Equal Rights Commission ***, the United States Equal Employment Opportunity Commission*** or a court.

Personnel Commission Meeting
December 7, 2018

REPORT OF CLASSIFICATION CHANGES NOT REQUIRING PERSONNEL COMMISSION APPROVAL

Attached is a report of changes made to the classification plan pursuant to NRS 284.160, sections 4 through 6 which reads as follows:

"4. The classification plan and changes therein are subject to approval by the Commission, except that the Administrator may make a change in the classification plan without the prior approval of the Commission if:

(a) The Administrator deems it necessary for the efficiency of the public service;

(b) The change is not proposed in conjunction with an occupational study; and

(c) The Administrator, at least 20 working days before acting upon the proposed change:

(1) Provides written notice of the proposal to each member of the Commission, to all departments and to any head of an employees' organization who requests notice of such proposals; and

(2) Posts a written notice of the proposal in each of the principal offices of the Division.

Any occupational study conducted by the Division in connection with the preparation, maintenance or revision of the classification plan must be approved by the Commission.

5. If no written objection to the proposed change to the classification plan is received by the Administrator before the date it is scheduled to be acted upon, the Administrator may effect the change. The Administrator shall report to the Commission any change in the classification plan made without its approval at the Commission's next succeeding regular meeting.

6. If a written objection is received before the date the proposed change is scheduled to be acted upon, the Administrator shall place the matter on the agenda of the Commission for consideration at its next succeeding regular meeting."

The conditions set forth in these statutes have been met. A copy of the justifications and revised class specifications are on file in the office of the Administrator of the Division of Human Resource Management.

The following changes have been effected:

REPORT OF CLASSIFICATION CHANGES

POSTING#: 01-19
Effective: 08/22/18

CURRENT				APPROVED			
CODE	**TITLE**	**GRADE**	**EEO-4**	**CODE**	**TITLE**	**GRADE**	**EEO-4**
7.211	Executive Branch Auditor IV	44	B	***7.211***	***Executive Branch Auditor IV***	***44***	***B***
7.212	Executive Branch Auditor III	42	B	***7.212***	***Executive Branch Auditor III***	***42***	***B***
7.213	Executive Branch Auditor II	41	B	***7.213***	***Executive Branch Auditor II***	***41***	***B***
7.214	Executive Branch Auditor I	39	B	***7.214***	***Executive Branch Auditor I***	***39***	***B***

BASIS FOR RECOMMENDATION

At the request of the Governor's Finance Office, the Division of Human Resource Management has conducted a review of the Executive Branch Auditor series. Analysts within the Division of Human Resource Management (DHRM) worked with subject matter experts from the Governor's Finance Office and, as a result of this review, it is recommended that the Minimum Qualifications, Education & Experience section, for the Executive Branch Auditor I be amended to allow for the addition of a Bachelor's degree and two years of professional auditing experience equivalent to an Auditor III in Nevada State Service.

In addition, minor changes were made to the Minimum Qualifications, Education & Experience sections at every level to account for additional equivalencies, verbiage changes and to maintain consistency with formatting and structure.

These changes will allow for greater flexibility in the recruitment process and will generate a more robust pool of applicants, both internally and externally.

Throughout the review, management staff within the Governor's Finance Office and analysts within DHRM participated by offering recommendations and reviewing changes as the process progressed and they support the recommended changes.

POSTING#: 02-19
Effective: 08/24/18

CURRENT				APPROVED			
CODE	**TITLE**	**GRADE**	**EEO-4**	**CODE**	**TITLE**	**GRADE**	**EEO-4**
	New			***12.342***	***School/Community Nutrition Program Coordinator II***	***33***	***B***
	New			***12.343***	***School/Community Nutrition Program Coordinator I***	***31***	***B***

BASIS FOR RECOMMENDATION

Due to an Individual Classification Study (NPD-19) and in partnership with Subject Matter Experts from the Department of Agriculture, Food & Nutrition Division, and the Division of Human Resource Management (DHRM), it was determined that the duties and responsibilities assigned to the position did not align with their current classification (Quality Assurance Specialist I, 10.240, grade 33). It was further determined that a new series be developed specific to the Department of Agriculture program requirements.

