

**STATE OF NEVADA  
PERSONNEL COMMISSION**

**MEETING MINUTES**

**Friday, December 4, 2015**

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Held in Carson City at the Gaming Control Board, 1919 College Parkway;  
and video conferenced to  
Las Vegas at the Grant Sawyer State Building, Room 2450, 555 East Washington Avenue.

**COMMISSIONERS PRESENT**

**IN CARSON CITY:** Ms. Katherine Fox, Chairperson  
Mr. David Read, Commissioner

**COMMISSIONERS PRESENT**

**IN LAS VEGAS:** Mr. David Sanchez, Commissioner  
Mr. Andreas Spurlock, Commissioner

**COMMISSIONER NOT PRESENT**

**AT THE MEETING:** Mr. Gary Mauger, Commissioner

**STAFF PRESENT:**

Ms. Lee-Ann Easton, Administrator, DHRM  
Ms. Shelley Blotter, Deputy Administrator, DHRM  
Mr. Peter Long, Deputy Administrator, DHRM  
Ms. Jennifer Chisel, Deputy Attorney General  
Ms. Tawny Polito, Executive Assistant, DHRM  
Ms. Frances Lincoln, Administrative Assistant, DHRM  
Ms. Michelle Garton, Supervisory Personnel Analyst, DHRM  
Ms. Carrie Hughes, Personnel Analyst, DHRM  
Ms. Katie Holmberg, Personnel Analyst, DHRM

## **I. CALL TO ORDER; WELCOME; ROLL CALL; ANNOUNCEMENTS**

**Chairperson Katherine Fox** opened the meeting at 9:00a.m., welcomed everyone and took roll. She then acknowledged that Governor Sandoval had ordered all flags of the State of Nevada be flown at half-staff in honor of those who were killed tragically in San Bernardino, California and requested a moment of silence in respect to those victims and their families.

## **II. PUBLIC COMMENT**

**Chairperson Fox** advised that no vote or action could be taken upon a matter raised during public comment until the matter itself was specifically included on an agenda as an item upon which action could be taken. She then asked if there were any public comments.

**Kevin Ranft**, AFSCME Local 4041 stated he wanted to thank Lee-Ann Easton, Shelley Blotter and Peter Long for the opportunity, not only throughout the legislative session but also for the opportunity during the regulatory process for how they worked together and that it had been a great opportunity to get agreeable language. He stated that when everyone came together, regulatory language was done without contention and was fair and proper through transparency in meetings. He stated he appreciated every effort that was made to reach out to his organization.

He stated in SB 62, enacted regulations, they were not opposing any of those however, AFSCME Local 4041 was opposed to removal of longevity pay language though they understood it was a requirement of the Nevada Revised Statute that was eliminated through the legislature. He stated his organization opposed the removal of longevity pay from State employees.

He stated AFSCME Local 4041 would remain neutral on all matters related to hearing officers for the Department of Administration and that his organization would like to have that intent, through the Nevada Revised Statute, remain.

He stated he appreciated the Commission and thanked the Division of Human Resource Management (DHRM).

**Chairperson Fox** thanked Mr. Ranft for his comments and his support of the Division of Human Resource Management and noted that there was difficulty involved in making the types of changes before the Committee to Nevada Administrative Code (NAC) which included communication to affected employees and thanked Mr. Ranft for all of his efforts.

## **III. APPROVAL OF MINUTES OF PREVIOUS MEETINGS.**

### **Action Item**

### **A. September 25, 2015**

**Chairperson Fox** stated that she and Commissioner Read would abstain from voting because they were not present at the meeting held September 25, 2015. Chairperson Fox stated that in order to be certain that requirements were met, the Committee would vote on the item at the next meeting.

**B. October 9, 2015**

MOTION: Moved to approve the minutes of the meeting held October 9, 2015.  
BY: Commissioners Fox and Read  
SECOND: Commissioner Sanchez  
VOTE: Motion passed unanimously.

