



STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
Division of Human Resource Management
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PERSONNEL COMMISSION

Meeting Notice

DATE: Friday, June 8, 2018

TIME: 9:00 a.m.

LOCATION: Legislative Counsel Bureau Grant Sawyer Building
401 S. Carson St. 555 E. Washington Ave.
Room 3138 Room 4412
Carson City, Nevada 89701 Las Vegas, NV 89101

The sites will be connected by videoconference. The public is invited to attend at either location. As video conferencing gives the Commission, staff and others flexibility to attend meetings in either Northern or Southern Nevada, handouts to the Commission on the day of the meeting might not be transmitted to the distant locations.

Notice: The Personnel Commission may address agenda items out of sequence to accommodate persons appearing before the Commission or to aid the efficiency or effectiveness of the meeting at the Chair's discretion. The Commission may combine two or more agenda items for consideration, and the Commission may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Comments will be limited to three minutes per person and persons making comment will be asked to begin by stating their name for the record and to spell their last name. The Commission Chair may elect to allow public comment on a specific agenda item when the item is being considered.

Agenda

- I. **Call To Order, Welcome, Roll Call, Announcements**
- II. **Public Comment:** No vote or action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)
- III. **Approval of Minutes of Previous Meeting Dated March 19, 2018 5-14**

FOR POSSIBLE ACTION

FOR POSSIBLE ACTION

IV. Discussion and Approval of Addition of Positions and Title Codes Approved for Pre-employment Screening for Controlled Substances 15-28

A. The Department of Motor Vehicles requests the addition of a classified position and two unclassified title codes to the list approved for pre-employment screening for controlled substances:

- 11.358 Compliance Investigator II, PCN: RE4079
- U9005 Deputy Administrator, Compliance Enforcement Division, PCN: RE2013 and WF2014
- U9021 Division Administrator, Compliance Enforcement Division, PCN: CC1003

FOR POSSIBLE ACTION

V. Discussion and Approval of Proposed Regulations Changes to Nevada Administrative Code, Chapter 284 29-70

- A. LCB File No. R098-17
 - Sec. 1. NEW Letter of instruction: Use and administration.
 - Sec. 2. NAC 284.458 Rejection of probationary employees.
 - Sec. 3. NAC 284.692 Agreement for extension of time to file grievance or complaint, or take required action.
 - Sec. 4. Section 19 of LCB File No. R033-17, Removal of ineligible grievance or complaint from procedure.
- B. LCB File No. R119-17
 - Sec. 1. NAC 284.888 Request for employee to submit to screening test: Interpretation of grounds; completion of required form.
- C. LCB File No. R121-17
 - Sec. 1. NAC 284.358 Types of lists and priority for use.
 - Sec. 2. NAC 284.360 Reemployment lists; certification or waiver of lists.
 - Sec. 3. NAC 284.361 Use of lists and consideration of eligible persons.
 - Sec. 4. NAC 284.618 Layoffs: Voluntary demotions.
- D. LCB File No. R150-17
 - Sec. 1. NEW Procedure to request hearing to determine reasonableness of dismissal, demotion or suspension.
 - Sec. 2. NAC 284.589 Administrative leave with pay.
 - Sec. 3. NAC 284.642 Suspensions and demotions.
 - Sec. 4. NAC 284.656 Notice.
 - Sec. 5. NAC 284.6561 Pre-disciplinary review.
 - Sec. 6. NAC 284.778 Request for hearing and other communications.
- E. LCB File No. R151-17
 - Sec. 1. NAC 284.5385 Annual leave: Leave without pay; catastrophic leave; receipt of benefits for temporary total disability.

- Sec. 2. NAC 284.544 Sick leave: Leave without pay; catastrophic leave; receipt of benefits for temporary total disability; computation.
- Sec. 3. NAC 284.5775 Temporary total disability: Use of sick leave, compensatory time, annual leave and catastrophic leave; leave of absence without pay.
- Sec. 4. NAC 284.882 Administration of screening tests.

FOR POSSIBLE ACTION

VI. Discussion and Approval of Proposed Class Specification Maintenance Review of Classes Recommended for Revisions 71-90

- A. Fiscal Management & Staff Services
 - 1. Subgroup: Actuarial/Research/Grants Analysis
 - a. 7.711 Insurance and Loss Prevention Specialist
 - 2. Subgroup: Public Information
 - a. 7.814 Geologic Information Specialist
 - b. 7.849 Publications Editor Series
- B. Mechanical & Construction Trades
 - 1. Subgroup: Graphics, Printing & Reproduction
 - a. 9.715 Offset Press Operator
 - b. 9.731 Offset Machine Operator Series
 - c. 9.739 Silk Screen Printer

VII. Report of Uncontested Classification Plan Changes Not Requiring Personnel Commission Approval per NRS 284.160....91-100

The following items were posted for at least 20 working days. No written objections were received by the Administrator before the end of the posting period; therefore, the changes automatically went into effect.

- Posting: #13-18
 - 6.208 Professional Land Surveyor II
 - 6.210 Professional Land Surveyor I
- Posting: #14-18
 - 7.634 Executive Branch Budget Officer II
 - 7.632 Executive Branch Budget Officer I
- Posting: #15-18
 - 3.530 Transportation & Safety Attendant III
 - 3.535 Transportation & Safety Attendant II
 - 3.540 Transportation & Safety Attendant I
- Posting: #16-18
 - 12.392 Casework Management Specialist Supervisor
 - 12.393 Casework Management Specialist IV
 - 12.394 Casework Management Specialist III
 - 12.395 Casework Management Specialist II
 - 12.396 Casework Management Specialist I
- Posting: #17-18
 - 10.306 Psychiatric Nurse IV
 - 10.305 Psychiatric Nurse III
 - 10.307 Psychiatric Nurse II
 - 10.309 Psychiatric Nurse I
- Posting: #18-18
 - 10.540 Marijuana Program Supervisor
 - 10.541 Marijuana Program Inspector II
 - 10.542 Marijuana Program Inspector I

Posting: #19-18
10.352 Registered Nurse V
10.354 Registered Nurse IV
10.355 Registered Nurse III
10.359 Registered Nurse II
10.358 Nurse I

- VIII. Special Report 101-105**
Presentation of Hearing Officer Case Handling Statistics
- IX. Discussion and Announcement of Dates for Upcoming Meetings. Next Meeting Scheduled for September 7, 2018.**
- X. Commission Comments**
- XI. Public Comment:** No vote or action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)
- XII. Adjournment**

Supporting material for this meeting is available at the Division of Human Resource Management at 209 E. Musser Street, Suite 101, Carson City, Nevada, 89701; 555 E. Washington Avenue, Suite 1400, Las Vegas, Nevada, 89101, or on our website [http://hr.nv.gov/Boards/PersonnelCommission/Personnel Commission - Meetings/](http://hr.nv.gov/Boards/PersonnelCommission/Personnel_Commission_-_Meetings/). To obtain a copy of the supporting material, you may contact Carrie Lee at (775) 684-0131 or carrie.lee@admin.nv.gov.

Inquiries regarding the items scheduled for this Commission meeting may be made to Carrie Lee at (775) 684-0131 or carrie.lee@admin.nv.gov.

We are pleased to make reasonable accommodations for individuals who wish to attend this meeting. If special arrangements or audiovisual equipment are necessary, please notify the Division of Human Resource Management in writing at 209 E. Musser Street, Suite 101, Carson City, Nevada, 89701, no less than (5) five working days prior to the meeting.

Persons who wish to receive notice of meetings must subscribe to the Division of Human Resource Management LISTSERV HR Memorandums which can be found on the following webpage: [http://hr.nv.gov/Services/HRM Email Subscription Management/](http://hr.nv.gov/Services/HRM_Email_Subscription_Management/). If you do not wish to subscribe to LISTSERV and wish to receive notice of meetings, you must request to receive meeting notices and renew the request every 6 months thereafter per NRS 241.020(3)(c) which states in part, "A request for notice lapses 6 months after it is made." Please contact Carrie Lee at (775) 684-0131 or carrie.lee@admin.nv.gov to make such requests.

Notice of this meeting has been posted at the following locations:

Carson City

Blasdel Building, 209 East Musser Street
Nevada State Library & Archives Building, 100 North Stewart Street
Nevada State Capitol Building, 101 North Carson Street
Nevada Public Notice website: <http://notice.nv.gov>
Division of Human Resource Management website: www.hr.nv.gov

Las Vegas

Grant Sawyer Building, 555 East Washington Street

**STATE OF NEVADA
PERSONNEL COMMISSION**

Held at the Legislative Counsel Bureau, 401 S. Carson Street, Room 3138, Carson City, Nevada 89701; and via video conference in Las Vegas at the Grant Sawyer State Building, Room 4401, 555 East Washington Avenue

**MEETING MINUTES
Monday, March 19, 2018
(Subject to Commission Approval)**

**COMMISSIONERS PRESENT
IN CARSON CITY:**

Ms. Katherine Fox, Chairperson
Ms. Patricia Knight, Commissioner
Ms. Mary Day, Commissioner

**COMMISSIONERS PRESENT
IN LAS VEGAS:**

Mr. Gary Mauger, Commissioner
Mr. Andreas Spurlock, Commissioner

STAFF PRESENT IN CARSON CITY:

Mr. Peter Long, Administrator, Division of Human Resource Management (DHRM)
Ms. Shelley Blotter, Deputy Administrator, DHRM
Ms. Justina Cavigilia, Deputy Attorney General, Office of the Attorney General
Ms. Denise Woo-Seymour, Personnel Analyst, DHRM
Ms. Carrie Hughes, Personnel Analyst, DHRM
Ms. Carrie Lee, Executive Assistant, DHRM

STAFF PRESENT IN LAS VEGAS:

Ms. Heather Dapice, Supervisory Personnel Analyst, DHRM

I. CALL TO ORDER, WELCOME, ROLL CALL, ANNOUNCEMENTS

Chairperson Fox: Opened the meeting at approximately 9:00 a.m. She welcomed everyone and took roll, noting that Alternate Commissioner Mary Day was seated for Commissioner David Sanchez, in his absence. Voting members present were: Chairperson Fox, Commissioner Patricia Knight, Commissioner Andy Spurlock, Commissioner Gary Mauger and Alternate Commissioner Mary Day.

II. PUBLIC COMMENT

Chairperson Fox: Advised that no vote or action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. She asked if there were any public comments. None were put forth.

III. APPROVAL OF MINUTES OF PREVIOUS MEETING DATED DECEMBER 7, 2017

Chairperson Fox: Called for revisions or additions. **Commissioner Day:** Noted a correction to page 7. The sentence should read “transitional housing,” not “traditional housing.” **Chairperson Fox:** Entertained a motion.

Held December 7, 2017

MOTION: Moved to approve the minutes of the December 7, 2017, meeting with change noted.
BY: Commissioner Mauger
SECOND: Commissioner Day
VOTE: The vote was unanimous in favor of the motion.

IV. PROHIBITIONS AND PENALTIES: DISCUSSION AND APPROVAL OF SPECIFIC ACTIVITIES CONSIDERED INCONSISTENT, INCOMPATIBLE OR IN CONFLICT WITH EMPLOYEES' DUTIES AND THE PROCESS OF PROGRESSIVE DISCIPLINE - OFFICE OF ATTORNEY GENERAL

Ms. Denise Woo-Seymour: Personnel Analyst for DHRM advised in accordance with NAC 284.742, an agency shall identify specific activities considered inconsistent, incompatible, or in conflict with employees' duties and penalties for such. These prohibitions and penalties are subject to approval of the Personnel Commission.

The Office of the Attorney General has updated their prohibitions and penalties previously approved by the Personnel Commission and in effect since December 10, 2010. Prior to the submitted revised version, department employees and the employee associations were requested to submit comments and suggestions. The impetus for many of the proposed amendments is the Office's incorporation of the Criminal Investigation and IT units.

The discipline levels listed in the materials under recommendation were elevated to a higher level than all other agencies due to violations of these types could comprise the agency's operations and professional conduct. Also, after these documents were submitted to the Commission, it was realized there was a misspelling on the Section C heading, the word "responsibility," which will be corrected on the final version. Otherwise, the items submitted for approval have been reviewed by the Division and are consistent with those already approved by the Commission.

Chairperson Fox: Asked if there were questions or public comment. Hearing none, she entertained a motion.

MOTION: Moved for the approval of Item IV.
BY: Commissioner Mauger
SECOND: Commissioner Knight
VOTE: The vote was unanimous in favor of the motion.

V. DISCUSSION AND APPROVAL OF ADDITION OF CLASSES AND POSITIONS APPROVED FOR PRE-EMPLOYMENT SCREENING FOR CONTROLLED SUBSTANCES AND REVISIONS TO CLASS SPECIFICATIONS

A. The Attorney General's Office requests the addition of positions to the list approved for pre-employment screening for controlled substances and requests approval of class specification amendments to include pre-employment screening for controlled substances:

1. Classes and positions requested for approval of pre-employment screening for controlled substances:

13.237 AG Cybercrime Investigator II – All PCNs
13.238 AG Cybercrime Investigator I – All PCNs

Ms. Carrie Hughes: Personnel Analyst with the Division of Human Resource Management, advised NRS 284.4066 provides for the pre-employment screening for controlled substances of candidates for positions affecting public safety prior to hire. The statute requires an appointing authority to identify the specific positions that affect public safety, subject to the approval of the Personnel Commission. Additionally, federal courts have indicated that pre-employment drug screening by public entities may constitute a search under the Fourth Amendment, and if so, must be justified by a special need that outweighs a reasonable expectation of privacy. The Office of the Attorney General has requested to add the requirement of pre-employment screening for controlled substances to the AG Cybercrime Investigator class series. It is being recommended to approve these positions as safety-sensitive, as these positions will be required to obtain and maintain Peace Officer Standards and Training (P.O.S.T.) Category II Certification, which requires a pre-employment drug screening test.

Chairperson Fox: Asked if there were questions or public comment. Hearing none, she made a motion.

MOTION: Moved for approval of classes and positions requested for pre-employment screening for controlled substances in Item V-A-1.
BY: Chairperson Fox

SECOND: Commissioner Knight
VOTE: The vote was unanimous in favor of the motion.

2. Request for approval of class specification change to include pre-employment screening for controlled substances for some positions:

13.237 AG Cybercrime Investigator II
13.238 AG Cybercrime Investigator I

Ms. Hughes: As pre-employment screening was approved for positions in the AG Cyber Crime Investigator class series, a change is being requested to the class specifications for this class series to reflect the approval of the requirement for pre-employment screening for controlled substances.

Chairperson Fox: Asked if there were questions or public comment. Hearing none, she entertained a motion.

MOTION: Moved to approve Item V-A-2 to change the class specification to include pre-employment screening for controlled substances for the AG Cybercrime Investigator I and II.
BY: Commissioner Knight
SECOND: Chairperson Fox
VOTE: The vote was unanimous in favor of the motion.

VI. DISCUSSION AND APPROVAL OR DENIAL OF INDIVIDUAL CLASSIFICATION APPEAL

Mr. Daniel Marks: Joined by Attorney Teletha Zupan and Appellant James Reynolds, introduced himself and provided an overview of why they believed Mr. Reynolds should be reclassified as a Grade 37. Mr. Marks noted that while he as the attorney would be presenting the case, Mr. Reynolds would be available to answer questions.

Mr. Reynolds is a Grade 35 and believes he is doing the work of a Grade 37, working outside his class from 2009 through 2015. He had taken the job of a 37 when that position was vacant and is required to train and supervise six different people. He was told these vacancies were temporary, or this training is temporary, and that at some point, it would change.

During his appeal, the State admitted that Mr. Reynolds was performing the work of a 37, but that it wasn't permanent because it was on a temporary basis, but it's gone on for years; the State said he was doing the job but there was no money to pay back-pay. The State in their latest documentation concedes Mr. Reynolds is doing the job but claims that it's less than 50% of the time. There's no evidence to suggest it's less. He has been performing the duties of a Grade 37 for years now and he is asking that he be compensated at that level.

Commissioner Mauger: Asked Chairperson Fox whether the State would present their case prior to questions from the Commission. **Chairperson Fox:** Confirmed the State would present their case and then questions could be asked.

Ms. Heather Dapice: Supervisory Personnel Analyst with the State of Nevada's Division of Human Resource Management, Compensation, Classification and Recruitment section, presented the State's side of the case. On December 14, 2015, during a resolution conference, the DHRM requested that the Mr. Reynolds submit an NPD-19 in order to determine if his current duties and responsibilities warranted reclassification based on discussions that occurred during the meeting on that date. On April 4, 2016, the NPD-19 was received requesting reclassification from a Compliance/Audit Investigator III to a Chief Compliance/Audit Investigator; however, duty statements were not detailed. The duty statements were received on September 23, 2016, and a desk audit was scheduled. On October 11, 2016, I conducted the desk audit for the Individual Classification Study on the Appellant's position. The study included an in-depth review of the submitted NPD-19, the original NPD-19 creating the position, work performance standards, and applicable class specifications. The review determined that there had been no significant change as defined in NAC 284.126, and therefore the request for reclassification was denied.

NAC 284.126, subsection (1) (b) defines significant change as "a change in duties and responsibilities assigned to a position in a class that: 1) is outside the scope of the class as described by the class specification; 2) is not part of the scope of responsibility of the position; and 3) results in the preponderance of duties and responsibilities being allocated to a different class." In short, significant change means that the duties assigned to a position have changed to such a

degree that the current class concept no longer fairly describes the preponderance of responsibilities.

Taking into consideration all the information gathered during this study, the only discernable difference between when the position was classified as a Compliance/Audit Investigator III, effective July 17, 2003, and the NPD-19 requesting reclassification was the removal of “supervision” from the position in March of 2015. In fact, the Work Performance Standards, located in Exhibit 7 and signed by Mr. Reynolds dating from 2009 through 2014, and the Work Performance Standards that he declined to sign dated May 4, 2015, are identical except for the removal of “supervision.” As such, it was determined that significant change had not occurred to warrant reclassification to the Chief Compliance/Audit Investigator and that the current duties and responsibilities continue to align with Compliance/Audit Investigator III. Also, Mr. Reynolds concurs with the removal of supervision in Appellant Exhibit 1, page 2.

