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PROBATIONARY PERIODS

NRS 284.290 states in part, “Probationary period...

1. All original competitive appointments to and promotions within the classified service must be for a fixed probationary period of 6 months, except that a longer period not exceeding 1 year may be established for classes of positions in which the nature of the work requires a longer period for proper evaluation of performance.”

NAC 284.442 Length of probationary period. (NRS 284.065, 284.155, 284.290) All classes at grade 20 or higher must be assigned a 1-year (full-time equivalent) probationary period. All classes lower than grade 20 will be assigned a 6-month (full-time equivalent) probationary period.

[Personnel Div., Rule VIII § A part subsec. 1, eff. 8-11-73; A 7-3-76]—(NAC A by Dep’t of Personnel, 10-26-84; R146-01, 1-18-2002)

NAC 284.444 Application of probationary period. (NRS 284.065, 284.155, 284.290)

1. A probationary employee who transfers:
 - (a) Within the same class must serve the remaining portion of the probationary period.
 - (b) From one class to another class must serve a new probationary period.
2. An employee who transfers from the unclassified or nonclassified service to the classified service must serve a new probationary period. Except for those unclassified employees who transfer pursuant to subsection 2 of NAC 284.398, the status of a permanent employee may not be attained until the satisfactory completion of the probationary period.
3. An employee who is reinstated must serve a new probationary period unless it is waived in writing by the appointing authority. If an appointing authority waives the probationary period, the status of the appointment of the employee is permanent.
4. A probationary employee who is reappointed must serve a new probationary period.
5. A permanent employee who is reappointed to a class:
 - (a) At a higher grade level must serve a trial period unless it is waived by the appointing authority.
 - (b) At the same grade level or a lower grade level is not required to serve a probationary period.
6. An employee who is laid off, but who is reemployed within 1 year, must serve a new probationary period if reemployed in a different class or in a different department than that from which he or she was laid off, and the employee is subject to the provisions of subsection 8 of NAC 284.630.
7. A person with a permanent disability arising from a work-related injury or occupational disease who is reemployed in a different class or option than his or her regular position must serve a new probationary period as required by NAC 284.6018.
8. A person who is on a military leave of absence pursuant to NRS 284.359 is entitled to return to the status of appointment held at the time he or she commenced the military leave of absence. If the employee did not complete the probationary period, he or she will only be required to complete the remaining portion thereof. Upon successful completion of the probationary period, permanent status must be granted to the employee as of the date on which permanent status would have been granted if the employee had not taken a military leave of absence.
9. Promotion to a vacant position requires a new probationary period. Promotions which result from reclassification are governed by NAC 284.134 and 284.138.
10. Except as otherwise provided in subsection 11:
 - (a) No probationary period will be required if a permanent employee is demoted.
 - (b) A new probationary period will be required if a probationary employee is demoted.

11. An employee who is restored to his or her former position pursuant to NAC 284.462 following a promotional appointment must serve the portion of the probationary period which was remaining at the time of the promotion.

(Added to NAC by Dep't of Personnel, eff. 10-26-84; A 7-21-89; 8-1-91; 12-26-91; 3-1-96; A by Personnel Comm'n by R142-05 & R143-05, 12-29-2005; R141-07, 1-30-2008)

NAC 284.446 Time counted toward completion of probationary period. (NRS 284.065, 284.155, 284.290)

1. Except as otherwise provided in subsection 4 and in NAC 284.4375, a probationary employee must perform his or her duties continuously in the classified service for either 6 months or 1 year (full-time equivalent) as required for the class in which he or she is employed to attain permanent status.

2. Service in provisional, emergency, or special disabled status must be credited towards a probationary period if it is immediately followed by probationary or permanent status in the same class.

3. Service in a seasonal position must be credited towards the probationary period for the class.

4. If an employee of a governmental agency transfers to the classified service pursuant to NRS 284.022 and subsection 2 of NAC 284.398, the time which he or she spent in the comparable class in the governmental agency counts toward the probationary period which is required for the state class. If the employee has satisfactorily completed the equivalent of the State's probationary period for the new class, the employee is entitled to transfer with permanent status. All continuous service which is equivalent to full-time employment in the governmental agency before the transfer counts towards permanent employee status.

