

# State of Nevada

## Division of Human Resource Management

### Consultation and Accountability



#### We Appreciate You!

Recently, I was reflecting on some of the amazing State of Nevada employees who have gone above and beyond to support us. Like you, DHRM staff has the great privilege to work with many remarkable people who strive every day to support the State of Nevada and its mission. At some point, I think we have all felt immense gratitude when someone has found an answer or cleared a roadblock so that we can complete our tasks. These people provide help with such attention, thoughtfulness, and pleasure that they leave us with a positive view of our workplace and the feeling that we are all "in it together." We would like to take this opportunity to acknowledge these amazing State of Nevada employees who go the extra mile, who have renewed our enthusiasm, and help make what we do much easier and meaningful. Thank you for being there when we need you!

In this issue, we would like to thank Tiffany Breinig and Robert Whitney from the AG's office for their continual support of the Employee-Management Committee and the many other endeavors here at DHRM. We are grateful that you are assigned to our Division and that you are so amazing at what you do! We have recently learned that Tiffany is moving on to another role within the AG's Office. She will be greatly missed! We wish her the best of luck in her new role and know that she will continue to do amazing things.

*Thank You,  
Frank Richardson*

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#### Inside this issue

Employee Appreciation Week.....	2
Quick Links.....	2
FMLA...did you know? .....	2
Read the Signs.....	3
Improving Employee Relations.....	3
EAP Webinars .....	4
Webinar-Coping with a Traumatic Event .....	4
2019 Legislative Session Information .....	4
Regulations Update .....	4
Did You Know...Appeals ....	5
Self-Performance Evaluations.....	5
Help Us Better Serve You .	6
Contact Us .....	6
11 Surprising Statistics About Employee Recognition .....	6

## U.S. Dept. of Labor Opinion Letter: Obligation to Designate FMLA-Qualifying Leave

By Carrie Hughes

The United States Department of Labor has issued a new opinion letter regarding implementation of the Family and Medical Leave Act (FMLA). The letter addresses whether an employer may delay designating paid leave as FMLA leave or permit employees to expand their FMLA leave beyond the statutory 12 week entitlement.

"First, an employer is prohibited from delaying the designation of FMLA-qualifying leave as FMLA leave. Once an eligible employee communicates a need to take leave for an FMLA-qualifying reason, neither the employee nor the employer may decline FMLA protections for that leave... An employer is also prohibited from designating more than 12 weeks of leave (or 26 weeks of military caregiver leave) as FMLA."

I encourage you to read the opinion letter in full, see [FMLA2019-1-A](#).

Contact Carrie Hughes at 775-684-0111 or [cphughes@admin.nv.gov](mailto:cphughes@admin.nv.gov) for more information.

## HR HUMOR

A recruiter asks a job candidate, "How long were you in your last position?"

The job applicant replies, "I'd say my biggest weakness are my listening skills."



## Employee Appreciation Week!

By Kristen Hanson

The 2019 Nevada State Employee Appreciation Week is May 5th–11th, with State Employee Appreciation Day on Wednesday, May 8th. State Employee Appreciation Day was initiated in 2001 by the National Association of State Personnel Executives (NASPE). Many states have proclamations signed by the Governor proclaiming a Public Employee Appreciation Day and/or Week in celebration of the approximately two million state government employees across the country.

This is an excellent opportunity to express recognition and appreciation for your employees, and to let them know they're valued. Get creative, have fun and celebrate our State of

Nevada employees!

Watch for an upcoming HR memo which will include links to printable Employee Appreciation posters and invitations, as well as ideas for low or no cost appreciation activities.

Please contact Kristen Hanson at 775-684-0148 or [khanson@admin.nv.gov](mailto:khanson@admin.nv.gov) for more information.



***"Hire for passion and intensity; there is training for everything."*** – Frederick Herzberg, Business Psychologist and Author of "One More Time, How Do You Motivate Employees?"

### Quick Links

- [Employee Discounts Page](#)
- [Updated Forms and Publications](#)
- [HR 1-2-3](#)
- [State Holidays](#)
- [Governor's Boards Page](#)
- [DHRM Consultation Survey](#)

Looking for that 'perfect' gift? Want great deals on your next vacation? Check out our [Employee Discount Webpage](#).

