

**STATE OF NEVADA
PERSONNEL COMMISSION**

Carson City at the Gaming Control Board, Meeting Room, 1919 College Parkway and in Las Vegas
at the Grant Sawyer Building, Room 2450, 555 East Washington Avenue via videoconferencing

**MEETING MINUTES (Subject to Commission Approval)
Friday, December 7, 2012**

**COMMISSIONERS PRESENT
IN CARSON CITY:**

Ms. Katherine Fox, Chairperson
Mr. David Read, Commissioner
Mr. Mitch Brust, Commissioner

**STAFF PRESENT IN
CARSON CITY:**

Ms. Lee-Ann Easton, Division Administrator, DHRM
Mr. Peter Long, Deputy Administrator, DHRM
Ms. Shelley Blotter, Deputy Administrator, DHRM
Ms. Carrie Parker, Deputy Attorney General

**COMMISSIONERS PRESENT
IN LAS VEGAS:**

Mr. David Sanchez, Commissioner
Mr. Gary Mauger, Commissioner

**STAFF PRESENT
IN LAS VEGAS:**

Ms. Heather Dapice, Personnel Analyst, DHRM

I. OPEN MEETING

Chairperson Katherine Fox: Opened the meeting at 9:00 A.M.

II. ADOPTION OF AGENDA Action Item

MOTION: Move to approve the adoption of the agenda
BY: Commissioner Read
SECOND: Commissioner Brust
VOTE: The vote was unanimous in favor of the motion

III. ADOPTION OF THE MINUTES OF PREVIOUS MEETING Action Item

MOTION: Move to approve the Minutes of the 09/14/12 meeting
BY: Commissioner Sanchez
SECOND: Commissioner Mauger
VOTE: The vote was unanimous in favor of the motion

IV. PUBLIC COMMENT NOTICE: Read into record by **Chairperson Katherine Fox:**

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) 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 Committee Chair

may elect to allow additional public comment on a specific agenda item when the item is being considered.

Chairperson Fox: Noted there was no public comment in the north or south.

V. DISCUSSION AND POSSIBLE APPOINTMENT OF APPEALS OFFICERS FROM THE HEARINGS AND APPEALS DIVISION FOR PERSONNEL COMMISSION HEARING OFFICERS **Action Item**

Chairperson Fox: Noted that Ms. Shelley Blotter would be presenting.

Shelley Blotter, Deputy Administrator, DHRM: Stated that the request before the meeting was to adopt appeals officers from the Hearings and Appeals Division of the Department of Administration as an additional hearing officer for Hearings related to suspensions, demotions, terminations, involuntary transfers and whistle-blower complaints. She added that the members might recall they had selected 12 hearing officers and currently they were acting as independent contractors. She stated the appeals officers in the Hearings Division were also licensed attorneys and state employees. She noted that by adopting them as additional hearing officers they would save significant costs. She explained that they wanted to proceed on a pilot basis. The time period of the pilot program would run from the time the Board of Examiners approved their addition until June 30, 2014 which would fall at the end of the current hearing officers' contract period. She commented at that time they would do an assessment to see if they had realized the savings anticipated and make a decision as to whether they would use them in the future. She noted that when they had gone from a permanent hearing officer in the north and south to a larger pool of officers there was a variation in decisions and added that they felt if a smaller group was used there should be an improved consistency in decisions, therefore a benefit. She stated that Brian Nix from the south was the administrator of that division and was in attendance if any board members had questions.

Commissioner David Sanchez: Asked if they had considered the impact that it might have on the workload of the hearing officers. **Shelley Blotter:** In response asked if he was referring to the workload of the independent contractors. **Commissioner Sanchez:** Responded he was referring to the pilot program. **Shelley Blotter:** Replied that they anticipated there would be a decrease. She explained when they received an appeal they would send it out to a list of 5 hearing officers. She said that each party would have the ability to strike off 2 names from that list. She added that those hearing officers that worked for the Appeals Division could be one of the names struck off but they could also receive cases. She stated therefore that the independent contractors could see a lower caseload but she added that as part of their contract there was no guarantee of a number of cases.

Commissioner Gary Mauger: Asked if they intended on adding additional hearing officers. **Shelley Blotter:** Responded that typically when they had a panel of 12 they would not seek additional officers but stated this would add an additional 1 bringing the total to 13. She added in the past they only added additional hearing officers if one had vacated their position. **Commissioner Mauger:** Asked if they would use independent contractors through the transition. **Shelley Blotter:** Responded yes they would use them through the pilot program. She added that the Hearings Appeals Division would use the same processes and rules that the current hearing officers used.

Commissioner Sanchez: Asked how many additional hearing officers would be added for the pilot program. **Shelley Blotter:** Responded that it would be the appeals officers that currently work in the Hearings and Appeals Divisions so their current staff. She added it would be one selection from the

strike list. **Chairperson Fox:** Referred to the strike list comprised of 5 names and asked if it would have 4 from independent contractors and 1 from the Appeals Division. **Shelley Blotter:** Responded it could but if the Appeals Division was not on that strike list it could consist of 5 independent contractors as the list would be rotated. **Chairperson Fox:** Asked if it would be only 1 per list generally. **Shelley Blotter:** Confirmed that was correct. **Chairperson Fox:** Responded so it would be primarily comprised of the independent contractors. **Shelley Blotter:** Confirmed that was correct.

Chairperson Fox: Noted there were no other questions.

MOTION: Moved to approve the appointment of Appeals Officers from the Hearings and Appeals Division for the Personnel Commission Hearing Officers
BY: Commissioner Read
SECOND: Commissioner Mauger
VOTE: The vote was unanimous in favor of the motion

Commissioner Read: Noted that he was not aware the state had attorneys on staff who could act in that capacity. He considered it an excellent decision and was anxious to see the results of the pilot program including the extent of financial savings. **Chairperson Fox:** Noted that Commissioner Read had mentioned it previously and she would also like to note that the Personnel Commission would look forward to receiving a report after June 30, 2014 on the effective use of internal staff and a potential recommendation based on that pilot program.

VI. DISCUSSION AND APPROVAL OF PROHIBITIONS AND PENALTIES Action Item

Denise Woo-Seymore, Personnel Analyst, DHRM: Stated that in accordance with NAC 284.742 an agency should develop policies that describe activities considered inconsistent, incompatible or in conflict with employees' duties and penalties. She noted that such policies would be subject to the approval of the Personnel Commission. She stated that it was Business and Industry that had updated its department's prohibitions and penalties previously approved by the Personnel Commission and in effect since June 4, 1996. She added that the DHRM (Division of Human Resource Management) was recommending approval of this department's revised prohibitions and penalties. She stated that representatives Amy Davey and Kathleen Kirkland were involved with the revisions. She confirmed that the items submitted for approval were reviewed by the DHRM and were consistent with those already approved by the Commission including those recommendations from the Personnel Commission Meeting on December 9, 2011. She added that if there were any questions Shannon Chambers, Deputy Director, Business and Industry and Amy Davey were available.

