




STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
Division of Human Resource Management
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MEMORANDUM
PERD # 02/12

TO: Designees for Rules Distribution

FROM: Lee-Ann Easton, Administrator
Division of Human Resource Management 

DATE: January 10, 2012

SUBJECT: Revision #15, Rules for State Personnel Administration

Attached is Revision #15 to the *Rules for State Personnel Administration* (NRS and NAC Chapter 284). Changes reflect regulations that were approved by the Legislative Commission and became effective on December 30, 2011. Updates to the table of contents are also included.

This revision can be added to your rulebook by replacing the existing page with a similarly numbered page. Revisions 1–15 are also available separately on our website at www.dop.nv.gov (formerly the Department of Personnel) for downloading and printing to update an existing hardcopy. In addition, the complete text of the *Rules for State Personnel Administration* with all revisions is available on our website.

Updated pages with corresponding sections of the rulebook are listed in the chart below:

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Please insure everyone on your distribution list receives a copy. If you have any questions regarding this information, please contact Mark Evans at (775) 684-0136 or mevans@admin.nv.gov.

Thank you for your assistance.

Attachment

LE:dws/tp

cc: Department Directors
Division Administrators
Agency Personnel Liaisons
Agency Personnel Representatives

bcc: DHRM Employees

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- (a) Until the employee meets the minimum qualifications and is promoted;
- (b) For 1 year after the effective date of the special adjustment to pay; or
- (c) Until the date the higher level duties are removed,

↳ whichever occurs first.

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

5. Except as otherwise provided in this section, the effective date of a special adjustment to pay is the date on which the written request is received by the Department of Personnel or the personnel office of the agency at which the employee who is receiving the special adjustment to pay is employed. If the request for the special adjustment to pay is delayed because an administrative or clerical error prevented its delivery, the effective date of the special adjustment to pay must be determined by the appointing authority and must be based on the date on which the request should reasonably have been submitted. A retroactive adjustment to pay must not exceed 6 months from the date on which the Department of Personnel receives the written request.

[Personnel Div., Rule III § H, eff. 8-11-73; A 7-3-76]—(NAC A by Dep't of Personnel, 10-26-84; 8-28-85; 5-27-86; 1-26-87; 9-17-87; 12-17-87; 7-14-88; 1-22-90; 8-14-90; 12-26-91; 11-12-93; 3-23-94; 11-16-95; 10-27-97; A by Personnel Comm'n by R065-98, 7-24-98; A by Dep't of Personnel by R098-99, 9-27-99; R197-99, 1-26-2000; R147-01, 1-22-2002; A by Personnel Comm'n by R090-02, 8-14-2002; R038-03, 10-30-2003; **R007-11, 10-26-2011**)

REVISER'S NOTE.

The regulation of the Personnel Commission filed with the Secretary of State on August 14, 2002 (LCB File No. R090-02), which amended this section, contains the following provision not included in NAC:

"Sec. 2 Notwithstanding the amendatory provisions of section 1 of this regulation [NAC 284.206], an employee who is employed by the Division of Mental Health and Developmental Services of the Department of Health and Human Services or by the Division of Child and Family Services of the Department of Health and Human Services to work in a psychiatric hospital, a forensic unit for mentally disordered offenders or a residential facility *for persons with intellectual disabilities* will continue to receive his base rate of pay plus an amount equal to the adjustment to pay until future adjustments to pay, not including pay increases based on merit, offset the initial adjustment to pay that was in effect as of June 30, 2002, if:

1. The employee's work duties include direct contact and interaction with clients for at least half of his scheduled work shift; and

2. The employee received an adjustment to pay for performing certain work in an assaultive environment as determined by the Administrator of the Division of Mental Health and Developmental Services of the Department of Health and Human Services or the Division of Child and Family Services of the Department of Health and Human Services, for at least half of his working time during the 3 months immediately before June 30, 2002."

NAC 284.208 Compensation for dangerous duty. (NRS 284.065, 284.155, 284.175)

1. Except as otherwise provided in subsection 3, only the following groups, under the conditions described, are entitled to receive pay for dangerous duty:

(a) Employees engaged in scuba or skin diving.

(b) Employees who perform duties at a height of more than 16 feet above the floor in a building or 16 feet above ground level outside of a building if the work is performed on portable equipment or outside of a railed or protected area.

(c) All employees, except pilots, for time spent in single engine aircraft or helicopters when required to do so by the employer.

(d) Employees required to handle or use explosives.

(e) Employees performing maintenance or abatement on materials containing lead paint or asbestos, or both, in any area in which personal protective equipment must be worn in compliance with 29 C.F.R. Part 1910, Subpart I.

2. Except as otherwise provided in this subsection and subsection 3, an employee who performs any dangerous duty must receive additional pay equal to 10 percent of his normal rate of pay for each hour in which he performs any dangerous duty. An exempt classified employee

who performs any dangerous duty for any portion of a workday must receive the additional pay for all his regularly scheduled hours of employment on that workday.

3. An employee described in subsection 1 is not entitled to receive pay for dangerous duty if the duties that he performs are an inherent and regular part of the duties assigned to the class of which the employee is a member. These duties need not appear in the class specification of the employee. Compensation for the performance of those duties may be made only if the duties performed by the employee would not be required of the class as a whole.

(Added to NAC by Dep't of Personnel, eff. 8-26-83; A 10-26-84; 9-17-87; 3-23-94; R082-00, 8-2-2000; R147-01, 1-22-2002; A by Personnel Comm'n by R068-03, 10-30-2003; R182-03, 1-27-2004)

NAC 284.210 Differential rate of pay for qualifying shift. (NRS 284.065, 284.155, 284.175)

1. As used in this section:

(a) "Differential rate of pay" means an adjustment in pay equivalent to an additional 5 percent of an employee's normal rate of pay.

(b) "Qualifying shift" means a period of work of 8 hours or more, of which 4 hours must fall between the hours of 7 p.m. and 7 a.m. The term includes, without limitation, a period of work of 8 hours that is reduced to 7 hours because of a change of time to daylight saving time.

2. ***An employee must not receive the differential rate of pay for more than 8 hours worked in a shift.***

3. An employee is eligible for the differential rate of pay if he works in a unit which provides services requiring multiple shifts within a 24-hour period and he is:

(a) A nonexempt employee in the classified service who works:

(1) A qualifying shift; or

(2) Any shift of at least 8 hours that is other than a qualifying shift plus 4 or more hours between 7 p.m. and 7 a.m. ***Except as otherwise provided in subsection 2, in*** such cases, an employee must receive the differential rate of pay for only the hours worked between 7 p.m. and 7 a.m.

(b) An exempt classified employee assigned to a qualifying shift. ***Except as otherwise provided in subsection 2, in*** such cases, an employee must receive the differential rate of pay for all his regularly scheduled hours of employment on that workday.

4. ***Except as otherwise provided in subsection 2, if*** an employee is assigned to a qualifying shift when he is on paid leave or a holiday occurs, he must receive the differential rate of pay for that shift.

5. Except as otherwise provided in subsection 2 ***or 4***, if a nonexempt employee in the classified service is assigned to a qualifying shift and the employee is not in paid status for the entire period of that shift, the employee must receive the differential rate of pay for the portion of the shift in which he is in paid status.

[Personnel Div., Rule III § I, eff. 8-11-73; A 7-3-76]—(NAC A by Dep't of Personnel, eff. 12-17-87; 7-21-89; 3-23-94; 10-27-97; R031-98, 4-17-98; A by Personnel Comm'n by R065-98, 7-24-98; A by Dep't of Personnel by R098-99, 9-27-99; R147-01, 1-22-2002; A by Personnel Comm'n by R069-02, 8-14-2002; R022-05, 10-31-2005; ***R077-11, 12-30-2011***)

NAC 284.214 Compensation for being called back to work; compensation for person required to appear as witness. (NRS 284.065, 284.155, 284.175)

1. Except as otherwise provided in subsection 2, an employee must be paid 2 hours of call back pay at the rate of time and one-half of his normal rate of pay if his employer calls him back to work during his scheduled time off without having notified him before the completion of his last normal working day. For each additional hour that such an employee works after the 2 hours for which he is paid call back pay, the employee must be paid overtime at the rate of time and one-half of his normal rate of pay if he is eligible pursuant to NRS 284.180.

2. Subsection 1 does not apply to any:

(a) Employee who is called into work while on standby status

(b) Exempt classified employee or exempt unclassified employee.

DISCIPLINARY PROCEDURES

NRS 284.383 states, “Use of disciplinary measures; employee entitled to receive copy of findings or recommendations.

1. The Commission shall adopt by regulation a system for administering disciplinary measures against a state employee in which, except in cases of serious violations of law or regulations, less severe measures are applied at first, after which more severe measures are applied only if less severe measures have failed to correct the employee’s deficiencies.

2. The system adopted pursuant to subsection 1 must provide that a state employee is entitled to receive a copy of any findings or recommendations made by an appointing authority or his representative, if any, regarding proposed disciplinary action.”

3. *An appointing authority shall provide each permanent classified employee of the appointing authority with a copy of a policy approved by the Commission that explains prohibited acts, possible violations and penalties and a fair and equitable process for taking disciplinary action against such an employee.*

NRS 284.387 states, “Internal administrative investigations leading to certain disciplinary action: Right of employee to written notice of allegations before questioning and to representation.

1. An employee who is the subject of an internal administrative investigation that could lead to disciplinary action against him pursuant to NRS 284.385 must be:

(a) Provided notice in writing of the allegations against him before he is questioned regarding the allegations; and

(b) Afforded the right to have a lawyer or other representative of his choosing present with him at any time that he is questioned regarding those allegations. The employee must be given not less than 2 business days to obtain such representation, unless he waives his right to be represented.”