In the appeal, Mr. Reynolds’ attorney indicated that Mr. Reynolds administers investigative activities on a statewide basis by assigning investigative activities in Southern and Northern Nevada; reviewing and evaluating efficiency and compliance with policy and procedures; supervising a staff of subordinate Compliance/Audit Investigators; working with the Program Administrator and agency heads; overseeing the training of staff based on the needs of investigations; preparing and approving work schedules; assigning cases based on assessed needs; and maintaining reporting procedures and reviewing status reports to determine whether objectives were met and that there was compliance with applicable laws.

The class concept for the Chief Compliance/Audit Investigator states, in part, “incumbents are responsible for the administration of investigative activities on a statewide basis; they establish and direct investigative activities based on department goals and objectives; review and evaluate operational efficiency and compliance with program policy and procedures; directly supervise a staff of subordinate Compliance/Audit Investigators; assist in the planning and development of the program budget, internal policy and procedure, and the implementation or introduction of State legislation; work directly with the Program Administrator, agency heads, business representatives, violators, the complainant and judicial system regarding complaint resolution, regaining compliance, pursuing criminal prosecution, imposing administrative sanctions or penalties or addressing a hearings board or commission; oversee the training of staff based on projected or identified needs in the area of investigations, audit inspection, community relations, program rules and regulations and related laws; review and approve training programs to ensure compliance with program goals and objectives; maintain reporting procedures and review status reports to determine achievement of objectives and compliance with applicable laws and regulations; identify program needs, research and develop policy and procedures, and develop written proposals for presentation to management; submit requests for procedural changes in order to improve compliance, audit and enforcement activities to the agency head.” These responsibilities belong to the Audit Supervisor, who functions as the Regional Audit Manager within the Employment Security Division of the Department of Employment, Training and Rehabilitation and is evidenced by the Position Description Questionnaire or PDQ completed July 26, 2007, located in Exhibit 8. The Audit Supervisor performs these duties in coordination with, and under the general direction of, the Audit Manager as evidenced by the PDQ located in Exhibit 9.

Mr. Reynolds, as detailed in his NPD-19, Work Performance Standards and verified during the desk audit, does not administer investigative activities on a statewide basis nor does he establish and direct investigative activities based on department goals and objectives. He implements investigative activities by assigning and reviewing work at the direction of the Audit Manager and Audit Supervisor as evidenced in the Appellant’s Exhibits 14, 16, 17, 19, 20, 21, 30, 33, 36, 38, and 42. Mr. Reynolds, under the limited supervision of the Audit Supervisor, assists in implementing investigative activities by making determinations on the level and intent of investigations, coordinating the work of lower level Compliance/Audit Investigators, training new hires, and reviewing final audit reports to ensure policy and procedures were followed. These duties are associated with a position functioning as a lead worker, not a Chief, and are clearly defined in the class concept for the Compliance/Audit Investigator III, located in Exhibit 10.

In the appeal, Mr. Reynolds’ attorney states that the desk audit should not have been considered nor relied upon for the purpose of the determination because it reflects the State’s subsequent remedial measures, rather than the facts that existed prior to the removal of supervision, which they consider to be outside the scope of Mr. Reynolds’ classification and after his work performance standards had been revised. The appeal further contends that Mr. Reynolds was required to perform supervisory duties from 2009 to November 2017 and that Mr. Reynolds should be re-classified as a Chief Compliance/Audit Investigator retroactively from January 13, 2015, forward. The NPD-19 classification process determines the correct classification of a position based on current duties and responsibilities; not on duties and responsibilities that may have been performed in the past. As such, the desk audit process is an

absolute requirement and must be considered in the determination of an incumbent's current classification.

With regard to supervision, NAC 284.498 subsection (5)(b) states: "Supervisory position" means a position which is held by an employee who: 1) Formally evaluates staff; 2) Is involved in the hiring and firing of subordinate staff; and 3) Establishes policies which affect the performance or behavior of subordinate staff. The NPD-19 classifying the position currently held by Mr. Reynolds established duties and responsibilities that provided for supervision of Compliance/Audit Investigator IIs to include evaluation of performance. The class concept for the Compliance/Audit Investigator III, dated October 19, 1990, which is located in Exhibit 12, details supervision as a function of the class. As such, Mr. Reynolds was working within the duties and responsibilities of a Compliance/Audit Investigator III when he was appointed to the position on February 9, 2009.

On December 10, 2010, the Personnel Commission approved amended class specifications which removed the language for supervision from the concept for the Compliance/Audit Investigator III. Supervision could have been removed from Mr. Reynolds' position when the amended class specifications were approved; however, neither the agency nor the incumbent submitted an NPD-19 to evaluate his position as a result of this change. Mr. Reynolds stated during the desk audit that he was aware that supervision was removed from the concepts for his position; however, he chose not to submit an NPD-19 at that time. Mr. Reynolds confirms this in Appellant's Exhibit 1, page 5.

The performance of supervision in and of itself would not have justified reclassification to the Chief level. In order to be classified the Chief Compliance/Audit Investigator, Mr. Reynolds would need to perform the full range of duties and responsibilities of the class. In comparing the duties and responsibilities of the position when it was classified, to its current duties and responsibilities, Mr. Reynolds has never functioned in the capacity of a Chief Compliance/Audit Investigator, as evidenced by the NPD-19 establishing the position, the submitted Work Performance Standards and PDQs for the Audit Supervisor and Audit Manager (Exhibits 5 through 9). Again, Mr. Reynolds reports to an Audit Supervisor, who reports to an Audit Manager and while Mr. Reynolds may assist, the responsibility for the performance of duties and responsibilities ascribed to the Chief Compliance/Audit Investigator and the authority for the program itself reside with the Audit Supervisor and Audit Manager.

If Mr. Reynolds had submitted an NPD-19 when he became aware of supervision being removed from his current classification in 2010, the duties would have either been immediately removed or a study could have been conducted to determine if an additional level could be added to the series. When DETR Human Resources became aware that Mr. Reynolds was performing supervision in February 2015, the duty was immediately removed.

In conclusion, I would like to reiterate that while Mr. Reynolds performs a valuable service, there has been no significant change in the duties and responsibilities as required by NAC 284.126, nor has he ever performed the full range of duties associated with the Chief Compliance/Audit Investigator class. Mr. Reynolds continues to, and currently performs, duties consistent with the Compliance/Auditor III class. Also, granting Mr. Reynolds' appeal to reclassify his position to a Chief based on his current duties and responsibilities as a lead Compliance/Audit Investigator would affect additional Compliance/Audit Investigator III positions who are performing lead work similar to Mr. Reynolds.

Chairperson Fox: Asked the Commission if there were any questions of the Appellant or of DHRM. **Commissioner Spurlock:** Asked whether there were any representatives other than Ms. Dapice representing Personnel. **Mr. Peter Long:** Advised he was in attendance. **Ms. Dapice:** Advised there were also additional representatives from the agency in attendance.

Commissioner Mauger: Asked when did Mr. Reynolds start with the State of Nevada? **Mr. Reynolds:** Answered 2007. **Commissioner Mauger:** Asked whether there was a reduction in force in 2009. **Mr. Reynolds:** Confirmed a lay-off had taken place and it was due to budget constraints. Mr. Reynolds stated he was part of a reemployment list and when a job opened with the proper classification, he was called to DETR. **Commissioner Mauger:** Asked, did you file a grievance because of the increase in work standards? **Mr. Reynolds:** Answered that the cause of filing the grievance was the language in the specification for the job. It's very vague, but it does say, statewide. He continued he had begun doing statewide work as early as 2012 and was told that it was temporary and not lasting; today, it's still the same. **Commissioner Mauger:** Asked when you first began the job, were those job duties the same as when you filed your grievance or did they increase? **Mr. Reynolds:** Answered the statewide came later. **Commissioner Mauger:** Stated the reason I asked about job duties is I did note that there were far more job duties than the State has said you were doing. At least one supervisor concurred that Mr. Reynolds was performing the job of a Grade 37 when the State removed the supervisory duties. **Mr. Reynolds:** Confirmed and noted that a lead position is a supervisory

position and it is his belief that it is impossible to actually perform a lead position and not supervise. **Commissioner Mauger:** Asked was that an adjustment by the State to satisfy whatever job duties you were doing up until that time? **Mr. Reynolds:** Answered in 2015 when the State decided that I was working out of class, they did remove the official supervisory duties which was the actual typing up of personal evaluations, while I gathered the statistical information for my boss to type up the formal evaluation, I was actually doing the evaluation myself. **Commissioner Mauger:** Asked Mr. Reynolds if he was performing supervisory duties from 2009 to November of 2017? **Mr. Reynolds:** Answered from 2009 to when I filed the grievance in 2015, when the supervisory duties were officially removed. **Commissioner Mauger:** Asked whether Mr. Reynolds continued to perform supervisory duties. **Mr. Reynolds:** Confirmed he continued performing supervisory duties.

Chairperson Fox: Noted supervision was removed from the position via the Personnel Commission meeting in 2010. There were class specification changes done at that time and the Appellant and DETR were informed about that change to the class specification. She asked Ms. Dapice where the employee may have continued supervisory duties, that supervision in and of itself would not lend itself to reclassification because the position was not performing the duties of a Chief of Compliance. **Ms. Dapice:** Responded in the affirmative. For a position to be reclassified into a higher-level series, positions must perform the preponderance of those duties. Supervision is mandated by statute to include formally evaluating staff, hiring and firing of subordinate staff, and the work performance standards. With regard to duties and performance of a Chief, those duties and responsibilities belong the Audit Supervisor and Audit Manager who this position reports to. When the supervision was removed, that was the only thing in the duties that were different from the original NPD-19. Nothing has changed.

Mr. Marks: Advised in 2015 Mr. Reynolds had a badge that said, "Chief," detailed in Exhibit 2. That is the Edgar Roberts response, where the State conceded that Mr. Reynolds was doing duties that would have fallen within the Grade 37, but then said, you won't have to formally do the evaluations anymore. Reynolds continued to collect the data information, only did not type the evaluations. In 2015 the State conceded he was working out of class but said, we're not going to provide remedial compensation, we will change that by saying you don't have to sign-off on evaluations. However, Mr. Reynolds continued to perform the duties of a Grade 37 throughout the process, even after 2015.

Ms. Dapice: Stated when Mr. Reynolds indicates that he has statewide responsibilities, the Chief administrates on a statewide basis; employees can do work statewide. For example, Personnel Analysts that report to me may perform class specifications studies on positions here in the south, that does not make them a Supervisory Personnel Analyst. With regard to the duties and responsibilities being performed, Compliance/Audit Investigator IIIs, as stated in the class specifications, function as a lead worker by performing training, or coordinating work, of Compliance/Audit Investigator IIs and Is, while conducting investigative and/or audit functions. They review final investigative or audit reports for accuracy, clarity, format, and to ensure policy and procedures are followed. They provide assistance to lower-level Investigators regarding case preparation and presentations in a court of law. They recommend or develop and/or, revise policies, procedures and proposed legislation to aide in the compliance and control of program areas.

Mr. Long: Stated that Mr. Marks indicated the State has conceded that the Appellant was working out of class. The Deputy at the time, Mr. Roberts at DETR, in good faith, removed the supervisory duties and indicated that the employee was working out of class, but Mr. Roberts is not the final authority, nor is he an expert on classification. At that point in time is when a NPD-19 could have, and should have, been submitted to the Department of Human Resource Management for review to see if the employee was actually working out of class. NAC 284.126, the portion that addresses significant change that Ms. Dapice has talked about, also indicates in paragraph two that if an appointing authority or employee requests or suggests a reclassification, that request may be submitted and the Division of Human Resource Management will review the position and allocate it appropriately. It goes on to say that that reclassification cannot go back more than six months, even if it is approved. At no point did the employee submit a NPD-19 until DHRM requested one. While it is still being submitted that the employee did not work out of class, the dates and times of these duties being done are, per regulation, not allowed to be considered because we cannot consider anything until the 19 was submitted.

Commissioner Spurlock: Asked Ms. Dapice regardless if Mr. Reynolds prepares evaluations, he does not sign them? **Ms. Dapice:** Acknowledged this is correct since 2015. **Commissioner Spurlock:** Stated that seems like a small matter to some people in government where we are very risk adverse, that is a huge deal from a liability standpoint. Likewise, to give Mr. Reynolds some credit, the report from staff that says that they are only involved in the hiring and firing of subordinate staff. That's pretty realistic because also in government, we're so risk adverse that formally,

from a hiring and firing standpoint, it really is left up to the division manager no matter how much is done below that division head, or department head. He agreed with Mr. Long and used the analogy of being a photographer. Pictures are taken in the here and now, not what existed in 2010. In addition, he noted that just because a class is set up in the public sector, that does not mean it's intended to be used everywhere. Just because the class exists, does not mean that the department, in the way that they design the department, intended for that class to exist in that Department. He asked Ms. Dapice whether the Chief Compliance/Audit Investigator was meant to be used in this particular organization, are there any other examples that you know of? If so, is it the majority, or the high majority, or all of the cases, where we have, or would have, a Chief Compliance/Audit Investigator reporting to a class as low as an Audit Supervisor? **Ms. Dapice:** Answered, no, we do not. Currently, we have 13 Chief Compliance/Audit Investigators; they report to the likes of the Chief of Enforcement for the Secretary of State, which is unclassified; for Business and Industry, they report to the Deputy Director of Programs; the Insurance Division, they report to an unclassified Council; Industrial Relations, they report to the Deputy Division Administrator; Housing reports to a Deputy Division Administrator; Real Estate reports to the Division Administrator; Mortgage and Lending reports to the Deputy Commissioner; and the Department of Transportation reports to their unclassified Civil Rights Officer. There is one other agency that we have a Compliance/Audit Investigator III without a Chief, and that's the Nevada Transportation Authority, but that position reports to the Transportation Chief, which is also unclassified. This position reports to the Audit Supervisor who is the Regional Audit Manager, who reports to an Audit Manager, and I believe the Audit Manager reports to an Employee Division Manager, who then reports to a Deputy.

Commissioner Spurlock: Asked about the Transportation Chief; that's a high-level job. Is that the top job in Transportation? **Ms. Dapice:** Responded that is accurate; that is an unclassified Transportation Chief. When I spoke to that agency, in some instances they report to the Division Administrator. **Commissioner Spurlock:** Asked besides Mr. Reynolds, are there other Compliance/Audit Investigator IIIs currently in the same Department? **Ms. Dapice:** Answered in the affirmative. There is a Compliance/Audit Investigator III that is located up north; I believe she was just recently hired, so she would have had to have been trained by Mr. Reynolds. **Commissioner Spurlock:** Asked who the Audit Manager reports to who. **Ms. Dapice:** Responded I believe the Audit Manager reports to an ESD. **Commissioner Spurlock:** Asked we would have other Compliance/Audit Investigator IIIs, a Chief, an Audit Supervisor, an Audit Manager, and who the Audit Manager reports to? **Ms. Dapice:** Acknowledged this is correct and that the Audit Manager reports to the Division Administrator. **Commissioner Spurlock:** Noted Ms. Dapice named off other classifications and asked whether in all, or nearly all these other cases, a Chief would report to something higher than an Audit Supervisor? **Ms. Dapice:** Confirmed this is correct; they all report to an unclassified position.

Mr. Marks: Stated my client, in filing his appeal, was assigned to Edgar Roberts, and certainly Edgar Roberts' analysis, which is part of the record, should be taken seriously. We don't get to choose who reviews the issue and Mr. Roberts reviewed it. I think there are two things going on. First, we're talking about timing. You wouldn't want an employee to do statewide, or feel he's out of class for a month, or two months, or three months, and file these appeals because there are vacancies, sick leave; things happen. Mr. Reynolds should not be penalized for waiting. In 2015 when the State said we're going to correct this by removing responsibilities, they didn't really remove anything other than the evaluative process, the actual signing off on the reports; the other duties continued through, and including, the present. In terms of the State's response, normally the preponderance of the evidence as we use it legally is 51%. We think by the totality of evidence in the book, we've shown more likely than not, Mr. Reynolds has been doing the job. He waited until it was clear that it was more of a permanent than transitory basis; he shouldn't be penalized for that. Exhibit 2 shows the State conceded in 2015 he was doing it and their corrective measures were removing a badge and saying don't sign the evaluations. And after 2015, the exhibits show he continued to do the majority of those functions on a statewide basis.

Ms. Dapice: Stated by NAC 284.126 we are mandated to determine significant change. In reviewing all the duties and responsibilities again, comparisons with the original NPD-19, the work performance standards and the current work performance standards, there has been no significant change other than the removal of supervisory responsibilities. As Administrator Long stated, NAC 284.126 specifically states in paragraph three the effective date of the classification decision will be the date on which Form NPD-19 is received by Division of Human Resource Management or Agency Personnel Officer, unless information that substantially affects the decision concerning the creation, reclassification or reallocation is received after this date. Classification is the process of looking at the duties and responsibilities in the now, not in the past, and that's mandated by statute.

Chairperson Fox: Asked if there were questions or public comment. Hearing none, she entertained a motion.

MOTION: Moved for the approval of Mr. Reynolds' appeal.
BY: Commissioner Mauger
SECOND:
VOTE: There was no second and the motion failed.

Chairperson Fox: Asked if there was another motion from the Commission.

MOTION: Moved for the denial of Mr. Reynolds' appeal.
BY: Commissioner Spurlock
SECOND: Commissioner Knight
VOTE: Four Commissioners voted in favor of denial; Commissioner Mauger voted in opposition.
The motion passed.