A. Business and Industry

Chairperson Fox: Referred to page 18 in the packet and asked about the note: "The division administrative employees assigned to the division will review pending disciplinary actions and grievances and consult with agency human resource services and the Attorney General's Office." She asked if that was typical language for all prohibitions and penalties. **Denise Woo-Seymore:** Responded yes it was.

Commissioner Mauger: Asked to what extent did the employee groups have input into the policies. **Denise Woo-Seymore:** Responded that in the past some agencies had presented their prohibitions and penalties for review to the associations and they were able to work out such concerns. With

regard to the Business and Industry agency she deferred to Amy Davey and Shannon Chambers to respond to questions.

Shannon Chambers, Deputy Director, Business and Industry: Confirmed that the prohibitions and penalties were not provided to any employee associations, not because they chose not to involve them but because in the normal process that would typically not occur. She stated that if the Personnel Commission asked them they would be willing to provide information to various employee associations. She added that in her communications with Amy Davey the prohibitions and penalties were consistent with other prohibitions and penalties that had previously been approved by the Commission.

Commissioner Mauger: Asked if she would not consider it beneficial to obtain input from the employees when it had a direct bearing on them and specifically concerned prohibitions and penalties. **Shannon Chambers**: Responded that input would be beneficial but emphasized again that she did not believe it was part of the normal process. She stated that in discussions with their director and Amy Davey from DHRM the penalties and prohibitions were consistent with others previously approved by the Commission and also to the extent that those same penalties and prohibitions had received input from employee associations, they felt that as they were doing similar penalties and prohibitions that it was not necessary for employee associations to provide input again. **Commissioner Mauger**: Noted that he did not believe they would necessarily find a consensus but he felt that for issues that might affect them it would still be helpful. **Chairperson Fox**: Commented that she felt the mechanism in place where employees could address concerns about prohibitions and penalties would have more to do with a particular disciplinary action. She stated that she felt from a human resource perspective that prohibitions and penalties were a management tool.

Amy Davey, Personnel Officer, Agency HR Services: Noted that Business and Industry's prohibitions and penalties were established in 1996. She added that the statute changed in the last legislative session where it was required that agencies provide, as per the statute, their prohibitions and penalties to their employees. She noted that Business and Industry were cognizant of the fact that the prohibitions and penalties on their books were old and contacted HR Services to work with them on revisions. She noted that they had followed the standard process which was to work with the DHRM to obtain the consistent language that all agencies were using and that same consistent language was used for Business and Industry. She added that in their NAC regulations the language stated that the appointing authority was authorized to develop prohibitions and penalties and they were operating under that regulatory language.

Chairperson Fox: Asked if there were any other questions or public comment.

Keith Uriarte, Chief of Staff, American Federation of State County Municipal Employees: Stated that employee associations were not involved in the process. He referred to the comment from Chairperson Fox and noted that with respect to the issue of after the fact and then meeting with an employee who was disciplined, he confirmed that that was in fact, after the fact. He added there had been no communication with their association about any of the changes.

Ron Dreher, Peace Officers Research Association of Nevada and his own business, Advocacy Investigation Services: Noted that he had represented a number of employees over the years in state and local government and had been involved with collective bargaining on the local government level for 29 years. He thought it important, in agreement with Commissioner Mauger, that employee associations be advised/consulted with these types of prohibitions and penalties and added that under

a just clause standard that would be the most important issue, that employees be aware of what they could and could not do and would have knowledge of the rules so they would know if they did something wrong they would be aware of the punishments and penalties after the hearing process and also be aware of the appeals process. He acknowledged that the agenda item concerned business and industry but he thought it was important for employees to have an opportunity to review the prohibitions and penalties and have input. He stated that if the groups were included there would be group input, discussion and compromises and agreements would be reached. He added that association groups would then be able to come back to government and these types of situations could be avoided. He commented that he had been involved in matrices in the past which he considered good but he thought it was important that employee associations have input.

Ron Cuzze, President, Nevada State Law Enforcement Officers Association: Noted that they had members in several divisions of the Department of Business and Industry so they had concerns with regard to the prohibitions and penalties. He added that in the past they had not experienced problems but they would have liked the opportunity to review them as that was one of the functions of their association to protect their members and the employees of the Department of Business and Industry. He stated that the Personnel Commission was Nevada's answer to collective bargaining and the associations wanted the opportunity to be heard. He felt that the exclusion of the associations' participation from the beginning of the process resulted in over legislating and arguing which wasted time.

Chairperson Fox: Noted there were no further questions.

MOTION: Moved to approve the prohibitions and penalties for the Department of Business and Industry
BY: Commissioner Read
SECOND: Commissioner Sanchez
VOTE: The vote was 4 ayes, 1 nay for Commission Mauger. The motion passes

VII. DISCUSSION AND APROVAL OF REQUEST FOR ADDITION AND REMOVAL OF CLASSES AND/OR POSITIONS FOR PRE-EMPLOYMENT SCREENING FOR CONTROLLED SUBSTANCES AND REVISIONS TO CLASS SPECIFICATIONS

Action Item

Chairperson Fox: Indicated that she would like to hear item A, entertain a motion and have a vote and continue for items B. and C.

Carrie Hughes, Personnel Analyst, Department of Administration, DHRM: Stated that NRS 284.4066 provided for the pre-employment testing for controlled substances of applicants for positions affecting public safety prior to hire. She explained the law required the appointing authority to identify the specific positions that affect public safety subject to the approval of the Personnel Commission. She stated that the Department of Transportation (DOT) requested the approval of positions for pre-employment screening for controlled substances as outlined in the agenda.

- A. Nevada Department of Transportation's Request for Proposed Classes and/or Positions to be Added to the List Requiring Pre-Employment Screening for Controlled Substances per NRS 284.4066
 - 6.211 Supervisor II, Associate Engineer – PCN: 027006
 - 6.215 Supervisor I, Associate Engineer – PCN: 017034, 028008

- 6.223 Administrator I, Professional Engineer – PCN: 301012
- 6.229 Staff I, Associate Engineer – PCN: 020014, 027036, 034001, 255002
- 6.305 Engineering Technician V – PCN: 028015
- 6.308 Engineering Technician IV – PCN: 027023
- 6.313 Engineering Technician III – PCN: 017038, 017040, 017041, 027019, 027022, 028022, 028030
- 7.901 Chief IT Manager – PCN: 016060
- 7.904 IT Manager I – PCN: 016065
- 7.921 IT Professional IV – PCN: 016061, 016063
- 7.925 IT Professional III – PCN: 016062, 016064
- 11.565 Agency Loss Control Coordinator – PCN: 078002

Chairperson Fox: Noted there were no questions.