**IV. DISCUSSION AND APPROVAL OR DENIAL OF ADDITION OF CLASSES AND POSITIONS APPROVED FOR PRE-EMPLOYMENT SCREENING FOR CONTROLLED SUBSTANCES** **Action Item**

**A. The Division of Minerals requests the addition of classes and positions to the list approved for pre-employment screening for controlled substances:**

7.665	Public Service Intern I, PCNs: 09015, 09016, 09017, 09018, 09019, 09020, 09022, 09023
U3916	Program Manager, Oil/Gas and Geothermal, PCN: 0002
U3918	Deputy Administrator, Minerals, PCN: 0006
U3919	Chief for Dangerous Mines, PCN: 0007
U3930	Chief for Mine Regulation, PCN: 0009
U3932	Field Specialist, Minerals PCNs: 0011, 0021, 0031
U4706	Administrator, Minerals, PCN: 0001

**Carrie Hughes**, Personnel Analyst, DHRM stated that NRS 284.4066 provided for the pre-employment testing for controlled substances of candidates for positions affecting public safety prior to hire. She continued that the State statute required the appointing authority to identify the specific positions that affected public safety, subject to the approval of the Personnel Commission. She stated that federal courts had indicated that pre-employment testing by public entities could constitute a search within the meaning of the Fourth Amendment and if so, must be justified by a special need that outweighs a reasonable expectation of privacy.

She continued that the Commission on Mineral Resources, Division of Minerals had requested approval of pre-employment screening, of positions as outlined in agenda item 4-A. She further stated that DHRM recommended approval for all of the requested positions: Public Service Intern I positions; the Chief for Dangerous Mines and the Chief for Mine Regulation, as they investigate and construct fencing and warning signs around abandoned mine features; Public Service Intern Class Series, which she noted had previously been approved by the Commission; the Field Specialist, Minerals Positions, 0011 and 0021 as they investigate and construct fencing and warning signs around abandoned mine features and may work alone; the Administrator; Deputy Administrator; Program Manager of Oil/Gas and Geothermal; Field Specialists,

Minerals, Position 0031 as they perform duties on drilling and production sites to include inspecting drills while in operation and pressure testing blowout prevention equipment. She then noted that Robert Ghiglieri from the Division of Minerals was also available to answer any questions of the Commission and thanked the Commission.

**Chairperson Fox** asked if there were questions from the Commissioners. There were none.

**MOTION:** Moved for approval of the Classes and Positions for Pre-Employment Screening for Controlled Substances to include for the Division of Minerals: Public Service Intern I with the associated PCN numbers; Program Manager, Oil/Gas and Geothermal; Deputy Administrator, Minerals; Chief for Dangerous Mines; Chief for Mine Regulation; Field Specialist, Minerals; and Administrator, Minerals.

**BY:** Chairperson Fox

**SECOND:** Commissioners Sanchez and Read

**VOTE:** Motion passed unanimously.

**V. DISCUSSION AND APPROVAL OR DENIAL OF DHRM RECOMMENDATIONS REGARDING HEARING OFFICER CONTRACTS. POSSIBLE RECOMMENDATION TO SELECT HEARING OFFICERS USING A DIFFERENT METHOD** **Action Item**

**Shelley Blotter**, Deputy Administrator, DHRM stated that at the meeting of the Personnel Commission held September 25th, staff provided information to the Commission regarding the Hearings Division and their performance, as well as, the performance of the independent contractor Charles Cockerill. She stated that at today's meeting, they were going to be reviewing whether or not to approve a new contract, starting on July 1, 2016 or seek some other options.

She stated that staff recommended that contracts for the Hearings Division, as well as the independent contractor Charles Cockerill, be extended for one year. This is recommended as the Hearings Division has now hired Special Appeals Officers, appointed by the Governor, to hear these case. She noted that it felt prudent to reevaluate in one year and determine whether or not we go forward.

**Chairperson Fox** asked when the contract commenced and when would it end. **Ms. Blotter** responded that it would commence on July 1, 2016 and end on June 30, 2017. She continued that the reasoning behind starting so far in advance was that, if the Commission were to direct the Division to go back to the old methodology of hiring independent contractors or recommend some other method of hiring Hearing Officers, that it took that long to get the contracts in place and that they were asking for lead time, should they need it.

**Chairperson Fox** asked if there were any questions from the Commission or the public.

**Commissioner David Sanchez** commented that in the past, he had been a part of the group that interviewed for the Hearing Officers and he found it to be problematic to interview the group as it had done so in the past. He further stated that he found the current process may be more efficient for the Commission and stated that he would like to see the current process go forward.

MOTION: Moved for approval of one-year contracts from July 1, 2016 to June 30, 2017 for both Charles Cockerill and renewal of current contracts with the Hearing Division for the use of Hearing Officers to hear employee appeals of dismissals, suspensions, demotions, involuntary transfers and claims of reprisal or retaliatory action.

