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## ADJUSTMENT OF GRIEVANCES

**NRS 284.384 states, “Adjustment of certain grievances: Regulations; appeal to Employee-Management Committee; enforcement of binding decisions of 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 by federal law or 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. Except as otherwise provided in subsection 3, a final decision of the Committee is binding. The Committee or an employee may petition a court of competent jurisdiction for enforcement of the Committee’s binding decisions.

5. The employee may represent himself or herself 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, “Meeting to consider character, misconduct, competence or health of person or to consider appeal of results of examination: Written notice to person required; exception; public body required to allow person whose character, misconduct, competence or health is to be considered to attend with representative and to present evidence; attendance of additional persons; copy of record.**

1. Except as otherwise provided in subsection 7, 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.

3. The Nevada Athletic Commission is exempt from the requirements of subparagraphs (1) and (2) of paragraph (a) of subsection 2, but must give written notice of the time and place of the meeting and must receive proof of service of the notice before the meeting may be held.

4. If a public body holds a closed meeting or closes a portion of a meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of a person, the public body must allow that person to:

(a) Attend the closed meeting or that portion of the closed meeting during which the character, alleged misconduct, professional competence, or physical or mental health of the person is considered;

(b) Have an attorney or other representative of the person's choosing present with the person during the closed meeting; and

(c) Present written evidence, provide testimony and present witnesses relating to the character, alleged misconduct, professional competence, or physical or mental health of the person to the public body during the closed meeting.

5. Except as otherwise provided in subsection 4, with regard to the attendance of persons other than members of the public body and the person whose character, alleged misconduct, professional competence, physical or mental health or appeal of the results of an examination is considered, the chair of the public body may at any time before or during a closed meeting:

(a) Determine which additional persons, if any, are allowed to attend the closed meeting or portion thereof; or

(b) Allow the members of the public body to determine, by majority vote, which additional persons, if any, are allowed to attend the closed meeting or portion thereof.

6. A public body shall provide a copy of any record of a closed meeting prepared pursuant to NRS 241.035, upon the request of any person who received written notice of the closed meeting pursuant to subsection 1.

7. For the purposes of this section:

(a) A meeting held to consider an applicant for employment is not subject to the notice requirements otherwise imposed by this section.

(b) Casual or tangential references to a person or the name of a person during a closed meeting do not constitute consideration of the character, alleged misconduct, professional competence, or physical or mental health of the person.”

***NEW Removal of ineligible grievance from procedure.***

***1. If the Division of Human Resource Management determines that a request for the adjustment of a grievance is not eligible for the procedure set forth in NAC 284.658 to 284.6957, inclusive, because the person who submitted the request is not a person described in subsection***

*1 of NAC 284.658 or because a hearing is provided for the grievance pursuant to federal law or NRS 284.165, 284.245, 284.3629, 284.376 or 284.390, the Division must, as soon as practicable:*

*(a) Remove the request from the procedure for the adjustment of grievances set forth in NAC 284.658 to 284.6957, inclusive; and*

*(b) Provide to the person who submitted the request and the agency in which the grievance arose:*

*(1) Notice that the Division has determined that the request is not eligible for the procedure for the adjustment of grievances set forth in NAC 284.658 to 284.6957, inclusive, and an explanation for that determination;*

*(2) Notice that the Division has removed the request from the procedure for the adjustment of grievances set forth in NAC 284.658 to 284.6957, inclusive;*

*(3) If applicable, information relating to the appropriate procedure for resolving the person's concern; and*

*(4) Information relating to the person's right to appeal the determination to the Committee.*

*2. If the Division of Human Resource Management determines that a request for the adjustment of a grievance is not eligible for the procedure for the adjustment of grievances set forth in NRS 284.658 to 284.6957, inclusive, the person who submitted the request may appeal the determination to the Committee.*

*(Added to NAC by Personnel Comm'n by R076-15, eff. 4-4-2016)*

**NAC 284.658 "Grievance" defined. (NRS 284.065, 284.155, 284.340, 284.384)**

1. As used in NAC 284.341 and 284.658 to 284.697, inclusive, *and section 1 of this regulation*, a "grievance" means an act, omission or occurrence which a permanent *classified* 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 this regulation*, 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, 12-30-2011, eff. 1-1-2012; **R076-15, 4-4-2016**)

**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 or her choosing, if the person agrees to act in this capacity, at any step of the procedure except the initial informal discussion with his or her immediate supervisor.