MOTION: Moved to approve the proposed classes and position control numbers for pre-employment screening for controlled substances for NRS 284.4066

BY: Commissioner Brust

SECOND: Commissioner Read

VOTE: The vote was unanimous in favor of the motion

Carrie Hughes, Personnel Analyst, Department of Administration, DHRM: Stated that for Item B. the NDOT was requesting the removal of the requirement of pre-employment screening for controlled substances from other positions as detailed in the agenda.

B. Nevada Department of Transportation’s Request for Positions To Be Removed from the List Requiring Pre-Employment Screening for Controlled Substances per NRS 284.4066.

- 6.305 Engineering Technician V – PCN: 028008
- 6.308 Engineering Technician IV – PCN: 255002
- 6.313 Engineering Technician III – PCN: 028015
- 6.964 Telecommunications Coordinator I – PCN: 067095
- 6.969 Telecommunications Coordinator II – PCN: 067048, 067089
- 7.901 Chief IT Manager – PCN: 067046
- 7.904 IT Manager I – PCN: 067087
- 7.921 IT Professional IV – PCN 067047
- 7.925 IT Professional III – PCN: 067023, 067048, 067075
- 7.928 IT Technician VI – PCN: 067067

Chairperson Fox: Noted that they had the document outlining the reasons why the positions had been reclassified and provided some examples. **Carrie Hughes:** Confirmed that was correct.

Commissioner Mauger: Referred to Item A. 6.215 Supervisor I, Associate Engineer, PCN 028008 and then under Item B. 6.305 Engineering Technician V, PCN: 028008 and stated they had the same number. He asked if they were deleting one position and adding another. **Carrie Hughes:** Responded that this request to the Personnel Commission represented 3 changes to the position. **Chairperson Fox:** Asked if Engineering Technician V, PCN: 028015 became an Engineering Technician III or had the III been deleted becoming the V. She asked for clarification. **Carrie Hughes:** Asked that a representative from the DOT explain the position.

Melody Dooley, Management Analyst, Nevada Department of Transportation Human Resources: Stated that she would explain the position regarding PCN: 028008. She noted that the position was currently approved for pre-employment drug screening under its former classification as 6.305 Engineering Technician V. She added that it had since been reclassified to a Supervisor I Associate Engineer. She noted that they had previously approved pre-employment drug screening under its new classification and so with Item B. they were requesting the removal of it under its former classification. **Chairperson Fox**: Asked for confirmation that it was a housekeeping issue and that a position had been reclassified to ensure that positions they were requesting had the pre-employment testing were properly classified with the PCN numbers. **Melody Dooley**: Responded that was correct. She added that with respect to the removal of the requirement all but 4 of the positions they were requesting be removed was cleaning up paperwork. She noted that for the other 4 for which they were requesting the requirement be removed the reason was they could find no evidence for it being necessary as the positions did not impact public safety or require a CDL so the justification could not be made.

Chairperson Fox: Noted that there were no further questions.

MOTION: Moved to approve the removal of the positions identified in VII, B. and the PCN numbers from the list requiring pre-employment screening for controlled substances for NRS 284.4066
BY: Commissioner Mauger
SECOND: Commissioner Sanchez
VOTE: The vote was unanimous in favor of the motion

Carrie Hughes, Personnel Analyst, Department of Administration, DHRM: Stated that in Item C. the request was being made to adjust the class specifications as they had been changed to reflect the requirement for pre-employment screening for controlled substances.

- C. Revised Class Specifications to include Pre-Employment Screening for Controlled Substances.
 - a. Administrator I, Registered Professional Engineer
 - b. Agency Loss Control Coordinator

Chairperson Fox: Referred to the class specifications and noted that the positions had been identified as affecting public safety hence requiring the requirement for pre-employment screening.

MOTION: Moved to approve the class specifications for Administrator I, Registered Professional Engineer and Agency Loss Control Coordinator to include pre-employment screening for controlled substances.
BY: Commissioner Brust
SECOND: Commissioner Read
VOTE: The vote was unanimous in favor of the motion

VIII. DISCUSSION AND APPROVAL OF CLASS SPECIFICATION AND REQUEST FOR ADDITION OF CLASS FOR PRE-EMPLOYMENT SCREENING FOR CONTROLLED SUBSTANCES

Action Item

Rachel Baker, Personnel Analyst, Compensation, Classification and Recruitment Unit, DHRM: Stated that she was presenting agenda Items VIII, A. and B. in relation to the Fire Management Officer Series. She referred to Item A. and noted as a result of an individual reclassification study the DHRM was recommending the addition of another level to the Fire Management Officer Series allocated at a Grade 36. She added that this decision was made due to the position's combined role as both a Battalion Chief at Grade 35 and a Fire Management Officer at Grade 37. She referred to the Fire Management Officer I position and noted it was responsible for managing, administering and supervising the operations of a limited geographical area in the southern region. She noted the incumbent would direct and administer a regional fire program including budget preparation, maintain and track equipment inventories, fire suppression equipment and documentation for fire reporting and billing, coordinate statewide emergency responsive resources for the protection of life and property in the southern region and train, supervise and evaluate a small staff of professional positions. She confirmed that the Fire Management Officer Series was utilized by the Forestry Division and they agreed with the proposed changes. She stated that they were respectfully requesting approval of the class specification effective December 7, 2012.

A. Approval of Class Specification – *Fire Management Officer Series*

Commissioner Brust: Asked if there was more than 1 Fire Management Officer I position. **Rachel Baker:** Responded no.

Chairperson Fox: Noted that there were no further questions.

MOTION: Moved to approve the Class Specification, Fire Management Officer Series
BY: Commissioner Mauger
SECOND: Commissioner Read
VOTE: The vote was unanimous in favor of the motion

Rachel Baker, Personnel Analyst, Compensation, Classification and Recruitment Unit, DHRM: Stated that for Item VIII. B. with regard to Fire Management Officer I as this position would respond to fire scenes and emergency situations the DHRM was requesting the addition of the Fire Management Officer I class to the list of classes approved for pre-employment drug screening.

B. Request for Newly Proposed Class of *Fire Management Officer I* to Be Added to the List Requiring Pre-Employment Screening for Controlled Substances per NRS 284.4066

Chairperson Fox: Noted that there were no further questions.

