



STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
Division of Human Resource Management
209 E. Musser Street, Suite 101 | Carson City, Nevada 89701
Phone: (775) 684-0150 | www.hr.nv.gov | Fax: (775) 684-0122

MEMORANDUM
HR#33-17

June 30, 2017

TO: DHRM Listserv Recipients

FROM: Peter Long, Administrator *Peter Long*
Division of Human Resource Management

SUBJECT: New and Revised Forms

The Division of Human Resource Management (Division) has updated several forms as a result of changes stemming from the 2017 Legislative Session. All forms have a revision date of July 1, 2017, which is the effective date of the statutory changes.

Senate Bill 478 – Disciplinary Procedures

The [*Notice of Employee Rights During an Internal Investigation*](#) form (NPD-32) was revised to reflect a provision added to NRS 284.387 during the 2017 Legislative Session. The amendment requires that an accused employee be notified in writing **within 30 days** after the appointing authority becomes aware, or reasonably should have become aware, of the allegations which could result in disciplinary action, and before the accused may be questioned.

Senate Bill 478 also amended NRS 284.387 with language that is important to the disciplinary process, but not included on the NPD-32. Effective July 1, 2017, an appointing authority may not take disciplinary action against an employee if a determination is not made within 90 days after the employee is provided the NPD-32, or within any approved extended time periods.

The [*Appeal of Dismissal, Suspension, Demotion, or Involuntary Transfer*](#) form (NPD-54) updates the reference to NRS 284.390 containing additional language from Senate Bill 478. If an employee appeals a dismissal, suspension, or demotion after the conclusion of an internal investigation, he or she, or his or her representative, may request to inspect or receive a copy of any documents, recordings, notes, transcripts of interviews, or other

documents or evidence related to that investigation. If such a request is made, the appointing authority must provide the items within 5 days of receiving the request.

Assembly Bill 113 – Nursing Mother Request or Retaliation

This bill amends NRS 281 to provide reasonable break times and a place for an employee who is a nursing mother with a child under the age of 1 to express breast milk. This bill also prohibits retaliation for the use of break times or a place to express breast milk, as well as for taking any action to ensure compliance with these requirements.

At its June 23, 2017, meeting, the Personnel Commission adopted emergency regulations that provide provisions related to Assembly Bill 113. One of the proposed amendments requires a complaint of this nature to be submitted to the Employee-Management Committee on a form provided by the Division. As a result, the [Formal Complaint – Nursing Mother Request or Retaliation](#) form (HR-88) has been developed. This form is to be used by an employee who is unsatisfied with the agency response to the request for reasonable break times and/or a place to express breast milk, or by an employee who alleges retaliation by the agency.

Replacement pages for the *Rules for State Personnel Administration* publication will be distributed in the near future, and will contain the emergency regulations mentioned above, and other changes based on the 2017 Legislative Session. Also, the Division will solicit input on these regulations, as well as a number of other regulation changes as a result of the 2017 Legislative Session, at the [Regulation Workshop](#) scheduled for July 11, 2017.

If you have any questions, please contact Michelle Garton at mgarton@admin.nv.gov or (775) 684-0136.

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