2. *An internal administrative investigation that could lead to disciplinary action against an employee pursuant to NRS 284.385 and any determination made as a result of such an investigation must be completed and the employee notified of any disciplinary action within 90 days after the employee is provided notice of the allegations pursuant to paragraph (a) of subsection 1. If the appointing authority cannot complete the investigation and make a determination within 90 days after the employee is provided notice of the allegations pursuant to paragraph (a) of subsection 1, the appointing authority may request an extension of not more than 60 days from the Director upon showing good cause for the delay. No further extension may be granted unless approved by the Governor.*

NRS 289.060 states, “Notification and requirements for interrogation or hearing relating to investigation.

1. Except as otherwise provided in this subsection, a law enforcement agency shall, not later than 48 hours before any interrogation or hearing is held relating to an investigation conducted pursuant to NRS 289.057, provide written notice to the peace officer. A peace officer may waive the notice required pursuant to this section.

2. The notice must include:

(a) A description of the nature of the investigation;

(b) A summary of alleged misconduct of the peace officer;

(c) The date, time and place of the interrogation or hearing;

(d) The name and rank of the officer in charge of the investigation and the officers who will conduct any interrogation;

(e) The name of any other person who will be present at any interrogation or hearing; and

(f) A statement setting forth the provisions of subsection 1 of NRS 289.080.

3. The law enforcement agency shall:

(a) Interrogate the peace officer during his regular working hours, if reasonably practicable, or compensate him for that time based on his regular wages if no charges arise from the

interrogation.

(b) Immediately before the interrogation or hearing begins, inform the peace officer orally on the record that:

(1) He is required to provide a statement and answer questions related to his alleged misconduct; and

(2) If he fails to provide such a statement or to answer any such questions, the agency may charge him with insubordination.

(c) Limit the scope of the questions during the interrogation or hearing to the alleged misconduct of the peace officer.

(d) Allow the peace officer to explain an answer or refute a negative implication which results from questioning during an interrogation or hearing.”

NRS 289.080 states, “Right to presence and assistance of representatives at interrogation or hearing relating to investigation; confidential information; disclosure; record of interrogation or hearing; right to review and copy investigation file upon appeal.

1. Except as otherwise provided in subsection 3, a peace officer may upon request have two representatives of his choosing present with the peace officer during any phase of an interrogation or hearing relating to an investigation conducted pursuant to NRS 289.057, including, without limitation, a lawyer, a representative of a labor union or another peace officer.

2. A representative of a peace officer must assist the peace officer during the interrogation or hearing. The law enforcement agency conducting the interrogation or hearing shall allow a representative of the peace officer to explain an answer provided by the peace officer or refute a negative implication which results from questioning of the peace officer but may require such explanation to be provided after the agency has concluded its initial questioning of the peace officer.

3. A representative must not otherwise be connected to, or the subject of, the same investigation.

4. Any information that a representative obtains from the peace officer concerning the investigation is confidential and must not be disclosed except upon the:

(a) Request of the peace officer; or

(b) Lawful order of a court of competent jurisdiction.

↪ A law enforcement agency shall not take punitive action against a representative for his failure or refusal to disclose such information.

5. The peace officer, any representative of the peace officer or the law enforcement agency may make a stenographic, digital or magnetic record of the interrogation or hearing. If the agency records the proceedings, the agency shall at the peace officer’s request and expense provide a copy of the:

(a) Stenographic transcript of the proceedings; or

(b) Recording on the digital or magnetic tape.

6. After the conclusion of the investigation, the peace officer who was the subject of the investigation or any representative of the peace officer may, if the peace officer appeals a recommendation to impose punitive action, review and copy the entire file concerning the internal investigation, including, without limitation, any recordings, notes, transcripts of interviews and documents contained in the file.”

NRS 31.298 states, “Garnishment of earnings: Unlawful to discharge or discipline employee. It is unlawful for an employer to discharge or discipline an employee exclusively because the employer is required to withhold the employee’s earnings pursuant to a writ of garnishment.”

NRS 414.260 states in part, “Membership in volunteer search and rescue or reserve unit of sheriff’s department or Civil Air Patrol: Discharge of employee for membership prohibited; exceptions; civil remedy.

1. Any person, including a government, governmental agency or political subdivision of a

government, who employs a person or is vested with the power to discharge or recommend the discharge of a person shall not deprive that person of his employment for any reason specifically relating to his service as a member of a volunteer search and rescue or reserve unit of a sheriff's department or a Civil Air Patrol unit unless:

- (a) The employee failed to comply with the provisions of subsection 1 of NRS 414.250; or
- (b) The employer has given notice to the employee pursuant to the provisions of subsection 2 of NRS 414.250.”

NRS 613.333 states in part, “Unlawful employment practices: Discrimination for lawful use of any product outside premises of employer which does not adversely affect job performance or safety of other employees.

- 1. It is an unlawful employment practice for an employer to:
 - (a) Fail or refuse to hire a prospective employee; or
 - (b) Discharge or otherwise discriminate against any employee concerning his compensation, terms, conditions or privileges of employment,
 - ↳ because he engages in the lawful use in this state of any product outside the premises of the employer during his nonworking hours, if that use does not adversely affect his ability to perform his job or the safety of other employees.”

NAC 284.638 Warnings and written reprimands. (NRS 284.065, 284.155, 284.383)

- 1. If an employee's conduct comes under one of the causes for action listed in NAC 284.650, the supervisor shall inform the employee promptly and specifically of the *conduct*.
- 2. If appropriate and justified, following a discussion of the matter, a reasonable period of time for improvement or correction may be allowed before initiating disciplinary action.
- 3. In situations where an oral warning does not cause a correction of the condition or where a more severe initial action is warranted, a written reprimand prepared on a form prescribed by the Department of Personnel must be sent to the employee and a copy placed in the employee's personnel folder which is filed with the Department of Personnel.
[Personnel Div., Rule XII § A, eff. 8-11-73; + Rule XV part § A, eff. 8-11-73; A 6-9-74; 2-5-82]—(NAC A by Dep't of Personnel, 10-26-84; 10-18-89; 11-16-95; **R056-10, 10-26-2011**)

NRS 284.385 Dismissals, demotions and suspensions.

- 1. An appointing authority may:
 - (a) Dismiss or demote any permanent classified employee when he considers that the good of the public service will be served thereby.
 - (b) Except as otherwise provided in NRS 284.148, suspend without pay, for disciplinary purposes, a permanent employee for a period not to exceed 30 days.
- 2. *Before a permanent classified employee is dismissed, involuntarily demoted or suspended, the appointing authority must consult with the Attorney General or, if the employee is employed by the Nevada System of Higher Education, the appointing authority's general counsel, regarding the proposed discipline. After such consultation, the appointing authority may take such lawful action regarding the proposed discipline as it deems necessary under the circumstances.*
- 3. A dismissal, involuntary demotion or suspension does not become effective until the employee is notified in writing of the dismissal, involuntary demotion or suspension and the reasons therefore. The notice may be delivered personally to the employee or mailed to him at his last known address by registered or certified mail, return receipt requested. If the notice is mailed, the effective date of the dismissal, involuntary demotion or suspension shall be deemed to be the date of delivery or if the letter is returned to the sender, 3 days after mailing.
- 4. No employee in the classified service may be dismissed for religious or racial reasons.

NEW: Impartial fact-finding investigation

- 1. *Except as otherwise provided in subsection 2, before an appointing authority may dismiss, suspend or demote a permanent employee, the appointing authority must first ensure*

that an impartial fact-finding investigation has been conducted to determine that evidence exists to justify the dismissal, suspension or demotion.

2. The investigation described in subsection 1 may be waived if the employee agrees in writing with the allegations on which the dismissal, suspension or demotion is based.

(Added to NAC by Personnel Comm'n by R027-11, eff. 12-30-2011)

NAC 284.642 Suspensions and demotions. (NRS 284.065, 284.155, 284.383, 284.385)

1. If other forms of disciplinary or corrective action have proved ineffective, or if the seriousness of the offense or condition warrants, an employee may be:

(a) Suspended without pay for a period not to exceed 30 calendar days for any cause set forth in this chapter; or

(b) Demoted for any cause set forth in this chapter.

2. An exempt classified employee may only be suspended without pay in increments of one or more full workweeks.

3. The rights and procedures set forth in NAC 284.656 *and sections 2 and 3 of LCB File No. R063-09 and section 1 of LCB File No. R027-11* apply to any disciplinary action taken pursuant to this section.

[Personnel Div., Rule XII § B, eff. 8-11-73]—(NAC A by Dep't of Personnel, 10-26-84; 3-23-94; R147-01, 1-22-2002; A by Personnel Comm'n by R147-06, 12-7-2006; **R063-09, 11-25-2009; R027-11, 12-30-2011**)

NAC 284.646 Dismissals. (NRS 284.065, 284.155, 284.383, 284.385)

1. An appointing authority may dismiss an employee for any cause set forth in NAC 284.650 if:

(a) The agency with which the employee is employed has adopted any rules or policies which authorize the dismissal of an employee for such a cause; or

(b) The seriousness of the offense or condition warrants such dismissal.

2. An appointing authority may immediately dismiss an employee for the following causes, unless the conduct is authorized pursuant to a rule or policy adopted by the agency with which the employee is employed:

(a) Intentionally viewing or distributing pornographic material at the premises of the workplace, including, without limitation, intentionally viewing or distributing pornographic material on any computer owned by the State, unless such viewing or distributing is a requirement of the employee's position.

(b) Unauthorized release or use of confidential information.

(c) Participation in sexual conduct on the premises of the workplace, including, without limitation, participation in sexual conduct in a vehicle that is owned by the State.

(d) Absence without approved leave for 3 consecutive days during which the employee is scheduled to work.

(e) The suspension, revocation or cancellation of a professional or occupational license, certificate or permit or driver's license if the possession of the professional or occupational license, certificate or permit or driver's license is a requirement of the position at the time of appointment as stated in the standards of work performance, essential functions or class specifications for the position, or in other documentation provided to the employee at the time of appointment, or required thereafter pursuant to federal or state law.

(f) Threatening another person with a deadly weapon during any time in which the employee is:

(1) On the premises of the workplace; or

(2) Conducting state business or otherwise performing any duties of employment.