[Personnel Div., Rule VIII § A part subsec. 1, eff. 8-11-73; A 7-3-76]—(NAC A by Dep't of Personnel, 10-26-84; 1-22-90; 8-1-91; 7-6-92; 3-1-96)

NAC 284.448 Time not counted toward completion of probationary period. (NRS 284.065, 284.155, 284.290) The following types of leave or temporary status do not count toward the completion of any probationary period:

1. Authorized military leave for active service, as set forth in subsection 8 of NAC 284.444.

2. Authorized military leave for training beyond the 15 paid working days *authorized by NRS 281.145, as amended by section 1 of Assembly Bill No. 388, chapter 340, Statutes of Nevada 2015, at page 1914, during a 12-month period, as prescribed in NAC 284.5875.*

3. Except as otherwise provided in NAC 284.580, any leave without pay and catastrophic leave, combined, in excess of 240 hours or, in the case of an exempt classified employee, 30 working days, in a year if the regular work schedule of the employee is 80 hours or less biweekly. If the regular work schedule of an employee is more than 80 hours biweekly, the employee must be allotted additional leave without pay and catastrophic leave in proportion to the number of hours his or her regular work schedule exceeds 80 hours biweekly. As used in this subsection, "year" means a period equal to 12 months of full-time equivalent service measured backward from the employee's pay progression date.

4. Time which is served in a temporary position pursuant to NAC 284.414.

5. Any hours worked which exceed 40 in a week.

(Added to NAC by Dep't of Personnel, eff. 10-26-84; A 5-27-86; 3-27-92; 9-16-92; 11-16-95; 3-1-96; R147-01, 1-22-2002; A by Personnel Comm'n by R182-03, 1-27-2004; R141-07, 1-30-2008; **R039-15, 10-27-15**)

NAC 284.450 Adjustment of probationary period. (NRS 284.065, 284.155, 284.290)

1. Except as otherwise provided in NAC 284.448, if a probationary employee has not, during his or her prescribed probationary period, worked the required number of months (full-time equivalent) which are established for the probationary period for the class, his or her probationary period must be extended until he or she has worked the required number of months.

2. An employee who changes from working full-time to part-time or the reverse will have his or her probationary period adjusted to equal the required number of months of service which are applicable to the probationary period of the class.

[Personnel Div., Rule VIII § A part subsec. 1, eff. 8-11-73]—(NAC A by Dep’t of Personnel, 10-26-84; 3-1-96)

NRS 284.290 states in part, “Probationary period: Length; dismissal or demotion;...

2. Dismissals or demotions may be made at any time during the probationary period in accordance with regulations adopted by the Commission.”

NAC 284.458 Rejection of probationary employees. (NRS 284.065, 284.155, 284.290)

1. During a probationary period, an employee may be rejected for any lawful reason, as determined by his or her appointing authority. An employee rejected pursuant to this subsection has no appeal rights.

2. An employee who is serving a trial period may not use the grievance procedure set forth in NAC 284.658 to 284.6957, inclusive, to appeal the decision by the appointing authority to reject the employee during his or her probationary period.

3. A probationary period does not create a contractual relationship between the employee and employer.

4. If a report of separation is not received by the employee or the Division of Human Resource Management by the close of business on the last day of the probationary period, the employee is considered to have satisfactorily completed the probationary period and acquired permanent status.

[Personnel Div., Rule VIII § C subsecs. 1-3, eff. 8-11-73]—(NAC A by Dep’t of Personnel, 10-26-84; 10-18-89; 11-12-93; 11-16-95)

NRS 284.300 states, “Restoration of promotional appointee who fails to attain permanent status.

1. Any promotional appointee who fails to attain permanent status in the position to which the appointee was promoted, or who is dismissed for cause other than misconduct or delinquency on the appointee’s part from the position to which the appointee was promoted, either during the probationary period or at the conclusion thereof by reason of the failure of the appointing authority to file a request for the appointee’s continuance in the position, shall be restored to the position from which the appointee was promoted.