2. If the assistant is a state employee, he or she may only assist on his or her 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 or her 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 Division of Human Resource Management 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, 284.340, 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 the grievance in writing to his or her 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 *event leading to* the grievance or the date the employee learns of the *event leading to the grievance*. 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 or her name;
- (b) His or her most recent date of hire;
- (c) His or her position;
- (d) His or her department, division and section;
- (e) His or her mailing address;
- (f) His or her business telephone number;
- (g) A statement that he or she is filing a formal grievance;
- (h) The date, time and place of the event *leading to the grievance* or the date the employee learns of the event leading to the grievance;
- (i) A concise statement of the grievance;
- (j) A detailed description of the grievance, including the names of other persons involved in the event, if any;
- (k) A proposed solution of the grievance;
- (l) His or her signature; and
- (m) The date he or she 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; R007-11, 10-26-2011; **R076-15, 4-4-2016**)

**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 or her 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 Division of Human Resource Management, 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, eff. 7-24-98; A by R044-08, 8-26-2008)

**NAC 284.682 Appeal 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 Administrator 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 or her grievance to the next level after:

(a) He or she receives notification of the action; or

(b) The passage of 10 working days after the 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 or her immediate supervisor, the employee has not received satisfactory relief, he or she may forward the grievance to the head of the major division of the department in which he or she works. In those cases where a department is not subdivided into divisions, the employee may forward the 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 highest 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: Chair; rules; meetings; secretarial services.**

1. The Chair 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 Chair may designate.
4. The Division 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 Division 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 highest administrator of department; action by highest administrator. (NRS 284.065, 284.155, 284.340, 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 or her grievance is deemed to have been received by the head of the division, he or she may file the 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 highest administrator or the designee of the highest 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, 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 or her 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 Division of Human Resource Management; and

(b) Signed by:

(1) The employee; and

(2) The appointing authority or his or her 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, 284.340, 284.384)** If an employee is not satisfied with the decision rendered by the highest administrator in the department pursuant to NAC 284.690, the employee may request consideration of the grievance by the Committee pursuant to its rules. The employee must submit the request to the Committee within 10 working days following his or her receipt of the decision from the highest 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 Chair 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; A by Personnel Comm'n by R118-10, 5-5-2011; R007-11, 10-26-2011)

**NAC 284.6952 Request for resolution conference; appointment of facilitator; effect of request for resolution conference on jurisdiction of Employee-Management Committee. (NRS 284.065, 284.155, 284.384)**

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, 12-30-2011, 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 *Clerk* of the Committee **12** 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 **15** working days before the scheduled date of the hearing. The *Clerk of the Committee* 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 Chair or *a member of the Committee designated by the Chair* 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 Chair or *a member of the Committee designated by the Chair* may reschedule the hearing at his or her discretion. If the employee fails

to comply with the provisions of subsection 1 for a rescheduled hearing, the grievance must be dismissed with prejudice unless he or she can show in writing to the Committee's satisfaction that the reason for noncompliance was beyond his or her 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 or her 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. ***If a subpoena is issued for a document and the person named in the subpoena determines that the document contains confidential information, the person must provide to the Committee by the date specified in the subpoena:***

(a) ***Two copies of the original document, submitted under seal, and***

(b) ***One copy of the document with the confidential information redacted.***

8. ***For good cause shown, the Committee may take testimony from a person by telephone or video conference whether or not the person is at a location designated on the agenda as a location for the hearing.***

9. Upon proper recognition by the Chair or ***the member of the Committee designated to act as the Chair during the hearing***, 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; A by Personnel Comm'n by R026-11, 12-30-2011, eff. 1-1-2012; ***R076-15, 4-4-2016***)

**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 ***or request to have a grievance held in abeyance. The party must submit the request*** to the ***Clerk*** of the Committee 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 or she may request a continuance as long as the request is made at least 4 working days before the scheduled hearing.

2. The ***Chair or a member of the Committee designated by the Chair*** may grant a request for a continuance ***or a request to have a grievance held in abeyance*** if good cause is shown.

(Added to NAC by Dep't of Personnel, eff. 3-27-92; A 11-16-95; A by Personnel Comm'n by ***R076-15, 4-4-2016***)

**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 Division of Human Resource Management 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; 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; A by Personnel Comm'n by R023-05, 10-31-2005; R026-11, 12-30-2011, eff. 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 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)