MOTION: Moved to approve the Fire Management Officer I to be added to the list requiring pre-employment screening for controlled substances per NRS 284.4066
BY: Commissioner Brust
SECOND: Commissioner Read
VOTE: The vote was unanimous in favor of the motion

IX. DISCUSSION AND APPROVAL OF OCCUPATIONAL GROUP STUDY REVISED CLASS SPECIFICATIONS **Action Item**

Brenda Harvey, DHRM: Stated that she was involved in the revisions to the Agricultural Inspector Series. She noted that positions in the series perform sampling and inspection of agricultural

products. She stated that minor revisions were made to the series and class concepts and the knowledge, skills and abilities. If approved they would become effective December 7, 2012.

- A. Agriculture & Conservation Occupational Group
 - 1. Subgroup: Agriculture & Related – Plant Industry
 - a. *Agricultural Inspector Series*

- B. Domestic Services Occupational Group
 - 1. Subgroup: Food Service
 - a. *Food Service Manager Series*
 - b. *Food Service Cook Supervisor Series*

- C. Mechanical & Construction Trades Occupational Group
 - 1. Subgroup: Building & Grounds Maintenance
 - a. *Custodial Supervisor Series*
 - b. *Custodial Worker Series*

- D. Regulatory & Public Safety Occupational Group
 - 1. Subgroup: Safety Inspections
 - a. *Industrial Hygienist Series*

Heather Dapice, Personnel Analyst, Compensation, Classification and Recruitment Section, DHRM: Stated that she would be presenting the class specifications for the Domestic Services Occupational Group, Food Service Manager and Food Service Supervisor Series. For B.1. a. she stated that Food Service Managers plan, organize and supervise quantity ordering, receiving, storage, preparation and service of food in correctional, residential and instructional or a similar setting. She noted that subject matter experts made revisions to the duty statements in the series concept meeting to include participation in food preparation as necessary and to ensure staff members made food handling certification as required. She stated that an informational note was added to the minimum qualifications to reflect that positions in the series required food handling certification at the time of application or within a set timeframe defined by the hiring agency.

She referred to B.1.b. and noted that Food Service Cook Supervisors prepare and supervise quantity food preparation and serving for a standardized menu and recipes in an institutional, correctional, residential or non-residential setting. In consultation with subject matter experts it was recommended only a minor revision to the duty statements in the series concepts dealing with the preparation of food delivery trades was needed. She noted that an informational note was added to the minimum qualifications to reflect the positions in the series required food handling certification at the time of application or within a set timeframe defined by the hiring agency.

She referred to C.1.a. and noted that Custodial Supervisors plan, organize and direct the overall custodial and general building maintenance services for state facilities, offices, classrooms, conference areas, special event centers and other facilities. She stated that in consultation with subject matter experts it was recommended that minor revisions be made to the duty statements to reflect the position's need to review vendor and/or contractor work for quality and approving work forms and the creation of work orders as needed. She referred to C.1.b. Custodial Worker Series and stated that custodial workers performed general cleaning services at state facilities using various cleaning equipment and materials and are to provide a safe, hygienic and orderly work environment for all users. In consultation with subject matter experts it was determined that prior building

custodial experience was to be obtained at a commercial, industrial, hospital or governmental or similar environment. She added that high school graduation or equivalent be added to the education requirement and experience was increased from zero years to 6 months of experience at the Custodial Worker I level. She noted that subject matter experts stated that these changes would result in a more knowledgeable and qualified work applicant. She added that additional changes were made to the job responsibilities minimum qualifications at each level to reflect these changes. She noted that they were respectfully requesting that the Personnel Commission approve the class specifications effective December 7, 2012.

Chairperson Fox: Referred to Custodial Worker I and II and asked about the revision of minimum qualifications which included the graduation of high school or the GED and 6 months of custodial experience. She said she would interpret that to mean that a person coming from high school who would have no experience would not be qualified for the position. **Heather Dapice:** Responded that was correct, they would need some experience at cleaning large governmental institutions such as hospitals. **Chairperson Fox:** Asked if they had a training class for the positions in the series. **Heather Dapice:** Responded no. **Chairperson Fox:** Stated it was her concern that it would make it difficult for someone out of high school to be qualified to compete for that type of position. She thought that in terms of providing opportunities of residents of Nevada, she was concerned about the requirement of 6 months of commercial, industrial, hospital, and governmental experience for the position. **Commissioner Mauger:** Agreed with Chairperson Fox. He asked what had caused them to make the change. **Heather Dapice:** Responded that the subject matter experts that they consulted indicated the turnover rate might indicate a certain level of not understanding the job. **Commissioner Mauger:** Thought that the issue of turnover would be an issue that they would have in any event especially in an entry level position. He added that to ask for 6 months experience out of high school was wrong as an entry level position implied training would be provided. **Heather Dapice:** Responded that in the series they did not have an entry level but did have a I and II level position. **Commissioner Mauger:** Responded that he would consider the level I as an entry level position.

Peter Long, Deputy Administrator, DHRM: Stated that the agencies they were looking at needed employees at the I and II levels to be able to perform the job. He noted that they could add a custodial worker trainee at the Grade 20 level with just high school or equivalent and then that would give agencies the option of hiring someone as a trainee who could move up to the level I which actually was the journey level. He advised that they could have that available for the next Personnel Commission meeting. **Chairperson Fox:** Recommended that they add the trainee level so a person could be brought in with no work experience and it would give them an opportunity to learn on the job and subsequently promote them to the journey level class. **Commissioner Mauger:** Stated his agreement with the trainee level but noted his reservations.

Frank Steinberg, Personnel Analyst, Compensation, Classification and Recruitment Section, DHRM: Stated he would be discussing Item D. and the Industrial Hygienist Series under Regulatory & Public Safety Occupational Group, Subgroup: Safety Inspections. He noted that they worked with subject matter experts in the employing agency. He stated that they updated the required knowledge skills and abilities and added an informational note stating that some positions might require specialized experience and/or professional certifications to qualify. He stated that education and experience requirements were restated to preserve the status quo while adding qualifying fields of study to specify creditable experience outside the state of Nevada and to further increase the potential applicant pool by recognizing state experience in certain classes other than those in the Industrial

Hygienist Series. He noted that the DHRM was requesting the Personnel Commission's approval of the revised class specifications effective December 7, 2012.

Chairperson Fox: Noted there were no questions.