2. Nothing contained in this section shall be construed to prevent any employee of the classified service from competing for places upon lists of persons eligible for original appointments.”

NAC 284.462 Restoration of promoted employee to former position. (NRS 284.065, 284.155, 284.290)

1. For the purposes of this section only, “promotion” means any movement into a vacant position which has a higher grade than the position previously occupied by a classified employee who has served 6 months of continuous (full-time equivalent) service.

2. An employee promoted pursuant to subsection 1 who fails to attain permanent status in the position to which he or she was promoted or who is dismissed for a cause other than misconduct or delinquency on his or her part from the position to which he or she was promoted, either during the probationary period or at its conclusion, must be restored to the position from which he or she was promoted.

3. If an employee fails to attain permanent status and is restored to his or her former position, the appointing authority which is effecting the restoration must give written notice to the agency from which the employee was promoted at least 30 calendar days before the effective date. The agency which is taking action to restore the employee to his or her former position is liable for the payment of the employee during this 30-day period unless the agency to which the employee is being restored agrees to accept the employee before the expiration of that period. An employee does not gain permanent status if a report of separation or notice of intent to restore an employee to his or her former position has been provided to the employee and filed with the Division of Human Resource Management on or before the last day of his or her probationary period, even though the separation or restoration takes place after the last day of the probationary period.

4. A demotion from probationary status in a higher class to the former lower level class may not be appealed.

[Personnel Div., Rule VIII § C subsec. 4, eff. 8-11-73; A 4-14-76]—(NAC A by Dep't of Personnel, 10-26-84; 7-21-89)

technician must be relieved from the officer's or employee's duties, upon the request of the Division of Emergency Management of the Department of Public Safety or a local organization for emergency management and the approval of the employer of the officer or employee, to assist the division or local organization for emergency management during a disaster or emergency that occurs in this state, California, Oregon, Idaho, Utah or Arizona, without loss of the officer's or employee's regular compensation for a period of not more than 15 working days in any calendar year. No such absence may be a part of the annual vacation of the public officer or employee which is provided for by law.

2. As used in this section:

(a) "Disaster" has the meaning ascribed to it in NRS 414.0335.

(b) "Emergency" has the meaning ascribed to it in NRS 414.0345.

(c) "Emergency communications technician" means a person who is:

(1) Licensed by the Federal Communications Commission as an amateur radio operator;

and

(2) A member of:

(I) The Radio Amateur Civil Emergency Service or a successor organization sponsored by the agency of the Federal Government for emergency management; or

(II) The Amateur Radio Emergency Service or a successor organization sponsored by the American Radio Relay League or its successor.

(d) "Local organization for emergency management" has the meaning ascribed to it in NRS 414.036."

NRS 284.357 states, "Deduction from salary for service during working hours as volunteer firefighter, volunteer medical technician, volunteer reserve member of police department or sheriff's office or volunteer ambulance driver or attendant prohibited.

1. All employees, whether in the classified or in the unclassified service of the State of Nevada, must be paid their salaries as fixed by law without diminution on account of any time spent away from state employment while acting as:

(a) Volunteer firefighters of any regular organized and recognized fire department in the protection of life or property;

(b) Volunteer emergency medical technicians certified pursuant to chapter 450B of NRS;

(c) Volunteer reserve members of a police department or a sheriff's office; or

(d) Volunteer ambulance drivers or attendants,

↳ during working hours or fractions thereof which should otherwise have been devoted to state employment.

2. As used in this section, "volunteer ambulance driver or attendant" means a person who is a driver of or attendant on an ambulance owned or operated by:

(a) A nonprofit organization that provides volunteer ambulance service in any county, city or town in this State; or

(b) A political subdivision of this State."