VII. DISCUSSION AND APPROVAL OF PROPOSED CLASS SPECIFICATION MAINTENANCE REVIEW OF CLASSES RECOMMENDED FOR REVISIONS OR ABOLISHMENT

- A. Agriculture & Conservation/Agriculture & Related
 - 1. Subgroup: Parks
 - a. 1.907 Parks Regional Manager (Non-Commissioned)
 - b. 1.967 Park Supervisor Series (Non-Commissioned)

Ms. Dapice: Presented the recommendation for changes to the Agricultural & Conservation/Agriculture & Related occupational group, Subgroup Parks, Parks Regional Manager and Parks Supervisor series. As part of the biennial class specification maintenance review process, and in consultation with SMEs [Subject Matter Experts] from the Nevada Division of State Lands, it was determined that the class concepts, minimum qualifications, and knowledge skills and abilities are consistent with the current expectations and require no changes at this time; however, minor revisions were made to the minimum qualifications in order to maintain consistency with formatting and structure.

MOTION: Moved for approval of the amended class specifications in Item VII-A-1-a and VII-A-1-b.
BY: Chairperson Fox
SECOND: Commissioner Knight
VOTE: The vote was unanimous in favor of the motion.

- B. Fiscal Management & Staff Services
 - 1. Subgroup: Administrative & Budget Analysis
 - a. 7.644 Fatality File Analyst
 - 2. Subgroup: Actuarial/Research/Grants Analysis
 - a. 7.704 Tort Claims Manager
 - 3. Subgroup: Public Information
 - a. 7.843 Technical Production Editor

Ms. Dapice: Presented the recommendation for changes to the Fiscal Management & Staff Services, Subgroups Administrative & Budget Analysis, Actuarial/Research/Grants Analysis, and Public Information. Beginning with VII-B-1-a, Fatality File Analyst, as part of the biennial class specification review process and in consultation with Subject Matter Experts, it is recommended that revisions be made to the series concept to expand the duties statements to reflect additional representative duties, as well as clarify existing duties and responsibilities. An informational note was added to include the requirement that the incumbent must obtain and maintain NCJIS Certification as a condition of employment. Also, minor revisions were made to the minimum qualifications in order to maintain consistency with formatting and structure.

Regarding Item VII-B-2-a, Tort Claims Manager, in consultation with Subject Matter Experts, it was determined that the class concepts, minimum qualifications, and knowledge, skills and abilities were consistent with current expectations and required no changes at this time; however minor revisions were made to the minimum qualifications to maintain consistency with formatting and structure. Regarding Item VII-B-3-a, Technical Production Editor, after coordinating with various State departments and the Nevada System of Higher Education, it was determined that this series is currently not being utilized, nor will it be utilized in the future. It is therefore recommended that the Technical Production Editor series be abolished.

Chairperson Fox: Asked if there were questions. Hearing none, she entertained a motion.

MOTION: Moved for approval of the recommended changes to Item VII-B-1 through 3.
BY: Commissioner Spurlock
SECOND: Chairperson Fox
VOTE: The vote was unanimous in favor of the motion.

- C. Mechanical & Construction Trades
 - 1. Subgroup: Skilled Trades and Allied
 - a. 9.407 Precision Machinist
 - b. 9.438 Computer Facility Technician

Ms. Dapice: Presented the recommendation for changes to the Mechanical & Construction Trades, subgroups, Skilled Trades and Allied. These are Items VII-C-1-a and 1-b on the agenda. Beginning with VII-C-1-a, Precision Machinist, as part of the biennial class specification review process and in consultation with Subject Matter Experts, it is recommended that revisions be made to the series concept to expand the duty statements to reflect additional representative duties related to welding, fabrication and equipment utilized. It is also recommended that skill in AutoCAD software be added to the entry level knowledge skills and abilities to reflect the use of this software in development, design, fabrication and repair. Minor revisions were made to the minimum qualifications in order to maintain consistency with formatting and structure.

Regarding Item VII-C-1-b, Computer Facility Technician, in consultation with Subject Matter Experts, it was determined that the class concepts, minimum qualifications, and knowledge, skills and abilities are consistent with current expectations and required no changes at this time, however minor revisions were made to the minimum qualifications in order to maintain consistency with formatting and structure.

Chairperson Fox: Asked if there were any questions or public comments. Hearing none, she made a motion.

MOTION: Moved for approval of the recommended changes to the Mechanical & Construction Trades, specifically subgroup Skilled Trades and Allied for Precision Machinist and Computer Facility Technician.
BY: Chairperson Fox
SECOND: Commissioner Day
VOTE: The vote was unanimous in favor of the motion.

VIII. REPORT OF UNCONTESTED CLASSIFICATION PLAN CHANGES NOT REQUIRING PERSONNEL COMMISSION APPROVAL PER NRS 284.160

Chairperson Fox: Stated Item VIII does not require action by the Commission.

IX. DISCUSSION AND ANNOUNCEMENT OF DATES FOR UPCOMING MEETINGS. NEXT MEETING SCHEDULED FOR JUNE 8, 2018.

Chairperson Fox: After deliberation advised the Commission that the next meeting is scheduled for Friday, September 7, 2018.

X. COMMISSION COMMENTS

Chairperson Fox: Advised the Commission that the Division of Human Resource Management has been successful in getting two Alternate Commissioners, so the Commission is now fully staffed. The Alternate Commissioners will be introduced at the June meeting. In the interim, DHRM will provide an orientation for the new Commissioners.

Commissioner Mauger: Stated he felt blindsided by Mr. Reynolds' appeal and hadn't been informed on what the issues were that necessitated the mediation with State mediators prior to the meeting. **Ms. Shelley Blotter:** Responded that the Hearings Division of the Department of Administration took on appeals of disciplinary actions, so they are the individuals handling those appeals. In this situation, though it is separate, this is not an appeal of discipline, so Mr. Reynolds had hired outside counsel at his own discretion. This is a classification appeal, so there are two separate

processes. All of the information related to Mr. Reynolds' appeal is handled through his own representation and we also provide our information. She ensured she will confirm all Commissioners are on the email list to receive information in the future regarding other processes, Hearing Officer Decisions, and Employee-Management Committee decisions. **Commissioner Mauger:** Inquired whether Mr. Charlie Cockerill was still on contract and when he heard his last arbitration or case. **Ms. Blotter:** Advised Mr. Cockerill was still contracted and that she did not have that information readily available but would obtain it and provide it to the Commissioners.

XI. PUBLIC COMMENT

Chairperson Fox: Advised that no vote or action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. She asked if there were any public comments. None were put forth.

XII. ADJOURNMENT

Chairperson Fox: Adjourned the meeting.

Personnel Commission Meeting
June 8, 2018

FOR INFORMATION ONLY

Attached is a list of classes and positions which have previously been approved for pre-employment testing. This list has been provided for you to use as a reference when determining which classes and/or positions the Commission may wish to approve at this meeting.

STATE OF NEVADA
CLASSES APPROVED FOR PRE-EMPLOYMENT CONTROLLED SUBSTANCE
TESTING CHANGES EFFECTIVE MARCH 19, 2018

(All positions in each class have been approved for pre-employment controlled substance testing, unless otherwise noted (*) for a specific agency(s) and/or position(s). Classes in ***bold/italics*** are new to the list.)

<u>CLASS/TITLE</u> <u>CODE</u>	<u>TITLE</u>	<u>*ONLY CERTAIN POSITIONS</u> <u>AGENCY/POSITION CONTROL NO.</u>
1.401	WEIGHTS AND MEASURES INSPECTOR IV*	AGR - PCNS 4551-0011, 4551-0022
1.404	WEIGHTS AND MEASURES INSPECTOR III*	AGR - PCN 4551-0013
1.407	WEIGHTS AND MEASURES INSPECTOR II*	AGR - PCNS 4551-0014, 4551-0015, 4551-0023, 4551-0024, 4551-0025, 4551-0028, 4551-0045, 4551-0047, 4551-0049, 4551-0102, 4551-0105
1.413	WEIGHTS AND MEASURES ASSISTANT (SEASONAL)*	AGR - PCNS 4551-8911, 4551-8912, 4551-8913
1.608	FIELD ASSISTANT II (PARC)	
1.737	BIOLOGIST I*	AGR - PCN 4600-0025
1.770	WILDLIFE AREA SUPERVISOR II	
1.771	WILDLIFE AREA SUPERVISOR I	
1.772	FISH HATCHERY SUPERVISOR II	
1.774	FISH HATCHERY SUPERVISOR I	
1.776	FISH HATCHERY TECHNICIAN III	
1.778	FISH HATCHERY TECHNICIAN II	
1.780	FISH HATCHERY TECHNICIAN I	
1.785	WILDLIFE AREA TECHNICIAN III	
1.786	WILDLIFE AREA TECHNICIAN II	
1.787	WILDLIFE AREA TECHNICIAN I	
1.811	FORESTER III	
1.812	FIRE MANAGEMENT OFFICER II	
1.813	FORESTER II	
1.814	FIRE MANAGEMENT OFFICER I	
1.816	BATTALION CHIEF	
1.817	CONSERVATION CREW SUPERVISOR III	
1.818	FORESTER I	
1.819	FIREFIGHTER II	
1.820	CONSERVATION CREW SUPERVISOR II	
1.822	FIRE CONTROL DISPATCHER III	
1.823	SEASONAL FIRE CONTROL DISPATCHER II*	DCNR-FORESTRY DIVISION - ALL PCNS
1.824	SEASONAL FIRE CONTROL DISPATCHER I*	DCNR-FORESTRY DIVISION - ALL PCNS
1.825	CONSERVATION CREW SUPERVISOR I	
1.826	FIRE CONTROL DISPATCHER II	
1.827	FIRE CONTROL DISPATCHER I	
1.828	SEASONAL FIREFIGHTER III*	DCNR-FORESTRY DIVISION - ALL PCNS
1.829	SEASONAL FIREFIGHTER II*	DCNR-FORESTRY DIVISION - ALL PCNS
1.831	SEASONAL FIREFIGHTER I*	DCNR-FORESTRY DIVISION - ALL PCNS
1.835	HELITACK SUPERVISOR	
1.850	FIRE CAPTAIN	
1.852	FIREFIGHTER I	
1.907	PARKS REGIONAL MANAGER (NON-COMMISSIONED)	
1.912	PARK INTERPRETER	
1.918	LIFEGUARD II	
1.919	LIFEGUARD I	
1.921	PARK RANGER III (NON-COMMISSIONED)	
1.922	PARK RANGER II (NON-COMMISSIONED)	
1.923	PARK RANGER I (NON-COMMISSIONED)	
1.967	PARK SUPERVISOR III (NON-COMMISSIONED)	
1.968	PARK SUPERVISOR II (NON-COMMISSIONED)	

1.969	PARK SUPERVISOR I (NON-COMMISSIONED)	
2.124	MAIL SERVICE SUPERVISOR*	BCN - ALL PCNS
2.126	MAIL SERVICE TECHNICIAN*	BCN - ALL PCNS
2.127	MAIL SERVICE CLERK I*	BCN - ALL PCNS
2.129	MAIL SERVICE CLERK II*	BCN - ALL PCNS
2.153	LEGAL SECRETARY II*	TAXI - PCN 0038
2.210	ADMINISTRATIVE ASSISTANT IV*	DPS - PCNS 3743-0106, 3743-33, 4701-0106, 4701-0155, 4701-0706, 4701-0805, 4701-0870, 4709-42, 4709-70, 4709-71, 4709-72, 4709-73, 4709-206, 4709-625, 4709-645, 4709-665, 4709-1004, 4709-1006, 4709-1007, 4709-1009, 4709-8004, 4709-8018, 4709-8031, 4709-8038, 4709-8039, 4709-8040, 4709-8041, 4709-8042, 4709-8043, 4709-9013, 4713-0706, 4713-155, 4713-805; TAXI - PCN 0023
2.211	ADMINISTRATIVE ASSISTANT III*	DMV - PCNS RE7015, WF7047; DPS - PCNS 3740-1412, 3743-0028, 3743-5, 3743-15, 3743-17, 3743-32, 3743-34, 3743-60, 3743-61, 3743-62, 3743-64, 3743-65, 3743-1011, 3743-1014, 3743-1017, 3743-1020, 3744-10, 3744-13, 3744-16, 3744-19, 4702-51, 4702-147, 4702-315, 4702-328, 4702-648, 4702-705, 4702-871, 4702-11033, 4702-11034, 4709-36, 4709-37, 4709-58, 4709-620, 4709-630, 4709-8005, 4709-8007, 4709-8010, 4709-8011, 4709-8016, 4709-8017, 4709-8019, 4709-8020, 4709-8021, 4709-9001, 4709-9002, 4709-9011, 4709-9012; TAXI - PCNS 0011, 0061
2.212	ADMINISTRATIVE ASSISTANT II*	DPS - PCNS 3743-1021, 4702-32, 4709-2, 4709-8044, 4709-8045, 4709-8046, 4709-8048, 4709-9003, 4709-9004, 4709-9005, 4709-9006, 4709-9007, 4709-9008, 4709-9009, 4709-9010, 4709-16, 4709-17, 4709-18, 4709-25, 4709-26, 4709-34, 4709-57, 4709-62, 4709-204, 4709-205, 4709-605, 4709-660, 4709-8006, 4709-8008, 4709-8009, 4713-0870; TAXI - PCNS 0003, 0013, 0020, 0043, 0046, 0066, 0074, 0075, 0092, 0095
2.301	ACCOUNTING ASSISTANT III*	DPS - PCNS 3743-16, 4709-38, 4709-8022
2.303	ACCOUNTING ASSISTANT II*	DPS - PCN 4709-15
2.819	SUPPLY TECHNICIAN III*	PURCHASING - PCN 0027
2.824	SUPPLY TECHNICIAN II*	PURCHASING - PCN 0029; BCN - ALL PCNS
2.827	SUPPLY ASSISTANT*	BCN - ALL PCNS
2.836	SUPPLY TECHNICIAN I*	BCN - ALL PCNS
3.203	FOOD SERVICE COOK/SUPERVISOR II*	BCN - ALL PCNS
3.206	FOOD SERVICE COOK/SUPERVISOR I*	BCN - ALL PCNS
3.213	FOOD SERVICE WORKER II*	BCN - ALL PCNS
3.218	FOOD SERVICE WORKER I*	BCN - ALL PCNS
3.505	DRIVER - SHUTTLE BUS	
3.506	DRIVER - VAN/AUTOMOBILE	
3.520	FAMILY SUPPORT WORKER III*	BCN - ALL PCNS
3.521	FAMILY SUPPORT WORKER II*	BCN - ALL PCNS
3.524	FAMILY SUPPORT WORKER I*	BCN - ALL PCNS
5.103	PRINCIPAL	
5.104	VICE PRINCIPAL	
5.106	ACADEMIC TEACHER	
5.112	VOCATIONAL EDUCATION INSTRUCTOR	
5.174	CHILD CARE WORKER II*	BCN - ALL PCNS
5.175	CHILD CARE WORKER I*	BCN - ALL PCNS

6.209	SUPERVISOR III, ASSOCIATE ENGINEER*	NDOT - PCNS 017009, 017046, 018-037, ALL PCNS BEGINNING W/ 930
6.211	SUPERVISOR II, ASSOCIATE ENGINEER*	NDOT - PCNS 027006, 028006, 255001, ALL PCNS BEGINNING W/ 930
6.215	SUPERVISOR I, ASSOCIATE ENGINEER*	NDOT -PCNS 017021, 017034, 017048, 028008, ALL PCNS BEGINNING W/ 930
6.223	ADMINISTRATOR I, PROFESSIONAL ENGINEER*	NDOT - PCN 301012
6.224	MANAGER I, PROFESSIONAL ENGINEER*	NDOT - ALL PCNS BEGINNING W/ 930
6.228	STAFF II, ASSOCIATE ENGINEER*	NDOT - PCNS 018024, 018025, 018036, 018037, 018046, 018047
6.229	STAFF I, ASSOCIATE ENGINEER*	NDOT - PCNS 020014, 034001, 255002, 080001, 080002, 080005, 080006, 080007, 080010
6.305	ENGINEERING TECHNICIAN V*	NDOT - PCN 028015
6.308	ENGINEER TECHNICIAN IV*	NDOT - PCN 027023, ALL PCNS BEGINNING W/ 930
6.313	ENGINEERING TECHNICIAN III*	NDOT - PCNS 017037, 017038, 017039, 017040, 017041, 017042, 017050, 017051, 017052, 027019, 027022, 028010, 028011, 028013, 028016, 028021, 028022, 028030, 101342, 255003, ALL PCNS BEGINNING W/ 930
6.355	ARCHITECTURAL DRAFTER IV*	BCN - ALL PCNS
6.358	ARCHITECTURAL DRAFTER III*	BCN - ALL PCNS
6.750	CONSTRUCTION PROJECT COORDINATOR III*	BCN - ALL PCNS
6.751	PROJECT MANAGER III*	BCN - ALL PCNS
6.754	BUILDING CONSTRUCTION INSPECTOR III*	BCN - ALL PCNS; D of A - ALL PCNS
6.755	BUILDING CONSTRUCTION INSPECTOR IV*	D of A - ALL PCNS
6.758	CONSTRUCTION PROJECT COORDINATOR II*	BCN - ALL PCNS
6.762	PROJECT MANAGER II*	BCN - ALL PCNS
6.763	PROJECT MANAGER I*	BCN - ALL PCNS
6.966	DEVELOPMENT TECHNICIAN IV*	BCN - ALL PCNS
6.978	DEVELOPMENT TECHNICIAN III*	BCN - ALL PCNS
6.979	DEVELOPMENT TECHNICIAN II*	BCN - ALL PCNS
6.980	DEVELOPMENT TECHNICIAN I*	BCN - ALL PCNS
6.981	ELECTRONICS TECHNICIAN II*	BCN, NDOC - ALL PCNS
6.987	ELECTRONICS TECHNICIAN III*	BCN, NDOC - ALL PCNS
6.988	ELECTRONICS TECHNICIAN I*	BCN, NDOC - ALL PCNS
7.141	ACCOUNTANT TECHNICIAN II*	DPS - PCNS 0030, 4709-1010
7.143	ACCOUNTANT TECHNICIAN I*	DPS - PCN 4702-30
7.154	AUDITOR II*	DHHS PBH - PCNS 0031, 0033, 0041
7.217	ADMINISTRATIVE SERVICES OFFICER II*	DPS - PCN 4709-23
7.218	ADMINISTRATIVE SERVICES OFFICER I*	DPS - PCN 3743-6
7.519	TRAINING OFFICER I*	NDOT - ALL PCNS
7.524	TRAINING OFFICER II*	DPS - NHP - HAZARDOUS MATERIALS - PCN 5
7.624	MANAGEMENT ANALYST III*	DPS - PCNS 4709-3, 4709-200
7.625	MANAGEMENT ANALYST II*	DPS - PCN 4709-39; TAXI - PCNS 0002, 0078
7.637	MANAGEMENT ANALYST I*	DPS - PCNS 3743-9, 3743-79, 4709-40
7.643	PROGRAM OFFICER III*	DHHS PBH - PCN 0038; DPS - PCN 4702-0086
7.647	PROGRAM OFFICER II*	BCN - PCN 41234; DMV - PCN CC4019; DPS-PCNS 3743-1022, 4701-0950, 4709-19, 4709-24, 4709-35, 4709-8003, 4709-8012
7.649	PROGRAM OFFICER I*	DPS - PCN 3744-82, 4702-322, 4709-8030, 4709-8036, 4709-8037; FIRE MARSHAL - PCNS 4, 106; NDOC - PCNS 3710-0064, 3710-0202; BCN - PCNS 41672, 41673
7.653	PUBLIC SERVICE INTERN II*	NDOT - ALL PCNS BEGINNING W/ 940
7.655	BUSINESS PROCESS ANALYST III*	DPS - PCN 4709-8023
7.656	BUSINESS PROCESS ANALYST II*	DPS - PCNS 4702-0046, 4709-8024, 4709-8025