BY: Chairperson Fox

SECOND: Commissioners Read and Sanchez

VOTE: Motion passed unanimously.

## **VI. DISCUSSION AND APPROVAL OR DENIAL OF PROPOSED REGULATIONS CHANGES TO NEVADA ADMINISTRATIVE CODE, CHAPTER 284**

### **Action Item**

#### **A. LCB FILE NO. R041-15**

Sec. 1. NAC 284.097 "Reviewing officer" defined.

Sec. 2. NAC 284.470 Preparation, filing, contents, discussion, and distribution of reports; powers and duties of employees; review; adjustment of grievances.

**Michelle Garton**, Supervisory Personnel Analyst, DHRM stated LCB file# R041-15 included changes related to employee reports on performance. She continued that the amendment in Section 1 was contingent on the adoption of the next regulation of that LCB file. She stated it was a housekeeping item and changed a reference to NAC 284.470, based on the addition of two new sections to that regulation. She stated that the amendments included in Section 2 of the LCB file would clarify the effect of a timely or late filed evaluation or when an evaluation is not filed at all, on an employee's pay and performance rating.

She explained that the changes were intended to encourage supervisors to submit a report on performance for every employee, even if it could be late. She continued that reports on performance serve to recognize positive performance, note deficiencies and document development plans. She stated that it was commonly thought that an employee who did not receive a performance evaluation was deemed standard in terms of performance, as well as for the purposes of his or her merit salary increase. She further explained that the new language explained that a report on performance, if one was not filed on time, the employee would receive the merit salary increase, if he or she had not reached the top step of the grade; however there would be no report on performance for that period reflected in the employee's file of employment because no report was submitted for them. She stated that if a report on performance were to be subsequently submitted, the employee's file would be updated with that performance rating at that time. Ms. Garton stated that the Nevada Employee Action and Timekeeping System (NEATS) was undergoing an upgrade to electronically process performance evaluations, work performance standards and essential functions documents and that the upgrade would support a supervisor's ability to submit reports on performance timely and provide them with the tools that they need to be very efficient in doing such work.

**Ms. Garton** stated that the second amendment to the regulation would allow an appointing authority to designate a representative to agree to an extension of the timeframes related to the request for review process for evaluations.

**Chairperson Fox** asked if there were any questions from the Commission or the public.

**Commissioner Andreas Spurlock** commented that he would like to commend the Department for taking such action and stated that in his experience, often in government and the private sector, it was difficult when trying to make a case for employee discipline, realizing that the employee had been rated as standard during the past four years and there not being a single other word in the file. He stated it then seemed that they've suddenly become a problem employee and it is left to HR to clean it up and those with HR experience understood that.

He stated he thought the move was a small step of detaching the pay component and treating it separately and at least we won't have to label the employee as being standard when no full evaluation or report had been done, he stated, it was a small step forward and that he hoped it would help reduce some liability for the State.

**Chairperson Fox** commented that she believed the upgrade of the NEATS system should assist with supervisors having some tools in front of them that make completing the evaluation easier and noted she knows it was a chore to do evaluations and that it was her understanding that the essential functions and work performance standards were linked to a particular employee's performance evaluation and it was a good improvement in terms of automating the evaluation system.

**Chairperson Fox** asked if there were any further questions from Commissioners or the Public. There were none.

**MOTION:** Moved for approval of LCB File No. R041-15, item VI-A of the regulations change to Nevada Administrative Code, Chapter 284.

**BY:** Commissioner Read

**SECOND:** Chairperson Fox and Commissioner Sanchez

**VOTE:** Motion passed unanimously.

**B. LCB FILE NO. R042-15**

- Sec. 1. NAC 284.394 Transfers initiated by appointing authorities.
- Sec. 2. NAC 284.589 Administrative leave with pay.
- Sec. 3. NAC 284.656 Notice.
- Sec. 4. NAC 284.778 Request for hearing and other communication.
- Sec. 5. Effective Dates.

**Michelle Garton** stated that through a recent grievance filed by a State of Nevada employee, some inconsistencies with respect to administrative leave for the purposes of personnel appeal hearings were found. She continued that the amendments would bring into alignment the granting of administrative leave for an employee to prepare for and attend his or her hearing before a Hearing Officer.