NRS 414.070 states in part, "Additional powers of Governor during emergency or disaster. The provisions of this section are operative only during the existence of a state of emergency or declaration of disaster. The existence of such an emergency or disaster may be proclaimed by the Governor or by resolution of the Legislature if the Governor in his or her proclamation, or the Legislature in its resolution, finds that an attack upon the United States has occurred or is anticipated in the immediate future, or that a natural, technological or man-made

emergency or disaster of major proportions has actually occurred within this State, and that the safety and welfare of the inhabitants of this State require an invocation of the provisions of this section. Any such emergency or disaster, whether proclaimed by the Governor or by the Legislature, terminates upon the proclamation of the termination thereof by the Governor, or the passage by the Legislature of a resolution terminating the emergency or disaster..."

NAC 284.587 Civil leave with pay for certain public officers or employees or when absence is necessary to meet state of emergency or declaration of disaster. (NRS 284.065, 284.155, 284.345) Civil leave with pay must be granted to an employee who meets the requirements of NRS 281.149 or 284.357, and may also be granted by the appointing authority to an employee whose absence from the job is necessary to meet a state of emergency or declaration of disaster proclaimed by the Governor or by resolution of the Legislature pursuant to NRS 414.070.

(Added to NAC by Dep't of Personnel, eff. 10-26-84; A by R146-01, 1-18-2002; A by Personnel Comm'n by R133-12, 10-4-2013)

NRS 281.145 states, "Leave of absence for military duty.

1. Except as otherwise provided in subsection 2, any public officer or employee of the State or any agency thereof, or of a political subdivision or an agency of a political subdivision, who is an active member of the United States Army Reserve, the United States Naval Reserve, the United States Marine Corps Reserve, the United States Coast Guard Reserve, the United States Air Force Reserve or the Nevada National Guard must be relieved from the officer's or employee's duties, upon the officer's or employee's request, to serve under orders *including, without limitation, orders for training or deployment*, without loss of the officer's or employee's regular compensation for a period of not more than *the number of hours equivalent to 15 working days in any 12-month period, as prescribed in subsection 3 or 4, as applicable*. No such absence may be a part of the *officer's or employee's* annual vacation provided for by law.

2. *In addition to the leave authorized pursuant to subsection 1, any public officer or employee of the State or any agency thereof whose work schedule includes Saturday or Sunday and who is an active member of the United States Army Reserve, the United States Naval Reserve, the United States Marine Corps Reserve, the United States Coast Guard Reserve, the United States Air Force Reserve or the Nevada National Guard must be relieved from the officer's or employee's duties, upon the officer's or employee's request, for a period of not more than the number of hours equivalent to 24 working days in any 12-month period, as prescribed in subsection 3, to serve under orders for training that is scheduled on a Saturday or Sunday, including, without limitation, monthly and annual training*. No such absence may be a part of the *officer's or employee's* annual vacation provided for by law. *An officer or employee is not entitled to receive his or her regular compensation for any hours in a working day in which the officer or employee serves under orders for training pursuant to this subsection if his or her military pay for the service is equal to or exceeds his or her regular compensation for those hours. If the officer's or employee's military pay does not exceed his or her regular compensation for those hours, the officer or employee is entitled to receive, in addition to his or her military pay for those hours, the difference between the regular compensation that the officer or employee would have otherwise received as an officer or employee and his or her military pay for those hours. An officer or employee is not entitled to:*

(a) Receive any other compensation for which he or she would otherwise be eligible, including, without limitation, compensation pursuant to NRS 284.358; or

(b) Use any annual leave, compensatory time or other paid leave or any unpaid leave that

is required as a result of statewide economic conditions,

→ for any hours for which the officer or employee receives compensation pursuant to this subsection.

3. The Personnel Commission created by NRS 284.030 shall adopt regulations prescribing for each agency of the State the 12-month period during which an officer or employee of the agency is eligible to take the number of working days of leave set forth in subsections 1 and 2.

4. A political subdivision shall establish the 12-month period during which an officer or employee of an agency of the political subdivision or an agency thereof is eligible to take the number of working days of leave set forth in subsection 1.

5. As used in this section:

(a) "Work schedule" means the working days that an officer or employee is regularly assigned to work. The term does not include, without limitation, any temporary change in assigned working days unless the change becomes permanent.