7.665	PUBLIC SERVICE INTERN I*	MIN - PCNS 09015, 09016, 09017, 09018, 09019, 09020, 09022, 09023
7.713	TRANSPORTATION TECHNICIAN III*	NDOT - ALL PCNS BEGINNING W/ 805 & 813
7.714	TRANSPORTATION TECHNICIAN IV*	NDOT - ALL PCNS BEGINNING W/ 805 & 813
7.715	TRANSPORTATION TECHNICIAN II*	NDOT - ALL PCNS BEGINNING W/ 805 & 813
7.722	TRAFFIC CENTER TECHNICIAN SUPERVISOR	
7.724	TRAFFIC CENTER TECHNICIAN II	
7.725	TRAFFIC CENTER TECHNICIAN I	
7.726	TRAFFIC CENTER TECHNICIAN TRAINEE	
7.745	STATISTICIAN II*	DPS - PCN 4709-21
7.901	CHIEF IT MANAGER*	NDOT - PCN 016060
7.902	IT MANAGER III*	DPS - PCN 4709-0207
7.904	IT MANAGER I*	NDOT - PCN 016065; BCN UNR - PCN 42286
7.921	IT PROFESSIONAL IV*	DPS - PCN 4709-8032; NDOT - PCNS 016061, 016063
7.925	IT PROFESSIONAL III*	DPS - PCNS 4709-0150, 4709-8033; NDOT - PCNS 016062, 016064, 91001, 92001, 93002; BCN UNR - ALL FACILITIES SERVICES PCNS
7.926	IT PROFESSIONAL II*	NDOT - PCNS 91005, 92002, 93001, 93003, 95001, 96001, 92003, 93005, 94003; BCN UNR - ALL FACILITIES SERVICES PCNS
7.929	IT PROFESSIONAL I*	BCN UNR - ALL FACILITIES SERVICES PCNS
7.951	IT PROFESSIONAL TRAINEE*	BCN UNR - ALL FACILITIES SERVICES PCNS
9.103	HIGHWAY MAINTENANCE MANAGER	
9.106	HIGHWAY MAINTENANCE SUPERVISOR II	
9.115	HIGHWAY MAINTENANCE SUPERVISOR I	
9.117	HIGHWAY MAINTENANCE WORKER IV	
9.120	HIGHWAY MAINTENANCE WORKER III	
9.127	HIGHWAY MAINTENANCE WORKER II	
9.130	HIGHWAY MAINTENANCE WORKER I	
9.137	HIGHWAY CONSTRUCTION AID	
9.200	SPECIAL EQUIPMENT OPERATOR III	
9.201	EQUIPMENT OPERATION INSTRUCTOR	
9.203	SPECIAL EQUIPMENT OPERATOR II	
9.204	GROUND EQUIPMENT OPERATOR I*	BCN - ALL PCNS
9.205	SEASONAL FORESTRY EQUIPMENT OPERATOR	
9.208	DRIVER WAREHOUSE WORKER TRAINEE*	NDOC - ALL PCNS
9.209	GROUND EQUIPMENT OPERATOR II*	BCN - ALL PCNS
9.210	DRIVER WAREHOUSE WORKER I	
9.211	DRIVER WAREHOUSE WORKER II	
9.212	DRIVER WAREHOUSE SUPERVISOR	
9.315	HIGHWAY EQUIPMENT MECHANIC SPVR I	
9.317	HIGHWAY EQUIPMENT MECHANIC III	
9.318	HIGHWAY EQUIPMENT MECHANIC II	
9.321	HIGHWAY EQUIPMENT MECHANIC I	
9.322	EQUIPMENT MECHANIC IV*	BCN, DCNR-FORESTRY DIVISION - ALL PCNS
9.323	EQUIPMENT MECHANIC III*	BCN, DCNR-FORESTRY DIVISION, NDOC, NDOW - ALL PCNS
9.326	EQUIPMENT MECHANIC-IN-TRAINING IV*	BCN, NDOT - ALL PCNS
9.327	AUTO BODY WORKER*	NDOT - ALL PCNS
9.328	EQUIPMENT MECHANIC-IN-TRAINING III*	BCN, NDOT - ALL PCNS
9.330	EQUIPMENT MECHANIC-IN-TRAINING II*	BCN, NDOT - ALL PCNS
9.331	EQUIPMENT MECHANIC II*	BCN, DCNR-FORESTRY DIVISION, NDOC, NDOT, NDOW - ALL PCNS
9.332	EQUIPMENT MECHANIC-IN-TRAINING I*	BCN, NDOT - ALL PCNS
9.333	EQUIPMENT MECHANIC I*	BCN, DCNR-FORESTRY DIVISION, NDOC, NDOT, NDOW - ALL PCNS

9.334	FLEET SERVICE WORKER IV*	BCN, NDOT - ALL PCNS
9.335	FLEET SERVICE WORKER III*	BCN, NDOT - ALL PCNS
9.336	FLEET SERVICE WORKER II*	BCN, NDOT - ALL PCNS
9.337	FLEET SERVICE WORKER I*	BCN, NDOT - ALL PCNS
9.353	AVIATION SERVICES OFFICER	
9.354	CHIEF PILOT	
9.355	PILOT II	
9.356	PILOT III	
9.357	AIRCRAFT MAINTENANCE SPECIALIST	
9.359	PILOT I	
9.404	HVACR SPECIALIST IV*	BCN - ALL PCNS
9.408	HVACR SPECIALIST II*	BCN, NDOC - ALL PCNS
9.413	HVACR SPECIALIST III*	BCN, NDOC - ALL PCNS
9.417	WELDER I*	BCN, NDOC, NDOT - ALL PCNS
9.418	LOCKSMITH I*	BCN, NDOC - ALL PCNS
9.420	HEAT PLANT SPECIALIST II*	BCN, NDOC - ALL PCNS
9.421	HVACR SPECIALIST I*	BCN, NDOC, NDOT - ALL PCNS
9.422	HEAT PLANT SPECIALIST IV*	BCN, NDOC - ALL PCNS
9.423	CARPENTER I*	BCN, NDOC, NDOT - ALL PCNS
9.424	CARPENTER II*	BCN, NDOC - ALL PCNS
9.425	HEAT PLANT SPECIALIST III*	BCN, NDOC - ALL PCNS
9.426	ELECTRICIAN I*	BCN, NDOC, NDOT - ALL PCNS
9.428	HEAT PLANT SPECIALIST I*	BCN, NDOC - ALL PCNS
9.429	PAINTER I*	BCN - ALL PCNS
9.430	WELDER II*	BCN, NDOC, NDOT - ALL PCNS
9.431	LOCKSMITH II*	BCN, NDOC - ALL PCN'S
9.432	PLUMBER I*	BCN, NDOC - ALL PCNS
9.434	EVENTS CENTER TECHNICIAN II*	BCN - ALL LAWLOR EVENTS CENTER PCNS
9.437	EVENTS CENTER TECHNICIAN I*	BCN - ALL LAWLOR EVENTS CENTER PCNS
9.439	CARPENTER III*	BCN - ALL PCNS
9.441	MAINTENANCE REPAIR SPECIALIST I*	BCN, NDOC, NDOT, NDOW, NSVH - ALL PCNS
9.445	MAINTENANCE REPAIR SPECIALIST II*	BCN, NDOC, NDOW - ALL PCNS
9.447	ELECTRICIAN II*	BCN, NDOC, NDOT - ALL PCNS
9.448	ELECTRICIAN III*	BCN, NDOC, NDOT - ALL PCNS
9.459	PAINTER II*	BCN - ALL PCN'S
9.460	PAINTER III*	BCN - ALL PCNS
9.462	PLUMBER II*	BCN, NDOC - ALL PCNS
9.463	PLUMBER III*	BCN - ALL PCNS
9.465	CRAFT WORKER-IN-TRAINING IV*	BCN - ALL PCNS
9.466	CRAFT WORKER-IN-TRAINING III*	BCN - ALL PCNS
9.467	CRAFT WORKER-IN-TRAINING II*	BCN - ALL PCNS
9.468	CRAFT WORKER-IN-TRAINING I*	BCN - ALL PCNS
9.470	THEATER TECHNICIAN I*	BCN - ALL PCNS
9.471	THEATER TECHNICIAN II*	BCN - ALL PCNS
9.481	MAINTENANCE REPAIR AID IV*	BCN - ALL PCNS
9.482	MAINTENANCE REPAIR AID III*	BCN - ALL PCNS
9.483	MAINTENANCE REPAIR AID II*	BCN - ALL PCNS
9.484	MAINTENANCE REPAIR AID I*	BCN - ALL PCNS
9.485	MAINTENANCE REPAIR WORKER IV*	BCN, NDOC - ALL PCNS
9.486	MAINTENANCE REPAIR WORKER III*	BCN, NDOC - ALL PCNS
9.487	MAINTENANCE REPAIR WORKER II*	BCN, NDOC, NSVH - ALL PCNS
9.488	MAINTENANCE REPAIR WORKER I*	BCN, NDOC, NSVH - ALL PCNS
9.496	WASTEWATER TREATMENT OPERATOR II*	NDOC - ALL PCNS
9.497	WASTEWATER TREATMENT OPERATOR I*	NDOC - ALL PCNS
9.514	RANCH MANAGER*	BCN UNR - PCN 41154
9.534	RESEARCH AID II*	BCN - ALL WOLF PACK MEATS PCNS
9.555	RESEARCH AID I*	BCN - ALL WOLF PACK MEATS PCNS
9.580	RESEARCH TECHNICIAN*	BCN - ALL WOLF PACK MEATS PCNS
9.603	FACILITY MANAGER*	BCN, NDOC - ALL PCNS
9.606	FACILITY SUPERVISOR III*	BCN, NDOC - ALL PCNS

9.609	FACILITY SUPERVISOR II*	BCN, NDOC - ALL PCNS, NDOT - PCN 302001
9.610	GROUNDS SUPERVISOR III*	BCN - ALL PCNS
9.612	FACILITY SUPERVISOR I*	BCN, NDOC - ALL PCNS
9.616	CUSTODIAL SUPERVISOR IV*	BCN - ALL PCNS
9.617	CUSTODIAL SUPERVISOR III*	BCN - ALL PCNS
9.620	GROUNDS SUPERVISOR II*	BCN - ALL PCNS
9.623	CUSTODIAL SUPERVISOR II*	BCN - ALL PCNS
9.625	CUSTODIAL SUPERVISOR I*	BCN - ALL PCNS
9.627	GROUNDS SUPERVISOR I*	BCN - ALL PCNS
9.630	GROUNDS MAINTENANCE WORKER V*	BCN - ALL PCNS
9.631	CUSTODIAL WORKER II*	BCN - ALL PCNS
9.633	GROUNDS MAINTENANCE WORKER IV*	BCN - ALL PCNS
9.634	CUSTODIAL WORKER I*	BCN - ALL PCNS
9.635	GROUNDS MAINTENANCE WORKER III*	BCN - ALL PCNS
9.637	FACILITY ATTENDANT*	BCN - ALL PCNS
9.639	GROUNDS MAINTENANCE WORKER II*	BCN - ALL PCNS
9.641	GROUNDS MAINTENANCE WORKER I*	BCN - ALL PCNS
10.124	PSYCHOLOGIST IV*	NDOC - ALL PCNS
10.126	PSYCHOLOGIST III*	NDOC - ALL PCNS
10.132	PSYCHOLOGIST II*	NDOC - ALL PCNS
10.139	MENTAL HEALTH COUNSELOR II*	NDOC - ALL PCNS
10.141	MENTAL HEALTH COUNSELOR I*	NDOC - ALL PCNS
10.143	PSYCHOLOGIST I*	NDOC - ALL PCNS
10.144	CLINICAL SOCIAL WORKER II*	NDOC - ALL PCNS
10.146	TREATMENT HOME SUPERVISOR	
10.148	TREATMENT HOME PROVIDER	
10.150	CLINICAL SOCIAL WORKER I*	NDOC - ALL PCNS
10.151	CLINICAL SOCIAL WORKER III*	NDOC - ALL PCNS
10.179	PSYCHOMETRIST *	NDOC - ALL PCNS
10.217	HEALTH PROGRAM MANAGER II*	DHHS PBH - PCN 0037
10.229	MID-LEVEL MEDICAL PRACTITIONER*	DHHS, NDOC - ALL PCNS
10.244	QUALITY ASSURANCE SPECIALIST I*	NSVH - ALL PCNS
10.260	DENTAL CLINIC SUPERVISOR*	UNLV - ALL PCNS
10.262	DENTAL ASSISTANT III*	NDOC, UNLV - ALL PCNS
10.263	DENTAL ASSISTANT II*	NDOC, UNLV - ALL PCNS
10.264	DENTAL ASSISTANT I*	NDOC, UNLV - ALL PCNS
10.300	DIRECTOR, NURSING SERVICES II*	DHHS, NDOC - ALL PCNS, NSVH - ALL PCNS
10.301	DIRECTOR, NURSING SERVICES I*	DHHS, NDOC - ALL PCNS
10.305	PSYCHIATRIC NURSE III*	DHHS, NDOC - ALL PCNS
10.306	PSYCHIATRIC NURSE IV*	DHHS, NDOC - ALL PCNS
10.307	PSYCHIATRIC NURSE II*	DHHS, NDOC - ALL PCNS
10.309	PSYCHIATRIC NURSE I*	DHHS, NDOC - ALL PCNS
10.310	CHIEF OF NURSING SERVICES*	NDOC - ALL PCNS
10.316	CORRECTIONAL NURSE III*	NDOC - ALL PCNS
10.318	CORRECTIONAL NURSE II*	DHHS, NDOC - ALL PCNS
10.319	CORRECTIONAL NURSE I*	DHHS, NDOC - ALL PCNS
10.338	MENTAL HEALTH TECHNICIAN IV*	DHHS - ALL PCNS
10.339	DEVELOPMENTAL SUPPORT TECH IV*	DHHS - ALL PCNS
10.346	MENTAL HEALTH TECHNICIAN III*	DHHS - ALL PCNS
10.347	DEVELOPMENTAL SUPPORT TECH III*	DHHS - ALL PCNS
10.352	REGISTERED NURSE V*	NSVH - ALL PCNS
10.354	REGISTERED NURSE IV*	NSVH - ALL PCNS
10.355	REGISTERED NURSE III*	NSVH - ALL PCNS
10.356	MENTAL HEALTH TECHNICIAN II*	DHHS - ALL PCNS
10.357	DEVELOPMENTAL SUPPORT TECH II*	DHHS - ALL PCNS
10.358	NURSE I*	DHHS, NDOC, NSVH - ALL PCNS
10.359	REGISTERED NURSE II*	NSVH - ALL PCNS
10.360	LICENSED PRACTICAL NURSE II*	DHHS, NDOC, NSVH - ALL PCNS
10.364	LICENSED PRACTICAL NURSE III*	DHHS, NDOC - ALL PCNS
10.365	LICENSED PRACTICAL NURSE I*	DHHS, NDOC - ALL PCNS

