

**STATE OF NEVADA
PERSONNEL COMMISSION**

Carson City at the Legislative Counsel Bureau, 401 S. Carson St., Room 3138 and in Las Vegas at the Grant Sawyer State Building, Room 4401, 555 East Washington Avenue via Video Conference

**MEETING MINUTES (Subject to Commission Approval)
Friday, April 11, 2014**

**COMMISSIONERS PRESENT
IN CARSON CITY:**

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

**STAFF PRESENT IN
CARSON CITY:**

Ms. Lee-Ann Easton, Administrator, DHRM
Mr. Peter Long, Deputy Administrator, DHRM
Ms. Shelley Blotter, Deputy Administrator, DHRM
Shane Chesney, Sr. Deputy Attorney General

**COMMISSIONERS PRESENT
IN LAS VEGAS:**

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

I. OPEN MEETING

Chairperson Katherine Fox: Opened the meeting at 9:00 a.m. She took the opportunity to welcome Commissioner Andreas Spurlock as a member of the Personnel Commission. She indicated that she and Mr. Spurlock enjoyed a long, professional working relationship spanning about 20 years. She added that he was coming from a strong, classification/compensation background and was now employed by the City of Las Vegas in Human Resources.

Commissioner Andreas Spurlock: Gave fellow commission members and the audience some information regarding his background. He indicated that he had worked for six years in the field of banking and insurance in the Midwest followed by 18 years at the county in Nevada and was now employed by the City of Las Vegas. He noted that he had also taught compensation management at UNLV (University of Nevada, Las Vegas) for 6 years and in their Wage and Salary Certificate program for 3 years.

Chairperson Fox: Welcomed Commissioner Spurlock once again. She indicated there were several announcements. She referred to Dana Carvin of the Department of Administration, Human Resource Management Division who had retired after 30 years of service and congratulated her and wished her well in her retirement. She referred to Beverly Ghan who had recently been promoted to the position of Recruitment Supervisor and Eric Mager who had been promoted to Classification Supervisor with the Human Resource Management Division and congratulated them both on their promotions on behalf of the Commission.

II. PUBLIC COMMENT NOTICE: Read into record by **Chairperson 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 Commission Chair may elect to allow additional public comment on a specific agenda item when the item is being considered.

Chairperson Fox: Asked if there was any public comment. She noted there was none in the north. There was comment from the south.

Jeanine Lake, AFSCME (American Federation of State, County and Municipal Employees), Local 4041, Las Vegas: Stated that she wanted to discuss objections that they had with regard to agenda items dealing with changes to Hearing Officers and the strike list. She asked if it was the appropriate time to raise such comments. **Chairperson Fox:** Responded that during those specific agenda items she would entertain public comment after the presentation and she would have the opportunity then to speak. **Jeanine Lake:** Thanked Chairperson Fox.

III. ADOPTION OF THE MINUTES OF PREVIOUS MEETING Action Item

MOTION: Move to approve the Minutes of the meeting dated January 10, 2014.
BY: Commissioner Mauger
SECOND: Commissioner Read
VOTE: The vote was unanimous in favor of the motion

IV. DISCUSSION AND POSSIBLE SELECTION OF ALTERNATE SOUTHERN HEARING OFFICER OR RECRUITMENT REQUEST FOR ALTERNATE SOUTHERN HEARING OFFICER

Action Item

Shelley Blotter, Deputy Administrator, DHRM: Stated that the Commissioners had a choice with regard to the selection of the Southern alternate for the Hearing Officer position. She referred to the meeting on January 10, 2014 and noted that they had selected the Hearings and Appeals Division of the Department of Administration to be the primary Hearing Officers statewide. She added that they also selected an independent contractor to have his contract extended for a two-year period. She explained that at the current meeting they were selecting only the alternate for the Southern area. She added that based on the comments they received at the January 10th meeting they were presenting three options. She noted that they could consider them all or could select a preference. She detailed the options:

- 1) **Option 1** - states three of the current Hearing Officers that are independent contractors have asked to have their contracts extended and they are Jeffrey Allen, Richard Reed and Paul Lamboley. She said Mr. Allen and Mr. Reed were available if the Commission members chose to ask them to speak about their record or have an interview. She said it was up to the discretion of the Commissioners if they wanted to interview them today.
- 2) **Option 2** - states this option would have the Hearings and Appeals Division provide this alternate service. After the January 10, 2014 meeting they had been informed by the Senior Appeals Officer, Bryan Nix that they had the ability to contract with special appeals officers.

These appeals officers are not State employees but are selected by the Governor's Office. These appeals officers could provide this service without using state employees if that was an issue.

- 3) **Option 3** - states that if neither 1) or 2) were agreeable then they could conduct a new recruitment for a Hearing Officer.

She indicated that the DHRM (Division of Human Resource Management) was recommending that the Personnel Commission select **Option 2** as they felt it would provide greater efficiency and consistency going forward.

Chairperson Fox: Asked if any Commissioners had questions.

Commissioner Spurlock: Addressed Chairperson Fox and asked if he could recuse himself from the vote. He said Jeff Allen is the attorney for the city employees association and while he was not formally on the negotiation team for management he had been on the other side of the table when issues were discussed with Mr. Allen. He said he would like to err on the side of caution and explained that the main concern would be if they chose Option 1 with interviews, but for the sake of Mr. Allen he said he also wanted to make sure that him choosing Option 2 or 3 in and of itself would not appear to be a negative judgement against Mr. Allen. **Chairperson Fox:** Thanked him for providing that information. She asked for any other question or comments.

Commissioner Sanchez: Asked when it would take effect if they chose Option 2. **Shelley Blotter:** Responded the contract with the current Hearing Officers would expire on June 30, 2014 so it would be as of July 1, 2014. **Commissioner Mauger:** Commented that in the January 10, 2014 meeting he had expressed a concern that individuals who were on the in-house payroll could not render in some cases a non-biased decision. He referred to discussions about how the State would monitor or conduct a 12-month study to see how the process was working. He said the survey the Division had put out regarding the attorneys or people who had applied was not viewed favorably in the south due to a very low response rate. He said he would be in favor of the Hearing Officers within house but with the idea they would be monitored and the Division would bring that information back to the Personnel Commission so it could be determined how it was working.

Chairperson Fox: Noted that she had a professional consulting relationship with an individual in the south, one of the attorneys so she would also recuse herself from the discussion. She indicated that she would leave it to the three remaining Commissioners to move forward with the item on discussion and a motion.

Commissioner Sanchez: Stated that he concurred with the remarks of Commissioner Mauger indicating a preference for Option 2 so they were both in agreement.

MOTION: Move to approve to accept the recommendation of the Commission to proceed to allow the Hearings Division to contract with an independent contractor for cases in which the appeals officers of the Hearings Division might recuse themselves.

BY: Commissioner Read
SECOND: Commissioner Mauger

Chairperson Fox: Asked if there was any public comment from the north or the south, starting in the north after which a vote would be taken.

Tom Donaldson, Attorney, The Dyer Lawrence Law Firm, Carson City, acting as Counsel for the Nevada Highway Patrol Association and the Nevada Corrections Association: Asked who the special appeals officers were and under what authority are they appointed under the NRS. **Shelley Blotter**: Responded that they are appointed by the Governor under NRS (Nevada Revised Statute) 616C.340. She asked if Mr. Bryan Nix was in attendance if he could talk a little more about these officers.

Bryan Nix, Senior Appeals Officer, Department of Administration, Hearings Division: Stated that he oversees all the activities of the division statewide. He referred to the special appeals officers and said that their intent was to hear the cases with existing appeals officers' staff. He noted that they were appointed by the Governor up to two-year terms and their performance was monitored and measured in numerous ways. He explained that the special appeals officers' provision in law where the Governor could appoint someone other than an appeals officer sitting during a two-year term could occur when there are cases of conflicts with sitting appeals officers.

He said at the current time they did not have any special appeals officers appointed although the Governor had done this in the past. He said in the current situation they would ask the Governor to appoint a special appeals officer to the north and south who could serve in the event there was a conflict within the division appeals officers. He went on to explain that they also had the ability under rules that were to be adopted, that if there was a conflict with the agency it could even be referred to one of the outside attorneys.

He said the main point was they have the ability to address conflicts at all levels with standards in their regulations and standards in the policies that were currently up for review. He confirmed that they would be working with the Personnel Commission and staff to ensure that any issues were addressed adequately. **Commissioner Sanchez**: Asked if the Commission should approve Option 2 what would the process be to inform the Governor that he would need to appoint a hearing officer for the south. **Bryan Nix**: Responded they would probably just make a request of the Governor to appoint someone of his choice or they might make recommendations for his consideration. He said then the Governor could appoint someone to serve for a term in case they were needed. He said if they were needed they would be paid through their budget. **Tom Donaldson**: Asked if that was all under the Workers' compensation statutes, the 616C.340 that Shelley Blotter had cited. **Bryan Nix**: Responded yes, all the statutes concerning the Appeals Division are under 616C.340. **Tom Donaldson**: Asked if there were any special appeals officers appointed. **Bryan Nix**: Responded no, none at the current time.

Chairperson Fox: Asked if there was any public comment from the south. **Commissioner Sanchez** advised Mr. Cuzze would give remarks.