She stated that Section 1 of the LCB file removed the reference to NAC 284.589 in subsection 5, of NAC 284.394 for the reason that the granting of administrative leave for the preparation for a hearing which involved an employee's involuntary transfer was included in NAC 284.589 and therefore the language was not necessary there. She stated that the Division intended to include an informational note in their Rules for State Personnel Administration publication directing the reader to NAC 284.589.

**Ms. Garton** stated that the majority of the changes in the LCB file were included in Section 2, which contained NAC 284.589, Administrative Leave. She continued that the first amendment made the conforming change based on Senate Bill 62 of the 2015 Legislative Session. She stated that the second amendment to the regulation removed the granting of administrative leave for the attendance of an employee at a hearing related to his or her dismissal, suspension, demotion or involuntary transfer from permissive to required and that attendance of an employee at his or her hearing regarding a claim of reprisal or retaliatory action, based on the disclosure of Improper Governmental Action, otherwise known as a "Whistleblower appeal", would now be required. She stated that the changes reflected the importance of an employee's attendance at his or her hearing and that the attendance of witnesses at those types of hearings would remain permissive.

**Ms. Garton** stated that the next amendment to the regulation was regarding employee preparation for those hearings. She continued that the granting of up to eight hours of administrative leave for an employee to prepare for his or her hearing regarding disciplinary action or an involuntary transfer would still be required. She stated that additionally, up to eight hours of administrative leave for an employee to prepare for his or her Whistleblower hearing would now be required.

**Ms. Garton** stated that Section 3 of this LCB file contained NAC 284.656 related to the notification provided to an employee of his or her dismissal, demotion or suspension. She noted to reference the handout that was provided to the Commission and public of the new draft of the regulation. She stated that Senate Bill 62 of the 2015 Legislative Session amended NRS 284.385 related to that type of notification to an employee and that based on questions they had received, the Division of Human Resource Management recommended the inclusion of the green double underlined language which clarified that the use of social media, texting or other electronic delivery would not be allowed. She stated that the statute had required the use of US Mail and that it now allowed for other options such as UPS or Fed Ex. She stated that the intent of the change was to provide increased speed of delivery and reliability by modernizing the methods in which agencies may provide notice to an employee of disciplinary action. She continued that if adopted, the amendments included in Section 3 of the LCB file would become effective on January 1, 2016.

**Ms. Garton** stated that regarding section 4, at the April 11, 2014 Meeting of the Personnel Commission, the Commission had selected the Hearings Officers of the Hearings Division of the Department of Administration to act as primary hearing officers for personnel appeals. She continued that the Hearings Division directly employs clerks who are assigned to hearing officers of that Division. She stated that because the Division of Human Resource Management does not currently provide the services of a clerk, the proposed language states that a copy of written communication directed to a hearing officer be sent to the clerk assigned to that hearing officer; removing language that the clerk be employed by the Division of Human Resource

Management.

**Chairperson Fox** stated that it was her understanding for Sections 1, 2, 4 and 5, those would become effective upon filing with the Secretary of State; and that the notice, which was section 3, would become effective January 1, 2016, if approved by the Commission. She asked if there were any questions from Commissioners or the Public. There were none.

MOTION: Moved for approval of item VI-B, LCB File No. R042-15 and that Sections 1, 2, 4 and 5 be made effective upon filing and that Section 3 be effective on January 1 of 2016.

BY: Commissioner Read

SECOND: Commissioner Sanchez

VOTE: Motion passed unanimously.

**C. LCB FILE NO. R043-15**

- Sec. 1. NAC 284.398 Transfers to classified service; certain transfers to unclassified service.
- Sec. 2. NAC 284.470 Preparation, filing, contents, discussion, and distribution of reports; powers and duties of employees; review; adjustment of grievances.
- Sec. 3. NAC 284.580 Leave of absence without pay during fiscal emergency of State or agency.
- Sec. 4. NAC 284.262 Longevity pay: Eligibility.
- NAC 284.270 Longevity pay: Required rating of performance.
- NAC 284.274 Longevity pay: Dates of payment and eligibility; responsible agency.
- NAC 284.278 Longevity pay: Formulas for calculation.
- NAC 284.282 Longevity pay: Particular circumstances.
- NAC 284.284 Longevity pay: Return to state service.