10.366	MENTAL HEALTH TECHNICIAN I*	DHHS - ALL PCNS
10.367	DEVELOPMENTAL SUPPORT TECH I*	DHHS - ALL PCNS
10.369	CERTIFIED NURSING ASSISTANT*	NDOC, NSVH - ALL PCNS
10.375	COMMUNITY HEALTH NURSE IV*	DHHS - ALL PCNS
10.376	COMMUNITY HEALTH NURSE III*	DHHS - ALL PCNS
10.377	COMMUNITY HEALTH NURSE II*	DHHS - ALL PCNS
10.378	COMMUNITY HEALTH NURSE I*	DHHS - ALL PCNS
10.536	ENVIRONMENTAL SCIENTIST II*	NDOT - PCNS 018012, 018013
10.540	MEDICAL MARIJUANA PROGRAM SUPERVISOR	
10.541	MEDICAL MARIJUANA PROGRAM INSPECTOR II	
10.542	MEDICAL MARIJUANA PROGRAM INSPECTOR I	
10.545	ENVIRONMENTAL SCIENTIST IV*	NDOT - PCN 018011
10.707	CHEMIST V*	BCN - ALL PCNS
10.708	CHEMIST IV*	BCN - ALL PCNS
10.710	MICROBIOLOGIST V*	BCN - ALL PCNS
10.711	MICROBIOLOGIST IV*	BCN - ALL PCNS
10.712	CHEMIST III*	BCN - ALL PCNS
10.713	CHEMIST II*	BCN - ALL PCNS
10.715	MICROBIOLOGIST III*	BCN - ALL PCNS
10.717	MICROBIOLOGIST II*	BCN - ALL PCNS
10.721	MICROBIOLOGIST I*	BCN - ALL PCNS
10.724	CHEMIST I*	BCN - ALL PCNS
10.723	PHARMACY TECHNICIAN II*	DHHS, NDOC - ALL PCNS
10.726	LABORATORY TECHNICIAN II*	BCN - ALL PCNS
10.728	PHARMACY TECHNICIAN I*	DHHS, NDOC - ALL PCNS
10.729	LABORATORY ASSISTANT II*	BCN - ALL PCNS
10.733	LABORATORY TECHNICIAN I*	BCN - ALL PCNS
10.736	LABORATORY ASSISTANT I*	BCN - ALL PCNS
10.769	STAFF RESEARCH ASSOCIATE IV*	BCN - ALL PCNS
10.770	STAFF RESEARCH ASSOCIATE III*	BCN - ALL PCNS
10.771	STAFF RESEARCH ASSOCIATE II*	BCN - ALL PCNS
10.772	STAFF RESEARCH ASSOCIATE I*	BCN - ALL PCNS
11.117	PUBLIC SAFETY DISPATCHER VI	
11.118	PUBLIC SAFETY DISPATCHER V	
11.120	PUBLIC SAFETY DISPATCHER IV	
11.122	PUBLIC SAFETY DISPATCHER III	
11.124	PUBLIC SAFETY DISPATCHER II	
11.126	PUBLIC SAFETY DISPATCHER I	
11.128	N.C.J.I.S. PROGRAM SPECIALIST SUPERVISOR*	DPS - PCNS 4709-13, 4709-14
11.129	N.C.J.I.S. PROGRAM SPECIALIST*	DPS - PCNS 4709-41, 4709-63, 4709-74, 4709-600, 4709-615, 4709-650, 4709-680, 4709-1005
11.130	N.C.J.I.S. PROGRAM SPECIALIST TRAINEE	
11.132	MANAGER, CRIMINAL JUSTICE RECORDS*	DPS - ALL PCNS
11.133	FINGERPRINT/RECORDS EXAMINER III*	DPS - PCNS 4709-201, 4709-8015
11.134	FINGERPRINT/RECORDS EXAMINER II*	DPS - PCNS 4709-6, 4709-7, 4709-33, 4709-59, 4709-61, 4709-202, 4709-590, 4709-8014
11.135	FINGERPRINT/RECORDS EXAMINER I	
11.144	FINGERPRINT/RECORDS SUPERVISOR*	DPS - PCNS 4709-4, 4709-5
11.239	MILITARY SECURITY OFFICER V	
11.240	MILITARY SECURITY OFFICER IV	
11.241	MILITARY SECURITY OFFICER III	
11.242	MILITARY SECURITY OFFICER II	
11.243	MILITARY SECURITY OFFICER I	
11.260	SECURITY OFFICER SUPERVISOR*	BCN, NSVH - ALL PCNS
11.263	SECURITY OFFICER*	BCN, MILITARY, NSVH - ALL PCNS
11.354	SUPERVISORY COMPLIANCE INVESTIGATOR*	DMV - PCN WF8508
11.358	COMPLIANCE INVESTIGATOR II*	DMV - PCNS RE8018, RE8025, RE8026, RE8028
11.363	COMPLIANCE/AUDIT INVESTIGATOR III*	B&I-INSURANCE DIV - PCN 0072; SOS - PCNS 0030, 0031, 0035, 0062, 0063, 0066

11.365	COMPLIANCE/AUDIT INVESTIGATOR II*	B&I-INSURANCE DIV - ALL PCNS; SOS - PCNS 0022, 0028, 0068
11.424	DMV SERVICES TECHNICIAN III*	DMV - PCNS RE5324, RE5328
11.506	FIRE & LIFE SAFETY INSPECTOR I	
11.510	FIRE & LIFE SAFETY INSPECTOR II	
11.513	SAFETY REPRESENTATIVE, RAILWAY	
11.515	SAFETY SPECIALIST, RAILWAY	
11.550	TAXICAB VEHICLE INSPECTOR I	
11.552	TAXICAB VEHICLE INSPECTOR II	
11.560	MANUFACTURED HOUSING INSPECTOR II	
11.561	MANUFACTURED HOUSING INSPECTOR I	
11.565	AGENCY LOSS CONTROL COORDINATOR*	NDOT - PCN 078002
12.466	SUBSTANCE ABUSE COUNSELOR III	
12.469	SUBSTANCE ABUSE COUNSELOR II	
12.470	SUBSTANCE ABUSE COUNSELOR I	
12.501	WARDEN	
12.510	CORRECTIONAL MANAGER	
12.517	CORRECTIONAL ASSISTANT*	NDOC - ALL PCNS
12.523	ASSISTANT SUPERINTENDENT, YOUTH FACILITY	
12.532	HEAD GROUP SUPERVISOR	
12.534	ASSISTANT HEAD GROUP SUPERVISOR	
12.535	GROUP SUPERVISOR IV	
12.537	GROUP SUPERVISOR III	
12.538	GROUP SUPERVISOR II	
12.541	GROUP SUPERVISOR I	
12.553	ASSOCIATE WARDEN	
12.556	CORRECTIONAL CASEWORK SPECIALIST III	
12.559	CORRECTIONAL CASEWORK SPECIALIST II	
12.565	CORRECTIONAL CASEWORK SPECIALIST I	
12.571	CORRECTIONAL CASEWORK SPECIALIST TR	
12.616	PAROLE & PROBATION SPECIALIST III*	DPS - PCNS 3740-0564, 3740-1251, 3740-1439, 3740-1440, 3740-1441, 3740-1442
13.101	AGRICULTURE ENFORCEMENT OFFICER III	
13.102	AGRICULTURE ENFORCEMENT OFFICER II	
13.103	AGRICULTURE ENFORCEMENT OFFICER I	
13.111	DEPUTY BRAND INSPECTOR (COMMISSIONED)	
13.115	STAFF GAME WARDEN	
13.121	GAME WARDEN IV	
13.122	GAME WARDEN III	
13.123	GAME WARDEN II	
13.124	GAME WARDEN I	
13.131	PARKS REGIONAL MANAGER (COMMISSIONED)	
13.135	PARK SUPERVISOR III (COMMISSIONED)	
13.136	PARK SUPERVISOR II (COMMISSIONED)	
13.137	PARK SUPERVISOR I (COMMISSIONED)	
13.141	PARK RANGER III (COMMISSIONED)	
13.142	PARK RANGER II (COMMISSIONED)	
13.143	PARK RANGER I (COMMISSIONED)	
13.202	DPS MAJOR	
13.203	DPS CAPTAIN	
13.204	DPS LIEUTENANT	
13.205	DPS SERGEANT	
13.206	DPS OFFICER II	
13.207	DPS OFFICER I	
13.215	UNIVERSITY POLICE LIEUTENANT	
13.217	UNIVERSITY POLICE DETECTIVE	
13.221	UNIVERSITY POLICE SERGEANT	
13.222	UNIVERSITY POLICE OFFICER II	
13.223	UNIVERSITY POLICE OFFICER I	
13.234	SENIOR LAW ENFORCEMENT SPECIALIST	
13.237	AG CYBERCRIME INVESTIGATOR II	

13.238	AG CYBERCRIME INVESTIGATOR I	
13.241	SUPERVISORY CRIMINAL INVESTIGATOR II	
13.242	SUPERVISORY CRIMINAL INVESTIGATOR I	
13.243	CRIMINAL INVESTIGATOR III	
13.244	CRIMINAL INVESTIGATOR II	
13.245	CRIMINAL INVESTIGATOR I	
13.246	AG DEPUTY CHIEF INVESTIGATOR*	AG - ALL PCNS
13.247	AG CRIMINAL INVESTIGATOR, SUPERVISOR*	AG - ALL PCNS
13.248	AG CRIMINAL INVESTIGATOR II*	AG - ALL PCNS
13.249	AG CRIMINAL INVESTIGATOR I*	AG - ALL PCNS
13.251	CHIEF INVESTIGATOR, COMPLIANCE/ ENFORCEMENT	
13.255	SUPERVISORY COMPLIANCE/ENFORCEMENT INVESTIGATOR	
13.256	COMPLIANCE/ENFORCEMENT INVESTIGATOR III	
13.257	COMPLIANCE/ENFORCEMENT INVESTIGATOR II	
13.258	COMPLIANCE/ENFORCEMENT INVESTIGATOR I	
13.263	UNIT MANAGER, YOUTH PAROLE BUREAU	
13.265	YOUTH PAROLE COUNSELOR III	
13.266	YOUTH PAROLE COUNSELOR II	
13.267	YOUTH PAROLE COUNSELOR I	
13.301	INSPECTOR GENERAL	
13.309	CORRECTIONAL CAPTAIN	
13.310	CORRECTIONAL LIEUTENANT	
13.311	CORRECTIONAL SERGEANT	
13.312	SENIOR CORRECTIONAL OFFICER	
13.313	CORRECTIONAL OFFICER	
13.314	CORRECTIONAL OFFICER TRAINEE	
13.321	FORENSIC SPECIALIST IV	
13.322	FORENSIC SPECIALIST III	
13.323	FORENSIC SPECIALIST II	
13.324	FORENSIC SPECIALIST I	
U3720	DIVISION ADMINISTRATOR, RECORDS & TECHNOLOGY*	DPS - PCN 4709-1
U3916	PROGRAM MANAGER, OIL/GAS/GEOTHERMAL	MIN - PCN 0002
U3918	DEPUTY ADMINISTRATOR, MINERALS	MIN - PCN 0006
U3919	CHIEF FOR DANGEROUS MINES	MIN - PCN 0007
U3930	CHIEF FOR MINE REGULATION	MIN - PCN 0009
U3932	FIELD SPECIALIST, MINERALS	MIN - PCNS 0011, 0021, 0031
U4102	BUREAU CHIEF, YOUTH PAROLE	
U4103	DIVISION ADMINISTRATOR, TAXICAB AUTHORITY	
U4141	DEPUTY DIVISION ADMINISTRATOR, TAXICAB AUTHORITY	
U4706	ADMINISTRATOR, MINERALS	MIN - PCN 0001
U9010	CHIEF, NEVADA HIGHWAY PATROL	
U9033	DEPUTY DIRECTOR, INDUSTRIAL PROGRAMS	
U9034	DEPUTY DIRECTOR, OPERATIONS SOUTH	
U9041	CHIEF GAME WARDEN	
U9074	PHARMACIST 1*	DHHS, NDOC - ALL PCNS
U9075	PHARMACIST 2*	DHHS - ALL EXCEPT PCN 3243-0014; NDOC - ALL PCNS
U9076	PHARMACIST 3*	DHHS, NDOC - ALL PCNS
U9085	SENIOR INSTITUTIONAL DENTIST (RANGE A)*	NDOC - ALL PCNS
U9086	SENIOR INSTITUTIONAL DENTIST (RANGE B)*	NDOC - ALL PCNS
U9087	SENIOR PHYSICIAN (RANGE C)*	DHHS, NDOC - ALL PCNS
U9088	SENIOR PSYCHIATRIST (RANGE C)*	DHHS, NDOC - ALL PCNS

LEGEND

Acronym	Agency
AG	Office of the Attorney General
AGR	Department of Agriculture
BCN	(Nevada System of Higher Education) Business Center North
BCN UNR	(Nevada System of Higher Education) Business Center North, University of Nevada Reno
B&I	Department of Business & Industry
DCNR	Department of Conservation & Natural Resources
DHHS	Department of Health & Human Services
DHHS PBH	Department of Health & Human Services, Division of Public & Behavioral Health
DMV	Department of Motor Vehicles
D of A	Department of Administration
DPS	Department of Public Safety
ESD	Department of Employment, Training & Rehabilitation, Employment Security Division
MIN	Commission on Mineral Resources, Division of Minerals
NHP	Department of Public Safety, Nevada Highway Patrol
NDOC	Department of Corrections
NDOT	Department of Transportation
NDOW	Department of Wildlife
NSVH	Office of Veterans Services, Nevada State Veterans Home
SOS	Secretary of State
TAXI	Department of Business & Industry, Nevada Taxicab Authority
UNLV	(Nevada System of Higher Education) University of Nevada Las Vegas

FOR DISCUSSION AND POSSIBLE ACTION

NRS 284.4066 provides for the pre-employment testing for controlled substances of applicants for positions affecting public safety. This law requires the appointing authority to identify the specific positions that affect public safety, subject to the approval of the Personnel Commission.

The Department of Motor Vehicles (DMV) has requested the following positions be added to the classes/positions approved for pre-employment screening for controlled substances for the provided reason(s):

AGENCY	CLASS/TITLE CODE	TITLE	POSITION CONTROL NUMBER	REASON FOR ADDITION
DMV	11.358	Compliance Investigator II	RE4079	Affects public safety
DMV	U9005	Deputy Administrator, Compliance Enforcement Division	RE2013, WF2014	Compliance with NAC 289.110
DMV	U9021	Division Administrator, Compliance Enforcement Division	CC1003	Compliance with NAC 289.110

Staff recommends the approval of the requested positions.

The requested positions are responsible for all law enforcement-related activities within the Department, including criminal and administrative investigation and compliance programs. Other duties that affect public safety include working with federal and State law enforcement officers and agencies in maintaining comprehensive compliance/enforcement programs, and directing specialized investigations involving business activities. Additionally, these positions are subject to not only a background check, but also medical and psychological tests which may diminish an individual's expectation of privacy.

The Deputy Division Administrator and Division Administrator positions are required to obtain and maintain Nevada Peace Officer Standards and Training (POST) Category II certification. NAC 289.110 states, "No person may be appointed to perform the duties of a peace officer unless he or she... Has undergone a complete and documented investigation of his or her background..."

The investigation of the background of a person required pursuant to subsection 1 must include...
A drug screening test.”

The Compliance Investigator II position is responsible for performing background checks on members of the public.

The Deputy Administrator and Division Administrator are specific, unique positions and have not previously been approved by the Commission. Similar positions in Compliance Investigator II series have previously been approved by the Commission.

The Department of Motor Vehicles has indicated that a representative will be available at the meeting to answer Commissioners’ questions.



MEMORANDUM

From
Allan G. Gliponeo
Human Resources Officer 1
702-486-8645
Fax: 702-486-8613
AGliponeo@dmv.nv.gov

April 11, 2018

To: Shelley Blotter, Deputy Administrator
Employee & Management Services, Consultation & Accountability
NV Division of Human Resource Management

Subject: Request to Add New Classes/Positions to the List of Classes/Positions
Approved for Pre-Employment Controlled Substance Screening

The Department of Motor Vehicles requests the addition of the following positions to the list of Classes/Positions Approved for Pre-Employment Controlled Substance Testing:

<u>Class/Code</u>	<u>Title</u>	<u>Position Control Number</u>
U9021	Division Administrator, CED	CC1003
U9005	Deputy Administrator, CED	RE2013, WF2014
11.358	Compliance Investigator 2	RE4079

These positions work in the Department’s Compliance Enforcement Division (CED) and are responsible for all law enforcement-related activities, including investigation and compliance programs, both criminal and administrative, within the jurisdiction of the Department of Motor Vehicles; work with federal and State law enforcement officers and agencies in maintaining comprehensive compliance/enforcement programs; directs specialized investigations involving activities of businesses, their owners and/or employees; monitors fraudulent activity within Department programs for major violations or misconduct. The Compliance Investigator 2 position (11.358) handles confidential and sensitive information such as background and clearance information which affect public safety.

If there are any questions or concerns, please contact me at (702) 486-8645.

Thank you,

Allan G. Gliponeo
Human Resources Officer 1
NV Department of Motor Vehicles
8250 W. Flamingo Rd.
Las Vegas NV 89147

Personnel Commission Meeting
June 8, 2018

FOR INFORMATION ONLY

Attached are several items included for your information and consideration with regard to the proposed regulations. The minutes of the August 30, 2017 and December 12, 2017 regulation workshops, and the Small Business Impact Statement have been provided, as they are related to all regulations proposed for permanent adoption.

STATE OF NEVADA
Department of Administration
Division of Human Resource Management
REGULATION WORKSHOP

Carson City at the Legislative Counsel Bureau, 401 S. Carson Street, Room 2135, Carson City, Nevada; and via video conference in Las Vegas at the Grant Sawyer State Building, Room 4412E, 555 East Washington Avenue.

MEETING MINUTES
Wednesday August 30, 2017

STAFF PRESENT IN CARSON CITY:

Peter Long, Administrator, DHRM
Shelley Blotter, Deputy Administrator, DHRM
Cassie Moir, Deputy Administrator, DHRM
Michelle Garton, Supervisory Personnel Analyst, DHRM
Beverly Ghan, Supervisory Personnel Analyst, DHRM
Carrie Hughes, Personnel Analyst III, DHRM

STAFF PRESENT IN LAS VEGAS:

None

I. Call to order

Shelley Blotter: Opened the meeting and explained that the reason for the workshop was to solicit comments from affected parties with regard to the regulations proposed for permanent adoption. Based on the feedback received, the proposed language may be changed or deleted and additional regulations may be affected. If the regulations are submitted to the Personnel Commission for adoption, amendment or repeal, the minutes from the workshop and any other comments received will be provided to the Personnel Commission when the regulation is presented for their consideration. Staff will provide an explanation of the proposed change with time allowed for comments.