Ron Cuzze, President, Nevada State Law Enforcement Officers' Association: Acknowledged that appeals officers deal with various issues but they wanted to comment on specifically their concerns with in-house counsel for appeals of disciplinary action such as termination and issues of that nature. He confirmed that they adamantly opposed the appointment of in-house hearing officers for that. He noted that in the past there had been very few disciplinary issues that had been overturned and they believed that that was a result of the pressure of all being in the same system. He clarified that they opposed the use of these hearing officers for disciplinary issues but not issues relating to workmen's compensation for anything of that nature.

Commissioner Mauger: Stated that he understood his concerns. He said that he thought they had reached a compromise in the sense that the Personnel Commission would receive the results of a monitoring process over a 12-month period and would then review how the process was actually

working. **Ron Cuzze:** Responded he appreciated that point. He said that if one of those decisions occurred during that 12-month monitoring process then they would be in District Court trying to have it overturned. He noted that was where they had been going and had been successful over the last 2-3 years. **Commissioner Mauger:** Responded he understood his position but they had to have this issue resolved and would go ahead with the compromise.

Ron Dreher, Government Affairs Director, Peace Officers Research Association of Nevada: Referred to the three choices and stated for Option 1 he knew at least one of the three attorneys and was sure they were all reputable. He said he was not sure why they were not being considered. He referred to Option 2 and he said the Governor would be making choices based on Workers' compensation legislation 616C.340. He said considering the fact that hearing officers are used for many different agencies other than Workers' compensation such as disciplinary matters that it did not make sense to him and in that regard he agreed with Mr. Cuzze. He said that he did not think that was an appropriate option. He added that with regard to Mr. Nix's comment that they could provide the Governor with a list of names but pointed out that the Governor himself would have no knowledge of the background of such attorneys. He said he didn't understand why they would consider Option 3 with Option 1 being suitable.

John Childers, AFSCME (American Federation of State, County and Municipal Employees), Local 4041: Indicated he had a question regarding Option 2. He asked if these appointed hearing officers would have any background in labor law, outside of their experience in the area of Worker's Compensation. He asked if they would have any background in relationship to the National Labor Relations Board decisions. He asked the Personnel Commission if they would consider Option 1 as well. He said changing an existing system would bring unease to any employee facing disciplinary action which might include dismissal and termination from service. He added that it might also bring discomfort and doubt to the employee if they had the perception that the employer would assume the role of being the complainant, the witness, the investigator, the police, the prosecutor, the judge, the jury and the executioner. He noted the employee would not feel there was any fairness or justice. He asked the Personnel Commission to consider his concerns as outlined.

Chairperson Fox: Asked Bryan Nix if he wanted to respond to these concerns regarding the backgrounds of the hearing officers. **Bryan Nix:** Noted that the last three appeals officers appointed by the Governor had no background in Workers' compensation which is not a requirement under the statutes. He added that they are all excellent attorneys with varied backgrounds, including personnel backgrounds. He confirmed that he could not speak for the Governor's Office but noted that the Governor had made excellent selections of all the attorneys that he had to work with over the years.

Shelley Blotter: Said she wanted to remind everyone where they were in the conversation. She said it had already been determined that the Hearings and Appeals Division's appeals officers will be the primary so they were only selecting the alternate at the current time. **Tom Donaldson:** Asked Mr. Nix how long the process took, .i.e. the Governor selecting a special appeals officer. **Bryan Nix:** Responded and said referring to the last time, approximately two weeks was the period before an appointment was made. **Tom Donaldson:** Asked to go on record as being in opposition of Option 2 on behalf of the Nevada Highway Patrol Association and the Nevada Corrections Association. **Ron Cuzze:** Asked if the in-house was going to be primary and if the Personnel Commission proceeded with Option 2 how would an employee or an employee association go about requesting that it be shifted from in-house over to a special or contract. He asked if there was a mechanism for that. **Bryan Nix:** Responded if there was a conflict or a known conflict by an appeals officer they would recuse themselves and would be assigned to someone without a conflict. If the parties felt there was a conflict

then they would be able to make a motion to recuse that appeals officer and have it re-appointed to another appeals officer preferably somebody on their staff and if necessary an outside party, either with Option 1 or 2, a special appeals officer appointed by the Governor.

Ron Cuzze: Brought up the issue of how long that process would take including the Governor's appointment. **Bryan Nix:** Described how he would organize a process to avoid delays. **Shelley Blotter:** Confirmed that this was a two-year period starting July 1, 2014 and ending June 30, 2016 but they would also be conducting a study and working with Mr. Nix's division to gather data on the current contract that had been approved and if Option 2 is also approved. **Chairperson Fox:** Noted Commissioner Mauger had also brought up the study also but she added it was the Commission's hope that they would receive data a year later of survey results and information for the Commission to consider a year from July 1, 2015.

Jeanine Lake, Labor Representative, AFSCME (American Federation of State, County and Municipal Employees), Local 4041, Las Vegas: Stated that she wanted to relate the feelings of her organization's members in the south with regard to the proposed regulation change. She said they felt the State would make the decision as to whether or not an employee has been accused of something and the State is also the party that would make the decision as to whether or not there's an investigation. The State is the investigator, the fact finder, the party that would recommend disciplinary action, that would recommend the pre-disciplinary hearing officer and the State would also have the final say when it would come to the pre-disciplinary hearing officer's decision. She said their members felt the proposed change and the options they were considering left everything to the State as opposed to outside hearing officers contracted throughout the north and the south.

Commissioner Mauger: He referred to the 12-month study and asked if they include how many cases went to District Court and how many would be reversed. **Shelley Blotter:** Responded that was possible and they currently track that information. She confirmed it would be included in the study.

Commissioner Read: Stated that he had served on the Personnel Commission for 12 years and he stated that this has always been a recurring problem. He said he did not think the Commission was perfect at picking attorneys, as the Commissioners are lay people. He said they had tried to improve the process and he thought they had done a good job at making improvements. He said in his opinion if you had an attorney they would have an attorney mindset and they would work as an arbitrator to set what is fair and just. He equated it to real estate where the seller paid and the buyer got a fair representation. He said that he was not thrilled with what the Commission had been able to do with hearing officers. He thought having the Hearings Division involved would present not only a lower cost to the State but would also give fair representation. He said that when they looked at the study in a year's time and if more cases were going to District Court then another error had been made and they would address it then but he stated he was now very much in favor of Option 2.

MOTION: Move to allow the Hearings Division to contract with an independent contractor.
BY: Commissioner Read
SECOND: Commissioner Mauger
VOTE: The vote passes with Commissioners Spurlock and Fox recusing themselves.

V. DISCUSSION AND POSSIBLE AMENDMENTS TO THE HEARING OFFICER RULES OF PROCEDURE

Shelley Blotter, Deputy Administrator, DHRM: Stated with the selection of the Hearings and Appeals Division as the primary hearing officers they intended to remove the strike method from the hearing officers rules of procedure. She said the Hearing Officer Rules of Procedure lays out the process for determining a conflict of interest and what would happen in that situation. She added that before the Personnel Commission today was a document with all the revisions marked in a strikeout method and then with inserted language. She noted that the primary language that was being inserted was on Page 28, the Assignment of Hearing Officers and it described the terms, "conflict of interest" and "personal interest".

Chairperson Fox: Asked if there were comments or questions from the Commissioners or public comment from the north or south.

Ron Dreher, Government Affairs Director, Peace Officers Research Association of Nevada: Stated that they wanted to go on record as opposing the motion to do away with the strike method of determining hearing officers in hearings dealing with discipline. He noted he had 30 years of experience in local and State government dealing with the selection of arbitrators and mediators etc. and in view of Commissioner Read's comments he wanted to state that he felt it was very appropriate to have an experienced lay person involved in the process both for their knowledge and objectivity. He outlined the reasons why he felt the strike method was effective, fair and consistent as opposed to what was being proposed.

John Childers, AFSCME (American Federation of State, County and Municipal Employees), Local 4041: Stated that in removing the strike method the employee would definitely feel that they would have an unfair chance of challenging or questioning a hearing officer. He said the removal of this option was contrary to the intent of the purpose established by the American Bar Association and the Federal Arbitration Proceedings.

Tom Donaldson, Attorney, The Dyer Lawrence Law Firm, Carson City, acting as Counsel for the Nevada Highway Patrol Association and the Nevada Corrections Association: Stated that he would like to echo the previous comments. He noted that Bryan Nix had already indicated that there would be a motion to recuse that would have to be made and this would be more complicated and expensive, as a formal motion rather than simply striking the one, two, three, four or five names that were on list. He acknowledged there should still be a conflict of interest provision in the event the hearing officer selected had a conflict. He said however that it should be the Hearings Division that would make that determination not the hearing officer (him or herself) as proposed.

He said on behalf of the Nevada Highway Patrol Association and the Nevada Corrections Association he opposed the revision of the strike method. **Chairperson Fox**: Asked in the past, in using the strike method, what kind of information did they have about the hearing officers that would guide them in choosing to strike a name? **Tom Donaldson**: Responded that they had an extensive database on attorneys, arbitrators and judges with a list especially from the American Arbitration Association or the FMCS. He said they do research as they considered it very important who that hearing officer happened to be.

Kimberley King, Human Resource Manager, NDOT (Nevada Department of Transportation): Stated that they were in support of the strike list when it was proposed last time and they continued to be in

support of the strike list. She stated they found it helpful and it gave them some input as to whom the hearing officer was going to be, along with the employee or their representative. She said this was a new process that would be in place for at least 12 months followed by evaluation. She said the strike list might give more input on which hearing officers are doing well because they would continue to get cases whereas others might be struck. She confirmed that they supported keeping the strike list.