<b>NRS 284.010</b>	<b>Legislative declaration of purpose.</b>	
	<i>General Provisions</i> .....	<b>A-1</b>
<b>NRS 284.012</b>	<b>Policy concerning employment of persons with disabilities.</b>	
	<i>General Provisions</i> .....	<b>A-11</b>
<b>NRS 284.013</b>	<b>Applicability; terms and conditions of employment of exempted persons; written contracts required for certain services.</b>	
	<i>General Provisions</i> .....	<b>A-1</b>
<b>NRS 284.022</b>	<b>Inclusion of employees of certain governmental agencies in State Personnel System.</b>	
	<i>General Provisions</i> .....	<b>A-1</b>
<b>NRS 284.068</b>	<b>Employee-Management Committee: Creation; appointment and terms of members.</b>	
	<i>Adjustment of Grievances</i> .....	<b>M-6</b>
<b>NRS 284.071</b>	<b>Employee-Management Committee: Chair; rules; meetings; secretarial services.</b>	
	<i>Adjustment of Grievances</i> .....	<b>M-6</b>
<b>NRS 284.073</b>	<b>Employee-Management Committee: Duties.</b>	
	<i>Adjustment of Grievances</i> .....	<b>M-6</b>
<b>NRS 284.105</b>	<b>Duties of Administrator.</b>	
	<i>Personnel Records</i> .....	<b>N-1</b>
<b>NRS 284.130</b>	<b>Assistance of state and local officers.</b>	
	<i>General Provisions</i> .....	<b>A-12</b>
<b>NRS 284.140</b>	<b>Unclassified service: Composition.</b>	
	<i>General Provisions</i> .....	<b>A-10</b>
<b>NRS 284.143</b>	<b>Unclassified service: Certain persons may pursue other businesses or occupations or other office for profit.</b>	
	<i>Prohibitions and Offenses</i> .....	<b>O-4</b>
<b>NRS 284.145</b>	<b>Appointment to position in unclassified service from registers of eligible persons.</b>	
	<i>Filling Vacancies in Employment</i> .....	<b>D-18</b>
<b>NRS 284.148</b>	<b>Unclassified and classified service: Persons exempt pursuant to Federal Fair Labor Standards Act; determination of exempt positions by Division.</b>	
	<i>Compensation</i> .....	<b>C-16</b>
<b>NRS 284.150</b>	<b>Classified service: Composition; limitations on appointment, transfer, promotion, demotion or discharge; discrimination prohibited.</b>	
	<i>General Provisions</i> .....	<b>A-3</b>
	<i>Filling Vacancies in Employment</i> .....	<b>D-1</b>
	<i>Prohibitions and Offenses</i> .....	<b>O-6</b>
<b>NRS 284.155</b>	<b>Regulations for classified service.</b>	
	<i>Filling Vacancies in Employment</i> .....	<b>D-13</b>
<b>NRS 284.160</b>	<b>Classification plan for classified service; changes in plan; procedure for making certain changes without approval of Commission.</b>	
	<i>Classification</i> .....	<b>B-1</b>
<b>NRS 284.165</b>	<b>Allocation of positions; hearing; review by Commission.</b>	
	<i>Classification</i> .....	<b>B-1, 6</b>

NRS 284.170	<b>Establishment of titles and grades for each class of employment; description of duties; specification of minimum qualifications.</b> <i>Classification</i> .....	B-1
NRS 284.171	<b>Index of broad occupational groups.</b> <i>Classification</i> .....	B-2
NRS 284.172	<b>List of positions in classified service primarily performing data processing; approval of new position or reclassification to position on list.</b> <i>Classification</i> .....	B-2
NRS 284.175	<b>Plan for payment of classified employees: Preparation; approval; contents; regulations; recommendations to Legislature.</b> <i>Compensation</i> .....	C-1
NRS 284.180	<b>Pay plan to set official rates applicable to all positions in classified service; overtime; workweek for certain firefighters; innovative workweeks; existing contracts of employment; payment for working on holiday.</b> <i>Compensation</i> ..... <i>Attendance and Leaves</i> .....	C-1, 15 I-4
NRS 284.210	<b>Competitive examinations: Requirements; contents; persons conducting examinations.</b> <i>Filling Vacancies in Employment</i> .....	D-6
NRS 284.215	<b>Examination of persons with disabilities.</b> <i>Filling Vacancies in Employment</i> .....	D-7
NRS 284.220	<b>Certificates of general or special qualifications.</b> <i>Filling Vacancies in Employment</i> .....	D-4
NRS 284.230	<b>Time and place of holding examination; use of public buildings.</b> <i>Filling Vacancies in Employment</i> .....	D-7
NRS 284.235	<b>Designation of persons to assist in examinations.</b> <i>Filling Vacancies in Employment</i> .....	D-7
NRS 284.240	<b>Grounds for refusal to examine or certify.</b> <i>Filling Vacancies in Employment</i> .....	D-17
NRS 284.245	<b>Statement of Administrator upon refusal to examine or certify; appeal to Commission.</b> <i>Filling Vacancies in Employment</i> .....	D-17
NRS 284.250	<b>Regulations for establishment of lists of eligible persons; limitation on term of eligibility.</b> <i>Filling Vacancies in Employment</i> .....	D-13
NRS 284.253	<b>Preference on list for residents of Nevada.</b> <i>Filling Vacancies in Employment</i> .....	D-8
NRS 284.254	<b>Preference on list for person separated from service because agency terminated.</b> <i>Filling Vacancies in Employment</i> .....	D-20
NRS 284.255	<b>Appointments to be made from appropriate lists.</b> <i>Filling Vacancies in Employment</i> .....	D-11
NRS 284.260	<b>Preferences for veterans and members of Nevada National Guard: Additional credits on examination.</b> <i>Filling Vacancies in Employment</i> .....	D-6