(b) "Working day" means a period of work consisting of the number of hours that a public officer or employee is regularly scheduled to work. The term does not include, without limitation, overtime, or any time in which the officer or employee is on standby status or has been called back to work during his or her scheduled time off."

NRS 284.358 states, "Civil leave with reduced pay when performing active military service in time of war or emergency.

1. An officer or employee in the public service who performs active military service in the Armed Forces of the United States or any other category of persons designated by the President of the United States or the Governor of this State, including, without limitation, the Commissioned Corps of the United States Public Health Service, in time of war or emergency is entitled to civil leave with reduced pay for the period of such service.

2. The pay that an officer or employee is entitled to receive pursuant to this section is the difference between the pay that the officer or employee would have otherwise received as an officer or employee and the officer's or employee's pay for active military service. If the officer's or employee's pay for active military service is greater than the pay that the officer or employee would have otherwise received as an officer or employee, the officer or employee is not entitled to receive any additional pay pursuant to this section while the officer or employee performs active military service.

3. As used in this section, "pay for active military service" means the base pay that a person receives for active military service as determined by the rank or grade of the person. The term does not include any other type of pay that a person may be entitled to receive for active military service, including, without limitation, imminent danger pay or family separation allowance."

NRS 284.359 states, "Military leave of absence; reinstatement. A permanent or probationary employee who performs active military service under the provisions of any national military service or training act, or who voluntarily serves in the Armed Forces of the United States in time of war, or in such types of service as the Commission by regulation may prescribe, is, upon application, entitled to leave of absence without pay for the period of such service plus a period not to exceed 90 days. If within that period the employee applies for reinstatement, the employee must be reinstated to the employee's former class of position, or to a class of position having like seniority, status and pay, or, if those positions have been abolished, to the nearest approximation thereof consistent with the circumstances."

NAC 284.5875 Military leave with pay. (NRS 281.145, 284.065, 284.345)

1. *Except as otherwise provided in subsection 2, the 12-month period during which a public officer or employee of an agency of the State is eligible to take the number of working days of leave set forth in subsection 1 or 2 of NRS 281.145, as amended by section 1 of Assembly Bill No. 388, chapter 340, Statutes of Nevada 2015, at page 1914, is a calendar year.*

2. *The 12-month period during which a public officer or employee of the Office of the Military is eligible to take the number of working days of leave set forth in subsection 1 or 2 of NRS 281.145, as amended by section 1 of Assembly Bill No. 388, chapter 340, Statutes of Nevada 2015, at page 1914, is a federal fiscal year.*

(Added to NAC by Personnel Comm'n by R138-13, eff. 6-23-14; R039-15, 10-27-15)

<p>NRS 284.4065 "Screening tests: General provisions." may be found preceding NAC 284.880.</p>

NAC 284.589 Administrative leave with pay. (NRS 284.065, 284.155, 284.345, 284.383, 284.385, 284.390)

1. An appointing authority may grant administrative leave with pay to an employee:

(a) To relieve the employee of his or her duties during the active investigation of a suspected criminal violation or the investigation of alleged wrongdoing;

(b) For up to 30 days when the appointing authority initiates the leave to obtain the results of an examination concerning the ability of the employee to perform the essential functions of his or her position;

(c) For up to 30 days to remove the employee from the workplace when he or she has committed or threatened to commit an act of violence;

(d) For up to 2 hours to donate blood;

(e) To relieve the employee of his or her duties until the appointing authority receives the results of a screening test pursuant to NRS 284.4065; or

(f) To attend a general employee-benefits orientation or an educational session relating to employee benefits, including, without limitation, retirement and deferred compensation.

2. The appointing authority, upon approval of the Risk Management Division, may extend administrative leave with pay granted to an employee for a purpose set forth in paragraph (b) or (c) of subsection 1.

3. If an employee is granted administrative leave with pay pursuant to subsection 1 or 2, the employee must be available:

(a) By telephone to the supervisor of the employee; and

(b) To report to a work site or another location, as directed by the supervisor of the employee, ↪ during regular business hours.