Ron Cuzze, President, Nevada State Law Enforcement Officers' Association: Stated that they believed this portion of the process was not broken and they asked that the Personnel Commission not to try to fix it.

Shelley Blotter, Deputy Administrator, DHRM: Stated she would like to give a reminder where they had come from. She said prior to 2010 the Commission had selected primary hearing officers and alternates. She said the DHRM or formerly, the Department of Personnel, assigned a hearing officer. So at that time there was no choice on the part of the parties. She added closer to 2010 they did consider requests by agencies and employee groups and in rare instances would a case be reassigned. She said again, there are those provisions in the current scenario where a hearing officer could be reassigned. She added that for some 20 years the Personnel Commission served in the role of hearing officers. She said in 2010 it was an experiment to broaden the pool of hearing officers and they found that hearing officers took more seriously how quickly they needed to get through cases because that became apparent in the selection process. She said they also saw inconsistencies and felt that even within the Hearings and Appeals Division the consistency of having the same hearing officer hear cases results in them becoming more familiar with that body of law.

Chairperson Fox: Asked Bryan Nix how difficult it would be to establish at least for the next year the use of a strike methodology for those hearings where the employee or the employee's representatives ask for such. **Bryan Nix:** Responded that they could sit down with the staff and work out something. He commented on some difficulties for him in administering the Hearings Division including the large number of cases and issues in allocating cases to Gary Pulliam in the south and floating those cases among other hearing officers in the north. He said if the Personnel Commission wanted to work with some kind of a strike method within the Hearing Division he confirmed that they could work that out. **Commissioner Mauger:** Commented that they should consider the number of strikes so that either party did not end up striking themselves out of the process.

Commissioner Sanchez: Suggested that they defer the matter until some additional language in accordance with what Bryan Nix had said that could be inserted where the deleted provision for the strikes had been done. **Commissioner Read:** Agreed with Commissioner Sanchez. He asked if they could ask the Division to postpone this until the next meeting with additional input, a strike list with the Appeals Division.

Ms. Lee-Ann Easton, Division Administrator, DHRM: Responded, yes they could do that. She indicated that they would work with Bryan Nix and would come up with a strike method and would readjust the procedures and bring it back to the next meeting.

MOTION: Moved that Item V. – Discussion and Possible Amendments to the Hearing Officer Rules of Procedure be postponed until the July 11, 2014 meeting of the Commission and that the Division of Human Resource Management will look at drafting strike language that would be included in the Hearing Officer Rules followed by discussions with employee and employee groups as the Division moves forward.

BY: Commissioner Read
SECOND: Chairperson Fox
VOTE: The vote was unanimous in favor of the motion

VI. DISCUSSION AND APPROVAL OF PROPOSED REGULATIONS CHANGES TO NEVADA ADMINISTRATIVE CODE, CHAPTER 284.

A. LCB File No. R137-13

Sec. 1. NAC 284.589 – Administrative leave with pay.

Carrie Hughes, Personnel Analyst, DHRM: Stated that the DHRM was proposing several amendments to NAC 284.589. She stated in the binders was the language that received pre-adoption approval by the Legislative Counsel Legal Division. She added in a second handout was the version they were recommending for the Commission's adoption. She said according to the administrative rulemaking procedures proposed language received at the hearing might be considered and adopted without receiving the Legislative Counsel Bureau's pre-adoption review when the changes are not substantial. She noted they had consulted with Shane Chesney, Senior Deputy Attorney General who was in agreement that the changes proposed were not substantial. She stated the reasons for the changes are due to comments received following the workshop and the notice of intent to adopt regulations. She said following the workshop the Department of Health and Human Services (DHHS) requested a revision to the proposed language in Subsection 6 (b). DHHS requested that the regulation provide agencies latitude to ensure appropriate staff coverage in case of requests for multiple staff members for leave to attend orientations and educational sessions related to State benefits.

She explained the change caused an unintended negative impact. She said the original intent was to allow employees to participate in health screenings organized through the Public Employees' Benefits Program (PEBP). In working with the affected parties the DHHS and PEBP, the revised proposed amendments in the handout were drafted. She said the amendment to Subsection 1 adds paragraph (f) to allow an appoint authority to approve administrative leave for employees to attend general employee benefits orientation or educational sessions relating to employee benefits including but not limited to retirement and deferred compensation. Administrative leave would not be appropriate or approved for individual employee planning purposes. She said the amendment to Subsection 4(b) is proposed to clarify that the DHRM or an appointed authority may grant administrative leave when the Governor has authorized non-essential State employees to leave work or not report to work due to an emergency situation even if the situation is not related to the employee's work site.

She noted this provision would cover such events as unsafe driving conditions due to excessive snowfall and snow from fires causing low visibility and/or highway closures. She said the amendment to 6(a) clarifies that administrative leave shall be granted for Employee Assistance Program (EAP) appointments. She said their current EAP vendor provides free phone consultation regarding legal and financial issues. She said the amendment to 6 (b) requires an appointing authority to grant administrative leave for not only health fairs but also related events such as biometric screenings and flu shot clinics organized by the PEBP.

Roger Rahming, Operations Officer, PEBP: Noted that they were in support of the language and would like to thank staff for including all of their varied input.

MOTION: Moved that they approve changes to Item VI. A. LCB File No. R137-13, Sec. 1 NAC 284.589 – Administrative leave with pay.

BY: Commissioner Mauger
SECOND: Commissioner Read
VOTE: The vote was unanimous in favor of the motion

B. LCB File No. R138-13
Sec. 1 New section – Military leave with pay.

Carrie Hughes, Personnel Analyst, DHRM: Stated that the DHRM was proposing a new regulation related to the amendment of NRS 281.145 in the 2013 Nevada Legislative Session. She said prior to October 1st, NRS 281.145 provided for up to 15 working days in a calendar year of paid military leave for employees who were reservists or members of the National Guard to serve under orders. As of October 1st, NRS 281.145 provides for up to 15 working days in a calendar year of paid military leave for employees who are reservists or members of the National Guard and have a work schedule that does not include Saturday or Sunday to serve under orders.

Additionally, NRS 281.145 now provides for up to 39 working days in a calendar year of paid military leave for employees who are reservists or members of the National Guard and have a work schedule that includes Saturday or Sunday to serve under orders. She noted the proposed regulation outlines how to administer the benefit as an employee's work schedule changes to include or to not include Saturday or Sunday, part way through a calendar year. She added that they were also proposing definitions for several key phrases in the statute to include, "to serve under orders", "work schedule", and "working day".

Chairperson Fox: Asked if there was any public comment in the north and south.

Ron Cuzze, President, Nevada State Law Enforcement Officers' Association: Said that citizen soldiers are an important part of the military. He said there had been a change to the way the Reserve and National Guard operated in that they are working longer periods of time. He said while the intent was good there were some language problems. He said he had brought a guest, Erin Bell who sits on the Association's Board. He indicated she was a former Marine, currently a member of the Reserve and was also a combat veteran. He indicated that she would explain some of the situations that are not covered and some issues with the language.

Erin Bell, Reservist, former Marine and combat veteran: Stated she believed that although it was a step in the right direction to afford 39 days for those employees that work Saturday and Sunday it left out employees that did not work on those days by no choice of their own. She said the schools that they have to go to generally run between one to two weeks and are in addition to the two weeks of traditional annual training plus any other days that they require for the weekends which typically required one to four days of weekday time also throughout the year.

She clarified that it was not just traditionally two weeks in the summer and one weekend a month any longer, especially for units deploying. She explained that additional days are required to become proficient for the deployment and that the schools previously mentioned were schools to further a military career which were required to be taken prior to promotion. She said the benefit for State employees to go to the schools was that they would be situated at a higher pay grade in the military. She added that during times of deployment the state would either pay less or pay none at all at the pay match system. She said she believed that every State employee, public officer should be afforded the

same opportunity, the same 39 days. She said she believed it was forcing her to look for another job that did have weekends in it so she could use less of her annual leave for the additional days she was required to attend.

Commissioner Sanchez: As a Vietnam vet and a California National Guard Reservist he stated in those days they did have 15 days off and noted how the military had changed. He said now there are strange things going on such as many reservists are not just taking 15 days for traditional leave but he was now seeing orders of four days to go to New York and come back in the middle of work or school. He said it is for deployment purposes and schooling and these employees have no alternative. He said he was glad the issue had come up.

Shelley Blotter, Deputy Administrator, DHRM: Clarified that there are several provisions. She said the statutory granting of paid military leave of 15 days for employees with Monday to Friday schedules and 39 days for employees who have a Saturday or Sunday in their shift. She said that is full pay, State pay as well as any military pay they're receiving. She said if they've exhausted that and if their military pay was less than their State pay the state would make up the difference. **Chairperson Fox:** Asked if that was for deployment and did it include orders for days. **Shelley Blotter:** Responded that an officer or employee in the public service who performs active military service in the armed forces or any category designated in time of war or emergency. She said they had consulted legal counsel on whether military pay which is what the statute was referencing could be used outside of deployment and they were advised it could be used for training as well.

Captain Dana Grigg, Office of the Military, Army and Air, J.A.G., Attorney: Stated she was there to clarify some issues and provide the perspective of the National Guard. She was told the intent was to assist with recruitment and retention for members that worked as State employees whether as law enforcement or firefighters, the Corrections Department and to allow them if they worked a Saturday or Sunday when they were required to come to a drill to be able to take military leave. She said some were not able to do that and had to dip into their annual leave. She explained that because it was being used as a retention tool, the number of 24 was added to the 15 and that was how they had come to 39 days. She discussed the background of the bill. She said there was no intention to create two classes of individuals but was done to facilitate training opportunities. She discussed aspects of earlier legislation, orders and compensation.