School/Community Nutrition Program Coordinators plan, coordinate, monitor and perform reviews of school and/or community nutrition program sponsors to ensure compliance with both State and federal program requirements.

As the primary purpose of this series is to ensure program sponsors that receive State and federal aid for social service programs (School/Community Nutrition) maintain compliance with all State and federal laws, rules, regulations, policies and procedures, it is recommended that the series be placed in the 12.000 Social Services & Rehabilitation, Sub-Group B: Social Services. Furthermore, it is recommended that the School/Community Nutrition Program Coordinator II be allocated at a grade 33 and the School/Community Nutrition Program Coordinator I be allocated at a grade 31. The Compliance/Audit Investigator series (11.360, grades 30-37), Compliance Investigator series (11.353, grades 28-35), Program Officer series (7.643, grades 31-35), Quality Assurance Specialist series (10.240, grades 33-39), Quality Control Specialist series (12.370, grades 34-36), and the Social Services Program Specialist (12.315, grades 33-37) were used as comparisons in assisting with determining the appropriate grade levels. The EEO-4 job category for this series has been determined as follows: category B – Professional.

Throughout the review, management staff within the Department of Agriculture, Food & Nutrition Division and analysts within DHRM participated by offering recommendations and reviewing changes as the process progressed and they support the development and implementation of this new series.

POSTING#: 03-19
Effective: 08/27/18

CURRENT				APPROVED			
CODE	**TITLE**	**GRADE**	**EEO-4**	**CODE**	**TITLE**	**GRADE**	**EEO-4**
12.466	Substance Abuse Counselor III	35	B	***12.466***	***Substance Abuse Counselor III***	***35***	***B***
12.469	Substance Abuse Counselor II	33	B	***12.469***	***Substance Abuse Counselor II***	***33***	***B***
12.470	Substance Abuse Counselor I	31	B	***12.470***	***Substance Abuse Counselor I***	***31***	***B***

BASIS FOR RECOMMENDATION

Due to changes adopted during the 2017 Legislative Session (LCB File No. R069-17), the Department of Corrections has requested changes be made to the Substance Abuse Counselor Series. LCB File No. R069-17 revised NAC 641C.280 to allow for those Certified as an Alcohol and Drug Abuse Counselor to supervise Certified Interns. Analysts within the Division of Human Resource Management (DHRM) worked with subject matter experts from the Department of Corrections and, as a result, it is recommended that modifications to the existing class specifications for Substance Abuse Counselor III be made to reflect these changes.

The Informational Notes were amended to reflect the new language adopted in NAC 641C.280 and corresponding changes were made to the Education & Experience section of the Minimum Qualifications for the Substance Abuse Counselor III. Additional clarifying information was also added to the Substance Abuse Counselor III detailing accepted equivalencies.

Furthermore, minor changes were made to the series concept to account for changes in verbiage, new assessment instruments and to clarify job duties.

These changes will allow for greater flexibility in the recruitment process and will generate a more robust pool of applicants, both internally and externally.

Throughout the review, management staff within the Department of Corrections and Analysts within DHRM participated by offering recommendations and reviewing changes as the process progressed and they support the recommended changes. Input was also obtained from other agencies that utilize this series, to include the Department of Health & Human Services and the Department of Public Safety, and they offered no objections to the request.

POSTING#: 04-19
Effective: 08/28/18

CURRENT				APPROVED			
CODE	**TITLE**	**GRADE**	**EEO-4**	**CODE**	**TITLE**	**GRADE**	**EEO-4**
7.422	Review Appraiser	37	B	***7.422***	***Review Appraiser***	***37***	***B***
7.421	Review Appraiser Intern II	35	B	***7.421***	***Review Appraiser Intern II***	***35***	***B***
7.423	Review Appraiser Intern I	33	B	***7.423***	***Review Appraiser Intern I***	***33***	***B***
7.424	Review Appraiser Trainee	31	B	***7.424***	***Review Appraiser Trainee***	***31***	***B***