II. Review of Proposed Changes to NAC 284

NEW	Filling a vacancy.
NEW	“Spouse” defined.
284.114	Affirmative action program and equal employment opportunity.
284.027	“Budget Division” defined.
284.126	Creation of new class, reclassification of position or reallocation of existing class.
284.2508	Compensatory time: Use.
284.458	Rejection of probationary or trial status employees.
NEW	Letter of Instruction: Use and administration.
NEW	Report of suspension, revocation or cancellation of a professional or occupational license, certificate or permit or driver’s license.
284.653	Driving under the influence; unlawful acts involving controlled

- substance.
- 284.890 Transportation of employee to and from location of screening test.
- 284.692 Agreement for extension of time to file grievance or take required action.

Shelley Blotter: Explained the process and invited attendees to provide their comments upon presentation of the changes.

Beverly Ghan: Explained that as a result of regulation changes related to filling vacancies pertaining to reassignments and a recent change per Assembly Bill 192 as to how the 700-hour program list is handled, DHRM is proposing an amendment. The amendment adds a new section to NAC 284 in order to clarify the process that must be used prior to filling vacancies through either competitive or noncompetitive means. The regulation will clarify that prior to filling any vacancy in State service in the classified system, the appointing authority must contact DHRM to verify if there is anyone on the reemployment list or through the reassignment process or on a list of persons with disabilities, commonly known as the 700-hour list. The appointing authority can also check to see if there is anyone on a transfer list when applicable. Transfer lists are only maintained during a Legislative year, until November 1st of that year for the Legislature transfer employees.

Shelley Blotter: Invited comments.

Cadence Matijevich: Acknowledged that the recent legislation makes hiring from the 700-hour list mandatory. She asked whether the other types, including reemployment, reassignment or transfer are mandatory or whether an interview is the only requirement. **Beverly Ghan:** Explained that the reemployment list is mandatory. The 700-hour list is also mandatory. Even though there is not an official list for the reassignment, it will take priority over both of these if someone is in the reassignment process.

Cadence Matijevich: Requested that there be clarification in the regulation, that it direct not only to see if a list is available, but also what the process is for using any person on the list. It seems that the intent is that if there are persons on the list that the agency would indeed have to hire them. **Beverly Ghan:** Concurred, adding that the regulation will be made clearer.

John Scarborough: Asked how this applies to NSHE with the delegation agreement. **Peter Long:** Stated that now that NSHE may or not have access to NVAPPS, because of NSHE’s new system, the agreement was that the process must still be followed. If needed, they may reach out to verify whether there are any of these types of lists or potential employees available. They are still required to follow the regulation.

Janine Nelson: Acknowledged that she did not realize there was an Assembly Bill associated with this and requested an outline of the bill. **Beverly Ghan:** Explained that AB 192 essentially states that if anyone is on the 700-hour list, which is accumulated through the DETR Vocational Rehabilitation office. The normal process by DHRM, upon request for recruitment, is to send out the reemployment list first. If that is not used for whatever reason, DHRM issues the 700-hour list. When the 700-hour list is issued, agencies are now required to work with the person on the list, including reach out efforts. The person may be provided the essential functions of the job. If the individual signs off stating the functions can be performed, the job must be offered to the person. If there is more than one person on the list, they will not be ranked. The agency must decide which person is the most qualified. **Janine Nelson:** Noted that it has always been the State philosophy to first try to hire from within. She inquired whether this takes away the ability to manage an internal, noncompetitive appointment within the department for a vacancy. **Beverly Ghan:** Affirmed this understanding. The regulations require that the mandatory lists be addressed first, followed with the normal process, if needed. **Peter Long:** Agreed, noting that statute

requires this. He compared it to the process of reemployment. If a person on the 700-hour list is capable of performing the essential functions, it is mandatory that they be offered the position.

Alys Dobel: Sought clarification on reemployment, posing a scenario where a person is reverted back to their position, which has already been filled. The person who is reverted back has rights to the position as long as they have more seniority than the person currently in the position. In a case where they do not have greater seniority, they are placed on the reemployment list. **Peter Long:** Stated that recent steps have been added in the restoration process. Reemployment would apply for the person who had backfilled. This is specifically addressed in regulation. Before a vacancy is filled, the question must always be asked as to whether there is a reemployment available.

Susie Bargmann: Referred to the 700-hour list. Because this is not a ranked list, she questioned whether the mandatory five must be contacted. Alternatively, if an individual can be selected as the most qualified and subsequently chooses not to select the person, must the agency move on with the 700-hour list or is it now finished with the 700-hour list? **Beverly Ghan:** Clarified that if there is more than one person on the list, the agency has the authority to choose the most qualified person, based on the information available. If the choice does not work out, the agency can send the list back to DHRM. **Peter Long:** Stated that this is a good question, which may need to be looked at more closely. The intent is for the agency to review the various people on the 700-hour list. He stated that agencies should reach out to all the individual's on the list, partly because the agency needs an understanding of an individual has any personal limitations. The ability to perform the essential functions has the potential to narrow down the list. In summary, the agency could not simply choose the most qualified and if the individual cannot perform the essential functions, the agency may not disregard the other individuals, but would need to reach out to all of them that are available. Once it is determined which individuals meet the essential functions, the agency can choose the one it deems most qualified.

Carrie Hughes: Addressed the new regulation, which defines the term "spouse" as an individual who is in a marriage, as well as a domestic partner, to be used throughout Nevada Administrative Code, Chapter 284. The reference to NRS 122A.100 refers to domestic partnerships entered into in Nevada. The reference to NRS 122A.500 refers to partnerships entered into outside the State of Nevada.

Shelley Blotter: Invited comments. There were none.

Michelle Garton: Addressed NAC 284.114, affirmative action program and equal employment opportunity. NRS 122A.200 states that a public agency shall not discriminate against a person on the basis that that person is in a domestic partnership, rather than a spouse. It also states that domestic partners have the same right to nondiscriminatory treatment as that provided to spouses. As such it is proposed to add "domestic partnership" to NAC 284.114.

Shelley Blotter: Invited comments. There were none.

Michelle Garton: Addressed NAC 284.027, Budget Division defined and NAC 284.126, creation of new class, reclassification of position or reallocation of existing class. The purpose of the amendments is to reflect that the Budget Division was moved from the Department of Administration to the Governor's Office of Finance in Assembly Bill 469 of the 2015 Legislative Session. This type of change is generally handled through codification. However, because the Legislative Council Bureau has not codified NAC 284 for more than two years, DHRM is proposing these changes to the regulations at this time.

Shelley Blotter: Invited comments. There were none.

Carrie Hughes: Discussed NAC 284.2508, compensatory time: use. In conjunction with the regulations and amendments proposed at the July Regulation Workshop, the amendment to NAC 284.2508 is proposed to address the provisions of Senate Bill 361 of the 2017 Legislative Session, which provides for new employment benefits and requirements relating to domestic abuse. The amendment will allow an employee who has been employed at least 90 days and is a victim of an act of domestic violence or his or her family or household member is a victim of domestic violence to take accrued compensatory time up to a combined maximum, potentially including annual leave, sick leave and leave without pay of 160 hours in 12 month period following the act of domestic violence.

Shelley Blotter: Stated that this is a companion to regulations that were proposed at a previous workshop. She invited comments. There were none.

Michelle Garton: Addressed NAC 284.458, Rejection of probationary or trial status employee. This amendment will make it clear in regulation that an employee who was rejected from probation or trial status may not submit an appeal or a grievance as a result of the decision by the appointing authority. The new Subsection 3 in the regulation will allow the Administrator to remove an appeal or a grievance from the process, when either is filed as a result of a rejection from probation or trial status. Removing appeals and grievances from the process that have been inappropriately filed will improve efficiency in both of the processes.

Shelley Blotter: Stated that Kevin Ranft, labor representative with AFSCME was unable to attend, but provided written comments. She read his comments into the record:

“Regarding NAC 284.458, Rejection of probationary or trial status employees. These recommended changes in regard to NAC 284.458 don’t address a concern that employees often see when being rejected. There has been many cases where an employee is rejected off of a probationary or trial status and are very confused with their situation. The confusion is based upon two main concerns. One, the agency supervisor/manager has not met the requirement of providing the three, seven and/or 11 month appraisal evaluation process with the employee. This is a very important process for the employee to succeed. The employee hasn’t received their full training or the training they have received is insufficient. I understand that these concerns are not always relevant in an employee’s rejection. However, a process should be in an NAC regulation that requires an agency supervisor or manager to meet their obligation prior to any employee being rejected, unless egregious circumstances exist. There have been times where an employee is being set up to fail by the supervisor’s inaction. There is no recourse for the employee in these situations and little to no accountability for the supervisor or manager. Our organization would like to see these concerns addressed.”

Shelley Blotter: Invited comments. There were none.

Michelle Garton: Addressed a new regulation, letter of instruction: use and administration. This amendment was proposed by the College of Southern Nevada and will place into regulation the use and administration of letters of instruction, which many agencies currently use as a coaching or performance management tool. A letter of instruction is not part of the disciplinary process and no threat of discipline should be included. This regulation specifies the contents that should be included in a letter of instruction and what it must not contain. The requirement of a meeting between the supervisor and employee is included in the regulation and the retention of a letter of instruction is also addressed. Because many agencies have utilized letters of instruction for many years, DHRM is particularly interested in feedback related to this regulation.

Shelley Blotter: Invited Mr. Scarborough or a representative from CSN to the table for comments. **John Scarborough:** Stated that he and Ms. Blotter discussed this several months ago when they proposed this,

in order to remove any ambiguity about exactly what a letter of instruction is. CSN uses letters of instruction extensively, not only for classified employees, but for academic and administrative faculty as a way of coaching employees so that they improve problem areas or correct misunderstandings. CSN appreciates the fact that DHRM has developed a regulation to address this. **Shelley Blotter:** Commented that some agencies were receiving grievances from employees, where the employee had received a letter of instruction. And because there was a consequence associated with the letter of instruction, the Employee-Management Committee viewed it as a documented oral warning. This effort is intended to clarify that the letter of instruction does not include any consequences and is truly meant as a training tool. She invited further comments.

Alys Dobel: Noted that the letter of instruction has been around for quite some time, but may not always be called a letter of instruction. It could also be referred to as a memorandum to the employee. The retention schedule indicates that letters of instruction are to be removed from the employee's file. If it is in the supervisor's file, it indicates it must be removed after a year. She does not necessarily agree with this. Part of an employee's supervisor's file is the history of the employee. Letters of instruction should remain in the employee's file for even two to three years, as it demonstrates improvement. If an employee knows the letter will be removed after one year, they may revert to previous behavior. **Shelley Blotter:** Stated she would be happy to look into this. There are sometimes agreements made between the employee and the supervisor. She does not recall the provision where the letter is removed after a year, but she will review this. **Alys Dobel:** Added that she likes the policy overall, in that it clarifies what needs to go in a letter of instruction. She would like more information on whether a memorandum of understanding or similarly titled document must be specifically called a letter of instruction. **Shelley Blotter:** Noted that at this point, it is still in the formulation stage. She would see all such documents as similar coaching tools commonly referred to as a letter of instruction. This can be looked at for the possibility of creating a broader net. She invited further comments.

Brian Boughter: Stated that he likes the regulation. However, recently he was asked the following question: "Can we pull a document out of a supervisor file? Can the supervisor do that?" His advice to the employee was to share his preference for a complete supervisor file, where nothing is removed. The same would apply to letters of commendation. Another reason he likes the regulation is because DETR has difficulty having people understand what the letter of instruction is, what information it will contain, whether it will contain violations, whether it can be listed as a violation or an applicable rule. DETR had ended up listing items as applicable rules instead of violations in order to minimize the perception of the disciplinary aspect.

Gennie Hudson: Referred to Ms. Dobel's earlier comments regarding a letter of instruction not necessarily being termed "letter of instruction." Simple items such as an email can serve to document a conversation between an employee and a supervisor and are not necessarily given formal document titles. **Renee Depaoli:** Echoed the comments, noting that when she took Progressive Discipline training, it was referred to in tools and training that it could be a memorandum of understanding or called something else. Welfare and Supportive Services uses letters of instruction on a daily basis. She appreciates that this regulation provides clarity to the process. However, sometimes what such a document is called can make a difference in how it is received. The term "letter of instruction" has a bite to it, where a memorandum of understanding might be received more easily. She stated that records retention to working files may need to be revised. **Shelley Blotter:** Assured that she would look at this. There is opportunity to provide feedback to the committee that oversees records retention.

Janine Nelson: Stated that she likes the regulation. She noted that item 2(d) states that "The letter of instruction should contain the following elements." The term "should" seems to provide wiggle room, which would be helpful. Some letters of instruction may not include an associated time frame. She asked whether it is okay to exclude whether something is applicable, according to how the regulation is written.

Shelley Blotter: Stated her belief that this is correct, that it is meant to be a framework for use. Otherwise the regulation would read “shall include” rather than “should include.”

Janine Nelson: Addressed number 5 and noted that the language is soft, that as an FYI, the document can be used to build upon discipline. Some employees are surprised that a letter of instruction may be referenced in an oral warning. Therefore the language in 5 is good to have and in her opinion, could be a little more firm that the document can be used in the progressive progress. **Shelley Blotter:** Commented that this is something that she and the Employee’s Association representatives have spoken about, specifically whether the document can be used in future discipline. The Division feels firmly that it establishes previous efforts with the employee to change behavior.

Shelley Blotter: Read into the record an additional written comment from Kevin Ranft as follows:

“In regards to the new NAC being proposed addressing the use of letters of instruction, this has been a topic for years and I am grateful that it is being addressed. Although our organization disagrees with an LOI being used in discipline, as it is not grievable and sometimes used inappropriately, I am hopeful that supervisors will use this regulation change to draft an LOI properly and the situation is corrected by the employee. I know that we all agree that when an LOI is used properly, it can prevent a situation from becoming a bigger issue. Again, I am grateful to see the LOI process being added to the NAC. I would like to suggest that this regulation add a Section 6 citing something similar to the following: A supervisor must attach a written response, if submitted by the employee to the letter of instruction. Any use of the letter of instruction for future discipline must include the employee’s response, if submitted.”

Shelley Blotter: Noted some confused reaction as to what the comments mean. She surmised that if an employee responds to a supervisor in writing to the letter of instruction, then that response would be attached to the letter of instruction, in the event that the letter of instruction is used for future discipline.

Shelley Blotter: Invited further comments. There were none.

Michelle Garton: Discussed a new regulation, report of suspension, revocation or cancellation of a professional or occupational license, certificate or permit or driver’s license. The regulation will require that an employee report the suspension, revocation or cancellation of a professional or occupational license, certificate or permit or driver’s license within five days, if holding such a license or certificate is stated in the work performance standards or essential functions of the employee’s position. When DHRM submits the regulation to the Legislative Council Bureau for pre-adoption review, it will be proposing that the five day requirement is five working days. The regulation supports NAC 284.646 for the immediate dismissal and NAC 284.650, causes for disciplinary action, by requiring a notification to the agency.

Shelley Blotter: Invited comments.

Janine Nelson: Asked whether the requirements must be included in each document, as the department does not typically include these requirements in work performance standards. **Michelle Garton:** Stated that the way it is written in terms of intent, it would be “or,” as in whether it is work performance standards or the essential functions.

Janine Nelson: Asked about the rationale for adding NPD-19 in. **Peter Long:** Replied that he would not be opposed to adding it. Furthermore, it could be looked at to clarify that the requirements are “or,” rather than “and.” The intent is that the employee be notified somewhere that the licensure is appropriate. **Shelley Blotter:** Commented that it would be appropriate to include on essential functions, as this would be the document to be used for reassignments.

Alys Dobel: Stated that within the DMV, if a position requires an employee to have a driver's license, it is included in essential functions. She feels it is appropriate for inclusion in work performance standards, as the license must be maintained. She has worked in other agencies with employees such as social workers, nurses, psychologists, nurses, etc. The requirement is included on the documents, because CEUs must be maintained to retain licenses.

Shelley Blotter: Invited further comments. There were none.

Carrie Hughes: Addressed NAC 284.653, driving under the influence: unlawful acts involving controlled substance. The amendment will require employees to report to their appointing authorities within five working days arrests and convictions relating to driving under the influence, the unlawful manufacture, distribution, dispensing, possessing or use of a controlled substance or violation of any state or federal law prohibiting the sale of a controlled substance. The report is required, regardless of whether the incident leading to the arrest or conviction occurs while an employee is working or is on his or her own personal time. Violation of this requirement will require the dismissal of the employee.

Shelley Blotter: Invited comments.

Cadence Matijevich: Asked for clarification on the intent of the requirement, particularly in terms of something that happens off duty, noting that an arrest is not a conviction. In addition, she asked why an employee must report the loss of a license, if it is not associated with the performance of their duties.

Peter Long: Clarified that the requirement only states that if the employee fails to make the report, they would be dismissed. They will not necessarily be dismissed for being arrested, as current verbiage says "upon conviction." This was brought to our attention, because there have been situations where a State employee on their private time was arrested and did not report it to their appointing authority. For example, an employee receives a DUI arrest. Typically upon arrest, their license is suspended. The employee's job may require a valid driver's license. The employee may continue to illegally drive while on duty. It is at the discretion of the appointing authority, but the intent is to give the appointing authorities the tools to make this decision. **Carrie Hughes:** Added that the regulation is specific as to the types of offenses which are applicable. She does not believe that the regulation ties it to job duties.

Cadence Matijevich: Suggested that perhaps the regulation could be narrowed to those circumstances where the ability to operate a motor vehicle is specifically noted. She has concern regarding the employee/employer relationship outside of the workplace. If the employee's behavior outside of the workplace does not relate to his or her job duties and the consequences would not prevent them from performing their duties, she questioned the nexus.

Shelley Blotter: Invited further comments.

Susie Bargmann: Agreed with the prior comments. Based on how this is written, it does not indicate that it would be relevant to the person's job duties. It merely indicates that an employee must report it. In the example of an administrative assistant, there is likely no requirement for a driver's license. If such an employee does not report the act, the regulation indicates that the employee must be dismissed.