**Michelle Garton** explained that the LCB file made conforming changes to several regulations based on two legislative bills of the 2015 Legislative Session and also repealed the six longevity regulations. She stated Senate Bill 510 added two new subsections to NRS 284.3775 and as such the statute reference in NAC 284.398 has changed.

She further explained that the amendments in Sections 2 and 3 of the LCB file remove longevity pay from the regulations due to the repeal of the longevity statutes by Assembly Bill 436 of the 2015 Legislative Session. She stated that if adopted, those changes, as well as the changes to

NAC 284.470 that were just adopted, in Section 2 of LCB file R041-15, would be reflected upon the codification of NAC 284. She stated that Assembly Bill 436 of the 2015 Legislative Session repealed NRS 284.177 and NRS 284.179, which were related to longevity pay. She continued that due to that, the Division was proposing the repeal of NAC 284.262 through 284.284, inclusive. She noted that the bill became effective on June 9, 2015.

**Chairperson Fox** stated that she understood the Legislative action occurred June 9, 2015 and asked if that was immediate for employees in that had their longevity been taken away after June 9<sup>th</sup>.

**Ms. Garton** responded to Chairperson Fox that she was correct.

**Chairperson Fox** then noted that State employees had not been receiving longevity pay for years due to the fiscal climate. She asked if there were any questions from the Commissioners or from the Public. There were none.

**MOTION:** Moved for approval of LCB File No. R043-15 – Section 1, NAC 284.398, transfers to classified service; certain transfers to unclassified service; Section 2, NAC 284.470, preparation, filing, contents, discussion and distribution of reports; powers and duties of employees; review; adjustment of grievances; Section 3, NAC 284.580, leave of absence without pay during fiscal emergency of State or agency; Section 4, repeal of longevity pay for State employees – all of those NAC items regarding longevity pay; with the understanding that they will take effect upon filing with the Secretary of State.

**BY:** Commissioner Fox

**SECOND:** Commissioner Read

**VOTE:** Motion passed unanimously.

**D. LCB FILE NO. R044-15**

Sec. 1. NAC 284.726 Access to confidential records.

Sec. 2. NAC 284.888 Request for employee to submit to screening test: Interpretation of grounds; completion of required form.

Sec. 3. Effective Dates.

**Carrie Hughes** stated that NAC 284.894 required the removal of an applicant who tests positive for the use of a controlled substance from all hiring lists requiring pre-employment testing for a year or until an applicant provides evidence of the successful completion of a rehabilitation program. She further stated, Senate Bill 62 of the 2015 Legislative Session in part amended NRS 284.4068 to allow the Division of Human Resource Management access to the confidential results of applicants' pre-employment drug test results to allow for statewide implementation of NAC 284.894. She stated the proposed amendment to NAC 284.726 outlined that access in regulation.

She continued that in regard to Section 2 of LCB File No. R044-15 that effective January 1st,

Senate Bill 62 of the 2015 Legislative Session added involvement in a work-related accident or injury to the circumstances listed in subsection 2 of NRS 284.4065 for which an agency could request an employee submit to an alcohol and/or a controlled substance test without following the requirements in subsection 1 of NRS 284.4065, which included having a reasonable belief that the employee was impaired in his or her duties by alcohol and/or drugs.

She stated that SB 62 additionally mandated that the Personnel Commission would, by regulation, define the term ‘work-related accident or injury’ as it is used in subsection 2 of NRS 284.4065. She continued that the amendment to NAC 284.888 defined ‘work-related accident or injury’ and as the definition encompassed the basis for testing in subsection 1-E, it was removed from the regulation. She stated that the amendment, if adopted by the Legislative Commission and upon filing with the Secretary of State, would be effective January 1, 2016.

**Chairperson Fox** asked if there were any questions from the Commissioners or from the public. There were none.

**MOTION:** Moved for approval of LCB File No. R044-15, Section 1, amends NAC 284.726 to include access to the appointing authority, is limited to the appointing authority or his or her designated representative and the administrator or his or her designated representative, taking effect upon filing with the Secretary of State; Section 2, NAC 284.888, request for employee to submit to screening test: interpretation of grounds; completion of required form, would be effective January 1, 2016.

**BY:** Chairperson Fox

**SECOND:** Commissioner Read

**VOTE:** Motion passed unanimously.

**E. LCB FILE NO. R102-15**

Sec. 1. NAC 284.088 “Promotion” defined.

Sec. 2. NAC 284.182 Adjustment and retention of pay progression date; restoration of date of appointment and pay progression date.