BASIS FOR RECOMMENDATION

Due to licensure requirements and recruitment concerns, the Department of Transportation requested a review of the Review Appraiser series. Analysts within the Division of Human Resource Management (DHRM) worked with subject matter experts from the Department of Transportation and, as a result, it is recommended that the Special Requirements section of the Minimum Qualifications be amended to clarify that out-of-state applicants with equivalent licensure must obtain licensure as a Certified General Appraiser with the Nevada State Real Estate Division within three months of appointment and as a condition of continuing employment. It is further recommended that a special requirement also be added to clarify that Review Appraiser Intern II and I positions require registration as an Appraiser Intern with the Nevada State Real Estate Division within three months of appointment and as a condition of continuing employment.

In addition, minor changes were made to the Minimum Qualifications, Education & Experience sections at the Review Appraiser, Review Appraiser Intern II and Review Appraiser Intern I to account for these recommended changes, to add equivalencies and to maintain consistency with formatting and structure.

These changes will allow for greater flexibility in the recruitment process and will generate a larger pool of applicants, both internally and externally.

Throughout the review, management staff within the Department of Transportation and analysts within DHRM participated by offering recommendations and reviewing changes as the process progressed and they support the recommended changes.

POSTING#: 05-19
Effective: 09/04/18

CURRENT				APPROVED			
CODE	**TITLE**	**GRADE**	**EEO-4**	**CODE**	**TITLE**	**GRADE**	**EEO-4**
12.127	ESD Program Specialist III	37	B	***12.127***	***ESD Program Specialist III***	***37***	***B***
12.128	ESD Program Specialist II	35	B	***12.128***	***ESD Program Specialist II***	***35***	***B***
12.129	ESD Program Specialist I	34	B	***12.129***	***ESD Program Specialist I***	***34***	***B***

BASIS FOR RECOMMENDATION

Due to an Individual Classification Study (NPD-19) and at the request of the Department of Employment, Training & Rehabilitation (DETR), Employment Security Division (ESD), it is recommended that revisions be made to the ESD Program Specialist series. In partnership with Subject Matter Experts from DETR and analysts within the Division of Human Resource Management (DHRM), it was determined that additional duties and responsibilities assigned to the position did not align with their current classification. It was further determined that to address these changes in duties and responsibilities an additional option be added to the ESD Program Specialist III.

The ESD Program Specialist III – option 3, will report to an ESD Manager IV or above and provide technical expertise and direction to ESD Managers and ESD Specialist positions to ensure consistent application of policies and procedures in their operation of State and federally funded employment programs. Additional duty statements specific to this option were developed to clarify the scope of duties and responsibilities assigned to the position.

In addition, the Education & Experience section of the Minimum Qualifications were modified at every level to clarify education and experience requirements and add additional equivalencies. Minor changes were also made to the Knowledge, Skills and Abilities at the ESD Program Specialist II and I to maintain consistency with formatting and structure.

Throughout the review, management staff within DETR's Employment Security Division and analysts within DHRM participated by offering recommendations and reviewing changes as the process progressed and they support the recommended changes.

POSTING#: 06-19
Effective: 09/05/18

CURRENT				APPROVED			
CODE	**TITLE**	**GRADE**	**EEO-4**	**CODE**	**TITLE**	**GRADE**	**EEO-4**
7.209	Director, Office of Project Management	48	A	***7.209***	***Director, Office of Project Management***	***48***	***A***

CURRENT				APPROVED			
CODE	**TITLE**	**GRADE**	**EEO-4**	**CODE**	**TITLE**	**GRADE**	**EEO-4**
7.208	Organizational Change Manager, OPM	44	A	***7.208***	***Organizational Change Manager, OPM***	***44***	***A***

BASIS FOR RECOMMENDATION

Due to two Individual Classification Studies (NPD-19) and at the request of the Department of Motor Vehicles (DMV), it is recommended that revisions be made to the class specifications for Director, Office of Project Management (OPM) (7.209) and Organizational Change Manager, OPM (7.208).