Commissioner Mauger: Asked whether the motion would include the addition of the trainee position for Item IX. C., the Custodial Worker Series. **Chairperson Fox:** Responded not at this time but stated that it was important that some discussion would take place after which the motion might be revised. She confirmed that Commissioner Mauger was referring to Item C. under the Custodial Worker Series, to add in a Trainee level class. She stated the options open to them included revising the motion or bringing the revised class specification to the next meeting. **Peter Long:** Confirmed that he would prefer that they remove Item C.1.b. from consideration. He also stated that it would not affect current hiring. **Chairperson Fox:** Noted she was comfortable with that direction and added that the original qualifications which were not as stringent would apply and this was specifically a request of both her and Commissioner Mauger. **Chairperson Fox:** Confirmed that Commissioner Read would be revising his motion.

MOTION: Moved to approve Item IX of the Occupational Group Study A. Agriculture & Conservation Occupational Group, Subgroup: Agriculture & Related – Plant Industry, B. Domestic Services Occupational Group, Subgroup: Food Service, C. Mechanical & Construction Trades Occupational Group, Subgroup: Building & Grounds Maintenance, a. Custodial Supervisor Series and D. Regulatory & Public Safety Occupational Group, Subgroup: Safety Inspections

BY: Commissioner Read

SECOND: Commissioner Sanchez

VOTE: The vote was unanimous in favor of the motion

X. DISCUSSION AND ADOPTION OR REPEAL OF PROPOSED REGULATION CHANGES TO NEVADA ADMINISTRATIVE CODE, CHAPER 284

Action Item

Peter Long, Deputy Administrator, DHRM: Stated that he would be presenting Sections 1 through 15 of LCB File No. R133-12.

- A. Sec. 1 Incorporates sections 2 – 9 into NAC 284
- Sec. 2 New Rate of pay: Reinstatement
- Sec. 3 New Rate of pay: Promotion
- Sec. 4 New Rate of pay: Demotion
- Sec. 5 New Rate of pay: Transfer
- Sec. 6 New Rate of pay: Reappointment
- Sec. 7 New Rate of pay: Reemployment
- Sec. 8 New Rate of pay: Minimum step for continuous employment
- Sec. 9 New Rate of pay: Non-classified, Unclassified Appointed to Classified
- Sec. 10 NAC 284.132 – Temporary classifications
- Sec. 11 NAC 284.134 – Individual reclassification of position to higher level: Status of incumbent
- Sec. 12 NAC 284.138 – Reclassification or reallocation of class or position to higher grade as result of occupational study: Status of incumbent

- Sec. 13 NAC 284.140 – Reclassification of class or position to lower grades: Status of incumbent
- Sec. 14 NAC 284.170 – Rate of pay: Initial appointment
- Sec. 15 NAC 284.4375 – Automatic Advancement
- Sec. 16 NAC 284.587 – Civil leave with pay for certain volunteers or when absence is necessary to meet disaster or emergency
- Sec. 17 NAC 284.588 – Civil leave with reduced pay when performing certain service in time of war or emergency

Peter Long, Deputy Administrator, DHRM: Stated that Section 1 incorporated sections 2 through 9 into NAC 284. Noted he would be explaining changes to sections 2 through 9. He stated Section 3 moved the rate of pay on promotion into its own regulation with no change to verbiage. He stated Section 4 demotion moved into its own regulation with no change to verbiage. He stated Section 6 rate of pay upon reappointment moved into its own regulation with no change in verbiage. He stated for Section 8 and 9, the minimum step for continuous employment and non-classified, unclassified, appointed to classified service moved to its own regulations with no change in verbiage. He stated Section 2 reinstatement; Section 5 transfer and Section 7 reemployment simplified the verbiage currently in 284.170 to make it more understandable to agencies using the regulation as well as effected employees.

Commissioner Mauger: Asked if employee groups were involved in the changes. **Peter Long**: Responded yes and added they had held workshops with both agencies and employee groups participating and details were shown in the workshop minutes. He confirmed that they had not presented anything that had not been agreed to by both those groups.

Peter Long, Deputy Administrator, DHRM: Stated that he would not discuss Sections 10 through 15. He confirmed that there were no changes except the change of the number to referencing a particular regulation. He confirmed that once it had been approved and codified the particular regulation that it was referencing would be inserted.

Carrie Hughes, Personnel Analyst, Department of Administration, DHRM: Stated that Section 16 proposed a permanent amendment to NAC.284.587 clarifying the circumstances when civil leave must be granted per statute and might be granted by an appointing authority. She explained that the proposed language clarified that civil leave must be granted to an emergency communications technician as outlined in NRS 281.149. She noted that the remainder of the proposed language clarified that an appointing authority might grant civil leave as necessary to meet the needs of a state of emergency or disaster as declared by the governor or president. She stated that in Section 17 the DHRM was proposing the repeal of NAC 284.588 due to the fact that NRS 284.358 mirrored the regulation making it unnecessary.

Chairperson Fox: Took the opportunity to explain that the reason Section X. of the agenda was before the Commission was because Governor Sandoval when he took office had asked all state departments to do a review of their regulations to streamline them, simplify language, make it more user- friendly and remove redundancies. She recognized the DHRM for the substantial work done on this process. She noted that there was public comment from the south.

Ron Cuzze, President, Nevada State Law Enforcement Officers Association: Stated that he was also a Lieutenant Colonel in the civil air patrol and he had noted that in the civil leave sections that the civil air patrol had been omitted. He related several instances citing the importance of this group.

Carrie Hughes, Personnel Analyst, Department of Administration, DHRM: Stated that the proposal to remove NAC 284.588 was based on the premise that the same provisions in the regulation were covered in the statute. In NRS 284.358 the statute came after the regulation and the regulation originally had come following 9/11 to provide relief for state employees who were being called up and staying out for substantial periods of time. **Commissioner Sanchez**: Noted that her comments did not address the concerns of Mr. Cuzze. **Carrie Hughes**: Explained that they were proposed to remove the regulation and use as support for that type of civil leave with the statute as the authority. She said the statute would require changes at the legislative level. **Commissioner Brust**: Asked if they were being excluded or if there was a lack of inclusion via the statute. **Carrie Hughes**: Stated yes, that would be correct if they removed the regulation. **Ron Cuzze**: Asked why the DHRM was removing it.

Shelley Blotter, Deputy Administrator, DHRM: Referred to the two sections under discussion and stated that one would provide civil leave and it was merely a clarification of the current language so there was no intention of omitting the civil air patrol. She stated it was not included because that was not the current regulation. She referred to the second section and stated it was that the regulation preceded the statute because of a catastrophic event and she said at the time there was concern that they had the authority to adopt that regulation but due to the circumstances it was adopted as an emergency regulation. She added that subsequently the legislature wanted to make certain that this was a benefit going forward so the regulation ended up duplicating the statute. She added that it was not to say that in the future they could not consider the civil air patrol it was just that they had not gone through that workshop process yet to have the discussion to include it.