4. Except as otherwise provided in subsection 5, an appointing authority or the Division of Human Resource Management may grant administrative leave with pay to an employee for any of the following purposes:

(a) His or her participation in, or attendance at, activities which are directly or indirectly related to the employee's job or employment with the State but which do not require him or her to participate or attend in an official capacity as a state employee.

(b) His or her safety during an emergency when employees have been authorized by the Governor not to report to work or to leave work before the end of their shifts during the emergency, including, without limitation, emergencies relating to enemy attacks or other hostile actions, natural causes or other catastrophes, except for employees who are designated as essential and notified that they are required to report to work or remain at work.

(c) Closure of the employee's office or work site caused by a natural disaster, pandemic or other similar adverse condition when the employee is scheduled and expected to be at work. An appointing authority may designate certain employees as essential and notify them that they are required to report to work.

(d) Closure, as a result of a pandemic, of a school or a center or facility that provides day care services which is attended by the employee's dependent child or the temporary cancellation, as a result of a pandemic, of a program attended by the employee's dependent child. An appointing authority may designate certain employees as essential and notify them that they are required to report to work.

(e) His or her appearance as an aggrieved employee or a witness at a hearing of the Committee.

(f) His or her appearance as an appellant or a witness at a hearing conducted pursuant to NRS 284.390 by a hearing officer of the Division of Human Resource Management.

(g) His or her appearance to provide testimony at a meeting of the Commission.

5. An appointing authority or the Division of Human Resource Management shall grant administrative leave with pay to an employee for a purpose set forth in paragraph (e), (f) or (g) of subsection 4 if:

(a) The employee requests the administrative leave for a period of time that is reasonably needed to testify at the hearing or meeting;

(b) The employee requests the administrative leave at least 2 weeks before the leave is needed, unless such notice is impractical; and

(c) The absence of the employee will not cause an undue hardship to the operations of the appointing authority or adversely impact the provision of services to clients or to the public.

6. An appointing authority shall grant administrative leave with pay to an employee for any of the following purposes:

(a) The initial appointment and one follow-up appointment if the employee receives counseling through an employee assistance program, including, without limitation, consultations provided in-person or telephonically.

(b) His or her attendance at a health fair or related event coordinated by the Public Employees' Benefits Program.

(c) His or her participation in an official capacity as a member of a committee or board created by statute on which he or she serves as a representative of state employees. Such leave must be in lieu of other fees provided for attendance at meetings and participation in official functions of the committee or board.

(d) Up to 8 hours for preparation for all hearings regarding a suspension, demotion or dismissal of the employee as provided in NAC 284.6561.

(e) Up to 8 hours for preparation for all hearings regarding an involuntary transfer of the employee.

(Added to NAC by Dep't of Personnel, eff. 10-26-84; A 8-28-85; 4-20-90; A by Personnel Comm'n, 8-1-91; A by Dep't of Personnel, 9-13-91; 12-26-91; 11-12-93; 3-23-94; 11-16-95; 10-27-97; R042-99, 9-27-99; R058-01, 9-6-2001; A by Personnel Comm'n by R038-03, 10-30-2003; R183-03, 1-27-2004; R145-05, 12-29-2005; R141-07, 1-30-2008; R061-09 & R081-09, 10-27-2009; R063-09, 11-25-2009; R058-10, 10-15-2010; R137-13, 6-23-14)

NRS 284.345 states, "Regulations for attendance and leave of absence; personnel of Nevada System of Higher Education.

1. Except as otherwise provided in subsection 2, the Commission shall adopt regulations for attendance and leave with or without pay or reduced pay in the various classes of positions in the public service.

2. The Board of Regents of the University of Nevada shall adopt regulations for attendance and for leave with or without pay or with reduced pay, sabbatical leave, sick leave, emergency leave, annual leave, terminal leave, military leave and such other leave as the Board of Regents determines to be necessary or desirable for officers and members of the faculty of the Nevada System of Higher Education. Sabbatical leave with pay may not be granted to more than 2 percent of the teaching personnel of a branch or facility of the System with the rank of instructor or higher in any 1 year. No sabbatical leave with pay may be granted unless the person requesting the leave agrees in writing with the branch or facility to return to the branch or facility after the leave for a period not less than that required by the person's most recent contract of employment if the Nevada System of Higher Education desires the person's continued service."