We have an amazing array of vendors in categories of all types.



## FMLA: Did You Know

...when an employee's duties may be altered while on FMLA leave?

By Carrie Hughes

An employee taking intermittent or reduced schedule FMLA leave due to foreseeable, planned medical treatment for the employee, a family member, or a covered servicemember, including a period of recovery from the employee's own serious health condition, a serious health condition of a spouse, parent, son, or daughter, or a serious injury or illness of a covered servicemember, or if the agency agrees to permit intermittent or reduced schedule leave for the birth of a child or for placement of a child for adoption or foster care may be temporarily transferred to an alternative position which better accommodates recurring periods of leave.

"Transfer to an alternative position may include altering an existing job to better accommodate the employee's need for intermittent or reduced schedule leave." An employee's duties and responsibilities may be temporarily altered due to planned medical treatment. However, a transfer or change to an employee's duties may not constitute a hardship on the employee.

(29 CFR §825.204)

Contact Carrie Hughes at 775-684-0111 or [cphughes@admin.nv.gov](mailto:cphughes@admin.nv.gov) for more information.

### Federal Updates:

- [ADA](#)
- [FMLA](#)
- [GINA](#)
- [USERRA](#)

By Denise Woo-Seymour

You won't find NAC 284.480 Letters of Instruction in the *Disciplinary Procedures* section of the [Rules for State Personnel Administration](#). This regulation is located in the *Reports on Performance* section because a Letter of Instruction (LOI) is a coaching tool and is not part of the progressive disciplinary process.



The Letter of Instruction provides an employee with information, instruction or training and communicates job performance concerns and expected behavior. It documents the employee has been made aware of his or her responsibility regarding a specific situation or set of circumstances.

Although there is no prescribed form, the Letter of Instruction must be in written or electronic form and must be discussed between the supervisor and the employee.



A Letter of Instruction must include a statement identifying the areas of concern, the expected behavior regarding the areas of concern, instructions or course of action to address the concern and a timeframe to complete the course of action.



A Letter of Instruction cannot reference discipline or consequences. Otherwise, it can be considered a record of a discipline, such as a documented oral warning or a written reprimand, which can be grieved if the employee has attained permanent status.

A copy of the Letter of Instruction is retained in the supervisor's working file for the employee, including any written response from the employee. These documents are not to be retained in the employee's permanent files, nor referenced on any other document that may become part of the permanent files unless it is attached to subsequent disciplinary action regarding the areas of concern previously noted in the Letter of Instruction.

Further questions may be directed to Denise Woo-Seymour at [dseymour@admin.nv.gov](mailto:dseymour@admin.nv.gov) or 775-684-0149.

## Improving Employee Relations

By Bachera Washington

Employee relations is the effort of employers and employees to create and cultivate a positive working environment, providing fair and consistent treatment to all employees. This is an agency's best strategy to retain employees as well as to increase employees' productivity and morale.

One of the biggest elements in creating positive employee relations is through communication. Open and honest communication builds trust with your employees. Good communication skills are a necessity for all managers and supervisors. Tools, such as regular staff meetings, email and bulletin boards, are effective means of getting the needed information to employees. This will also create an environment for the employee to communicate and express concerns and improvement ideas.

Another element in promoting positive employee relations with employees is through recognition. Giving an individual public praise, thanking the team for their hard work or sending a thank you email, reinforces positivity and inspires employees to continue to work hard. Showing your appreciation and gratitude to employees also builds trust and camaraderie amongst supervisors and managers as well as the employees themselves, as they see what they are accomplishing as a team. So today, start communicating more effectively with employees and tell them their hard work is appreciated.



Please contact Bachera Washington at 702-486-2907 or [bwashington@admin.nv.gov](mailto:bwashington@admin.nv.gov) for more information.