(g) Stealing or misappropriating any property that is owned by the State or located on state property.

(3) The rights and procedures set forth in NAC 284.656 *and sections 2 and 3 of LCB File No. R063-09 and section 1 of LCB File No. R027-11* apply to any dismissal made pursuant to this section.

(4) As used in this section:

(a) "Material" has the meaning ascribed to it in NRS 201.2581.

(b) "Nudity" has the meaning ascribed to it in NRS 201.261.

(c) "Pornographic material" means material that, all or in part, contains any description or representation of nudity, sexual conduct, sexual excitement or sado-masochistic abuse which predominantly appeals to the prurient, shameful or morbid interest of adults and is without serious literary, artistic, political or scientific value.

(d) "Sado-masochistic abuse" has the meaning ascribed to it in NRS 201.262.

(e) "Sexual excitement" has the meaning ascribed to it in NRS 201.264.

[Personnel Div., Rule XII § C, eff. 8-11-73]—(NAC A by Dep't of Personnel, 10-26-84; R147-06, 12-7-2006; **R063-09, 11-25-09; R027-11, 12-30-2011**)

NAC 284.650 Causes for disciplinary action. (NRS 284.065, 284.155, 284.383)
Appropriate disciplinary or corrective action may be taken for any of the following causes:

1. Activity which is incompatible with an employee's conditions of employment established by law or which violates a provision of NAC 284.653 or 284.738 to 284.771, inclusive.
2. Disgraceful personal conduct which impairs the performance of a job or causes discredit to the agency.
3. The employee of any institution administering a security program, in the considered judgment of the appointing authority, violates or endangers the security of the institution.
4. Discourteous treatment of the public or fellow employees while on duty.
5. Incompetence or inefficiency.
6. Insubordination or willful disobedience.
7. Inexcusable neglect of duty.
8. Fraud in securing appointment.
9. Prohibited political activity.
10. Dishonesty.
11. Abuse, damage to or waste of public equipment, property or supplies because of inexcusable negligence or willful acts.
12. Drug or alcohol abuse as described in NRS 284.4062 and NAC 284.884.
13. Conviction of any criminal act involving moral turpitude.
14. Being under the influence of intoxicants, a controlled substance without a medical doctor's prescription or any other illegally used substances while on duty.
15. Unauthorized absence from duty or abuse of leave privileges.
16. Violation of any rule of the Commission.
17. Falsification of any records.
18. Misrepresentation of official capacity or authority.
19. Violation of any safety rule adopted or enforced by the employee's appointing authority.
20. Carrying, while on the premises of the workplace, any firearm which is not required for the performance of the employee's current job duties or authorized by his appointing authority.
21. Any act of violence which arises out of or in the course of the performance of the employee's duties, including, without limitation, stalking, conduct that is threatening or intimidating, assault or battery.
22. Failure to participate in any investigation of alleged discrimination, including, without limitation, an investigation concerning sexual harassment.
23. Failure to participate in an administrative investigation authorized by the employee's appointing authority.

[Personnel Div., Rule XII § D, eff. 8-11-73]—(NAC A by Dep't of Personnel, 10-26-84; 7-22-87; 12-26-91; 7-1-94; 11-16-95; R031-98, 4-17-98; A by Personnel Comm'n by R065-98, 7-24-98; R147-06, 12-7-2006)

NRS 193.105 states in part, "Termination of employment, removal from office or impeachment of public employee or officer upon conviction for sale of controlled substance.

1. If, during the course of his employment, an employee of the State or of any political subdivision of the State is convicted on or after October 1, 1989, of violating any federal or

state law prohibiting the sale of any controlled substance, the employer upon discovery of the conviction shall terminate the employment of the employee.”

NAC 284.653 Driving under the influence; unlawful acts involving controlled substance. (NRS 284.065, 284.155, 284.383, 284.385, 284.407)

1. An employee is subject to any disciplinary action set forth in subsection 2, as determined by the appointing authority, if the employee is convicted of any of the following offenses:

(a) If the offense occurred while the employee was driving a state vehicle, or a privately owned vehicle on state business:

(1) Driving under the influence in violation of NRS 484.379; or

(2) Any offense resulting from an incident in which the employee was:

(I) Originally charged with driving under the influence; or

(II) Charged with any other offense for which driving under the influence is an element of the offense.

(b) The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance on the premises of the workplace or on state business.

2. An appointing authority may impose the following disciplinary actions if an employee is convicted of an offense set forth in subsection 1:

(a) For the first offense:

(1) Dismissal;

(2) Demotion, if permitted by the organizational structure of the agency for which he is employed;

(3) Suspension for 30 calendar days; or

(4) Suspension for 30 calendar days and demotion.

(b) For the second offense within 5 years, dismissal.

3. An employee who is suspended or demoted pursuant to subsection 2 must:

(a) Agree to be evaluated through an employee assistance program; and

(b) Complete any program of treatment recommended by the evaluation.

4. If an employee fails to complete the program of treatment, the appointing authority must dismiss the employee.

5. Pursuant to NRS 193.105, an employee who is convicted of violating any state or federal law prohibiting the sale of a controlled substance must be dismissed.

6. An employee must report a conviction of any offense described in this section to his appointing authority within 5 working days after it occurs. If he fails to make that report, he must be dismissed.

(Added to NAC by Dep't of Personnel, eff. 7-22-87; A 4-20-90; 3-27-92; A by Personnel Comm'n by 147-06, 12-7-2006; R141-07, 1-30-2008)

NAC 284.656 Notice of disciplinary action. (NRS 284.065, 284.155, 284.383, 284.385, 284.390) Except as otherwise provided in *section 3 of LCB File No. R063-09*, if an appointing authority proposes that a permanent employee be dismissed, suspended or demoted, the following procedure *for providing notice of the proposed action* must be followed:

1. The employee must be given at least 10 working days' written notice of the proposed action on the form provided by the Department of Personnel.

2. *The notice* may be given in person or by mail. If it is mailed, the notice must be mailed to the employee's last known address by registered or certified mail, return receipt requested. The date stamped on the receipt by the postal service is the date of delivery. If the notice is returned without a return receipt signed by the employee, the employee's date of receipt shall be deemed to be the third day after the date of the mailing.

3. The notice must:

(a) Specify the proposed date on which the action is effective.

(b) Inform the employee that a hearing has been scheduled on his behalf *in the manner prescribed in section 2 of LCB file No. R063-09* and specify the date, time and place of the hearing.

(c) Specify the charges, the reasons for them and the cause of action contained in NAC 284.646 or 284.650 on which the proposed action is based.

4. The notice of the proposed action must be signed by the appointing authority or his designated representative *before the notice is given to the employee*.

5. Upon its receipt, the employee must be asked to sign the notice. If he refuses to sign the notice, his refusal must be noted on the notice. The employee's signature is not an admission by him of any of the allegations set forth in the notice.

6. If the employee does not understand the reasons for the proposed action or the *procedures related to disciplinary actions, including, without limitation, the rights to notice, a hearing and an appeal*, the employee may seek an explanation from the appointing authority or another person in the agency familiar with the procedure (Added to NAC by Dep't of Personnel, eff. 10-26-84; A 8-28-85; 7-21-89; 8-1-91; A by Personnel Comm'n, 8-1-91; A by Dep't of Personnel, 11-12-93; 11-16-95; 11-16-95; **R063-09, 11-25-2009**)

NEW Hearing Procedures. (NRS 284.065, 284.155, 284.383, 284.385, 284.390) Except as otherwise provided in section 3 of LCB File No. R063-09, if an appointing authority proposes that a permanent employee be dismissed, suspended or demoted, the following procedure for a hearing before the proposed action must be followed:

1. *A hearing must be scheduled on the employee's behalf unless waived in writing by the employee pursuant to subsection 2. The hearing must be scheduled to take place not earlier than 7 working days after the written notice of the proposed action is delivered or deemed received pursuant to subsection 2 of NAC 284.656. The hearing must not be scheduled on a day which is not a regular working day for the employee. If the appointing authority or his or her designated representative and the employee agree, the date of the hearing may be changed.*

2. *The employee may waive the right to a hearing before the proposed action in writing. If the employee makes such a waiver, the employee may not be dismissed, suspended or demoted before the proposed effective date. The waiver does not waive the employee's right to an appeal after the action is taken.*

3. *The appointing authority or his or her designated representative shall conduct the hearing. The designated representative must be a person with the authority to recommend a final decision to the appointing authority. The appointing authority shall render the final decision.*

4. *At any time after receiving the notice and before the hearing, the employee may examine all materials that are to be used by the person conducting the hearing. The employee is entitled to administrative leave with pay as provided in NAC 284.589 to prepare for the hearings regarding his or her suspension, demotion or dismissal.*

5. *This process is an informal proceeding between the two parties, the appointing authority or his or her designated representative and the employee, who meet together to discuss the proposed action. Witnesses are not allowed to attend, but each party may be accompanied by a person of his choice.*

6. *The employee may respond both orally and in writing to the appointing authority or his or her designated representative at the hearing.*

7. *The employee must be:*

(a) *Given a copy of the finding or recommendation, if any, resulting from the hearing; and*

(b) *Informed, in writing, of the appointing authority's decision regarding the proposed action on or before the effective date of the action.*

8. *An employee who has been dismissed, demoted or suspended may request a hearing before the hearing officer of the Department of Personnel pursuant to NRS 284.390 within 10 working days after the effective date of his or her dismissal, demotion or suspension. Such a*

request must be addressed to the Director and submitted on the form provided by the Department of Personnel.

(Added to NAC by Dep't of Personnel, eff. 10-27-09; R011-11, 6-10-2011, 10-26-2011)

NEW Exceptions to notice and hearing time frames. (NRS 284.065, 284.155, 284.383, 284.385, 284.390)

1. The procedures specified in NAC 284.656 and section 2 of LCB File No. R063-09 need not be followed before dismissing or suspending a permanent employee if the circumstances give the appointing authority a reasonable cause to believe that the retention of an employee on active duty poses a threat to life, limb or property or may be seriously detrimental to the interests of the State.