Sec. 3. NAC 284.444 Application of probationary period.

Sec. 4. NAC 284.462 Restoration of promoted employee to former position.

Sec. 5. Effective Dates.

**Peter Long**, Deputy Administrator, DHRM stated that he would be providing an overview of LCB File No. 102-15. He stated that the major changes were in NAC 284.462 and were based on the passage of SB 62. He stated Sections 1, 2 and 3 were conforming changes based on NAC 284.462. He stated that if the Commission agreed to the passage or the acceptance of those amendments, they would all become effective on January 1, 2016.

Mr. Long referenced the third line of the second paragraph of the explanation of proposed change for NAC 284.462 and stated it included a reference to NAC 284.632 and was incorrect.

He continued that significant language from NAC 284.632 had been inserted into NAC 284.462. He explained that the proposed language changes an employee's eligibility for restoration to those employees who have completed an initial probationary period and it provided procedures for calculating seniority for restoration and clarified the placement into a vacant position at the same or lower grade would be in the agency in which the employee was employed prior to promotion. He stated that additionally the amendment addressed what would happen to an employee if he or she were to be displaced by an employee with greater seniority.

Mr. Long noted to reference NAC 284.462, subparagraph 2 of subsection 6 of the proposed draft and stated that during a legislative drafting of the regulation, the language 'exempt unclassified employee' had been inadvertently included and was not appropriate He asked that that language be struck in approval of the regulation.

**Chairperson Fox** stated that she knew how difficult it was to do when it came to the movement, the advancement and potentially the un-advancement of an employee that had been promoted and the whole domino effect of a return to a previous position, etc., and she commended Mr. Long for all of the work to get that done.

**Chairperson Fox** asked if there were any questions from the Commissioners or from the public. There were none.

MOTION: Moved for approval of LCB File No. R102-15, sections 1 through 5, that provided changes to NAC 284.088, 284.182, 284.444, 284.462 with the removal of 'exempt unclassified employee' from the language and Section 5, effective dates.

BY: Chairperson Fox

SECOND: Commissioner Sanchez

VOTE: Motion passed unanimously.

## **VII. DISCUSSION AND APPROVAL OR DENIAL OF CLASS SPECIFICATION MAINTENANCE REVIEW Action Item**

### **A. Fiscal Management & Staff Services**

1. Subgroup: Intern Program
  - a. 7.653 Public Service Intern Series

**Katie Holmberg**, Personnel Analyst, DHRM stated that she was in attendance to present for the Commission's approval, item VII-A, 1-a, the Public Service Intern class specification. She stated that the class specification had been reviewed by management and agency human resource staff and it was determined that the concepts, minimum qualifications, knowledge, skills and abilities were consistent with the current expectations and therefore recommended that no changes to the class specification were necessary at that time and stated that they respectfully requested approval of the class specification, effective that day.

**Commissioner Spurlock** noted that the date revised on the class specification was the date it was reviewed or revised. **Ms. Holmberg** confirmed that he was correct.

**Chairperson Fox** asked if there were any questions from the Commissioners or from the public. There were none.

**MOTION:** Moved for approval of the class specification maintenance review for the Public Service Intern Series where no changes were made to the class specification.

**BY:** Chairperson Fox

**SECOND:** Commissioners Read and Sanchez

**VOTE:** Motion passed unanimously.

### **VIII. REPORT OF UNCONTESTED CLASSIFICATION CHANGES**

Postings: #22-15, #23-15, #24-15, #25-15, #26-15

**Chairperson Fox** noted that the agenda item required no action from the Board. She then noted the report of uncontested classification changes for the Board's information.

### **IX. DISCUSSION AND ANNOUNCEMENT OF DATES FOR UPCOMING MEETINGS**

**Chairperson Fox** stated that the next meeting would be March 4, 2016. The Commission decided the following meeting to be June 10, 2016.

### **X. PUBLIC COMMENT NOTICE**

**Chairperson Fox** advised that no vote or action could be taken upon a matter raised during public comment until the matter itself was specifically included on an agenda as an item upon which action could be taken. She then asked if there was any public comment. There were none.

### **XI. ADJOURNMENT**

**Chairperson Fox** wished all of the Commissioners, the Division of Human Resource Management staff and State employees a very safe and happy holiday season and thanked everyone in attendance.

**Chairperson Fox** adjourned the meeting.