## Upcoming Employee Assistance Program Webinars

- Getting the Best Value out of Your Health Benefits  
*April 25, 2019; 9:00 am*
- Counseling & Therapy Demystified  
*May 7, 2019; 11:00 am*
- Caring From a Distance  
*May 16, 2019; 1:30 pm*
- Strengthening Your Ability to Empathize  
*June 5, 2019; 3:30 pm*
- The Confident You: Taking Charge of Your Life  
*June 12, 2019; 9:30 am*
- The Power of Voice; Speech Techniques to Help You Be Heard  
*June 20, 2019; 10:30 am*

Register for these webinars at :

<http://hr.nv.gov/StateEmployees/EAPtraining/>

For more resources, use the link below:

[www.guidanceresources.com](http://www.guidanceresources.com)  
(company web ID: STATENV)

## Webinar—Coping with a Traumatic Event

By Carrie Hughes

Unfortunately, traumatic events such as the unexpected death of a coworker or violence in the workplace happen and the Employee Assistance Program (EAP) is available to support both employees and management in dealing with these traumatic events. Additionally, some agencies have employees that, due to their duties, are more likely to experience traumatic events.

The webinar, Coping with a Traumatic Event, has been scheduled to better prepare employees for traumatic or challenging situations. The webinar will be facilitated by a counselor who will take questions during the webinar. Date and time information on the Coping with a Traumatic Event webinar will be updated on the DHRM website using the link below. Employees can register to participate in the webinar at <http://hr.nv.gov/StateEmployees/EAPtraining/>.

Contact Carrie Hughes at 775-684-0111 or [cphughes@admin.nv.gov](mailto:cphughes@admin.nv.gov) for more information.

## 2019 Legislative Session Information

By Michelle Garton

The Division of Human Resource Management (DHRM) is fortunate to have two Legislative bills progressing through the Legislature this Session. In addition, there are a large number of other bills we are analyzing and tracking for outcome.

Later this year as we move through Session, DHRM will distribute information regarding bills affecting State of Nevada employees.

Please contact Michelle Garton at 775-684-0136 or [mgarton@admin.nv.gov](mailto:mgarton@admin.nv.gov) for additional information.

## Regulations Update

By Michelle Garton

Several permanent amendments to NAC 284 were adopted by the Personnel Commission at their meeting on March 15<sup>th</sup>. All documents required for post-adoption review been submitted to LCB Legal and we are unaware of the date of the next Legislative Commission meeting. The regulations will (hopefully!!) be approved and will become effective at that time. Please visit the 2018 Regulations page on the [Nevada Register](#) to find information on the following adopted LCB File: [R057-18](#).

A Regulations Workshop for regulations proposed for permanent adoption is tentatively scheduled for June 25<sup>th</sup>, and a Notice of Workshop will be distributed towards the beginning of June. This will include any regulations requested by interested parties, and any permanent regulation changes based on the 2019 Legislative Session. Don't forget – C&A is always interested in discussing amendments to NAC 284!

Again, watch for possible emergency regulations in June 2019 based on bills passed during the 2019 Legislative Session. Remember to use the [Rules for State Personnel Administration](#) publication and watch for the distribution of replacement pages because LCB only updates their website once codification is completed.

Please contact Michelle Garton at 775-684-0136 or [mgarton@admin.nv.gov](mailto:mgarton@admin.nv.gov) to discuss the regulation amendment process.



## Did You Know?

By Michelle Garton

As of June 26, 2018, the Division of Human Resource Management has the authority to remove from the process any appeal of a decision by an appointing authority to reject an employee from probation or from a trial period. (NAC 284.458). As such, we have implemented a new procedure related to personnel appeals. When an appeal is submitted to DHRM, Nora Johnson, Hearings Clerk, determines if the employee is a permanent employee. If the employee is appealing a rejection from a probationary period, the appeal is removed from the appeal process and the individual, agency and the Attorney General's Office are notified. If the employee is a permanent employee appealing a rejection from a trial period, the appeal is also removed, and the employee, agency and the Attorney General's Office are notified. We have encountered this several times since the amendments went into effect, and we hope it has improved efficiency at the agency level.