Chairperson Fox: Stated that she was hesitant to go further than what the NRS stated. **Commissioner Brust**: Indicated that he would like to see a workshop to pursue the issue of the civil air patrol. **Commissioner Mauger**: Noted this had been on the books since 2001, with 11 years as an inclusion. He asked why other than statute, if it had been good enough since then, then why was it not good enough now. **Shelley Blotter**: Responded that it was duplicate language and confirmed that they had not taken anything away and they still would get the benefit provided in statute. **Commissioner Mauger**: Asked Ron Cuzze if he was comfortable with their comments. **Ron Cuzze**: Responded no, he said he did not believe that the NRS was prohibitive but it did not exclude. He stated he would yield to the Attorney General's Office. He said the NRS said that there were certain entities that would respond from a man-made to a natural disaster and the NAC administers how that would be done. He stated that all they were asking was that the civil air patrol be included. **Commissioner Mauger**: Asked if he wanted it included under the NAC. **Ron Cuzze**: Responded yes. **Chairperson Fox**: Asked the Deputy Attorney General for clarification.

Carrie Parker, Deputy Attorney General: Stated she had pulled up NRS 284.358 subsection 1 which stated: *"An officer or employee in the public service who performs active military service in the armed forces of the United States or any other category of persons designated by the president of the United States or the governor of this state including without limitation the Commission for the United States Public Health Service in time of war or emergency is entitled to civil leave with reduced pay with a period of such service."* She noted that the question would be whether the organization that Mr. Cuzze had referred to would qualify as one of those designated categories or persons. **Ron Cuzze**: Responded yes, and they were identified as the United States Air Force Auxiliary. He stated they were also covered in other sections of the NRS and would fall under the control of the governor and were funded by the state of Nevada for training and fuel and noted the differences with the Air and Army National Guard. **Commissioner Sanchez**: Asked if he was satisfied after hearing the

Deputy Attorney General reading of the statute that the civil air patrol was covered. **Ron Cuzze:** Responded yes, by the federal statute. **Commissioner Sanchez:** Asked if he had no objection to the removal of NAC 284.588. **Ron Cuzze:** Confirmed he had no objection but wanted it to be included in the other.

Chairperson Fox: Noted that there were no further questions.

MOTION: Moved to approve adoption or repeal of proposed regulation changes to the Nevada Administrative Code, Chapter 284, LCB File No. R133-12, sections 1 through 17

BY: Commissioner Mauger

SECOND: Commissioner Read

VOTE: The vote was unanimous in favor of the motion

Peter Long, Deputy Administrator, DHRM: Stated that with reference to LCB File No. R134-12 the change was to limit the amount of pay that could be increased for a supervisor with a subordinate making a higher amount of pay to two steps or 10%. He noted that previously that increase would have been up to the appointing authority. He confirmed that through discussions at the workshops the associations were on board with the changes.

B. LCB File No. R134-12

Sec. 1. NAC 284.204 – Adjustment of steps within same grade

Commissioner Brust: Asked what was the current practice or the rationale to increases with the regard to the section. **Peter Long:** Responded that there currently was no stipulation to take the supervisor's pay away. He said it would be upgraded based on supervising the higher-paid subordinate. He said the issue of taking away the pay was brought up when the regulation was put into effect but there was no agreement to move forward on that. **Commissioner Brust:** Stated that he had noticed in a previous section it had stated that an individual who would receive a special salary adjustment for supervising employees would be able to hold that as a base pay continuing for 6 months. He asked if that was a problem if they were saying this pay must be held for 6 months. **Peter Long:** Stated that it would be held for 6 months or revert to original pay. **Commissioner Brust:** Referred to section 4 of R134-12 and noted recruitment difficulties and then salary adjustment ended with nothing covering the subordinate who would have justified the supervisor's step adjustment. **Peter Long:** Responded that he did not disagree. **Commissioner Brust:** Asked if this was a major issue and did it happen often. **Peter Long:** Responded that their department reviewed all of the equity adjustments and added that they had put into place a new process where they were approved not only by the staff of DHRM but also by the Division Administrator, the Deputy Director of Administration in the Budget Division and added that equity adjustments would also go the Governor's Office. He confirmed that there was a significant level of review. He noted that in the past there had been some situations where it had been abused but this would not reoccur with the new system.

Commissioner Mauger: Referred to 134-12, section 1b and made some enquiries about 133, section 3 and asked if they had an individual who was appointed to go into a supervisor's position and then he noted that it said if they were in there in excess of 6 months then there would be a retroactive adjustment. He asked if the 6 months coincided with 133 in any way. **Peter Long:** Responded no, that both of them were 6 months. He added that the one in section 133 was not in effect because they did not have the plus 5 for supervisory duties. He clarified that that would be if the person had been in that position for 6 months and they had been receiving that amount plus five, which basically

would become their base pay for promotional purposes. He stated that R134-12 said that if a mistake was made due to a clerical error then they could retroactivate that adjustment back no more than 6 months so he confirmed the two did not tie together.

Chairperson Fox: Asked if there were further questions or public comment.

Ron Cuzze, President, Nevada State Law Enforcement Officers Association: Referred to 284.204, sub paragraph C regarding a supervisor having subordinates with a higher salary. He said it did not mention if they had multiple subordinates and he gave an example. He asked which subordinate position would be looked at if they were at different levels. **Peter Long:** Responded that they would look at the highest-paid subordinate and the supervisor's pay would be adjusted based on the recommendation to be two steps higher than their highest-paid subordinate and he gave an example.

MOTION: Moved to approve LCB File No. R134-12 specifically NAC 284.204 advising the adjustment of steps within the same grade
BY: Commissioner Read
SECOND: Commissioner Mauger
VOTE: The vote was unanimous in favor of the motion

Carrie Hughes, Personnel Analyst, Department of Administration, DHRM: Stated that she would be discussing Item X. C. LCB File No. R135-12.