Janine Nelson: Agreed with the prior comments with the exception that the regulation should not only tie to a driver's license, but also to job duties. For example, the department would not want to have a substance abuse counselor providing services when they themselves have been arrested for this type of conviction. She suggested specificity that it be related to duties versus licensure. However, she agrees that it does not apply to everyone. **Shelley Blotter:** Stated that Ms. Nelson raises a good point. In situations where there is not necessarily a license requirement, certain classes of employee may be required to have pre-employment drug testing. She questioned whether these classes would be covered

in this situation and how they would be linked in order for the employee to be informed that an arrest would need to be reported. **Janine Nelson:** Stated she would need to think through the various customers to answer the question, however, she likes the idea to tie to the class. For example, childcare workers do not have to have a license, but they do have to pass certain background check requirements.

Peter Long: Noted that the intent is to assist the agencies as well as the employees. The idea is that the employer is at least made aware of any arrests and potential loss of licensure. **Alys Dobel:** Commented that on a personal level, she would not want her rights to be violated. The DMV runs background clearances. Incidents only show up if they are a true conviction. Because the DMV must follow federal and state laws, they have drafted disclosure statements for employees to sign, if they are in positions that would require a specific clearance to continue in their jobs. **Peter Long:** Added that some agency positions have certain criteria they must meet, which may not fall under drug or substance abuse violations.

Shelley Blotter: Invited further comments.

Brian Boughter: Said that he was curious as to how this reconciles with recent legislation regarding “Ban the Box” and background information. The guidance essentially states that the employer should not be seeing background information until after someone has been offered a job. **Peter Long:** Acknowledged the comments, but stated that “Ban the Box” was specific to not discriminating based on background of this type for employment. This regulation refers to current employees.

Shelley Blotter: Invited further comments. There were none.

Carrie Hughes: Discussed NAC 284.890, transportation of employee to and from location of screening test. As the use of alcohol and/or drugs can at times lead to a need for immediate medical intervention, the intent of the amendment is to provide agencies with the flexibility to respond as necessary to ensure an employee’s safety when arranging for appropriate transportation following a screening test that does not immediately establish an employee is not impaired. The determination that an employee needs emergency medical assistance does not necessarily require a medical professional’s evaluation, but instead, this regulation relies upon the reasonable person standard. Additionally, it allows for an employee to choose to make his or her own transportation arrangements. However, all three options in the regulation continue to require an appointing authority to actively ensure that an employee has appropriate transportation.

Shelley Blotter: Invited comments. There were none.

Michelle Garton: Explained that amendment to NAC 284.692, agreement for extension of time to file a grievance or take required action, was proposed by the Department of Employment, Training and Rehabilitation. There are times when an employee or agency representative are out of the office for an extended period of time and unavailable to enter into a written agreement for the extension of time to file a grievance or take required action. This amendment will allow for an exception to the agreement in these types of documented situations, which would be granted or denied by DHRM. Examples of such absences are listed in the regulation and the granting or denial of the exception could be reviewed by the Employee-Management Committee, if the grievance proceeds to a hearing. She invited Mr. Boughter to provide comments.

Brian Boughter: Stated that the Department of Employment, Training and Rehabilitation recently experienced a grievance situation whereby this regulation change was proposed. The Department had an employee who went out on a short-term disability event and was unable to be reached. In terms of the spirit and intent of the grievance process, a meeting should take place at the lowest level and each

proceeding level with the employee. If the employee is unavailable, they have the right to go into the NEATS system and escalate their grievance without having any conversation or interaction. This is an attempt to give the agency an opportunity to get to the employee at the lowest level, if possible.

Shelley Blotter: Invited further comments. There were none. She thanked everyone for their attendance at the workshop. She further invited attendees to forward additional comments and questions. The proposed changes will be submitted within the next few days to the Legislative Council Bureau for pre-adoption review.

III. Adjournment

Shelley Blotter: Adjourned the meeting.

STATE OF NEVADA
Department of Administration
Division of Human Resource Management
REGULATION WORKSHOP

Carson City at the Legislative Counsel Bureau, 401 S. Carson Street, Room 3137, Carson City, Nevada; and via video conference in Las Vegas at the Grant Sawyer State Building, Room 4412E, 555 East Washington Avenue.

MEETING MINUTES
Tuesday December 12, 2017

STAFF PRESENT IN CARSON CITY:

Peter Long, Administrator, DHRM
Shelley Blotter, Deputy Administrator, DHRM
Michelle Garton, Supervisory Personnel Analyst, DHRM
Carrie Hughes, Personnel Analyst, DHRM

OTHERS PRESENT IN CARSON CITY:

Alys Dobel, Personnel Officer, DMV

I. Call To Order

Shelley Blotter: Opened the meeting and introduced herself as the Deputy Administrator for DHRM. She explained that the reason for the workshop was to solicit comments from affected parties with regard to the regulations proposed for permanent adoption. Based on the feedback received, the proposed language may be changed or deleted and additional regulations may be affected. If the regulations are submitted to the Personnel Commission for adoption, amendment or repeal, the minutes from the workshop and any other comments received will be provided to the Personnel Commission when the regulation is presented for their consideration. Staff will provide an explanation of the proposed change with time allowed for comments.

II. Review of Proposed Changes to NAC 284

284.544 Sick leave: Leave without pay; catastrophic leave; receipt of benefits for temporary total disability; computation.

Carrie Hughes: Addressed NAC 284.544, sick leave; leave without pay, catastrophic leave; receipt of benefits for temporary total disability; computation. The intent of the amendment is to resolve the apparent conflict with NAC 284.5775 and clarify that an employee receiving benefits for a temporary total disability may not use annual leave to supplement the benefit, unless he or she has exhausted his or her sick leave or is on federally protected family and medical leave. **Shelley Blotter:** Stated that the change came about during a request for interpretation of regulations and the realization that there was a conflict between two regulations. When looking at the history, this language had been removed in rule simplification in an attempt to make the regulations simpler, however in the end, it was determined necessary to add the language back in.

Shelley Blotter: Invited questions or comments regarding the regulation. **Alys Dobel:** 39

Introduced herself as the Personnel Officer at the DMV. She sought clarification of the explanation. If a person is off on disability for workers' compensation and they are in a use it or lose it situation with their annual leave, would they be allowed to take the annual leave in such a circumstance? **Shelley Blotter:** Stated she believed this was the example brought to DHRM's attention and she believes the answer is no, however she deferred to Carrie Hughes for further clarification. **Carrie Hughes:** Confirmed that this was the precise question brought to attention. There was consultation with Risk Management to inquire as to current recommendations as they manage the State's Workers' Compensation Program. This is aligned with current practice. The question with regard to annual leave and lose it or use it comes back to how NRS 281.390 subsection 5 mandates that it be handled. **Alys Dobel:** Asked for clarification on the following question: "So departments, if they are in a situation like that with an employee, at the end of the year, we would have to pay them up to the 240 hours. Am I clear on that?" **Carrie Hughes:** Explained that there are provisions in NRS 284 in terms of how the procedure for request of leave must take place.

Shelley Blotter: Invited further comments. There were none.

284.589	Administrative leave with pay.
284.656	Notice.
284.6561	Hearing.
NEW	Procedure to request hearing to determine reasonableness of dismissal, demotion or suspension.
284.778	Request for hearing and other communications.

Michelle Garton: Introduced herself as the Supervisory Personnel Analyst with DHRM's Consultation and Accountability Unit. She addressed regulation amendments resulting from a few concept changes related to the disciplinary process. First, the term "hearing" has been changed to "pre-disciplinary review" in the hearing regulation, which also affects the administrative leave and the notice regulations. This change is proposed in order to clarify that this meeting is different from a hearing to determine the reasonableness of a dismissal, demotion or suspension (appeal hearing) with a hearing officer of the Personnel Commission. The next concept is related to the effective date of the disciplinary action. DHRM has included in the hearing regulation and the newly proposed regulation that the effective date of disciplinary action is the first day the discipline takes effect. In the case of a five-day suspension, for example, the effective date of the discipline is the first day. DHRM also proposes to break out subsection 9 of NAC 284.6561 into its own regulation related to the procedure for appealing a disciplinary action. DHRM is proposing to add the requirement that the written notification of an appointing authority's decision regarding discipline, after the pre-disciplinary review is held, must accompany an appeal. This requirement is waived when the disciplinary action is immediate, pursuant to NAC 284.6563. These regulation changes are related to dismissal, demotion and suspension. A whistleblower appeal or an appeal of involuntary transfer have different rules and are not subject to these regulations.

Michelle Garton: Reviewed the regulations individually. In NAC 284.589, the proposed amendment to subsection 6 simply adds pre-disciplinary review, as that will be the term used to describe the meeting required pursuant to NAC 284.6561. Similarly, the amendments in NAC 284.656 replace "hearing" with "pre-disciplinary review" because the meeting requirement pursuant to NAC 284.6561 is being described. For NAC 284.6561, the regulation is amended with the terminology change previously described. Language has also been added in subsection 5 to explain that during the pre-disciplinary review, an employee will have the opportunity to

rebut any allegations and provide mitigating information. Subsection 9 has been removed and placed into a new regulation. Also included here is that the idea that the effective date of disciplinary action is the first day the disciplinary action takes effect, which was described previously.

In regards to the procedure to request hearing to determine reasonableness of dismissal, demotion or suspension, the new regulation is intended to address the procedure an employee may use for appealing a dismissal, demotion or suspension. It is essentially the language from subsection 9 of NAC 284.6561, with the addition that the written notification of an appointing authority's decision regarding dismissal, demotion or suspension after the pre-disciplinary review is held, must accompany an appeal. The blue underlined font in the handout provided is the waiver of this requirement, when the disciplinary action is immediate, pursuant to NAC 284.6563. The idea that the effective date of disciplinary action is the first day the disciplinary takes effect is also included. For NAC 284.778, request for hearing and other request, the underlined blue font in the handout provided includes language referring back to the new regulation just discussed. It falls in the Practice Before Division of Human Resource Management section of NAC 284, and the new regulation previously addressed is intended to go into the Disciplinary Procedures section.

Shelley Blotter: Added that DHRM is basically rebranding. Traditionally, this has been called the pre-disciplinary hearing. The language is being changed, so that people are not confused on the process taking place prior to the hearing officer hearing. She invited comments or questions.

Alys Dobel: Commented that she likes the changes, believing that they will be very helpful. In the past, employees have been confused by the word "hearing." Sometimes the language about the waivers can also be confusing. She likes the fact that they will have to provide the document that actually is a final say in whether it is a suspension, demotion or termination. At the DMV, it is signed by the director. Employees are told that is the document which will inform them as to the true effective date and what the effective action is. **Shelley Blotter:** Thanked Ms. Dobel for her comments.

284.882 Administration of screening tests.

Carrie Hughes: Discussed NAC 284.882, administration of screening tests. For employee candidate and employee breath alcohol testing that is not federally regulated, NAC 284.882 provides an equipment standard similar to the U.S. Department of Transportation's current standard. The U.S. Department of Transportation's current standard is that equipment used for breath alcohol testing not only be approved by the National Highway Traffic Safety Administration (NHTSA) but that it also be published on one of the administration's conforming lists. However, as of January 1st, 2018, alcohol breath testing regulated by the U.S. Department of Transportation may be performed on equipment approved by NHTSA, but not yet published on their conforming list. This amendment is intended to continue the matching equipment standard for federally regulated testing and testing that is not federally regulated. This will prevent the need to identify or track which collection sites can be used for testing.

Shelley Blotter: Invited questions or comments. There were none.

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

Carrie Hughes: Addressed NAC 284.888, request for employee to submit to screening test; interpretation of grounds; completion of required form. This amendment includes three changes. First, based on legislative changes to the related statute, NRS 284.4065, it adds language to clarify when an accident is intended to reference a motor vehicle crash or a different type of accident. Secondly, language has been removed from subsection 3 to conform the regulation to NRS 284.4065 in identifying the circumstances outlined in subsection 2 of NRS 284.4065, a law enforcement officer discharging a firearm other than by accident, driving a motor vehicle in such a manner as to cause bodily injury, or substantial property damage or involvement in a work-related accident, motor vehicle crash or injury, as exempt from the requirements in subsection 1 of NRS 284.4065, including preparing and presenting to an employee the objective facts leading to reasonable suspicion of impairment. Finally, new language has been proposed since the posting for this workshop; the underlined changes can be found in the provided draft amendment handout. The language is being proposed to clarify that an appointing authority may delegate, in a contract or agreement, the authority to direct an employee to submit to a screening test in the circumstances outlined in paragraphs b and c of subsection 2 of NRS 284.4065, driving a motor vehicle in such a manner as to cause bodily injury or substantial property damage or involvement in a work-related accident, motor vehicle crash or injury.

Shelley Blotter: Stated that the current version of the regulation is in conflict with the Drug and Alcohol Program Overview. It was discovered through a hearing officer decision and case that leaving in the reference to paragraph b in subsection 3 created a conflict. This Overview is being updated. However, until this regulation goes into effect, the employee would need to be notified of this type of a test. She asked for confirmation of Ms. Hughes, who confirmed this understanding.

Shelley Blotter: Invited questions or comments.

Peter Long: Informed attendees of an issue he just became aware of yesterday in working with Fleet Services. Occasionally, employees are bringing vehicles back with damage which they are not reporting to Fleet Services, and the damage is found later. This could have an effect on when or if such a test should be requested. It could also have bearing on someone determining whether it is \$500 of damage or more. It is Mr. Long's understanding that Fleet Services is planning on starting to notify agencies that this has occurred, and that they may want to keep track of more than two crashes in one year. This may be something that the regulation needs to address. He is uncertain how a screening test could be requested when the damage is discovered later and not when the vehicle is returned. **Shelley Blotter:** Commented that in a case of alcohol, it would likely be out of their system already. However, there is a potential for drug detection, depending on the period of time since use. **Peter Long:** Added that agencies might address the issue of vehicle damage being unreported by including a remedy in prohibitions and penalties.

Shelley Blotter: Invited additional questions or comments. There were none.

III. Adjournment

Shelley Blotter: Adjourned the meeting.



STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
Division of Human Resource Management
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November 3, 2017

Regulation Small Business Impact Statement

Section 15 of Article 15 of the Nevada Constitution requires the Legislature to provide for a State merit system governing the employment of employees in the Executive Branch of State government and in 1969 the Legislature provided for such in NRS 284. Additionally, NRS 284.013 provides limitations to which employees of the Executive Branch are covered by NRS 284. NRS 284.065 authorizes the Personnel Commission to adopt regulations to carry out the provisions of this chapter.

Due to the limitations of the Nevada State Constitution and NRS 284, the Division of Human Resource Management staff has determined that the adoption of this proposed regulation does not affect small businesses, impose a significant economic burden on small businesses, nor will it restrict the formation, operation or expansion of small business. These regulations only impact employees moving into the nonclassified, classified, or unclassified service of the Executive Branch.

I certify that to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small business and that the information contained in this statement was prepared properly and is accurate.

Peter Long

Peter Long, Administrator

November, 3, 2017

Date

FOR DISCUSSION AND POSSIBLE ACTION

The following regulations have been proposed for permanent adoption. A brief explanation precedes each section and summarizes the intent of the regulation change. **NOTE:** Language in *italics* is new, and language in brackets ~~[omitted material]~~ is to be omitted.

The following summarizes the recommended action of the Personnel Commission and identifies if there has been support or opposition to the proposed action.

LCB File No. R098-17

The Division of Human Resource Management recommends the amendments included in this LCB File to address various aspects of Chapter 284 of the Nevada Administrative Code.

A new regulation is proposed that will set forth the requirements for a supervisor to issue a letter of instruction to an employee. A letter of instruction is a coaching or performance management tool, and is not part of the formal disciplinary process. The regulation describes what a letter of instruction is, and what it must and must not contain. Also included is the requirement that the supervisor must meet with the employee, and how the supervisor must retain the letter of instruction.

The amendment proposed to NAC 284.458 clarifies that a probationary employee who is rejected from probation may not use the grievance or appeal processes to object to his or her rejection. Additionally, the amendment clarifies that a permanent employee who is rejected from trial status may not use the grievance or appeal processes to object to the rejection. Also included is a process for the Division of Human Resource Management to remove a grievance or appeal that is improperly filed by an employee regarding his or her rejection from probation or trial status.

The amendment proposed to NAC 284.692 allows for the waiver of the existing requirement for an agreement to extend the time limit for filing a grievance. The regulation includes situations where this would be appropriate such as an extended leave of absence or there is an investigation pending a report of alleged unlawful discrimination.

The Division of Human Resource Management is recommending changing the reference to NAC 284.384 in subsection 1 of section 4 of this LCB File to NAC 284.458, due to an error by the Legislative Counsel Bureau.

Comments received at the August 30, 2017 Regulation Workshop were generally in support of the regulations.

Section 1. Chapter 284 of NAC is hereby amended by adding thereto a new section to read as follows:

Explanation of Proposed Change: This amendment, proposed by the Division of Human Resource Management, amends NAC 284 by adding a new section to place a commonly used coaching tool, letter of instruction, into regulation. While “letter of instruction” is the commonly used term, it may take the form of a memorandum or other written documentation provided to an employee.

The new regulation explains how a letter of instruction is to be used and clarifies that it is not part of the disciplinary process. The regulation outlines what a letter of instruction must contain, and that it must not contain any threat of disciplinary action or consequences. Also included is the requirement for a discussion about the contents of the letter of instruction between the supervisor and employee, and the retention of a letter of instruction is addressed.

NEW Letter of instruction: Use and administration.