2. If the circumstances set forth in subsection 1 are present, the appointing authority may temporarily assign the employee to duties in which those circumstances do not exist or, if the temporary assignment is not feasible:

(a) Immediately place the employee on administrative leave with pay until the procedures set forth in specified in NAC 284.656 and section 2 of LCB File No. R063-09 have been followed; or

(b) Immediately suspend or dismiss the employee. In this case the appointing authority, his designated representative, or the employee's supervisor shall attempt to inform the employee before the action is taken of the charges against him and provide the employee with an opportunity to rebut the charges. The procedures set forth in specified in NAC 284.656 and section 2 of LCB File No. R063-09 of this regulation must be followed as soon as practicable after the immediate suspension or dismissal.

(Added to NAC by Dep't of Personnel, eff. 10-27-09)

NRS 284.390 states, "Hearing to determine reasonableness of dismissal, demotion or suspension; judicial review.

1. Within 10 working days after the effective date of his dismissal, demotion or suspension pursuant to NRS 284.385, an employee who has been dismissed, demoted or suspended may request in writing a hearing before the hearing officer of the Department to determine the reasonableness of the action. The request may be made by mail and shall be deemed timely if it is postmarked within 10 working days after the effective date of the employee's dismissal, demotion or suspension.

2. The hearing officer shall grant the employee a hearing within 20 working days after receipt of the employee's written request unless the time limitation is waived, in writing, by the employee or there is a conflict with the hearing calendar of the hearing officer, in which case the hearing must be scheduled for the earliest possible date after the expiration of the 20 days.

3. The employee may represent himself at the hearing or be represented by an attorney or other person of the employee's own choosing.

4. Technical rules of evidence do not apply at the hearing.

5. After the hearing and consideration of the evidence, the hearing officer shall render his decision in writing, setting forth the reasons therefore.

6. If the hearing officer determines that the dismissal, demotion or suspension was without just cause as provided in NRS 284.385, the action must be set aside and the employee must be reinstated, with full pay for the period of dismissal, demotion or suspension.

7. The decision of the hearing officer is binding on the parties.

8. Any petition for judicial review of the decision of the hearing officer must be filed in accordance with the provisions of chapter 233B of NRS."

ADJUSTMENT OF GRIEVANCES

NRS 284.384 states, “Adjustment of certain grievances: Regulations; appeal to Employee-Management Committee; representation of employee

1. The Commission shall adopt regulations which provide for the adjustment of grievances for which a hearing is not provided *federal law or* by NRS 284.165, 284.245, 284.3629, 284.376 or 284.390. Any grievance for which a hearing is not provided by NRS 284.165, 284.245, 284.3629, 284.376 or 284.390 is subject to adjustment pursuant to this section.

2. The regulations must provide procedures for:

(a) Consideration and adjustment of the grievance within the agency in which it arose.

(b) Submission to the Employee-Management Committee for a final decision if the employee is still dissatisfied with the resolution of the dispute.

(c) If requested by an employee or agency, the use of a resolution conference to resolve a grievance.

3. The regulations must include provisions for:

(a) Submitting each proposed resolution of a dispute which has a fiscal effect to the Budget Division of the Department of Administration for a determination by that Division whether the resolution is feasible on the basis of its fiscal effects; and

(b) Making the resolution binding.

4. Any grievance which is subject to adjustment pursuant to this section may be appealed to the Employee-Management Committee for a final decision.

5. The employee may represent himself at any hearing regarding a grievance which is subject to adjustment pursuant to this section or be represented by an attorney or other person of the employee’s own choosing.

6. As used in this section, “grievance” means an act, omission or occurrence which an employee who has attained permanent status feels constitutes an injustice relating to any condition arising out of the relationship between an employer and an employee, including, but not limited to, compensation, working hours, working conditions, membership in an organization of employees or the interpretation of any law, regulation or disagreement.”

NRS 241.033 states in part, “Meeting to consider character, misconduct, competence or health of person...”

1. A public body shall not hold a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of any person or to consider an appeal by a person of the results of an examination conducted by or on behalf of the public body unless it has:

(a) Given written notice to that person of the time and place of the meeting; and

(b) Received proof of service of the notice.

2. The written notice required pursuant to subsection 1:

(a) Except as otherwise provided in subsection 3, must be:

(1) Delivered personally to that person at least 5 working days before the meeting; or

(2) Sent by certified mail to the last known address of that person at least 21 working days before the meeting.

(b) May, with respect to a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of a person, include an informational statement setting forth that the public body may, without further notice, take administrative action against the person if the public body determines that such administrative action is warranted after considering the character, alleged misconduct, professional competence, or physical or mental health of the person.

(c) Must include:

(1) A list of the general topics concerning the person that will be considered by the public body during the closed meeting; and

(2) A statement of the provisions of subsection 4, if applicable.”

NAC 284.658 “Grievance” defined. (NRS 284.065, 284.155, 284.384)

1. As used in NAC 284.341 and 284.658 to 284.697, inclusive, *and section 1 of LCB File No. R026-11*, a “grievance” means an act, omission or occurrence which a permanent employee feels constitutes an injustice relating to any condition arising out of the relationship between an employer and an employee, including, but not limited to, compensation, working hours, working conditions, membership in an organization of employees or the interpretation of any law, regulation or disagreement or a contested report on performance. The act, omission or occurrence must be established with factual information, including, but not limited to, the date, time and place of the act, omission or occurrence and the names of other persons involved.

2. For the purposes of NAC 284.341 and 284.658 to 284.697, inclusive, *and section 1 of LCB File No. R026-11*, the term “grievance” does not include any grievance for which a hearing is provided by *federal law or* NRS 284.165, **284.245, 284.3629**, 284.376 or 284.390.

[Personnel Div., Rule XV part § A, eff. 8-11-73; A 6-9-74; 2-5-82]—(NAC A by Dep’t of Personnel, 8-28-85; 10-18-89; 8-1-91; 3-27-92; R082-00, 8-2-2000; A by Personnel Comm’n by R023-05, 10-31-2005; **R007-11, 10-26-2011; R026-11, 1-1-2012**)

NAC 284.662 Providing assistance to employee. (NRS 284.065, 284.155, 284.384)

1. An employee filing for a review of a grievance may be assisted or represented by any person of his choosing, if the person agrees to act in this capacity, at any step of the procedure except the initial informal discussion with his immediate supervisor.

2. If the assistant is a state employee, he may only assist on his own time.

3. An employee may not be discriminated against in recruitment, examination, appointment, training, promotion, retention, classification or any other personnel action for informally seeking or formally filing a request to have his grievance reviewed, testifying on behalf of another employee, helping another employee prepare a grievance report or acting as a representative of any employee requesting a review of a grievance.

4. To assist in resolving an employee’s grievance, the resources and consultation available from the Department of Personnel and the personnel offices of the agency must be made available to all parties.

[Personnel Div., Rule XV part § A, eff. 8-11-73; A 6-9-74; 2-5-82]—(NAC A by Dep’t of Personnel, 10-26-84; A by Personnel Comm’n by R096-03, 10-30-2003)

NAC 284.678 Submission, form and contents of grievance; informal discussions. (NRS 284.065, 284.155, 284.384)

1. Except as otherwise provided in *subsections 3 and 4* and NAC 284.692, an employee who feels aggrieved and wishes to file a formal grievance must submit his grievance in writing to his immediate supervisor on the official form, or in a letter if the official form is not available, within 20 working days after the date of the origin of the grievance or the date the employee learns of the problem. The parties should make every effort to resolve the grievance through informal discussions within these 20 working days.

2. If the employee submits a letter, it must include:

- (a) His name;
- (b) His most recent date of hire;
- (c) His position;
- (d) His department, division and section;
- (e) His mailing address;
- (f) His business telephone number;
- (g) A statement that he is filing a formal grievance;
- (h) The date, time and place of the event or the date the employee learns of the event leading to the grievance;
- (i) A concise statement of his grievance;
- (j) A detailed description of his grievance, including the names of other persons involved in the event, if any;
- (k) A proposed solution of his grievance;

- (l) His signature; and
- (m) The date he signed the statement.

3. Except as otherwise provided in NAC 284.692, if a grievance relates to ***a contested report on performance***, an employee must file a grievance that identifies the specific points of ***contention***, if such specificity is provided, not later than 10 working days after the date the employee receives ***a decision regarding the review conducted by the appointing authority pursuant to NAC 284.470***. Except as otherwise provided in NAC 284.692, if the grievance relates to the failure of a reviewing officer ***or appointing authority*** to respond to a request for a review within the time required by NAC 284.470, an employee must file a grievance not later than 10 working days after the date on which the time for such a response expired.

4. A grievance filed pursuant to subsection 3 must be filed with:

- (a) The person who is at the next appropriate level of the grievance process; or
- (b) If the person who is at the next appropriate level of the grievance process is the reviewing officer or other person who prepared or reviewed the ***report on performance***, the person who is at the next appropriate level of the grievance process ***above such reviewing officer or other person who prepared or reviewed the report on performance***.

5. ***A grievance regarding a report on performance must be filed with the highest administrator in the department pursuant to NAC 284.690 before being submitted to the Committee pursuant to NAC 284.695.***

[Personnel Div., Rule XV § A part subsec. 1, eff. 8-11-73; A 6-9-74; 2-5-82]—(NAC A by Dep't of Personnel, 10-26-84; 10-18-89; 3-23-94; R197-99, 1-26-2000; A by Personnel Comm'n by R023-05, 10-31-2005; ***R191-09, 4-20-2010; T006-11, 3-25-2011; R007-11, 10-26-2011***)

NAC 284.680 Date of receipt of grievance. (NRS 284.065, 284.155, 284.384) For the purposes of NAC 284.682, 284.686 and 284.690, a grievance is deemed to have been received at each step in the grievance procedure:

1. On the date on which the employee or his chosen representative personally delivers the grievance, transmits it by facsimile machine ***or submits it via the Internet using the Employee Incident Tracking System within the Nevada Employee Action and Timekeeping System developed by the Department of Personnel, which is available at <https://nvapps.state.nv.us/NEATS/admin/Home.aep>***; or

2. If the employee mails the grievance, 3 days after:

- (a) The date on which the grievance was postmarked; or
- (b) The date on the return receipt if sent by certified mail.