C. LCB File No. R135-12

- Sec. 1 NAC 284.441 – Provision of description to candidates for vacant position; consideration for appointment
- Sec. 2 NAC 284.52375 – “Provider of health care” defined
- Sec. 3 NAC 284.566 – Sick leave; Approval by appointing authority; medical certification
- Sec. 4 NAC 284.568 – Sick leave; Placing employee on sick leave; conditions for return to work.
- Sec. 5 NAC 284.5811 – Family and medical leave; Maximum amount in 12-month period; eligibility; use
- Sec. 6 NAC 284.440 – Determination by appointing authority

Carrie Hughes, Personnel Analyst, Department of Administration, DHRM: Referred to Section 1 and noted that the Legislative Council Bureau was proposing a permanent amendment to NAC 284.441 to remove the reference to NAC 284.440 which the DHRM had recommended be repealed. She referred to Section 2 the DHRM was proposing permanent amendments to NAC 284.52375 adding the proposed language “physician’s assistant” which would clarify that a physician’s assistant would be a provider of healthcare and bring the regulation into alignment with the Family of Medical Leave Act, Federal Regulations. She noted that in addition, the contact information for the First Church of Christ Scientist had been updated. She referred to Section 3 and stated the DHRM was proposing a permanent amendment to NAC 284.566 to remove the requirement that a second opinion be provided by a healthcare provider that was not regularly used by the state and that a second medical opinion be obtained on a Family and Medical Leave Act (FMLA) certification form. She stated that removing the requirement that a second opinion not related to FMLA leave be obtained from a healthcare provider not regularly used by the state would allow agencies to use doctors with experience in occupational medicine even though they regularly provided services to the state. She noted that information requested on a FMLA certification form might not always be relevant to an

employee's need for sick leave and might lead to liability under the Americans with Disabilities Act's requirement that medical information requested with business was necessary. She referred to Section 4, similar to Section 1, the Legislative Council Bureau was proposing a permanent amendment to NAC 284.568 that references NAC 284.440 which the DHRM had proposed be repealed. She referred to Section 5 and she stated that the DHRM was proposing a permanent amendment to NAC 284.5811 to bring the regulation into alignment with the Family and Medical Leave Act Federal Regulations. She stated that the FMLA regulations prohibited requiring an employee receiving payment from a plan covering temporary disability from being required to use paid leave concurrently with FMLA protected leave because the leave was not unpaid. She referred to Section 6 the DHRM was proposing the repeal of NAC 284.440 as NAC 284.120 would adopt the Americans with Disabilities Act's definition for essential functions of the position by reference. She said the language of NAC 284.440 stating that essential functions were specific to a position and providing the definition of an essential function was redundant.

Chairperson Fox: Asked if workshops were done on the regulation changes. **Carrie Hughes:** Responded that was correct.

MOTION: Moved to approve changes identified in LCB No. R135-12
BY: Commissioner Brust
SECOND: Commissioner Sanchez
VOTE: The vote was unanimous in favor of the motion

Carrie Hughes, Personnel Analyst, Department of Administration, DHRM: Referred to Item X. D. LCB File No. R136-12 and said the DHRM was proposing permanent amendments to NAC 284.576 to assist agencies in meeting their business needs. She noted the proposed language would remove the provision that deemed an employee on approved leave without pay if insufficient donations were received for the period the employee had been granted catastrophic leave. She added proposed language would allow, in cases where an employee had left state service, for the donation of returned catastrophic leave to donor's former agencies' general catastrophic leave bank. She noted also the removal of current regulation language which would bring the administrative code into alignment with current catastrophic leave reporting practice.

D. LCB File No. R136-12

Sec. 1 NAC 284.576 – Catastrophic leave; Use and administration; appeal of denial

Chairperson Fox: Requested clarification to confirm she understood the changes. She stated if an employee requested catastrophic leave and had made insufficient donations in the past they would go on approved leave without pay and without there being a requirement that the agency had approved that leave without pay. **Carrie Hughes:** Explained the agency would approve the time period for catastrophic leave but if insufficient donations had been received for that approved period then yes, as the regulation before the amendment would be they would go into a leave of absence without pay.

Commissioner Brust: Referred to the language that the DHRM was proposing be eliminated and posed several circumstances and asked how it would be handled if the language was removed. **Carrie Hughes:** Responded that it would remove that from regulation but it would still exist in central payroll policies, the provision allowing for retroactive use of the donations. **Commissioner Brust:** Asked if the provision would still be available. **Carrie Hughes:** Responded yes.

MOTION: Moved to approve provisions to the Nevada Administrative Code 284.576 as identified in LCB File No. R136-12
BY: Commissioner Mauger
SECOND: Commissioner Sanchez
VOTE: The vote was unanimous in favor of the motion

Chairperson Fox: Item X. E. Sections I and 2 was removed from consideration.

Carrie Hughes, Personnel Analyst, Department of Administration, DHRM: Stated that in Item X. F. LCB File No. R138-12, Section 1 the Office of Risk Management and the DHRM were proposing a permanent amendment to NAC 284.884 that would raise the maximum allowable concentration of alcohol in the blood or breath of an employee from .01 to .02. She stated that this change would bring the state standard into alignment with the federal standard established by the United States Department of Transportation, Federal Motor Carrier Safety Administration. She added using this standard should prevent confusion by vendors that could lead to violations of the confirmatory provision in subsection 2 of this regulation. She referred to Section 2 and stated that the DHRM was proposing an amendment to NAC 284.893 to clarify that the requirements in the regulation must be met prior to an employee's return to work following a positive test result.

F. LCB File No. R138-12

- Sec. 1 NAC 284.884 – Maximum allowable concentrations of alcohol in blood or breath of employee; confirmation of positive result on screening test of breath
- Sec. 2 NAC 284.893 – Return to work of employee who tests positive for alcohol or controlled substance while on duty

MOTION: Moved to approve revisions to NAC 284.884 and NAC 284.893 as identified in LCB File No. R138-12
BY: Commissioner Brust
SECOND: Commissioner Read
VOTE: The vote was unanimous in favor of the motion

Chairperson Fox: Referred to Item X. G. Section 2 and noted that it had been removed from consideration.

Michelle Garton, Supervisory Personnel Analyst, DHRM: Referred to Item X. G. LCB File No. R139-12 and stated that the DHRM was proposing a permanent amendment to NAC 284.498. She stated they were proposing adding training regarding work performance standards be completed within 6 months of appointment to a supervisory position as an understanding that these were required to evaluate performance. She added that they were also proposing a change to NAC 284.498 that would expand the timeframe of supervisory or managerial training accepted by an appointing authority to 3 years preceding the appointment rather than 12 months in order to avoid unnecessary repetitiveness of training.

G. LCB File No. R139-12

- Sec 1 NAC 284.498 – Training of supervisory and managerial Employees

MOTION: Moved to approve changes to NAC 284.498 to include training on work performance standards as identified in LCB File No. R139-12
BY: Commissioner Brust

SECOND: Commissioner Mauger

VOTE: The vote was unanimous in favor of the motion

XI. REPORT OF UNCONTESTED CLASSIFICATION CHANGES

Chairperson Fox: Stated that this action required no action from the Personnel Commission and that the report on uncontested classification changes was accepted.