In partnership with Subject Matter Experts from DMV and analysts within the Division of Human Resource Management (DHRM), it was determined that while the two class specifications were originally created as temporary class specifications for the Office of Project Management in order to provide leadership and guidance to Enterprise Resource Planning for the State of Nevada, to include the SMART 21 Project (positions were to be moved to the Unclassified Service during the 80th Legislative Session); the DMV's STAR Modernization Project, while not an Enterprise system, has direct comparisons to the SMART 21 Project regarding the nature and complexity of the work performed, the knowledge, skills and abilities required, and the consequence of error.

Due to the urgency of hiring staff to fill the positions for the STAR Modernization Project at DMV, it was determined that a position would be classified at the Director, Office of Project Management and a position would be classified at the Organizational Change Manager, OPM; however, they too would be moved to the Unclassified Service during the 80th Legislative Session.

Therefore, the series concepts were modified to include DMV and their STAR Modernization Project. No changes to the Minimum Qualifications were required.

Also, a comment was added to the bottom of each of the class specifications to identify that the class specification would be abolished as current positions transitioned to the Unclassified Service. This comment further clarified that no additional positions would be allocated to these two classifications.

Throughout the review, management staff within DMV and analysts within DHRM participated by offering recommendations and reviewing changes as the process progressed and they support the recommended changes.

POSTING#: 07-19
Effective: 09/12/18

CURRENT				APPROVED			
CODE	**TITLE**	**GRADE**	**EEO-4**	**CODE**	**TITLE**	**GRADE**	**EEO-4**
	New			***5.223***	***School/Community Nutrition Supervisor***	***40***	***B***
	New			***5.224***	***School/Community Nutrition Specialist***	***39***	***B***

BASIS FOR RECOMMENDATION

Due to multiple Individual Classification Studies (NPD-19) and in partnership with Subject Matter Experts from the Department of Agriculture, Food & Nutrition Division, and the Division of Human Resource Management (DHRM), it was determined that the duties and responsibilities assigned to these positions did not align with their current classifications (Education Program Supervisor, 5.206, grade 40 and Education Programs Professional, 5.232, grade 39). It was further determined that a new series be developed specific to the Department of Agriculture's program requirements.

School/Community Nutrition Supervisors and Specialists provide technical assistance, nutrition education, program monitoring, claims reimbursement, application approval, and outreach and training for statewide school and community nutrition programs that provide financial support to public, private nonprofit, and for-profit schools, child care facilities, residential institutions, youth camps, summer programs, and other organizations.

As the primary purpose of this series is to assist local school districts, communities and other nonprofit sponsors in assuring that students and adults are well-nourished and healthy by administering multiple United States Department of Agriculture (USDA) nutrition programs, it is recommended that the series be placed in the following Occupational Group: 5.000 Education, Sub-Group B: Program and Planning. Furthermore, it is recommended that the School/Community Nutrition Supervisor be allocated at a grade 40 and the School/Community Nutrition Specialist be allocated at a grade 39. The Education Programs series (5.205, grades 39-41) was used as a comparison in assisting with determining the appropriate grade levels. Previously established class specifications for Director, Child Nutrition Programs (5.212, grade 41) and Child Nutrition Program Consultant (5.220, grade 39), which were abolished with the creation of the Education Programs Series, were also used as a baseline in the development of the new series and its grade allocation. The EEO-4 job category for this series has been determined as follows: category B – Professional.

Throughout the review, management staff within the Department of Agriculture, Food & Nutrition Division and analysts within DHRM participated by offering recommendations and reviewing changes as the process progressed and they support the development and implementation of this new series.

POSTING#: 08-19
Effective: 09/14/18

CURRENT				APPROVED			
CODE	**TITLE**	**GRADE**	**EEO-4**	**CODE**	**TITLE**	**GRADE**	**EEO-4**
1.955	Park Aid II (Seasonal)	21	H	***1.955***	***Park Aid II***	***21***	***H***
1.920	Park Aid I (Seasonal)	20	H	***1.920***	***Park Aid I***	***20***	***H***

BASIS FOR RECOMMENDATION

The Parks Division requested a review of the Class Title, as "Permanent" employees would be allocated to this series in addition to "Seasonal" staff. In consultation with Subject Matter Experts from the Parks Division and analysts within the Division of Human Resource Management (DHRM), it was determined that the term "Seasonal" be removed from the series title.