(Added to NAC by Personnel Comm'n by R065-98, 7-24-98; ***A by Personnel Comm'n by R044-2008, 8-26-2008***)

NAC 284.682 Submission of grievance to next appropriate level. (NRS 284.065, 284.155, 284.384)

1. If the ***employee and the employee's appointing authority agree that the*** correction of the matter under appeal is beyond the control of a level of supervision contemplated in this procedure or if the ***Director or his or her designee, in consultation with the employee's appointing authority***, determines that the submission of the grievance to the supervisor would be a useless act, the aggrieved employee may appeal directly to the next appropriate level.

2. Except as otherwise provided in NAC 284.692, an employee has 10 working days to refer his grievance to the next level after:

(a) He receives notification of the action; or

(b) The passage of 10 working days after his grievance is deemed to have been received,

↳ whichever occurs first, at each step in the procedure.

[Personnel Div., Rule XV § A part subsec. 1, eff. 8-11-73; A 6-9-74; 2-5-82]—(NAC A by Dep't of Personnel, 10-26-84; A by Personnel Comm'n by R065-98, 7-24-98; R023-05, 10-31-2005; ***R064-09, 10-27-2009***)

NAC 284.686 Submission of grievance to head of division or department. (NRS 284.065, 284.155, 284.384)

1. Except as otherwise provided in NAC 284.692, if, within 10 working days after the employee's grievance is deemed to have been received by his immediate supervisor, the employee has not received satisfactory relief, he may forward the grievance to the head of the major division of the department in which he works. In those cases where a department is not subdivided into divisions, he may forward his request directly to the highest administrator in the department.

2. Additional managers or supervisors may become involved or a review committee may make a recommendation to the administrator of the agency.

[Personnel Div., Rule XV § A subsecs. 2 & 3, eff. 8-11-73; A 6-9-74; 2-5-82]—(NAC A by Dep't of Personnel, 10-26-84; A by Personnel Comm'n by R065-98, 7-24-98; R023-05, 10-31-2005)

NRS 284.068 states, "Employee-Management Committee... Creation; appointment and terms of members.

1. The Employee-Management Committee, consisting of six members appointed by the Governor, is hereby created.

2. The Governor shall appoint to the Committee:

(a) Three persons to represent management within the Executive Department of State Government, and three persons to serve as alternates for them.

(b) Three persons to represent employees within the Executive Department of State Government, and three persons to serve as alternates for them.

3. The representatives of employees and their alternates must be selected from a list, supplied by state employees or one or more state employees' groups, or any combination of these, containing twice as many names as there are vacancies to be filled.

4. The members of the Committee and the alternates shall serve for 2 years."

NRS 284.071 states, "Employee-Management Committee... Chairman; rules; meetings; secretarial services.

1. The Chairman of the Employee-Management Committee must be chosen by a majority vote of *all persons appointed to serve as members pursuant to NRS 284.068, including, without limitation, the persons appointed to serve as alternates.*

2. The Committee shall adopt such rules as it deems necessary for its own management.

3. The Committee shall meet at least once every 3 months and at such other times as the Chairman may designate.

4. The Department shall provide secretarial services for the Committee."

NRS 284.073 states, "Employee-Management Committee: Duties.

1. The Employee-Management Committee shall:

(a) Serve in an advisory capacity to the Governor, the Commission and the department with respect to all matters of personnel administration and relations between management and employees.

(b) Receive, consider and make recommendations on matters relating to personnel administration, policy and procedures.

(c) Provide a forum for the hearing of employees' suggestions, complaints or disciplinary problems.

(d) Provide a means of communication for disseminating information to employees regarding the personnel program.

(e) *Except as otherwise provided in subsection 2, hold* hearings, when requested, and make final decisions for the adjustment of grievances as provided by the regulations of the Commission."

2. *The Committee shall not hold any hearing or make a final decision for the adjustment of a grievance unless an equal number of members appointed pursuant to*

paragraphs (a) and (b) of subsection 2 of NRS 284.068 attend the hearing and take part in making the final decision.

NAC 284.690 Filing of grievance with administrator of department; action by administrator. (NRS 284.065, 284.155, 284.384)

1. Except as otherwise provided in NAC 284.692:

(a) If the employee has not received satisfactory relief within 10 working days after his grievance is deemed to have been received by the head of the division, he may file his grievance with the highest administrator of the department; **and**

(b) **Within 10 working days after the employee's grievance is deemed to have been received by the highest administrator of the department, the administrator or the designee of the administrator shall:**

(1) Gather information regarding the grievance;

(2) Render a decision resolving the grievance, including, without limitation, denying the grievance; and

(3) Notify the employee of the resolution.

2. In rendering a decision concerning a **report on** performance evaluation, an administrator shall address the findings of fact to the specific points of **contention** referred to in the grievance of the employee.

3. Within the established time limitations, including any extensions to those time limitations obtained pursuant to NAC 284.692, the highest administrator may appoint a person or committee composed of managers and employees to assist in the finding of facts and recommending a course of action.

[Personnel Div., Rule XV § A subsec. 4, eff. 8-11-73; A 6-9-74; 2-5-82]—(NAC A by Dep't of Personnel, 10-26-84; 10-18-89; A by Personnel Comm'n by R065-98, 7-24-98; R023-05, 10-31-2005; **R118-10, 5-5-2011; R007-11, 10-26-2011**)

NAC 284.692 Agreement for extension of time to file grievance or take required action. (NRS 284.065, 284.155, 284.384)

1. Except as otherwise provided in subsection 3, the time limit for filing a grievance and for taking any other action required by either party at any step in the grievance procedure may be extended by the mutual agreement of the employee who may file the grievance and the appointing authority or his designated representative.

2. An agreement to an extension of time entered into pursuant to subsection 1 must be:

(a) Made in writing on a form prescribed by the Department of Personnel; and

(b) Signed by:

(1) The employee; and

(2) The appointing authority or his designated representative.

3. The provisions of this section do not apply to a grievance that has been submitted to the Committee.

(Added to NAC by Personnel Comm'n by R023-05, eff. 10-31-2005)

NAC 284.695 Submission of grievance to Employee-Management Committee. (NRS 284.065, 284.155, 284.384)

If an employee **is not satisfied with** the decision **rendered by** the highest administrator in the department **pursuant to NAC 284.690**, he may request consideration of the grievance by the Committee pursuant to its rules. The employee must submit his request to the Committee within 10 working days following his receipt of the decision from the administrator. The request must include all appropriate documentation, a citation of the statutes and regulations pertinent to the grievance, if any, the specific points of disagreement **or contention** and supporting evidence. The Committee will, within 45 working days after the receipt of the employee's request:

1. Answer the request without a hearing if the case is based upon the Committee's previous decisions or does not fall within its jurisdiction; or

2. Hold a hearing to determine the proper disposition of the request. If a hearing is held, the Committee will:

(a) Except as otherwise provided in paragraph (b), provide at least 21 working days' written notice to all parties concerned.

(b) Provide notice to the employee by:

(1) Sending a written notification by certified mail, return receipt requested, at least 21 working days before the hearing; or

(2) Personally delivering a written notification to the employee at least 5 working days before the hearing, if the Chairman approves of such notice

(c) Render a decision within 45 days after the closure of the hearing.

[Personnel Div., Rule XV § A part subsec. 6, eff. 8-11-73; A 6-9-74; 7-3-76; 2-5-82]—(NAC A by Dep't of Personnel, 10-26-84; 7-21-89; 10-18-89; A by Personnel Comm'n, 8-1-91; A by Dep't of Personnel, 3-27-92; 11-12-93; 3-23-94; 11-16-95; **R118-10, 5-5-2011; R007-11, 10-26-2011**)

NEW: Resolution conference

1. If an employee is not satisfied with the decision rendered by the highest administrator of the department pursuant to NAC 284.690 and submits a request for consideration of the grievance by the Committee pursuant to NAC 284.695, the employee or the highest administrator or his or her designee may request a resolution conference to meet informally in the presence of a neutral facilitator to discuss the grievance and possible resolutions.

2. Except as otherwise provided in this subsection, a request for a resolution conference may be submitted to the Division at any time after the employee submits his or her request for consideration of the grievance by the Committee. If the Committee has notified the parties of the date on which it will hold a hearing to consider the grievance, the request for a resolution conference may not be submitted less than 15 working days before that date.

3. Upon receipt of a request for a resolution conference, the Division shall appoint a neutral facilitator to conduct the resolution conference. The facilitator must not be affiliated with either party.

4. The submission of a request for a resolution conference does not deprive the Committee of jurisdiction to consider the grievance if:

(a) The parties are unable to reach an agreement for the resolution of the grievance at the resolution conference; or

(b) The parties reach an agreement for the resolution of the grievance at the resolution conference, but the employee subsequently notifies the Committee that the agreement has failed.

(Added to NAC by Personnel Comm'n by R026-11, eff. 1-1-2012)

NAC 284.6955 Hearing before Employee-Management Committee: Procedure. (NRS 284.065, 284.155, 284.384) If a hearing is held to determine the proper disposition of a grievance pursuant to NAC 284.695, the following procedure must be followed:

1. Each party shall submit to the Chairman of the Committee or his designated representative 10 copies of the set of documents and materials to be presented at the hearing or any rescheduled hearing. These copies must be submitted not less than 12 working days before the scheduled date of the hearing. The Chairman or his designated representative shall forward one copy of the set of the documents and materials of each party to the other party.