Cheryl Tyler, A.S.O. Officer, Office of the Military: Stated that all military personnel would share her opinion that there should be consideration for the double compensation when they are serving under orders including deployment. She said she wanted to ensure that the fiscal impact was considered. She said with the proposed change the agency would require additional State general funds to compensate for military leave and that did not appear to be what the legislators wanted when they requested the IFC contingency fund yesterday. **Chairperson Fox:** Asked for clarification. **Cheryl Tyler:** Stated, read with this additional, including deployment to the 39 days of military leave, our agency would require additional State general funds to compensate for military leave. She said yesterday they received State FY2014, contingency fund approved by the IFC. She said for state FY2014 they were okay but for FY2015, 2016 and 2017 they were stating for the record that they would need additional State general funds.

She clarified she was not opposing the additional double compensation just that they needed to ensure that they would have State general funds to compensate for it. She said the majority of their eligible personnel are 100 percent federally funded. She stated the National Guard Bureau had clarified that the federal government would only reimburse the State, specifically their agency for 168 hours of

military leave per firefighter as they worked a 56-hour work week. For other personnel that work a 40-hour work week they would only reimburse the agency 120 hours. She said they had 39 days they recently approved and the majority of firefighters did work a Saturday or a Sunday on a 24-hour work shift. She said that 24 hours times 39 amounted to 936 hours per calendar year.

She explained another fiscal impact is that State policy accounts for military leave or any other leave per calendar year and they were being reimbursed by the federal government by federal fiscal year and she explained further the fiscal impact. She asked if it was possible to add verbiage in the NAC or NRS for agencies that are being reimbursed federally through MCA and can account for military leave by federal fiscal year instead of calendar year to ease the discrepancy.

Shelley Blotter, Deputy Administrator, DHRM: Stated it was a difficult issue because the legislature did decide already and has in statute that employees that work the Monday through Friday schedule would be granted 15 days of paid military leave and that employees with a Saturday and/or Sunday in their schedule would receive the 39 days so she explained that was not up for discussion as it was already in statute. She said they had worked extensively with the Legislative Counsel on the language and they had intended to bring the regulation forward in January but discussion was still going on.

She indicated that Captain Grigg had the opportunity to speak to the Legislative Counsel directly and propose any arguments on interpretation at that time. She added that she did not think it appropriate to change the language or put off adopting it. She said if the Legislature goes in and changes the statute in the future, they could change the regulation. She explained it was called a permanent regulation but they are changed all the time. She said in the meantime they wanted to ensure that they were handling it consistently across agencies, making sure all employees were receiving the same benefit. She asked that the Commission adopt the regulation proposed today bearing in mind the Division would be happy to come back with a different regulation if the statute were to change.

Ron Cuzze, President, Nevada State Law Enforcement Officers' Association: Clarified that to him this was not a pay issue but what they were addressing was the administrative leave. He said he was aware of what the NRS said but referred to the regulation and stated with a modification could be corrected. He said they were asking that the language in 1) and 2) reflect that, with orders, again with orders being the key, that they can get up to 39 days regardless of whether they work Saturday or Sunday. He said they were not addressing any pay issue with the request.

Chairperson Fox: Asked Mr. Chesney a question. She said it was her understanding that the Nevada Administrative Code that was written specifically was in line with what the Legislature passed at the last Legislative Session and that to change the language significantly in the manner requested by Mr. Cuzze from the 15 to the 39 would not be in alignment with the Legislature on this. She asked if her understanding was correct. **Shane Chesney**, Senior Deputy Attorney General: Responded, yes the language is carefully drafted to comply with the statute. He said he was not clear on what Mr. Cuzze was suggesting with regard to inserting, under orders, something which was already in there. He said the Legislature may not have considered all the consequences but that issue would be for the Legislature to correct. He said from an administrative standpoint, it would be best to have a regulation so that everyone was being treated equally.

Chairperson Fox: Stated she wanted to go on record in stating that the role of the Personnel Commission is to approve revisions to the Nevada Administrative Code that aligned with the Legislative process or bills passed by the Legislature. She noted that the Commission had dealt with

similar issues in the past in that they had a bill that had some language issues and whether they philosophically, procedurally or fiscally did not agree with it but they had limitations as a Commission.

Commissioner Sanchez: Said looking at the statute he felt that it did create two classes of military employees. He added looking at the NAC he agreed that the Personnel Commission was handcuffed in addition to there being no funds available to fund any change of language. He said he thought they could not change the language in the NAC because it would not comply with the NRS so they were limited in what they could do.

MOTION: Moved that they approve NAC 284, LCB File No. R138-13, Sec. 1 New Section – Military Leave with Pay.
BY: Commissioner Read
SECOND: Commissioner Sanchez
VOTE: The vote was unanimous in favor of the motion

C. LCB File No. R008-14
Sec.1. NAC 284.173 – Rate of pay: Effect of demotion.

Eric Mager, Supervisor, Classification Section, DHRM: Stated that the DHRM was proposing the amendment to NAC 284.173. He noted that until recently the regulation was part of NAC 284.170 which was broken into several sections based upon the type of personnel action and was done in an effort to make the regulations easier to apply and to reduce errors. He continued that the new amendment to Subsection 1 of NAC 284.173 simplifies the process of determining the rate of pay for an employee who demotes. He stated the intent of the change is to pay an employee equal to or less than his or her current rate of pay as long as it is not greater than the highest step in the class to which he or she is demoted.

He said the regulation currently has several limitations on the rate an employee could receive and one of the effects of such limitations has been to deter employees from demoting in order to change career paths. The DHRM believes the change will allow more flexibility and reduce the number of errors made when calculating the appropriate rate of pay. He added that an employee from the Department of Public and Behavioral Health testified on behalf of several employees who support this change and feel it would assist in retaining State employees. He noted that written comment from other employees was also submitted in support of the amendment.

Chairperson Fox: Asked if there any comment from the Commissioners or public comment in the north and south. There was none.

MOTION: Moved that they approve changes to LCB File No. R008-14, Sec. 1 NAC 284.173- Rate of pay: Effect of Demotion.
BY: Chairperson Fox
SECOND: Commissioner Read
VOTE: The vote was unanimous in favor of the motion.

D. LCB File No. R009-14
Sec. 1 NAC 284.386 – Reinstatement of former permanent employee.
Sec. 2 NAC 284.611 – Separation for physical, mental or emotional disorder.

Beverly Ghan, Recruitment Supervisor, DHRM: Stated that the DHRM is proposing the amendment to NAC 284.386 which will remove the current two-year limitation on reinstating a former employee to a former or similar held position. She noted that this change can motivate and encourage qualified and highly-skilled individuals to return to State service as well as eliminate recruiting time and reduce training time. She stated that LCB File No. R009-14 also encompasses the changes to NAC 284.611 which proposes the elimination of the two-year limitation timeframe for former permanent employees who were separated from State service due to physical, mental or emotional disorder. She added that the amendment would give the former employee additional time to recover from his or her disorder and motivate qualified, skilled, valued and trained former employees to return to State service. The proposed changes were discussed in a workshop and there was no testimony for or against the proposed regulation amendments.

Chairperson Fox: Asked if there any comment from the Commissioners or public comment in the north and south. There was none.

MOTION: Moved that they approve revisions to LCB File No. R009-14, Sections 1 and 2 – NAC 284.386 - Reinstatement of former permanent employee and NAC 284.611 – Separation for physical, mental or emotional disorder.
BY: Commissioner Read
SECOND: Chairperson Fox
VOTE: The vote was unanimous in favor of the motion.

E. LCB File No. R010-14
Sec. 1. NAC 284.780 – Selection of qualified hearing officer.

Shelley Blotter, Deputy Administrator, DHRM: Stated that this section would revise the selection of a hearing officer regulation. She said that they had postponed the adoption of changes in the Hearing Officer Rules of Procedure which outline a strike method. She said this regulation had previously mirrored that language. She said that she was proposing that it be revised to clarify that the Commission has the authority to select Hearing Officers. She said she believed that this was already in statute but this would also put it in the regulation as well. She said the reason she was requesting that they move forward with the regulation change was that they had a timing issue.

She referred to the regulation process and said once the Commission has adopted a regulation then it must go to the Legislative Commission for approval which takes four to six weeks so they would be well into August with the strike method in regulation and they would not easily be able to transition over to the Hearing and Appeals Division once the contract goes into effect. She added that although there were concerns there are safeguards in the Rules of Procedure and they would be working on that strike method and dealing with this change would not cause harm to the process.

Chairperson Fox: Asked if there any comment from the Commissioners or public comment in the north and south.

Ron Dreher, Government Affairs Director, Peace Officers Research Association of Nevada: Stated that even in view of Ms. Blotter's comments they would still be in opposition to the language. He stated that they believed the strike method to be very important and that the language in NAC 284.780 would cause more problems. He suggested that the Commission obtain a list of qualified attorneys in Nevada who were willing to participate as a Hearing Officer in disciplinary matters. He said the proposed change is about removing an important process that they have and in line with what had

already been discussed they had postponed that. He disagreed with the views of Ms. Blotter that they should move forward with this change. **Shelley Blotter:** Stated that they were not asking for lists from the Federal Mediation and Arbitration Service or a list of arbitrators. She said they do recruitment on behalf of the Commission, attorneys apply and there is a selection process and that is what they had been doing. She said now the Commission had selected the Hearings and Appeals Division that Division is providing the hearing officers. She said with the commitment of Bryan Nix, there will be some sort of strike method developed and they would present that at the July Personnel Commission meeting. She added that if the Commission was to adopt the regulation to make it effective as of July 1, 2014 when the contract with the Hearings and Appeals Division would go into effect.