XII. PUBLIC COMMENT

Read into record by **Chairperson Katherine Fox:**

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) 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 Committee Chair may elect to allow additional public comment on a specific agenda item when the item is being considered.

Chairperson Fox: Noted there was no public comment from the north or south. She stated that she would like to take the time to thank State of Nevada employees for their dedication to public service and specifically the DHRM for upholding the principles that they adhered to and applied every day in their professional work environment. She added that 3 employees from the DHRM were leaving state service and stated that she would like to acknowledge the hard work, years of service and dedication of Mary Day with 17 years of service, Frank Steinberg with 15 years and 1 month of service and from the south Leika Fitzgerald with 23 years of public service. The members of the Personnel Commission and attendees applauded these employees.

Commissioner Brust read a Proclamation from Governor Sandoval to Mary Day: *“Whereas: after 17 years and 9 months of exemplary service to the State of Nevada Mary is retiring having decided to dedicate time to her family and pursue her hobbies and pastimes and whereas: Mary Day is a dedicated and exceptional public servant who has diligently served the State of Nevada and whereas: Mary has dedicated her state career to advancing sound personnel practices and whereas: Mary exemplifies the best in leadership and Mary has displayed the ability to bring out the best in her staff and whereas: Mary’s high energy, spirit and numerous contributions have left a legacy which may be evident in the DHRM for years to come and whereas: Mary’s commitment to excellence and her integrity are unquestioned and she has earned the respect and admiration of state leaders, her staff and employees throughout the state and whereas: in honor of Mary Day and in recognition of her many contributions which have benefitted so many Nevadans many friends and co-workers are gathered together to wish her a healthy, happy and fulfilling retirement therefore I, Brian Sandoval, Governor of the State of Nevada, do hereby proclaim December 7, 2012 as a day in honor of you, Mary Day. Thank you for all that you do.”* The Personnel Commission and attendees applauded.

May Day: Responded that she had the opportunity over the past 17 years to perform a job that she loved. She acknowledged the strong and capable leadership that the division had and the support and consideration of the Personnel Commission and noted that she wanted to recognize the work of the staff that she had worked with over the years who all did so much of the hard work and thanked them all. Lee-Ann Easton presented her with a card and said a few words of appreciation. **Chairperson Fox:** Thanked Mary Day for her hard work and acknowledged her professionalism in dealing with the Personnel Commission and stated she would be missed and wished her Good Luck!

Commissioner Read read a Proclamation from Governor Sandoval to Frank Steinberg:

“Whereas: after 15 years and 1 month of exemplary service to the State of Nevada Frank is retiring, having decided to dedicate time to his family and pursue his favorite hobbies and pastimes and whereas: Frank Steinberg is a dedicated and exceptional public servant who has diligently served the State of Nevada and whereas: Frank is to be commended for his honesty, professionalism and for treating everyone with dignity and fairness and whereas: Frank has promoted diversity, group awareness in the workplace and whereas: Frank exemplifies the best in leadership and has displayed the ability to bring out the best in others and whereas: Frank’s numerous contributions have left a legacy which will be evident in the DHRM for years to come and whereas: Frank’s commitment to excellence and integrity are unquestioned and he has earned the respect and admiration of state leaders, his co-workers and employees throughout the state and whereas: in honor of Frank Steinberg and in recognition of his many contributions which have benefitted so many Nevadans, his many friends and co-workers are gathered together to wish him a healthy, happy and fulfilling retirement. Now therefore I, Brian Sandoval, Governor of the State of Nevada do hereby proclaim December 7, 2012 as a day in honor of Frank Steinberg.” The Personnel Commission and attendees applauded.

Frank Steinberg: Thanked Commissioner Read. He said that he had started out at the state at what was now the Department of Corrections, the prison in Lovelock and noted that he owed the Department of Personnel a lot for arranging his parole. He added previously he had been a federal employee and an employee of the State of California but felt he had never had a more outstanding group of peers to work with than the last 15 years with the State of Nevada and the last 13 with the DHRM. He said he was very fortunate to have that experience and thanked everyone.

Lee-Ann Easton said words of appreciation to Frank Steinberg and acknowledged he would be greatly missed. **Chairperson Fox:** Thanked him for his many years of service to the State of Nevada and his professionalism and wished him good luck.

Commissioner Sanchez read a Proclamation from Governor Sandoval to Leika Fitzgerald:

“Whereas: after 23 years of exemplary service to the State of Nevada Leika is retiring having decided to dedicate time for family and pursue her favorite hobbies and pastimes and whereas: Leika has dedicated her state career advancing sound personnel practices and whereas: Leika has to be commended for her honesty, her professionalism and for treating everyone with dignity and fairness and whereas: Leika has promoted diversity group awareness in the workplace and whereas: Leika exemplifies the best leadership and mentoring and has displayed the ability to bring out the best in others and whereas: Leika’s high energy, spirit and numerous contributions have left a legacy which will be evident in the DHRM for years to come and whereas: Leika’s commitment to excellence and her integrity are unquestioned and she has earned the respect and admiration of state leaders, her co-workers and employees throughout the state and whereas: in honor of Leika Fitzgerald and her recognition of her many contributions which have benefitted so many in Nevadans her many friends and co-workers are gathered together to wish her a healthy, happy and fulfilling retirement. Now therefore I, Brian Sandoval, Governor of the State of Nevada do hereby proclaim December 7, 2012 as a day in honor of Leika Fitzgerald.” The Personnel Commission and attendees applauded.

Leika Fitzgerald: Said she was extremely grateful for her time with the state which had given her the opportunity to work and meet many people in the agency and statewide and many had become personal friends. She commented she was counting the days but was recently overcome with sadness realizing that she was leaving people she considered family. She indicated they would be greatly missed.

Lee-Ann Easton thanked Leika Fitzgerald for her hard work and dedication and indicated she would be missed. **Chairperson Fox:** Thanked Leika for her years of service to the state and wished her Good Luck!

XIII. ANNOUNCE DATES FOR UPCOMING MEETINGS

Chairperson Fox: Stated that they had decided they would meet next on March 8, 2013. She added the next regular meeting would be Friday, May 10, 2013 and June 24, 2013, which would be a single-item meeting related to consideration of the furloughs since that would be due to sunset June 30, 2013. She wished everyone a safe and happy holiday season.

XIV. ADJOURNMENT

MOTION: Move to adjourn the meeting at 11:00 a.m.
BY: Chairperson
SECOND: Commissioner
VOTED: The vote was unanimous in favor of the motion