2. If the employee fails to comply with subsection 1, the Chairman or his designated representative may reschedule the hearing to the next time designated for such hearings, but in no case earlier than 20 working days after the originally scheduled date of the hearing. If the employer fails to comply with subsection 1, the Chairman or his designated representative may reschedule the hearing at his discretion. If the employee fails to comply with the provisions of subsection 1 for a rescheduled hearing, his grievance must be dismissed with prejudice unless he

can show in writing to the Committee's satisfaction that the reason for noncompliance was beyond his control.

3. Each document or material offered in evidence must be marked as follows:

(a) Documents or materials presented by the employee must be marked at the bottom of the page as "Exhibit ____" indicated by consecutive Arabic numerals, beginning with the number "1."

(b) Documents or materials presented by the employer must be marked at the bottom of the page as "Exhibit ____" indicated by consecutive letters of the English alphabet, beginning with the letter "A." If the employer offers more than 26 exhibits, the 27th exhibit must be marked as "Exhibit AA," the 28th exhibit as "Exhibit BB," and so forth.

4. All evidence offered at the hearing must be relevant and bear upon the grievance.

5. Each person who *provides a statement* at the hearing shall state his name, address, and occupation for the record.

6. It is the responsibility of each party to arrange for the appearance of all necessary witnesses. The Committee may request additional witnesses or information as it deems necessary.

7. Upon proper recognition by the Chairman or his designated representative, any member of the Committee may ask a question of a party or witness at any time during the hearing.

(Added to NAC by Personnel Comm'n, eff. 8-1-91; A by Dep't of Personnel, 11-16-95; **R026-11, 1-1-2012**)

NAC 284.6957 Hearing before Employee-Management Committee: Continuance. (NRS 284.065, 284.155, 284.384)

1. A party may request a continuance of a hearing to determine the proper disposition of a grievance pursuant to NAC 284.695 by submitting a request for a continuance to the Chairman of the Committee or his designated representative at least 12 working days before the scheduled hearing, unless the party received personal notice of the hearing less than 21 working days before the hearing pursuant to subsection 2 of NAC 284.695, in which case he may request a continuance as long as the request is made at least 4 working days before the scheduled hearing.

2. The Committee may grant a request for a continuance if good cause is shown.

(Added to NAC by Dep't of Personnel, eff. 3-27-92; A 11-16-95)

NAC 284.696 Unlawful discrimination. (NRS 284.065, 284.155, 284.384)

1. An employee alleging unlawful discrimination based on any pertinent state or federal law or regulation may:

(a) Report the alleged discrimination to:

(1) The division of the Department of Personnel that investigates sexual harassment and discrimination;

(2) The Attorney General;

(3) The employee's appointing authority;

(4) An equal employment opportunity officer;

(5) A personnel representative of the department in which the employee is employed; or

(6) The office charged with enforcing affirmative action within the appropriate university, state college or community college which is part of the Nevada System of Higher Education;

(b) *Except as otherwise provided in NRS 284.384, use* the procedure for the adjustment of a grievance contained in NAC 284.658 to 284.6957, inclusive, *and section 1 of LCB File No. R026-11; or*

(c) File a complaint with:

(1) The Nevada Equal Rights Commission pursuant to NRS 613.405; or

(2) The United States Equal Employment Opportunity Commission.

2. The appointing authority of an employee who has alleged unlawful discrimination shall promptly notify the deputy attorney general or staff counsel assigned to represent the agency of the allegation and the actions which are being undertaken by the agency to address the allegation.

(Added to NAC by Dep't of Personnel, eff. 10-26-84; A 9-16-92; 11-16-95; R023-05, 10-31-2005; **R026-11, 1-1-2012**)

NAC 284.697 When resolution of grievance becomes binding. (NRS 284.065, 284.155, 284.384)

1. Except as otherwise provided in subsection 2, the resolution of a grievance is binding when:

(a) There is an agreement between the person filing the grievance and the appointing authority or the designated representative of the employing agency; or

(b) The Committee renders a final decision.

2. The appointing authority or the designated representative of the employing agency shall submit each proposed resolution of a grievance which has a fiscal effect to the Budget Division of the Department of Administration for a determination of whether the resolution is feasible on the basis of its fiscal effects. The resolution is binding only if it is so found.

(Added to NAC by Dep't of Personnel, eff. 8-28-85; A by Personnel Comm'n by R030-02, 5-2-2002)

NAC 284.742 Appointing authorities authorized to define conflicting activities. (NRS 284.065, 284.155)

1. Each appointing authority *shall* determine, subject to the approval of the Commission, those specific activities which, for employees under *its* jurisdiction, are *prohibited* as inconsistent, incompatible or in conflict with their duties as employees. *The appointing authority shall identify those activities in the policy established by the appointing authority pursuant to NRS 284.383, as amended by section 1.5 of Assembly Bill No. 179, chapter 272, Statutes of Nevada 2011, at page 1495.*

2. *If an appointing authority revises the policy described in subsection 1, the appointing authority shall provide a copy of the revised policy to each employee.*

3. *An appointing authority shall include in the policy described in subsection 1 an explanation of the process of progressive discipline as administered by the appointing authority. The process must conform to the provisions of NRS 284.383 and NAC 284.638 to 238.656, inclusive, and sections 2 and 3 of LCB File No. R063-09 and section 1 of LCB File No. R027-11.*

[Personnel Div., Rule XI § A part subsec. 2, eff. 8-11-73]—(NAC A by Dep't of Personnel, 10-26-84; **R027-11, 12-30-2011**)

NAC 284.746 Acceptance of favors. (NRS 284.065, 284.155) No employee may seek or accept any gift, service, favor, employment, engagement, emolument or economic opportunity that would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties.

[Personnel Div., Rule XI § A part subsec. 2, eff. 8-11-73]

NAC 284.750 Use of position to secure or grant privileges. (NRS 284.065, 284.155) No employee may use his position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for himself, any member of his household, any business entity with which he or a member of his household is associated, or any other person.

[Personnel Div., Rule XI § A part subsec. 2, eff. 8-11-73]

NAC 284.754 Contracts with State. (NRS 284.065, 284.155) An employee shall not enter into a private contract with the State in any capacity that may be construed as an extension of his assigned duties or responsibilities to the State.

[Personnel Div., Rule XI § A part subsec. 2, eff. 8-11-73; A 4-4-78]—(NAC A by Dep't of Personnel, 10-26-84)

NAC 284.758 Use of privileged information. (NRS 284.065, 284.155) If an employee acquires, through his public duties or relationships, any information which by law or practice is not at the time available to people generally, he may not use the information to further the economic interests of himself or any other person or business entity.

[Personnel Div., Rule XI § A part subsec. 2, eff. 8-11-73]

NAC 284.762 Suppression of information. (NRS 284.065, 284.155) No employee may suppress any governmental report or other document because it might affect unfavorably his private financial interest.

[Personnel Div., Rule XI § A part subsec. 2, eff. 8-11-73]

NAC 284.766 Full-time service required. (NRS 284.065, 284.155) Each employee shall, during his hours of duty as an employee and subject to such other laws or regulations as pertain thereto, devote his full time, attention and efforts to state employment.

[Personnel Div., Rule XI § B, eff. 8-11-73]

NAC 284.770 Political activities. (NRS 284.065, 284.155) Employees may vote as they choose and express their political opinions on all subjects without recourse, except that no employee may:

1. Directly or indirectly solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription, monetary or nonmonetary contribution for a political purpose from anyone who is in the same department and who is a subordinate of the solicitor.

2. Engage in political activity during the hours of his state employment to improve the chances of a political party or a person seeking office, or at any time engage in political activity to secure a preference for a promotion, transfer or increase in pay.

[Personnel Div., Rule XI § C, eff. 8-11-73; A 6-9-74]—(NAC A by Dep't of Personnel, 10-26-84; R147-01, 1-22-2002)

INFORMATIONAL NOTE: The federal Hatch Act, as amended, 5 U.S.C. 1501-1508, prohibits certain types of political activity on the part of State employees whose principle employment is in a federally-funded program.

NRS 284.150 states in part, “Classified service: Composition;...

2. Except as otherwise provided in NRS 193.105, 209.161 and 416.070, a person must not be appointed, transferred, promoted, demoted or discharged in the classified service in any manner or by any means other than those prescribed in this chapter and the regulations adopted in accordance therewith.

3. A person must not be discriminated against on account of his religious opinions or affiliations, race, sex, age or disability.”

NRS 281.370 states in part, “Actions concerning personnel to be based on merit and fitness; discrimination prohibited.

1. All personnel actions taken by state, county or municipal departments, housing authorities, agencies, boards or appointing officers thereof must be based solely on merit and fitness.

2. State, county or municipal departments, housing authorities, agencies, boards or appointing officers thereof shall not refuse to hire a person, discharge or bar any person from employment or discriminate against any person in compensation or in other terms or conditions of employment because of his race, creed, color, national origin, sex, sexual orientation, age, political affiliation or disability, except when based upon a bona fide occupational qualification.”

NRS 613.330 states, “Unlawful employment practices: Discrimination on basis of race, color, religion, sex, sexual orientation, age, disability or national origin; interference with aid or appliance for disability; refusal to permit service animal at place of employment.

1. Except as otherwise provided in NRS 613.350, it is an unlawful employment practice for an employer:

(a) To fail or refuse to hire or to discharge any person, or otherwise to discriminate against any person with respect to his compensation, terms, conditions or privileges of employment, because of his race, color, religion, sex, sexual orientation, age, disability or national origin; or

(b) To limit, segregate or classify an employee in a way which would deprive or tend to deprive him of employment opportunities or otherwise adversely affect his status as an employee, because of his race, color, religion, sex, sexual orientation, age, disability or national origin.

2. It is an unlawful employment practice for an employment agency to:

(a) Fail or refuse to refer for employment, or otherwise to discriminate against, any person because of the race, color, religion, sex, sexual orientation, age, disability or national origin of that person; or

(b) Classify or refer for employment any person on the basis of the race, color, religion, sex, sexual orientation, age, disability or national origin of that person.