John Childers, AFSCME (American Federation of State, County and Municipal Employees), Local 4041: Asked what the definition was for a qualified hearing officer. He said that he would have thought that the individual would have an understanding of and experience in labor law as well constitutional law. **Shelley Blotter:** Responded that a qualified hearing officer is a licensed attorney under Nevada regulations previously referring to, NAC 284.616C it outline what experience they would be required to have in addition to continued training.

Commissioner Mauger: Said he had concerns under what they had agreed to do under Item V. tabled to the next meeting. He said he felt it conflicted with what they were trying to do under Item V. so he would be inclined not to agree with proposed change.

MOTION: Moved that they approve LCB File No. R010-14, Sec. 1. NAC 284.780 – Selection of qualified hearing officer to take effect July 1, 2014.
BY: Commissioner Read
SECOND: Chairperson Fox
VOTE: The vote was taken with 3 yeas and 2 nays. The motion passes.

VII. DISCUSSION AND APPROVAL OF REMOVAL OR ADDITION OF POSITIONS APPROVED FOR PRE-EMPLOYMENT SCREENING FOR CONTROLLED SUBSTANCES AND REVISIONS TO CLASS SPECIFICATIONS

Chairperson Fox: Indicated that she had asked Carrie Hughes to provide a brief overview about classes approved for pre-employment drug screening and the balance between the business necessity and the issue around public safety in addition to individual privacy rights.

Carrie Hughes, Personnel Analyst, DHRM: Stated that NRS 284.4066 provides for the pre-employment testing for controlled substances of candidates for positions affecting public safety prior to hire. She said the State statute required the appointing authority to identify the specific positions that affect public safety subject to the approval of the Personnel Commission. She added that additionally federal courts had indicated that pre-employment testing by public entities may constitute a search within the meaning of the Fourth Amendment and if so, must be justified by a special need that outweighs a reasonable expectation of privacy. The Lanier versus City of Woodburn court decision out of the Federal Court of Appeals for the Ninth Circuit outlined the special needs of high risk, safety-sensitive tasks, assuming parental responsibilities or a great danger to the public. She explained that the decision also went on to list types of jobs that would meet this special needs standard such as teachers, due to their assuming parental-type responsibilities, armed interdiction of illegal drugs, working in a nuclear power facility, work involving matters of national security, work in the aviation industry or operating a motor vehicle weighing more than 26,000 lbs. or being used to

transport hazardous materials or carrying more than 14 passengers at a time which is the definition of a commercial motor vehicle requiring a commercial driver's licence.

- A. Department of Public Safety request for addition of class to list approved for pre-employment screening for controlled substances:

11.117 Public Safety Dispatcher VI

Carrie Hughes, Personnel Analyst, DHRM: Stated that the Department of Public Safety has requested the approval of positions for pre-employment screening for controlled substances in Class 11.117 Public Safety Dispatcher VI due to duties including providing assistance to law enforcement units in emergency situations and dispatching specialized emergency support units to law enforcement units. The DHRM is recommending approval of this class. She said additionally all other classes in the series had previously been approved for pre-employment screening for controlled substances by the Commission.

Chairperson Fox: Asked if there any comment from the Commissioners or public comment in the north and south. There was none.

MOTION: Moved that the Personnel Commission approve for Public Safety Dispatcher VI for pre-employment screening for controlled substances.
BY: Chairperson Fox
SECOND: Commissioner Read
VOTE: The vote was unanimous in favor of the motion.

- B. Department of Health and Human Services request for addition of positions to list approved for pre-employment screening for controlled substances and request for approval of the class specification changes to include pre-employment testing:

1. Classes and positions requested for approval of pre-employment screening for controlled substances:

2.211 Administrative Assistant III – PCNs 0035, 0036
5.160 Education and Information Officer – PCN 0040
7.154 Auditor II – PCNs 0031, 0033, 0041
7.643 Program Officer III – PCN 0038
10.217 Health Program Manager II – PCN 0037
10.540 Medical Marijuana Program Supervisor
10.541 Medical Marijuana Program Inspector II
10.542 Medical Marijuana Program Inspector I

2. Request for approval of class specification changes to include pre-employment screening for controlled substances for some positions.

- Education & Information Officer
- Supervising Auditor and Auditor
- Health Program Manager

Carrie Hughes, Personnel Analyst, DHRM: Stated that the DHHS, Division of Public and Behavioral Health has requested approval for pre-employment screening for controlled substances of Classes:

2.211 Administrative Assistant III, Position 0035 and 0036; Class 5.160, Education and Information Officer, Position 0040; Class 7.154, Auditor II, Position 0031, 0033 and 0041; Class 7.643, Program Officer III, Position 0038; Class 10.217, Health Program Manager II, Position 0037; and Classes 10.540, Medical Marijuana Program Supervisor, 10.541, Medical Marijuana Program Inspector II and 10.542, Medical Marijuana Program Inspector I.

She stated the DHRM was recommending the approval of the requested positions and classes with the exception of the positions in Class 2.211, Administrative Assistant III and the position in Class 5.160, Education and Information Officer. She explained while those two positions are part of the Medical Marijuana Program these positions as represented are not responsible for the program's regulating and auditing processes to control access to medical marijuana. She stated if pre-employment screening is approved for the Education and Information Officer, Auditor II or Health Program Manager II, approval of the change to the appropriate class series specification to reflect the approval of the requirement for pre-employment screening for controlled substances is requested.

Chairperson Fox: Asked if there any comment from the Commissioners or public comment in the north and south.

Renee Depaoli, Personnel Officer, Division of Public and Behavioral Health: Stated that she wanted to go on record stating that their department does support all of the positions for the Medical Marijuana Program. She added that they considered the program above reproach and noted they would be happy to answer any questions.

MOTION: Moved that the Commission approve the Classes of Auditor, Program Officer III, Health Program Manager II, Medical Marijuana Program Supervisor, Medical Marijuana Program Inspector II and Medical Marijuana Program Inspector I with revision to the Class specs accordingly to include pre-employment screening for controlled substances.

BY: Commissioner Mauger

SECOND: Commissioner Read

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

- C. Nevada System of Higher Education, Business Center North request for removal of positions from list approved for pre-employment screening for controlled substances and request for modification of the class specification regarding pre-employment testing.
1. Request for removal of positions from list approved for pre-employment screening for controlled substances:
 - 7.519 Training Officer I – BCN – Fire Science Academy, All PCNs
 - 7.524 Training Officer II – BCN – Fire Science Academy, All PCNs
 - 11.523 Safety Associate, Consultation – BCN – Fire Science Academy, All PCNs
 2. Request to remove references to the University of Nevada, Reno, Fire Science Academy in the pre-employment testing for controlled substances class specification statement:
 - Facility Attendant

Commissioner Sanchez: Advised Chairperson Fox that he wanted to refer this to Senior Deputy Attorney General Shane Chesney as he is an employee of the Nevada System of Higher Education (NSHE). He said he worked for the College of Southern Nevada, not the BCN. He asked because of his capacity there, would this be considered a conflict of interest. **Shane Chesney:** Responded that it did not appear to him to have the appearance of a conflict of interest. He asked Commissioner Sanchez if he had a conflict of interest. **Commissioner Sanchez:** Responded no. **Shane Chesney:** Stated that Commissioner Sanchez could go ahead and vote on these matters.

Carrie Hughes, Personnel Analyst, DHRM: Stated that the NSHE, Business Center North has requested the removal of all their positions at the Fire Science Academy in Classes: 7.519, Training Officer I; 7.524, Training Officer II; and 11.523, Safety Associate, Consultation for pre-employment screening for controlled substances as the Fire Science Academy had been shut down. The DHRM was recommending the removal of these positions. She added due to the closure of the Fire Science Academy the class specification for 9.637, Facility Attendant had been revised to remove mention of the Fire Science Academy.

Chairperson Fox: Asked if there any comment from the Commissioners or public comment in the north and south. There was none.

MOTION: Moved that the Commission remove Training Officer I, Training Officer II, Safety Associate, Consultation for the Nevada System of Higher Education, Business Center North for the requirement pre-employment screening for controlled substances and request modification of class specifications requiring pre-employment testing. Additionally to remove references to University of Nevada, Reno, Fire Science Academy in the pre-employment testing for controlled substances in the Facility Attendant class specification.

BY: Chairperson Fox

SECOND: Commissioner Sanchez

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

D. Nevada System of Higher Education, Business Center North request for addition of positions to the list approved for pre-employment screening for controlled substances and request for approval of class specification change to include pre-employment testing:

1. Classes and positions requested for approval of pre-employment screening for controlled substances:
 - 2.211 Administrative Assistant III – BCN – University of Nevada Reno (UNR), PCN 41493
 - 11.271 University Parking Enforcement Officer II – BCN, All PCNs
 - 11.273 University Parking Enforcement Officer I – BNC, All PCNs.
2. Request for approval of class specification changes to include pre-employment screening for controlled substances for some positions:
 - University Parking Enforcement Officer

Carrie Hughes, Personnel Analyst, DHRM: The NSHE, Business Center North has requested approval of pre-employment screening of: Class 2.211, Administrative Assistant III, Position 41493 at UNR; and their positions in Classes 11.271, University Parking Enforcement Officer II and 11.273,

University Parking Enforcement I. She said they were not recommending approval of the positions as the duties involved in monitoring parking compliance do not appear to rise to the safety sensitive standard outlined in federal court decisions. She added if pre-employment screening was approved for the University Parking Enforcement Officer positions, approval of a change to the University Parking Enforcement Officer class Series specification to reflect the approval of the requirement for pre-employment screening for controlled substances is requested.