Please contact Michelle Garton at 775-684-0136 or [mgarton@admin.nv.gov](mailto:mgarton@admin.nv.gov) for additional information related to this process.

### Helpful Links for Appeals

- [Appeal Forms](#)
- [Appeal FAQ](#)




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***“When people are financially invested, they want a return. When people are emotionally invested, they want to contribute.” - Simon Sinek, Author of “Start With Why.”***

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## Do You Suffer from Any of the Following Symptoms?

By Denise Woo-Seymour

- Anxiety
- Body tremors
- Clammy hands
- Memory loss
- Uncontrollable eye twitching

These could be indicators of...*“Employee Reports on Performance Are Due”* Syndrome (gasp!!!).

One option that may bring relief from these symptoms is the Self-Performance Evaluation. Some benefits of the Self-Performance Evaluation:

- Encourages employees to self-evaluate throughout the year, monitoring his or her own progress and self-correction all year long.
- Ensures the employee's buy-in to accomplish goals all year long by having the employee set his or her own goals or development plan in conjunction with the supervisor's expectations.
- Opens communication. Receiving the employee's input promotes dialogue between the employee and supervisor during the review meeting, instead of an employee being talked at about their performance.

- Allows the employee an opportunity to list any problems and/or constraints.
- The supervisor can view performance through the employee's eyes and get their side of the story.
- Allows the supervisor to prepare appropriately for the review meeting and a productive discussion, especially if the self-performance evaluation reveals any differences in perception between the employee and supervisor.
- Obtaining the employee's input ensures his or her strengths and accomplishments are recognized.
- Conveys the message the evaluation is a team effort between the employee and the supervisor. Enables employees to be more open, not only to praise but also more receptive to criticism.

Self-Performance Evaluations can be a powerful way to engage employees in their own performance and development and to promote a more productive review meeting. To request a sample Self-Performance Evaluation template, contact Denise Woo-Seymour at 775-684-0149 or [dseymour@admin.nv.gov](mailto:dseymour@admin.nv.gov).



State of Nevada

Division of Human Resource Management Consultation and Accountability

**MISSION:**

To provide exceptional Human Resource services with integrity, respect and accountability.

**VISION:**

To be recognized as a leader and partner in the management of Human Resources.

**WELCOME!**

**Deonne E. Contine**  
Director, Department of Administration

## Help Us Better Serve You

By Carrie Hughes

Have you instituted an initiative, technique, or process that is working great? Do you have an insight into a recurring issue? Hopefully, not from the school of hard knocks. We would love to hear about it. We understand that some situations, even if anonymous, redacted, and/or sanitized, cannot be shared. However, we are frequently asked how other agencies have handled similar situations. So, if you have an insight, technique, initiative, or process that you can share... We'd love to hear about it, so we can share them with you.



Click [here](#) for the DHRM Consultation Survey. Tell us what works for you and how we've helped along the way!

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## 11 Surprising Statistics About Employee Recognition. Employee Appreciation Week is May 5th through May 11th!

- ◇ The number-one reason most Americans leave their job is that **THEY DON'T FEEL APPRECIATED**.
- ◇ Organizations with effective recognition programs have **31% LOWER** voluntary turnover.
- ◇ **90%** of employees say their recognition program positively impacts engagement.
- ◇ **68%** of employees say it positively impacts retention.
- ◇ Organizations with strategic recognition programs in place exhibit **28.6% LOWER** frustration levels than companies without recognition programs.
- ◇ **66%** of HR managers say it helps them build a stronger employment brand.
- ◇ **86%** of managers say it increases **EMPLOYEE HAPPINESS**.
- ◇ When asked what leaders could do more of to improve engagement, **58%** of respondents replied **"Give recognition."**
- ◇ Employees who know that they will receive recognition for acting on the brand promise will have a **STRONG INCENTIVE** to do so.
- ◇ 85% of employees say it adds **HUMANITY** in the workplace.
- ◇ Peer-to-peer recognition is **35% MORE LIKELY** to have a positive financial impact than manager only.

Recruiterbox: 'In Company Culture'-by Dave Anderson. Click [here](#) for full article and sources.

**THANK YOU**