In addition, an Informational Note was added to the Minimum Qualifications to clarify that positions may be allocated as either "Permanent" or "Seasonal" and accordingly would adhere to all applicable rules, regulations, policies and procedures as outlined in Nevada Revised Statutes and Nevada Administrative Code for the appropriate allocation.

This change requires no modification to the Education & Experience; Entry Level Knowledge, Skills and Abilities; or Full Performance Knowledge, Skills and Abilities.

Throughout the review, management staff within the Parks Division and analysts within DHRM participated by offering recommendations and reviewing changes as the process progressed and they support the recommended changes.

POSTING#: 09-19
Effective: 10/03/18

CURRENT				APPROVED			
CODE	**TITLE**	**GRADE**	**EEO-4**	**CODE**	**TITLE**	**GRADE**	**EEO-4**
10.316	Correctional Nurse III	41*	B	***10.316***	***Correctional Nurse III***	***41****	***B***
10.318	Correctional Nurse II	39*	B	***10.318***	***Correctional Nurse II***	***39****	***B***
10.319	Correctional Nurse I	37*	B	***10.319***	***Correctional Nurse I***	***37****	***B***

BASIS FOR RECOMMENDATION

At the request of the Division of Human Resource Management (DHRM), Recruitment Unit, and in consultation with the Department of Corrections and the Department of Health and Human Services, Division of Child & Family Services, it is recommended that an Informational Note be added to the Correctional Nurse series to be consistent with the Psychiatric Nurse and Registered Nurse series.

The Informational Note details that out-of-state applicants must have a temporary license as a Registered Nurse issued by the Nevada State Board of Nursing at the time of appointment and must obtain permanent licensure as a Registered Nurse issued by the Nevada State Board of Nursing as a condition of continuing employment. As a result, the Special Requirement indicating *"licensure as a Registered Nurse in the State of Nevada is required at the time of appointment and as a condition of continuing employment"* was removed.

Minor revisions to the Education & Experience section of the Minimum Qualifications were made to maintain consistency with formatting and structure.

This change will allow for greater flexibility in the recruitment process and create a larger pool of applicants on which the agency can draw from.

Throughout the review, management staff within the affected agencies and analysts within DHRM participated by offering recommendations and reviewing changes as the process progressed and they support the recommended changes.

POSTING#: 10-19
Effective: 10/08/18

CURRENT				APPROVED			
CODE	**TITLE**	**GRADE**	**EEO-4**	**CODE**	**TITLE**	**GRADE**	**EEO-4**
12.392	Casework Management Specialist Supervisor	37	B		No Change		
12.393	Casework Management Specialist IV	36	B		No Change		
12.394	Casework Management Specialist III	35	B		No Change		
12.395	Casework Management Specialist II	34	B	***12.395***	***Casework Management Specialist II***	***34***	***B***
12.396	Casework Management Specialist I	32	B		No Change		

BASIS FOR RECOMMENDATION

Due to an Individual Classification Study (NPD-19) and at the request of the Division of Human Resource Management (DHRM), the Department of Health & Human Services (DHHS), and the Division of Child & Family Services (DCFS) it is recommended that a revision be made to the Casework Management Specialist series.

As a result of positions performing duties ascribed to the series concept in a more limited manner, it is recommended that the Casework Management Specialist II class be amended to reflect that incumbents can either continue to receive training in performing duties in the series concept or under limited supervision perform some of the duties described in the series concept on a more limited basis and would be permanently allocated at this level with no progression to the next level.

This addition required no changes to the Minimum Qualifications.

Throughout the review, management staff within DHHS, DCFS and analysts within DHRM participated by offering recommendations and reviewing changes as the process progressed and they support the recommended changes.