Chairperson Fox: Asked if there any comment from the Commissioners or public comment in the north and south.

Commissioner Spurlock: Referred to the position, University Parking Enforcement Officer, and asked if they drove any kind of vehicle for their duties and did that qualify them under the standards in addition to the handling of large amounts of cash? **Carrie Hughes:** Asked the representatives from Business Center North to respond to question regarding duties. She said following that she would comment on any driving duties, if they did in fact have them.

Tim McFarlane, Associate Vice President, NSHE, Business Center North and UNR: Stated that the answer was yes, the employees in those positions do drive and service the parking meters across the campus and handle cash as well. He said they are also responsible for traffic control at large events on campus in concert with the police department. **Carrie Hughes:** Referred to the decision mentioned earlier, Lanier vs. City of Woodburn which called out driving of a certain type of vehicle that when they had identified duties that might meet that special needs standard. She said they were describing vehicles of 26,000 lbs., carrying hazardous materials or carrying over 14 passengers at a time which is the definition of a commercial vehicle requiring a commercial driver's licence. She said she had not heard from Business Center North that any of these positions required a commercial driver's licence. She said based on that she would have a concern that the driving would rise to the standard of that special need from a federal perspective.

MOTION: Moved that the Commission approve classes and positions for pre-employment screening for controlled substances for Administrative Assistant III, University Parking Enforcement Officer II and University Parking Enforcement Officer I, all within Business Center North and additionally that would include a class specification change to include pre-employment screening for controlled substances.

BY: Commissioner Read

SECOND: Commissioner Mauger

VOTE: The vote was taken with 2 yeas and 3 nays. The motion failed.

E. Nevada System of Higher Education, Business Center North request for addition of positions to list approved for pre-employment screening for controlled substances:

2.824 Supply Technician II – BCN, All PCNs

2.827 Supply Assistant – BCN, All PCNs

2.836 Supply Technician I – BCN, All PCNs

Carrie Hughes, Personnel Analyst, DHRM: Stated the NSHE, Business Center North has requested approval of pre-employment screening of their positions in Classes 2.824, Supply Technician II; 2.827, Supply Assistant; and 2.836, Supply Technician I. She stated the DHRM was recommending approval of the Supply Technician at Truckee Meadows Community College, Police Department as this position was responsible for maintaining an inventory including weapons and ammunition. They were also

recommending approval of the Supply Technician at UNR Receiving as these positions receive and deliver hazardous and radioactive materials. She stated they were not recommending the approval of Business Center North's other Supply Technician II (s), Supply Technician I (s) and Supply Assistant (s) as their duties, including custodial maintenance did not appear to rise to the safety sensitive standard outlined in federal court decisions. She added that as the Personnel Commission had previously approved custodial staff positions at Business Center North approving these positions it would not be inconsistent with the Commission's previous decisions.

Chairperson Fox: Asked if there any comment from the Commissioners or public comment in the north and south. There was none.

MOTION: Moved that the Commission approve the positions of Supply Technician II, Supply Technician I and Supply Assistant for pre-employment screening for controlled substances for all positions at the Business Center North.
BY: Chairperson Fox
SECOND: Commissioner Read
VOTE: The vote was unanimous in favor of the motion.

F. Nevada System of Higher Education, Business Center North request for addition of positions to list approved for pre-employment screening for controlled substances and request for approval of class specification change to include pre-employment testing:

1. Positions requested for approval of pre-employment screening for controlled substances.
 - 3.203 Food Service Cook/Supervisor II – BCN, All PCNs.
 - 3.206 Food Service Cook/Supervisory I – BCN, All PCNs
 - 3.213 Food Service Worker II – BCN, All PCNs
 - 3.218 Food Service Worker I – BCN, All PCNs
2. Request for approval of class specification changes to include pre-employment screening for controlled substances for some positions:
 - Food Service Cook/Supervisor
 - Food Service Worker

Carrie Hughes, Personnel Analyst, DHRM: Stated the NSHE, Business Center North has requested approval of pre-employment screening of their positions and Classes: 3.203, Food Service Cook/Supervisor II; 3.206, Food Service Cook/Supervisor I; 3.213, Food Service Worker II; and 3.218, Food Service Worker I. She stated the DHRM was recommending approval of the positions as they are responsible for preparation of food for children at Co-operative Extension 4-H Camps and childcare facilities. She said if pre-employment screening was approved for any of the positions approval of the change to the appropriate class series specifications to reflect the approval of the requirement for pre-employment screening for controlled substances is requested.

Chairperson Fox: Asked if there any comment from the Commissioners or public comment in the north and south. There was none.

MOTION: Moved that the Commission approve pre-employment screening for controlled substances and request for approval of class specification changes

to include pre-employment testing for Food Service Cook/Supervisor I, Food Service Cook/Supervisor II, Food Service Worker II and Food Service Worker I.

BY: Chairperson Fox
SECOND: Commissioner Read
VOTE: The vote was unanimous in favor of the motion.

G. Nevada System of Higher Education, Business Center North request for addition of positions to list approved for pre-employment screening for controlled substances and request for approval of class specification change to include pre-employment testing:

1. Positions requested for approval of pre-employment screening for controlled substances:
 - 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
2. Request for approval of class specification changes to include pre-employment screening for controlled substances for some positions:
 - Development Technician

Carrie Hughes, Personnel Analyst, DHRM: Stated the NSHE, Business Center North was requesting approval of pre-employment screening of their positions in Classes: 6.966, Development Technician IV; 6.978, Development Technician III; 6.979, Development Technician II; and 6.980, Development Technician I. She stated they were not recommending approval of the positions as their duties as presented involving designing, fabricating and maintaining equipment do not appear to rise to the safety sensitive standard outlined in federal court decisions. She added that however as the Personnel Commission had previously approved position in the mechanical and constructional trades occupational group, such as carpenters and electricians, approving this class would not be inconsistent with the Commission's previous decisions. If pre-employment screening is approved for any of the positions approval of a change to the Development Technician class series specifications to reflect the approval of the requirement for pre-employment screening for controlled substances is requested.

Chairperson Fox: Asked if there any comment from the Commissioners or public comment in the north and south.

Tim McFarlane, Associate Vice President, NSHE, Business Center North and UNR: Stated that he wanted to point out the types of work done with each of the positions in connection with both college and engineering, science and in the medical school. He said for the medical school he said the positions in question would operate the autoclave which is used to decontaminate bio-hazardous waste and they would be calibrating the autoclaves as well. He said those positions also support the water treatment system used in the labs which is critical to the safe operation of the lab. He referred to the engineering areas and said the technicians worked in the earthquake simulation areas, worked with hazardous materials and operated forklifts as well as being involved in many other duties in the lab research areas. He outlined other duties at the Terawatt Facility.

MOTION: Moved that the Commission approve Development Technician IV, III, II and I for Business Center North for pre-employment screening for controlled substances and additionally approve class specification changes to include pre-employment screening for controlled substances.

BY: Chairperson Fox

SECOND: Commissioner Read/Mauger

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

H. Nevada System of Higher Education, Business Center North request for addition of positions to list approved for pre-employment screening for controlled substances:
7.649 Program Officer I – BCN, PCNs 41234, 41672, 41673

Carrie Hughes, Personnel Analyst, DHRM: Stated that the NSHE, Business Center North has requested approval of pre-employment screening of Class 7.649, Program Officer 1, Positions 41234, 41672 and 41673. She stated they were recommending approval of the positions as they identify, coordinate and participate in abatement of asbestos and other hazardous materials.

Chairperson Fox: Asked if there any comment from the Commissioners or public comment in the north and south. There was none.

MOTION: Moved that the Commission approve Program Officer I for the Nevada System of Higher Education, Business Center North for pre-employment screening for controlled substances.

BY: Commissioner Mauger

SECOND: Commissioner Read

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

I. Nevada System of Higher Education, Business Center North request for addition of positions to list approved for pre-employment screening for controlled substances.

7.904 IT Manager I – BCN – UNR, PCN 42286

7.925 IT Professional III – BCN, UNR (Facilities Services), All PCNs

7.926 IT Professional II – BCN, UNR (Facilities Services), All PCNs

7.929 IT Professional I – BCN – UNR (Facilities Services), All PCNs

7.951 IT Professional Trainee – BCN – UNR (Facilities Services) All PCNs

Carrie Hughes, Personnel Analyst, DHRM: Stated the NSHE, Business Center North has requested approval of pre-employment screening of Classes: 7.904, IT Manager I, Position 42286 at UNR and positions in Classes 7.925, IT Professional III; 7.926, IT Professional II; 7.929, IT Professional I; and 7.951, IT Professional Trainee at UNR Facilities Services. She stated they were recommending approval of the positions as they maintain the technical and electronic controls for heating systems with the potential for errors that could lead to explosions in buildings.

Chairperson Fox: Asked if there any comment from the commissioners or public comment in the north and south.