3. It is an unlawful employment practice for a labor organization:
 - (a) To exclude or to expel from its membership, or otherwise to discriminate against, any person because of his race, color, religion, sex, sexual orientation, age, disability or national origin;
 - (b) To limit, segregate or classify its membership, or to classify or fail or refuse to refer for employment any person, in any way which would deprive or tend to deprive him of employment opportunities, or would limit his employment opportunities or otherwise adversely affect his status as an employee or as an applicant for employment, because of his race, color, religion, sex, sexual orientation, age, disability or national origin; or
 - (c) To cause or attempt to cause an employer to discriminate against any person in violation of this section.
4. It is an unlawful employment practice for any employer, labor organization or joint labor-management committee controlling apprenticeship or other training or retraining, including, without limitation, on-the-job training programs, to discriminate against any person because of his race, color, religion, sex, sexual orientation, age, disability or national origin in admission to, or employment in, any program established to provide apprenticeship or other training.
5. It is an unlawful employment practice for any employer, employment agency, labor organization or joint labor-management committee to discriminate against a person with a disability by interfering, directly or indirectly, with the use of an aid or appliance, including, without limitation, a service animal, by such a person.
6. It is an unlawful employment practice for an employer, directly or indirectly, to refuse to permit an employee with a disability to keep his service animal with him at all times in his place of employment.
7. As used in this section, "service animal" has the meaning ascribed to it in NRS 426.097."

NAC 284.771 Sexual harassment. (NRS 284.065, 284.155)

1. Sexual harassment violates the policy of this State and is a form of unlawful discrimination based on sex under state and federal law. An employee shall not engage in sexual harassment against another employee, an applicant for employment, or any other person in the workplace.
 2. Sexual harassment is a very serious disciplinary infraction. An appointing authority may impose harsh disciplinary sanctions on, or dismiss, persons who commit sexual harassment, including, without limitation, first-time offenders.
- (Added to NAC by Dep't of Personnel, eff. 10-26-84; A 9-16-92; 11-16-95; A by Personnel Comm'n by R147-06, 12-7-2006)

NRS 233.160 states in part, "Complaint alleging unlawful discriminatory practices: Limitations on filing; contents; duties of Commission.

1. A complaint which alleges unlawful discriminatory practices in:
 - (a) Housing must be filed with the Commission not later than 1 year after the date of the occurrence of the alleged practice or the date on which the practice terminated.
 - (b) Employment or public accommodations must be filed with the Commission not later than 300 days after the date of the occurrence of the alleged practice.

→ A complaint is timely if it is filed with an appropriate federal agency within that period. A complainant shall not file a complaint with the Commission if any other state or federal administrative body or officer which has comparable jurisdiction to adjudicate complaints of discriminatory practices has made a decision upon a complaint based upon the same facts and legal theory.
2. The complainant shall specify in the complaint the alleged unlawful practice and sign it under oath."

NRS 288.230 states, “Legislative declaration; illegality of strikes.

1. The Legislature finds as facts:

(a) That the services provided by the State and local government employers are of such nature that they are not and cannot be duplicated from other sources and are essential to the health, safety and welfare of the people of the State of Nevada;

(b) That the continuity of such services is likewise essential, and their disruption incompatible with the responsibility of the State to its people; and

(c) That every person who enters or remains in the employment of the State or a local government employer accepts the facts stated in paragraphs (a) and (b) as an essential condition of his employment.

2. The Legislature therefore declares it to be the public policy of the State of Nevada that strikes against the State or any local government employer are illegal.”

APPENDIX
FORMS AVAILABLE THROUGH
THE DIVISION OF HUMAN RESOURCE MANAGEMENT
(Formerly the Department of Personnel)

FORM NO.	TITLE	REVISION DATE	EXPLANATION	DIV./ SEC.
ALCOHOL & DRUGS				
NPD-79	Non-DOT Breath Alcohol Test Request	April 2011	This is used for breath alcohol testing not performed by State law enforcement.	EMS/ CA ²
TS-58	Policy Statement- Alcohol/Drug Free Workplace and Acknowledgement	July 1998	This is used to advise an employee of the State's policy regarding maintenance of an alcohol/drug free workplace.	EMS/ CA ²
TS-69	Employee Breath Test for Alcohol	June 2010	This is used to record the results of a breath test for alcohol.	EMS/ CA ²
TS-76	Alcohol/Drug Consent Form	May 2010	This form is used to obtain the consent of an applicant/employee for alcohol/drug testing.	EMS/ CA ²
TS-77	Report Form for Suspected Alcohol/Drug Impairment	May 2010	This is used to document the objective facts giving reasonable belief that the employee was under the influence of alcohol or a controlled substance.	EMS/ CA ²
ATTENDANCE & LEAVE				
NPD-25	Notice of Intent to Donate Leave/Request to Transfer Leave/Notice of Return of Excess Donated Leave	October 2007	These forms are used to request to donate leave by an employee and approve transfers of leave by an appointing authority.	EMS/ CA ²
NPD-82	Employee Medical Certification	January 2011	This is used by an employee to provide substantiating evidence of the need for sick leave.	EMS/ CA ²
NPD-60	FMLA Leave of Absence Form	February 2011	This is used to request family and/or medical leave. It also may be used to request leave for military service related emergencies and illness/injuries.	EMS/ CA ²
NPD-62	Notice of Eligibility and Rights & Responsibilities	February 2010	This is used to notify the employee of his eligibility, obligations and rights when using family and medical leave.	EMS/ CA ²
NPD-63	Designation Form	January 2011	This is used to notify the employee of the agency's decision in regarding granting family and medical leave.	EMS/ CA ²
PAY-23	Request to Use Catastrophic Leave Donations	October 2007	This is used to request catastrophic leave.	EMS/ CA ²
PAY-23A	Notification of Agency's Payroll Center (Regarding a Request to Use Catastrophic Leave)	October 2007	This is used to instruct payroll to transfer approved catastrophic leave.	ADM/CP ²
PAY-23B	Formal Appeal to Committee on Catastrophic Leave	October 2007	This form is used to appeal a decision by an appointing authority regarding catastrophic leave.	EMS/ CA ²
PAY-23C	Physician's Certification for Catastrophic Leave Request	October 2007	This form is used, where applicable, to document the medical necessity for catastrophic leave.	EMS/ CA ²
TS-12	Voluntary Leave without Pay	October 2002	This is used for voluntary leave without pay during a fiscal emergency.	EMS/ CA ²
TS-133	Shift Trade Agreement	August 2002	This is used to notify a supervisor that employees are trading shifts.	EMS/ CA ²

FORM NO.	TITLE	REVISION DATE	EXPLANATION	DIV./ SEC.
NPD-83	Certification of Health Care Provider for Employee's Serious Health Condition	January 2011	This is used, where applicable, to document the medical necessity for employee medical leave.	EMS/ CA ²
WH-380-F	Certification of Health Care Provider for Family Member's Serious Health Condition	January 2009	This is used, where applicable, to document the medical necessity for family medical leave.	EMS/ CA ²
NPD-84	Certification of Qualifying Exigency for Military Family Leave	January 2011	This is used, where applicable, to document the necessity for emergency military family leave.	EMS/ CA ²
NPD-85	Certification for Serious Injury or Illness of Covered Servicemember-for Military Family Leave	January 2011	This is used, where applicable, to document the medical necessity for military family leave.	EMS/ CA ²
NPD-81	Family and Medical Leave Act Medical Release	January 2011	This is used to establish fitness for duty upon an employee's return from FMLA leave.	EMS/ CA ²
CLASSIFICATION				
NPD-19	Position Questionnaire	May 2009		CC ²
NPD-19S	Position Questionnaire (short)	May 2009	This is used to establish select journey level positions.	CC ²
NPD-19SFC	Classes (short)	March 2008		CC ²
TS-80	Appeal of Classification	July 2004	This is used to appeal a classification.	CC
COMPENSATION				
NPD-4	Request to Accelerate Salary	August 2009	This is used to request an adjustment of steps within the grade.	CC ²
NPD-5	Request for Temporary Adjustment to Salary	November 2009	This is used to request a salary adjustment pursuant to NAC 284.206.	CC ²
TS-25	Election of Compensatory Time	October 2007	This is used to document an agreement between an agency and a non-represented employee to receive compensatory time in lieu of cash payment for overtime.	²
TS-78	Request for Variable Workday Schedule	October 2007	This is used to request approval for a variable workday schedule.	²
TS-78A	Request for Variable 80-Hour Work Schedule	October 2007	This is used to request approval for a variable 80-hour work schedule.	²
DISCIPLINARY ACTION				
NPD-32	Notice of Employee Rights During an Internal Investigation	February 2004	This form is used to notify an employee of rights to representation during an internal investigation.	EMS/ CA ²
NPD-41	Specificity of Charges	October 2007	This form is used in the disciplinary process to advise an employee of an alleged violation and recommended action.	EMS/ CA ²
NPD-52	Written Reprimand	October 2007	This form is used for written reprimands that are placed in the employee's service jacket.	EMS/ CA ²
EMPLOYEE				
MAB	Merit Review Program	February 2006		CC ²
GRIEVANCE PROCEDURE				
NPD-50	Formal Grievance	August 2007	This form is to be used for filing a formal grievance by an employee.	EMS/ CA ¹