NRS 281.1275 states, "Reduction in salary of certain public officers and employees for part-day absence from work prohibited; accounting for part-day absence; exception.

1. Except as permitted by the federal Family and Medical Leave Act of 1993, the salary of a public officer or employee of the State or any agency thereof, or of a political subdivision or any agency thereof, who is not entitled pursuant to federal or state law, local ordinance, or policy or contract of employment to earn overtime at the rate of time and one-half, must not be reduced for an absence from work for part of a day.

2. The provisions of this section do not apply to an officer or employee of the Legislative Branch of Government, except an officer or employee of the legislative library."

NAC 284.5895 Accounting for absences of exempt classified and unclassified employees. (NRS 284.065, 284.155, 284.345)

1. An absence of an exempt classified employee or exempt unclassified employee for a full workday shall be deemed to be an absence for a period equal to his or her regularly scheduled hours of employment on that workday.

2. Except when an absence for part of a workday is authorized for family and medical leave, an exempt classified employee or exempt unclassified employee must only account for an absence of one or more full workdays by the use of leave appropriate to the absence and is not required to account for any absence for part of a workday.

3. An exempt classified employee or exempt unclassified employee must not account for an absence for a full workday by the use of a combination of accrued sick leave and accrued annual leave unless he or she:

(a) Is on family and medical leave; or

(b) Has been approved for catastrophic leave and the catastrophic leave is used as a supplement for the remaining sick and annual leave.

4. If an exempt classified employee or exempt unclassified employee does not have accrued leave appropriate to the absence in an amount sufficient to account for an authorized absence, the employee must be placed on leave of absence without pay for that workday unless he or she is approved to use catastrophic leave.

(Added to NAC by Dep't of Personnel, eff. 3-23-94; A 11-16-95; R147-01, 1-22-2002; A by Personnel Comm'n by R145-05, 12-29-2005)

NAC 284.594 Unauthorized and unreported absences. (NRS 284.065, 284.155, 284.175, 284.345)

1. An unauthorized and unreported absence must be considered an absence without leave and a deduction of pay must be made for the absence.

2. An unauthorized or unreported absence may be considered an absence without leave, and a deduction of pay may be made for the absence.

3. An employee who has an unauthorized or unreported absence may be subject to disciplinary action pursuant to NAC 284.646 or 284.650.

4. A deduction from the pay of an exempt classified employee or exempt unclassified employee must be made in increments of a full workday.

[Personnel Div., Rule VII § G, eff. 8-11-73]—(NAC A by Dep't of Personnel, 10-26-84; 1-26-87; 11-16-95; R147-01, 1-22-2002; A by Personnel Comm'n by R145-05, 12-29-2005; R062-09, 10-27-2009)

INFORMATIONAL NOTE: Certain personnel actions, such as transfers, authorized leave without pay and those separations listed below in NAC 284.598, do not constitute a break in continuous service but may result in adjustments to pay, benefits computation of seniority, and/or probationary periods as provided in this chapter.

NAC 284.598 Breaks in continuous service. (NRS 284.065, 284.155) The following are not breaks in continuous service:

1. Military leave for active service if the person returns from leave within 90 calendar days after an honorable discharge from military service.

2. A layoff if the employee is reemployed within 1 year after the date he or she was laid off.

3. A seasonal layoff if the employee is reemployed within 1 year after the end of the previous seasonal appointment.

4. A separation as a result of a permanent disability arising from a work-related injury or occupational disease, if the employee is reemployed within 1 year after the date on which he or she sustained the permanent disability as determined pursuant to NAC 284.6013.

[Personnel Div., Rule VII § H, eff. 8-11-73; A 7-3-76]—(NAC A by Dep't of Personnel, 8-26-83; 4-19-88; 3-1-96; A by Personnel Comm'n by R022-05, 10-31-2005; R142-05 & R145-05, 12-29-2005)

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