Commissioner Spurlock: Referred to 7.904, IT Manager I and said he understood it was approving only one position and the classification as a whole had been approved. He asked about the connection between the IT Manager and the direct ability to cause explosions in buildings.

Jeanine Nelson: Responded it was a group of IT professionals and manager who support their digital controls in their HVAC shop which they monitor on an 8 to 5 basis. She said they also rotate on an on-call basis after shift hours. She said the IT Manager in addition to those types of things the Commissioner described, (managing people, and budgetary issues) would also have the responsibility of serving standby status and responding to control systems alarms.

MOTION: Moved that the Commission approve the positions for pre-employment screening for controlled substances for IT Manager I, Position 42286, IT Professional I, II and III and IT Professional Trainee for the Business Center North, Nevada System of Higher Education.

BY: Commissioner Mauger

SECOND: Commissioner Read

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

- J. Nevada System of Higher Education, Business Center North request for addition of positions to list approved for pre-employment screening for controlled substances and request for approval of class specification change to include pre-employment testing:
1. Positions requested for approval of pre-employment screening for controlled substances.
 - 9.434 Events Center Technician II – BCN – Lawlor Events Center, All PCNs
 - 9.437 Events Center Technician I - BCN – Lawlor Events Center, All PCNs
 2. Request for approval of class specification changes to include pre-employment screening for controlled substances for some positions.
 - Events Center Technician

Carrie Hughes, Personnel Analyst, DHRM: Stated that the NSHE, Business Center North has requested approval of pre-employment screening of their positions in Classes: 9.434, Events Center Technician II and 9.437, Events Center Technician I at Lawlor Events Center. She stated the DHRM was recommending approval of the positions due to the potential consequences of improper setup, breakdown and repair of stages, truss systems and rigging devices at Lawlor Events Center. She added if pre-employment screening is approved for either of the classes approval of a change to the Events Center Technician class series specifications to reflect the approval of the requirement for pre-employment screening for controlled substances is requested.

Chairperson Fox: Asked if there any comment from the Commissioners or public comment in the north and south. There was none.

MOTION: Moved that the Commission approve the Events Center Technician I and II for the Lawlor Events Center for approval of pre-employment screening for controlled substances and class specification changes to include pre-employment screening for controlled substances.

BY: Chairperson Fox

SECOND: Commissioner Read

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

- K. Nevada System of Higher Education, Business Center North request for addition of positions to list approved for pre-employment screening for controlled substances and request for approval of class specification change to include pre-employment testing:
1. Positions requested for approval of pre-employment screening for controlled substances:
 - 9.470 Theater Technician I – BCN, All PCNs
 - 9.471 Theater Technician II – BCN, All PCNs
 2. Request for approval of class specification changes to include pre-employment screening for controlled substances for some positions:
 - Theater Technician

Carrie Hughes, Personnel Analyst, DHRM: Stated the NSHE, Business Center North has requested approval of pre-employment screening of their positions in Classes: 9.470, Theater Technician I and 9.471, Theater Technician II. She stated they were recommending approval of the positions due to the potential consequences of improper setup, breakdown and repair of stages, truss systems and rigging devices. If pre-employment screening is approved for either of the classes then approval of a change to the Theater Technician class series specifications to reflect the approval of the requirement for pre-employment screening for controlled substances is requested.

Chairperson Fox: Asked if there any comment from the Commissioners or public comment in the north and south. There was none.

MOTION: Moved that the Commission approve pre-employment screening for controlled substances and the request includes approval of class specification changes for Theater Technician I and Theater Technician II.

BY: Commissioner Mauger

SECOND: Commissioner Sanchez

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

- L. Nevada System of Higher Education, Business Center North request for addition of a position to list approved for pre-employment screening for controlled substances and request for approval of class specification change to include pre-employment testing:
1. Positions requested for approval of pre-employment screening for controlled substances.
 - 9.514 Ranch Manager – BCN – UNR, PCN 41154
 2. Request for approval of class specification change to include pre-employment screening for controlled substances for some positions.
 - Ranch Manager

Carrie Hughes, Personnel Analyst, DHRM: Stated the NSHE, Business Center North has requested approval of pre-employment screening of Class 9.514, Ranch Manager, Position 41154 at UNR. She stated they were not recommending approval of the position as the duties involving livestock production and crop management did not appear to rise to the safety sensitive standard outlined in federal court decisions. She said if pre-employment screening is approved for the position approval of the change to Ranch Manager then class specifications to reflect the approval of the requirement for pre-employment screening for controlled substances is requested.

Tim McFarlane, Associate Vice President, NSHE, Business Center North and UNR: Stated that he would make comments for sections L. and M. He stated the university operates several ranches for research and the purpose of producing food for human consumption. He said that the CDC lists agriculture as being one of the most dangerous and hazardous work environments that exist in the country. He said these positions are no different. He said they operate as ranch hands and are responsible for maintaining the herds of cattle. He said animal care was also included and noted that it was also a commercial cattle ranch. He said they also operate orchards where employees would operate forklifts and would use pesticides.

Chairperson Fox: Asked if there any comment from the Commissioners or public comment in the north and south.

Commissioner Sanchez: Asked if there was ever an occasion where the Ranch Manager would be armed and use a weapon. **Tim McFarlane:** Responded no, not that they were aware of.

MOTION: Moved that the Commission approve Ranch Manager for the Business Center North, Nevada System of Higher Education for pre-employment screening for controlled substances and the request approval of class specification changes to include pre-employment screening.
BY: Commissioner Mauger
SECOND: Commissioner Sanchez
VOTE: The vote was in favor of the motion with 1 nay.

- M. Nevada System of Higher Education, Business Center North request for addition of positions to list approved for pre-employment screening for controlled substances and request for approval of the class specification change to include pre-employment testing:
1. Positions requested for approval of pre-employment screening for controlled substances.
 - 9.534 Research Aid II – BCN, All PCNs
 - 9.555 Research Aid I – BCN, All PCNs
 - 9.580 Research Technician – BCN, All PCNs
 2. Request for approval of class specification change to include pre-employment screening for controlled substances for some positions.
 - Research Aid
 - Research Technician

Carrie Hughes, Personnel Analyst, DHRM: Stated the NSHE, Business Center North has requested approval of pre-employment screening of their positions in Classes: 9.534, Research Aid II; 9.555, Research Aid I; and 9.580, Research Technician. She said they were recommending approval of the positions assigned to Wolf Pack Meats due to the potential impact to consumer safety. She said they were not recommending the approval of Business Center North's other Research Aid II (s), Research Aid I and Research Technicians as their field work in environmental and agricultural areas did not appear to rise to the safety sensitive standard outlined in federal court decisions. She added, however, as the Commission has previously approved the Ranch Manager position, approving these positions would not be inconsistent with the Commission's previous decision. If pre-employment screening is approved for any of the positions approval of a change to the appropriate class series specification to

reflect the approval of the requirement for pre-employment screening for controlled substances is requested.

Chairperson Fox: Asked if there any comment from the commissioners or public comment in the north and south.

Commissioner Spurlock: Referred to staff's recommendations and asked if they could do that without having any kind of numbers on the specific position numbers or the number of positions, (when the staff say only recommends those positions assigned to Wolf Pack Meats). He asked if they could approve without having specific PCN numbers. **Carrie Hughes:** Responded they had two positions currently assigned to Wolf Pack Meats and within the classifications they had three additional positions assigned to the farming orchard. **Chairperson Fox:** Responded with regard to procedure, the answer was yes.

MOTION: Moved that the Commission approve pre-employment screening for controlled substances for the Research Aid and Technician positions but only those assigned to Wolf Pack Meats.
BY: Commissioner Spurlock
SECOND: Commissioner Sanchez
VOTE: The vote was in favor of the motion with 1 nay.

N. Nevada System of Higher Education, Business Center North request for addition of positions to list approved for pre-employment screening for controlled substances:
9.637 Facility Attendant – BCN, All PCNs

Carrie Hughes, Personnel Analyst, DHRM: Stated that the NSHE, Business Center North has requested approval of pre-employment screening of their positions in Class 9.637, Facility Attendant. She said they are not recommending approval of these positions as their monitoring duties do not appear to rise to the safety sensitive standard outlined in federal court decisions. She continued and said as the Commission had previously approved positions trained to act as first responders including Park Interpreter positions, approving these positions would not be inconsistent with the Commission's previous decisions.

Chairperson Fox: Asked if there any comment from the commissioners or public comment in the north and south.

Tim McFarlane, Associate Vice President, NSHE, Business Center North and UNR: Provided some background on the positions. He said they act as the night hall monitors in the dormitories and have responsibility for 250 to 700 students. He gave as an example a student returning to the dormitory with two students that had a .3 alcohol level and the Facility Attendant had to respond. He said they are first responders and are checking building perimeters, doors and monitoring for potential fire hazards.

MOTION: Moved that the Commission approve the position of Facility Attendant for the Nevada System of Higher Education, Business Center North as an additional position approved for pre-employment screening for controlled substances.
BY: Commissioner Mauger
SECOND: Commissioner Sanchez
VOTE: The vote was unanimous in favor of the motion.