FORM NO.	TITLE	REVISION DATE	EXPLANATION	DIV./ SEC.
NPD-51	Response to Formal Grievance	September 2001	This form is to be completed by the person responding to the grievance and attached as the top copy to the Formal Grievance at each step in the grievance procedure.	EMS/ CA ¹
TS-145	Agreement to Extend Grievance Filing Periods	May 2008	This form is used to extend grievance filing periods.	EMS/ CA ²
HEARING BEFORE THE HEARING OFFICER				
NPD-53	Request for Hearing Under the Provisions of NRS 281.641	February 2011	This form is used to file an appeal of an alleged reprisal or retaliatory action for disclosure of improper governmental action.	EMS/ CA ²
NPD-54	Formal Appeal of Discipline or Involuntary Transfer	October 2007	This form is used to appeal to a hearing officer.	EMS/ CA ²
MILITARY LEAVE				
ML 1, ML 2 & ML 3	Differential Pay for Active Military Duty Policy and Procedure/ Differential Pay for Active Military Duty Contact and Disbursement Information Form/ Military Leave and Earnings Statement Submittal	September 2005	These forms are used to advise an employee of the State's policy regarding differential pay and request and document eligibility.	EMS/ CA ²
ML 4	Calculation of Military Differential Pay and Civil Leave Hours	August 2009	This form is used to calculate wages when an employee is on differential pay or civil leave.	EMS/ CP ²
PAYROLL/RECORDS				
CRSA	Central Records Authorization to Pick-Up	April 2006	Used to document those authorized to pick up from the agency drawers in Central Records	ADM/CR
	Direct Deposit-No Print Exemption	November 2008		ADM/ IT ²
	Leave Progression Date Adjustment Worksheet	February 2005	Used to calculate and change the leave progression date on an employee's record after they have been back in State service for 3 consecutive years after a break-in service.	ADM/CR
0-2277	Authorization Agreement for Direct Deposit of Net Wages	August 2007	This is used to authorize the direct deposit of wages to a financial institution.	ADM/CP
0-752	Special Pay/Time Adjustment Sheet	October 2007	This is used to document adjustments to leave or pay.	ADM/CP ²
0-792	Signature Authorization Form	August 2007	This is used to document those who are authorized signers for document preparation/approval.	ADM/CP
CoD	Cancellation of Deduction			ADM/CP ²
CPER/ PPER	Weekly Time Sheet	June 2008	The time sheet is used to account for hours worked, leave used, and the specific times at which the work shift begins and ends during a pay period. The time sheet may be used to account for the current pay period or a prior pay period.	ADM/CP ²

FORM NO.	TITLE	REVISION DATE	EXPLANATION	DIV./ SEC.
ESMT-A	Employment Status Maintenance Transaction	May 2009		ADM/CR
ESMT-B	Employment Personal Information	May 2009		ADM/CR
I-9	Employment Eligibility Verification	August 2009	Homeland Security form used to verify an employee's eligibility to work for the State.	ADM/CR ²
LDPR	Labor Distribution Profile			ADM/CP ²
LEAV	Leave Accrual	October 2005	This is used to manually adjust employees leave balances.	ADM/CP ²
NDC-01	Deferred Compensation Payroll Deduction Form	December 2011	This form is used to modify contributions to deferred compensation.	ADM/CP ²
PAY-07	Authorization for Payroll Check and Documentation Pick Up	August 2007	This is used to document those authorized to pick up payroll checks or hand-typed checks.	ADM/CP ²
PAYOP-1	Payroll Overpayment	December 2003		ADM/CP ²
PAYOP-2	Default on Agreement to Repay Payroll Overpayment			ADM/CP ²
PAYOP-3	Referral of Payroll Overpayment for Collection	October 2007		ADM/CP ²
PAYOP-4	Request to Use Annual Leave to Repay a Payroll Overpayment or Antiweek Liability	January 2004		ADM/CP ²
PSMT	Position Status Maintenance			ADM/CP ²
Supplemental/Retro	Special Pay Worksheet for Retro Salary Adjustment	October 2007		ADM/CP ²
Supplemental/WC	Special Pay Worksheet for Workers' Compensation	October 2007		ADM/CP ²
W-4	Employee's Withholding Allowance Certificate	current	IRS form used by an employee to notify the State of the amount of federal income tax to be withheld from his pay.	ADM/CP ²
W-5	Earned Income Credit Advance Payment Certificate	current	IRS form used if an eligible employee chooses to get part of the earned income credit in advance with his pay.	ADM/CP ²
PERFORMANCE REPORT				
NPD-14	Employee Work Performance Standards	October 2007	This is used to document an employee's work performance.	EMS/CA ²
NPD-15	Employee Appraisal & Development	March 2009	This is used to document an employee's performance evaluation.	EMS/CA ²
NPD-15R	Employee Appraisal Response to Request for Review	May 2011		EMS/CA ²
RECRUITMENT/EXAMINATION/EMPLOYMENT				
ADA-1	Essential Functions Development	August 2001	This is used to identify the essential duties of a position prior to the hiring interview process.	RR ²

NRS REFERENCES

Note: Page numbers are by sections.

NRS 6.190	Terminating or threatening to terminate employment because of jury duty prohibited; civil action for unlawful termination; requiring employee to use sick leave or vacation time or to work certain hours prohibited; notice to employer; dissuasion from service as juror.	
	<i>Attendance and Leaves</i>	22
NRS 31.298	Garnishment of earnings: Unlawful to discharge or discipline employee.	
	<i>Disciplinary Procedures</i>	2
NRS 50.070	Termination or threat of termination of employment because of service as witness prohibited; penalty; remedies.	
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NRS 62D.130	Terminating or threatening to terminate employment of parent or guardian for appearance at proceeding prohibited; penalty; civil remedy.	
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NRS 179A.190	Notice of information may be disseminated to employers; use by employer; employer not liable for discrimination; other dissemination or release...	
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NRS 193.105	Termination of employment, removal from office or impeachment of public employee or officer upon conviction for sale of controlled substance.	
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NRS 199.280	Resisting public officer.	
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NRS 199.300	Intimidating public officer, public employee, juror, referee, arbitrator, appraiser, assessor or similar person.	
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NRS 202.2491	Smoking tobacco: Unlawful in certain public places; posting signs; designation of areas for smoking.	
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NRS 233.160	Complaint alleging unlawful discriminatory practices: Limitations on filing; contents; duties of Commission; filing of answer.	
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NRS 233B.070	Effective date and dissemination of regulations; duties of Secretary of State.	
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NRS 236.015	Legal holidays; closing of state, county and city offices, courts, public schools and Nevada System of Higher Education.	
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NRS 281.100	Hours of service of employees of State and political subdivisions; exceptions; penalty. <i>Compensation</i>	14
NRS 281.110	State offices to maintain 40-hour workweeks and remain open during certain hours; exception; variable schedules for workweek. <i>Attendance and Leaves</i>	2
NRS 281.123	Limitation on maximum salary payable to persons employed by state. <i>Compensation</i>	1
NRS 281.1275	Reduction in salary of certain public officers and employees for part-day absence from work prohibited; accounting for part-day absence; exception. <i>Attendance and Leaves</i>	27
NRS 281.145	Leave of absence for military duty. <i>Attendance and Leaves</i>	27
NRS 281.147	Leave of absence for duty as American National Red Cross disaster technician. <i>Attendance and Leaves</i>	24
NRS 281.210	Officers of State, political subdivision and Nevada System of Higher Education prohibited from employing relatives; exceptions; penalties. <i>Filling Vacancies in Employment</i>	17
NRS 281.370	Actions concerning personnel to be based on merit and fitness; discrimination prohibited. <i>Prohibitions and Offenses</i>	6
NRS 281.375	Application for employment: Volunteer work must be considered. <i>Filling Vacancies in Employment</i>	4
NRS 281.390	Sick leave of public employees: Election of benefits; amount limited when eligible for benefits for industrial or occupational disease. <i>Attendance and Leaves</i>	5
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NRS 281.501	Additional standards: Voting by public officers; disclosures required of public officers and employees; effect of abstention from voting on quorum; Legislators authorized to file written disclosure. <i>Prohibitions and Offenses</i>	1
NRS 281.505	Contracts in which public officer or employee has interest prohibited; exceptions. <i>Prohibitions and Offenses</i>	1
NRS 281.553	Public officer or employee prohibited from accepting or receiving honorarium; penalty. <i>Prohibitions and Offenses</i>	2
NRS 281.621	Declaration of public policy. <i>Prohibitions and Offenses</i>	2

NRS 281.641	Reprisal or retaliatory action against state officer or employee who discloses improper governmental action: Written appeal; hearing; order; negative ruling may not be based on identity of persons to whom disclosure was made; rules of procedure. <i>Practice Before the Department of Personnel</i>	1
NRS 284.010	Legislative declaration of purpose. <i>General Provisions</i>	1
NRS 284.012	Policy concerning employment of persons with disabilities. <i>General Provisions</i>	10
NRS 284.013	Applicability; terms and conditions of employment of exempted persons; written contracts required for certain services. <i>General Provisions</i>	1
NRS 284.022	Inclusion of employees of certain governmental agencies in State Personnel System. <i>General Provisions</i>	1
NRS 284.068	Employee-Management Committee: Creation; appointment and terms of members. <i>Adjustment of Grievances</i>	4
NRS 284.071	Employee-Management Committee: Chairman; rules; meetings; secretarial services. <i>Adjustment of Grievances</i>	4
NRS 284.073	Employee-Management Committee: Duties. <i>Adjustment of Grievances</i>	4
NRS 284.105	Duties of Director. <i>Personnel Records</i>	1
NRS 284.130	Assistance of state and local officers. <i>General Provisions</i>	10
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NRS 284.145	Appointment to position in unclassified service from registers of eligible persons. <i>Filling Vacancies in Employment</i>	17
NRS 284.148	Unclassified and classified service: Persons exempt pursuant to Fair Labor Standards Act of 1938; determination of exempt positions by Department. <i>Compensation</i>	14
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NRS 284.155	Regulations for classified service. <i>Filling Vacancies in Employment</i>	12

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NRS 284.172	List of positions in classified service primarily performing data processing; approval of new position or reclassification to position on list.	
	<i>Classification</i>	2
NRS 284.175	Plan for payment of classified employees...	
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NRS 284.177	Plan to encourage continuity of service.	
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NRS 284.210	Competitive examinations: Requirements; contents; persons conducting examinations.	
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NRS 284.215	Examination of persons with disabilities.	
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NRS 284.220	Certificates of general or special qualifications.	
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