- O. Nevada System of Higher Education, Business Center North request for addition of positions to list approved for pre-employment screening for controlled substances and request for approval of class specification change to include pre-employment testing:
1. Positions requested for approval of pre-employment screening for controlled substances:
 - 10.238 Health program Specialist II – BCN, All PCNs
 - 10.237 Health Program Specialist I – BCN, All PCNs
 - 10.707 Chemist V – BCN, All PCNs
 - 10.708 Chemist IV – BCN, All PCNs
 - 10.712 Chemist III – BCN, All PCNs
 - 10.713 Chemist II – BCN, All PCNs
 - 10.724 Chemist I – BCN, All PCNs
 - 10.710 Microbiologist V – BCN, All PCNs
 - 10.711 Microbiologist IV – BCN, All PCNs
 - 10.715 Microbiologist III – BCN, All PCNs
 - 10.717 Microbiologist II – BCN, All PCNs
 - 10.721 Microbiologist I – BCN, All PCNs
 2. Request for approval of class specification change to include pre-employment screening for controlled substances for some positions:
 - Health program Specialist
 - Chemist
 - Microbiologist

Carrie Hughes, Personnel Analyst, DHRM: Stated the NSHE, Business Center North has requested approval of pre-employment screening of their positions in Classes: 10.238, Health Program Specialist II; 10.237, Health Program Specialist I; 10.707, Chemist V; 10.708, Chemist IV; 10.712, Chemist III; 10.713, Chemist II; 10.724, Chemist I; 10.710, Microbiologist V; 10.711, Microbiologist IV; 10.715, Microbiologist III; 10.717, Microbiologist II; and 10.721, Microbiologist I. She said they are recommending approval of the positions as they are responsible for testing for both clinical and environmental public entities including bio-terrorism testing. If pre-employment screening is approved for any of the positions approval of a change to the appropriate class series specifications to reflect the approval of the requirement for pre-employment screening for controlled substances is requested.

Chairperson Fox: Asked if there any comment from the commissioners or public comment in the north and south. There was none.

MOTION: Moved that the Commission approve for the Nevada System of Higher Education, Business Center North positions for pre-employment screening for controlled substances and result in changes to class specifications to include pre-employment testing for Health Program Specialist II, Health Program Specialist I, Chemist V, IV, III, II and I, Microbiologist V, IV, III, II and I.

BY: Commissioner Read

SECOND: Chairperson Fox

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

- P. Nevada System of Higher Education, Business Center North request for addition of positions to list approved for pre-employment screening for controlled substances and request for approval of class specification change to include pre-employment testing:
1. Positions requested for approval of pre-employment screening for controlled substances:
 - 10.524 Radiation Control Specialist II – BCN – UNR, Environmental Health & Safety, All PCNs
 - 10.528 Radiation Control Specialist I – BCN – UNR, Environmental Health & Safety, All PCNs
 2. Request for approval of class specification change to include pre-employment screening for controlled substances for some positions:
 - Radiation Control Supervisor/Specialist

Carrie Hughes, Personnel Analyst, DHRM: Stated the NSHE, Business Center North has requested approval of pre-employment screening of their positions in Classes: 10.524, Radiation Control Specialist II and 10.528, Radiation Control Specialist I at UNR, Environmental Health and Safety. She said they were recommending approval of the positions as they are responsible for receiving, handling, transportation and emergency response for radioactive materials. If pre-employment screening is approved for any of these positions then approval of a change to the Radiation Control Specialist class series specifications to reflect the approval of the requirement for pre-employment screening for controlled substances is requested.

Chairperson Fox: Asked if there any comment from the Commissioners or public comment in the north and south. There was none.

MOTION: Moved that the Commission approve the Radiation Control Specialist I and II positions to be added to the list approved for pre-employment screening for controlled substances and result in changes to the class specifications.

BY: Commissioner Spurlock

SECOND: Commissioner Sanchez

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

- Q. Nevada System of Higher Education, Business Center North request for addition of positions to list approved for pre-employment screening for controlled substances and request for approval of class specification change to include pre-employment testing:
1. Positions requested for approval for pre-employment screening for controlled substances:
 - 12.376 Family Services Specialist II, - BCN – UNR, PCN 42051
 2. Request for approval of class specification change to include pre-employment screening for controlled substances for some positions:
 - Family Services Specialist

Carrie Hughes, Personnel Analyst, DHRM: Stated the NSHE, Business Center North has requested approval of pre-employment screening of Class 12.376, Family Services Specialist II, Position 42051 at UNR. She said they were recommending approval of the position as the duties include direct care and/or instruction of children and parental-type responsibilities. If pre-employment screening is

approved for the position approval of a change to the Family Services Specialist class series specification to reflect the approval of the requirement for pre-employment screening for controlled substances is requested.

Chairperson Fox: Asked if there any comment from the Commissioners or public comment in the north and south. There was none.

MOTION: Moved that the Commission approve the position of Family Services Specialist II to be added to the list approved for pre-employment screening for controlled substances and additionally the change to the class specifications to add the pre-employment testing language.

.BY: Chairperson Fox

SECOND: Commissioner Read

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

VIII. DISCUSSION AND APPROVAL OF PROPOSED CLASS SPECIFICATION MAINTENANCE REVIEW OF CLASSES RECOMMENDED FOR ABOLISHMENT

- A. Engineering & Allied
 - 1. Subgroup: Equipment Design & Maintenance
 - a. 6.380 Scientific Glassblower & Design Specialist

- B. Medical, Health & Related Services
 - 1. Subgroup: Psychology & Social Science
 - a. 10.179 Psychometrist
 - 2. Subgroup: Allied Therapies
 - a. 10.608 Allied Health Services Coordinator
 - b. 10.624 Licensed Physical Therapist Assistant
 - c. 10.626 Industrial Therapist
 - d. 10.628 Health and Fitness Specialist
 - e. 10.642 Certified Occupational Therapy Assistant

- C. Regulatory & Public Safety
 - 1. Subgroup: Investigation & Inspection
 - a. 11.347 Ombudsman

Rachel Baker, Personnel Analyst, Compensation, Classification and Recruitment Unit, DHRM: Stated the DHRM was recommending the abolishment of Item VIII. A. 1 a. Scientific Glassblower & Design Specialist. She said during the review it was determined there are no classified positions within State service working under this title. She noted they contacted representatives from NSHE and it was determined they also had no classified positions with that title under those institutions. The DHRM was requesting approval to abolish the class specification effective April 11, 2014.

She referred to VIII. B.1a. and stated Psychometrist was being recommended to be abolished. She said during their review it was determined there were no classified positions within State service or with any NSHE institutions working under this title. She added that for institutions that administer such tests or perform those duties they are done so by administrative and/or academic faculty.

Heather Dapice, Personnel Analyst, Compensation, Classification and Recruitment Section, DHRM: Stated she was there to present information on Item VIII. B.2a. regarding Allied Health Services Coordinator series. She stated the series had in the past been utilized by the Office of Veteran's Affairs and the DHHS. During the review process and in conjunction with those agencies it was determined that this position had not been recruited for, for at least 10 years and was not currently being utilized by either agency and also would not be used in the future. She said it was therefore recommended that the Allied Health Services Coordinator series be abolished effective April 11, 2014.

She referred to 2b. Licensed Physical Therapist Assistant and said it had been utilized by the office of Veteran's Affairs and the DHHS and had not been recruited for since 2004 and also was not currently being utilized or would be in the future. They were recommending that the series be abolished effective April 11, 2014.

She referred to 2c. Industrial Therapist and said it had been utilized in the past by the Office of Veteran's Affairs and it was determined the position had not been recruited for, for eight years, was not currently being utilized. They were recommending that the Industrial Therapist be abolished effective April 11, 2014.

Rachel Baker, Personnel Analyst, Compensation, Classification and Recruitment Unit, DHRM: Referred to 2d. Health and Fitness Specialist and stated that during their review it was determined that there are no classified positions within state service or within NSHE institutions working under the title. She requested the Commission's approval to abolish the class specification effective April 11, 2014.

Heather Dapice, Personnel Analyst, Compensation, Classification and Recruitment Section, DHRM: Referred to 2e. Certified Occupational Therapy Assistant and stated the position had been utilized by the Office of Veteran's Affairs and the DHHS since 2003, was not currently being used by either agency and would not be so in the future. They were recommending that the position be abolished effective April 11, 2014.

She referred to C.1a. Ombudsman and stated that series had in the past been utilized by the Division of Aging and Disabilities Services. She said during a review process and in conjunction with this agency it was determined that the series had not been recruited for since 2003, was not currently being utilized and would not be so in the future. She explained the duties previously assigned to the series were now being performed by the Elder Rights Specialist series. They were recommending that the Ombudsman series be abolished effective April 11, 2014.

Chairperson Fox: Asked if there any comment from the Commissioners or public comment in the north and south. There was none.

MOTION: Moved that the Commission approve the proposed class specification identified within Item VIII, A., B., and C.
BY: Commissioner Mauger
SECOND: Commissioner Read
VOTE: The vote was unanimous in favor of the motion.

IX. REPORT OF UNCONTESTED CLASSIFICATION CHANGES – 181-182
Postings 808-14, #09-14.

Chairperson Fox: Stated it was not read into the record but the information was there for the commissioners' information and required no action.

X. DISCUSSION AND ANNOUNCEMENT OF DATES FOR UPCOMING MEETINGS

Chairperson Fox: Indicated they had decided on Friday, July 11, 2014 in the morning. She indicated the next potential date would be Friday, September 26, 2014 also in the morning.

XI. PUBLIC COMMENT Read into record by **Chairperson 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 Commission Chair may elect to allow additional public comment on a specific agenda item when the item is being considered.

XII. ADJOURNMENT

Chairperson Fox adjourned the meeting.