- 1. A letter of instruction is a document that is in written or electronic form and that:***
 - (a) A supervisor of an employee may provide to the employee as a coaching or performance management tool to:***
 - (1) Address the job performance or behavior of the employee; and***
 - (2) Provide evidence of the job performance or behavior expected of the employee; and***
 - (b) Is not part of the formal disciplinary process.***
- 2. A letter of instruction must include at least the following elements:***
 - (a) A brief statement identifying the deficiency or area of concern in the job performance or behavior of the employee;***
 - (b) An outline of the expectations of the supervisor of the employee relating to the job performance or behavior of the employee;***
 - (c) Instructions or a recommended course of action for overcoming the deficiency or area of concern and a description of any additional training that will be provided to the employee; and***
 - (d) A time frame for the completion of any recommended action items and for the proposed improvement in the job performance or behavior of the employee.***
- 3. A letter of instruction must not include any reference to disciplinary action or consequences for failure to comply with the expectations of the supervisor of the employee relating to the job performance or behavior of the employee.***
- 4. The supervisor of the employee and the employee must meet to discuss the expectations of the supervisor relating to the job performance or behavior of the employee outlined in the letter of instruction.***
- 5. The supervisor of the employee shall retain a copy of the letter of instruction in the supervisor’s working file for the employee. The supervisor must attach any written response by the employee to the letter of instruction. These documents must not be retained in the permanent personnel file of the employee unless they are attached to documentation of a subsequent disciplinary action taken against the employee as documentation of a nondisciplinary action that was taken before a specified disciplinary action was taken against the employee.***

Sec. 2. NAC 284.458 is hereby amended to read as follows:

Explanation of Proposed Change: This amendment, proposed by the Division of Human Resource Management (Division), addresses the rejection from probation and trial status, and that an affected employee may not file an appeal or grievance as a result of a rejection.

The amendment will also provide the authority to the Administrator of the Division or his or her designee to remove a request for an appeal hearing or a grievance from the grievance process when filed by an employee as a result of a rejection from probation or a trial period.

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

1. During a probationary period, ~~an~~ *a probationary* employee may be rejected for any lawful reason, as determined by his or her appointing authority. ~~An~~ *A probationary* employee rejected pursuant to this subsection has no appeal rights ~~or~~ *rights to file a grievance using the procedure set forth in NAC 284.658 to 284.6957, inclusive, concerning the decision by the appointing authority to reject the probationary employee.*

2. ~~An~~ *A permanent* employee who is serving a trial period may not ~~use~~ :

(a) *File a grievance using* the grievance procedure set forth in NAC 284.658 to 284.6957, inclusive, ~~to appeal~~ *concerning the decision by the appointing authority to reject the permanent employee during his or her trial period; or*

(b) *Appeal* the decision by the appointing authority to reject the *permanent* employee during his or her ~~probationary~~ *trial* period.

3. *If the Division of Human Resource Management determines pursuant to subsection 1 or 2 that a request for the adjustment of a grievance is not eligible for the procedure set forth NAC 284.658 to 284.6957, inclusive, or that a request for an appeal of a decision by the appointing authority is not eligible for appeal, the Division must:*

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

(b) *Provide to the person who submitted the request and the appointing authority in which the rejection 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, or for the appeal process, and an explanation of that determination; and*

(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, or from the appeal process, as applicable.*

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

~~4.~~ 5. 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)

Sec. 3. NAC 284.692 is hereby amended to read as follows:

Explanation of Proposed Change: This amendment, proposed by the Department of Employment, Training and Rehabilitation, would allow for an exception to the mutual agreement requirement for an extension of time to file a grievance or take required action under certain circumstances, such as extended leave, which would be granted or denied by the Division of Human Resource Management.

An exception to the mutual agreement requirement is also allowable if an employee has also filed a charge with an equal employment opportunity (EEO) unit, such as an agency EEO unit, the Division of Human Resource Management's Sexual Harassment and Discrimination Unit, the Nevada Equal Rights Commission, or the federal Equal Employment Opportunity Commission. An extension related to this may be necessary to allow time for the completion of an investigation of the charge.

If the employee ultimately submits his or her grievance to the Employee-Management Committee (EMC), the EMC would have the ability to review an exception to the mutual agreement requirement at a hearing.

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

1. Except as otherwise provided in subsection ~~3~~ 5, 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. An agreement to an extension of time entered into pursuant to this subsection must be made in writing and authorized by both the employee and the appointing authority or his or her designated representative.

2. The time limit for filing a complaint and for taking any other action required by either party in the complaint procedure may be extended by the mutual agreement of the employee who may file the complaint and the appointing authority or his or her designated representative. An agreement to an extension of time entered into pursuant to this subsection must be made in writing and authorized by both the employee and the appointing authority or his or her designated representative.

3. ~~The~~ *An appointing authority or a designated representative of the appointing authority may unilaterally extend the time limit for filing a grievance or taking any other action at any step in the grievance procedure if the appointing authority reasonably believes that circumstances prevented a good faith attempt to resolve the grievance at any step in the grievance procedure and those circumstances are documented. Such documented circumstances may include, without limitation, that:*

(a) The employee is on a leave of absence;

(b) The employee is otherwise absent from work because of:

(1) A physical, mental or emotional disorder;

(2) A short-term or long-term disability event; or

(3) An extended hospital stay or a stay in or treatment from a long-term care facility or another facility, including, without limitation, treatment received through an employee assistance program; or

(c) There is an investigation pending of a report or complaint of alleged unlawful discrimination by an entity set forth in paragraph (a) or (c) of subsection 1 of NAC 284.696.

4. If a grievance is submitted to the Committee, the Committee may review any extension of time provided pursuant to subsection 3.

5. Except as otherwise provided in subsection 4, 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; R033-17, 10-31-2017)

Sec. 4. Section 19 of LCB File No. R033-17, which was adopted by the Personnel Commission and filed with the Secretary of State on October 31, 2017, is hereby amended to read as follows:

Sec. 19. Section 1 of LCB File No. R076-15, which was adopted by the Personnel Commission and filed with the Secretary of State on April 4, 2016, is hereby amended to read as follows:

Section 1. Chapter 284 of NAC is hereby amended by adding thereto a new section to read as follows:

Explanation of Proposed Change: This amendment, proposed by the Legislative Counsel Bureau, makes conforming changes based on the amendments in other sections of this LCB File.

At the Personnel Commission meeting on June 8, 2018, the Division of Human Resource Management will recommend changing the reference to NAC 284.384 in subsection 1 of the following regulation to NAC 284.458. The Legislative Counsel Bureau referenced the incorrect regulation, and is in agreement that the citation should be NAC 284.458, as it is in subsection 2 of the regulation.

Section 19 of LCB File No. R033-17 Removal of ineligible grievance or complaint from procedure.

1. ~~HF~~ *Except as otherwise provided in NAC 284.384, if* the Division of Human Resource Management determines that a request for the adjustment of:

(a) 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 2 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; or

(b) A complaint 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 paragraph (a) of subsection 4 of section 2 of Assembly Bill No. 113, chapter 271, Statutes of Nevada 2017, at page 1427,

↳ the Division must take the actions described in subsection 2.

2. ~~Upon~~ *Except as otherwise provided in NAC 284.458, upon* making a determination pursuant to subsection 1 that a request for the adjustment of a grievance or complaint is not eligible for the procedure set forth in NAC 284.658 to 284.6957, inclusive, the Division must, as soon as practicable:

(a) Remove the request from the procedure for the adjustment of grievances or complaints 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 or complaint arose:

(1) Notice that the Division has determined that the request is not eligible for the procedure for the adjustment of grievances or complaints 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 or complaints 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.

3. If the Division of Human Resource Management determines that a request for the adjustment of a grievance or complaint is not eligible for the procedure for the adjustment of grievances or complaints set forth in NAC 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; R033-17, 10-31-2017)

Personnel Commission Meeting
June 8, 2018

FOR DISCUSSION AND POSSIBLE ACTION

The following regulations have been proposed for permanent adoption. A brief explanation precedes each section and summarizes the intent of the regulation change. **NOTE:** Language in *italics* is new, and language in brackets ~~[omitted material]~~ is to be omitted.

The following summarizes the recommended action of the Personnel Commission and identifies if there has been support or opposition to the proposed action.

LCB File No. R119-17

The Division of Human Resource Management recommends the regulation amendment contained in LCB File No. R119-17.

This amendment will clarify that a form will not be required if an appointing authority requests an employee to submit to a screening test pursuant to subsection 2 of NRS 284.4065. Also, the amendment changes “accident” to “crash,” which is based on amendments made during the 2015 Legislative Session.

Comments received at the December 12, 2017 Regulation Workshop were generally in support of the regulations.

LCB File No. R119-17

Section 1. NAC 284.888 is hereby amended to read as follows:

Explanation of Proposed Change: This amendment, proposed by the Division of Human Resource Management, will clarify that the requirements outlined in subsection 1 of NRS 284.4065 (e.g., inform the employee in writing “whether the test will be for alcohol or drugs, or both”) do not apply to the situations outlined in subsection 2 of NRS 284.4065 (e.g., “has or is involved in a work-related accident or injury”).

In 2015, the Nevada Legislature amended certain sections of existing law by changing the word “accident” to “crash,” and the amendment to subparagraph (a) of subsection 4 of this regulation makes a conforming change.

NAC 284.888 Request for employee to submit to screening test: Interpretation of grounds; completion of required form. (NRS 284.065, 284.155, 284.407)

1. Objective facts upon which an appointing authority may base a reasonable belief that an employee is under the influence of alcohol or drugs which impair the ability of the employee to perform his or her duties safely and efficiently include, but are not limited to:

- (a) Abnormal conduct or erratic behavior by the employee that is not otherwise normally explainable;
- (b) The odor of alcohol or a controlled substance on the breath of the employee;
- (c) Observation of the employee consuming alcohol; or
- (d) Observation of the employee possessing a controlled substance or using a controlled substance that is reported by a credible source.

2. Except as otherwise provided in subsection 3, before requiring an employee to submit to a screening test, the supervisor of the employee must complete a form provided by the Division of Human Resource Management.

3. The provisions of subsection 2 do not apply if an appointing authority requests an employee to submit to a screening test pursuant to ~~[paragraph (b) of]~~ subsection 2 of NRS 284.4065.

4. For the purposes of subsection 2 of NRS 284.4065 : ~~[, as amended by section 8 of Senate Bill No. 62, chapter 225, Statutes of Nevada 2015, at page 1049:]~~

- (a) “Substantial damage to property” includes, but is not limited to:
 - (1) The operation of a motor vehicle in such a manner as to cause more than \$500 worth of property damage; or
 - (2) The operation of a motor vehicle in such a manner as to cause two *crashes which cause damage to* property ~~[accidents]~~ within a 1-year period.

(b) “Work-related accident or injury” means an accident or injury that occurs in the course of employment or that involves an employee on the premises of the workplace.

(Added to NAC by Dep’t of Personnel, eff. 12-26-91; A by Personnel Comm’n by R066-09, 10-27-2009; R193-09, 4-20-2010; R010-11, 10-26-2011; R044-15, 1-1-2016)

FOR DISCUSSION AND POSSIBLE ACTION

The following regulations have been proposed for permanent adoption. A brief explanation precedes each section and summarizes the intent of the regulation change. **NOTE:** Language in *italics* is new, and language in brackets ~~[omitted material]~~ is to be omitted.

The following summarizes the recommended action of the Personnel Commission and identifies if there has been support or opposition to the proposed action.

LCB File No. R121-17

The Division of Human Resource Management (DHRM) recommends the amendments in LCB File No. R121-17, which generally relate to the priority for the use of lists of eligible persons.

The proposed amendment to NAC 284.358 requires an appointing authority to prioritize the use of a reassignment list after a reemployment list. Also, this amendment also requires an appointing authority to follow the order of priority, and to contact DHRM to determine if eligible persons are available through a reemployment list, reassignment list, or a list of persons with disabilities eligible for temporary limited appointments before using any lower priority list.

The proposed amendment to NAC 284.360 revises procedures that DHRM must follow when certifying and providing each list to an appointing authority, using the priority established in NAC 284.358.

The proposed amendment to NAC 284.361 requires integration of names of persons eligible for reassignment onto reassignment lists provided by DHRM.

Comments were received at the August 30, 2017 Regulation Workshop generally in support of the regulations.

LCB File No. R121-17

Section 1. NAC 284.358 is hereby amended to read as follows:

Explanation of Proposed Change: The Division of Human Resource Management (the Division) initially proposed a new regulation to require an appointing authority to contact the Division prior to filling any vacancy. The regulation also explained the order of possible lists that would be provided. In conjunction with the Legislative Counsel Bureau, the Division proposes the following amendment. This amendment will require an appointing authority to follow the order of lists included in subsection 1, including prioritizing the use of a reassignment list after a reemployment list.

Finally, this amendment includes the requirement for an appointing authority to contact the Division to determine if lists of eligible persons exist according to subparagraphs (a), (b) and (c) of paragraph 1 of the regulation, prior to filling any vacancy.

NAC 284.358 Types of lists and priority for use. (NRS 284.065, 284.155, 284.250, 284.327)

1. The types of lists of eligible persons and, unless otherwise provided in this chapter or chapter 284 of NRS, the required priority for their use are as follows:

(a) Reemployment lists.

(b) *Reassignment lists.*

(c) Lists of persons with disabilities who are eligible for temporary limited appointments pursuant to NRS 284.327, as amended by section 1 of Assembly Bill No. 192, chapter 189, Statutes of Nevada 2017, at page 1016.

~~(e)~~ (d) Transfer lists, at the option of the appointing authority.

~~(d)~~ (e) Divisional promotional lists.

~~(e)~~ (f) Departmental promotional lists.

~~(f)~~ (g) Statewide promotional lists.

~~(g)~~ (h) Lists of persons determined to be eligible from open competitive recruitments.

~~(h)~~ (i) Lists of eligible persons of comparable classes.

2. The names on each list must be used as prescribed in NAC 284.361.

3. *Before filling a vacancy, an appointing authority shall contact the Division of Human Resource Management by telephone or electronic mail to determine if eligible persons are available for appointment through the lists referred to in paragraphs (a), (b) and (c) of subsection 1 before using any list referred to in paragraphs (d) to (i), inclusive, of subsection 1.*

4. The open and promotional lists referred to in paragraphs ~~(d)~~ (e) to ~~(h)~~ (i), inclusive, of subsection 1 must be:

(a) Based on the type of recruitment prescribed by the Division of Human Resource Management; and

(b) Described in the publicized job announcement.

↪ The establishment of any other type of list from the initial recruitment must be in accordance with NAC 284.367.

[Personnel Div., Rule V § A, eff. 8-11-73]—(NAC A by Dep't of Personnel, 4-20-90; 7-6-92; A by Personnel Comm'n by R183-03, 1-27-2004; R034-17, 1-1-2018)

Sec. 2. NAC 284.360 is hereby amended to read as follows:

Explanation of Proposed Change: The Division of Human Resource Management (the Division) initially proposed a new regulation to require an appointing authority to contact the Division prior to filling any vacancy. The regulation also explained the order of possible lists that would be provided. In conjunction with the Legislative Counsel Bureau, the Division of Human Resource Management proposes the following amendment. This amendment will specifically require the Division of Human Resource Management to certify and provide each list to the appointing authority in accordance with the priority set forth in the amendment to NAC 284.358 in section 1 of this LCB File.

This amendment also incorporates the required use of a reassignment list, if available.

NAC 284.360 Reemployment lists; certification or waiver of lists. (NRS 284.065, 284.155, 284.250)

1. ~~Upon receipt of the appropriate form from~~ *After being contacted by* an appointing authority ~~for a list of~~ *pursuant to subsection 3 of NAC 284.358 regarding the availability of* eligible candidates in a specific class, the Division of Human Resource Management must verify the availability of a reemployment list for that class. If a reemployment list is available, the Division of Human Resource Management must certify and provide the reemployment list to the appointing authority. Eligible persons who appear on reemployment lists are ranked in order of seniority. Except as otherwise provided in subsection 2 of NAC 284.6017, placement on a reemployment list must be determined using the criteria governing the determination of seniority for layoff pursuant to NAC 284.632.

2. If there is no reemployment list available, *the Division of Human Resource Management must certify and provide to the appointing authority any available reassignment lists pursuant to section 4 of LCB File No. R097-16.*

3. *If there are no reassignment lists available,* the Division of Human Resource Management must certify and provide to the appointing authority any available lists of persons with disabilities who are eligible for temporary limited appointments pursuant to NRS 284.327, as amended by section 1 of Assembly Bill No. 192, chapter 189, Statutes of Nevada 2017, at page 1016.

~~3.~~ 4. If there are no available lists of persons with disabilities who are eligible for temporary limited appointments pursuant to NRS 284.327, as amended by section 1 of Assembly Bill No. 192, chapter 189, Statutes of Nevada 2017, at page 1016, the Division of Human Resource Management must certify and provide to the appointing authority any available transfer lists of employees who are entitled to transfer to a position pursuant to NRS 284.3775.

~~4.~~ 5. If no list described in subsection 1, ~~or~~ 2 *or* 3 is available, the Division of Human Resource Management must, upon request of the appointing authority and in accordance with subsections ~~5 and 6,~~ 6 *and* 7, certify the names of eligible persons on ranked or unranked lists described in paragraphs ~~(d)~~ (e) to ~~(h)~~ (i), inclusive, of subsection 1 of NAC 284.358, or waive the list.

~~5.~~ 6. The names of eligible persons on ranked lists must appear in the order of the total rating which they earned in the examination, including preferences for veterans and residents.

~~6.~~ 7. The Division of Human Resource Management may certify a list of eligible applicants who are not ranked, or may waive the list, for:

- (a) A class that is grade 20 or below;
- (b) A class designated in the classification plan as entry level; or

(c) A class designated in the classification plan as a class for which applicants for promotion are not normally available.

~~[7]~~ 8. Only an eligible person who has indicated the willingness to accept the location of the vacancy and the other conditions of employment may be certified.

(Added to NAC by Dep't of Personnel, eff. 10-26-84; A by Personnel Comm'n by R183-03, 1-27-2004; R024-05, 10-31-2005; R034-17, 1-1-2018)

Sec. 3. NAC 284.361 is hereby amended to read as follows:

Explanation of Proposed Change: The Division of Human Resource Management (the Division) initially proposed a new regulation to require an appointing authority to contact the Division prior to filling any vacancy. The regulation also explained the order of possible lists that would be provided. In conjunction with the Legislative Counsel Bureau, the Division proposes the following amendment. This amendment requires the Division to integrate the name of an employee who is eligible for reassignment within that agency into the reassignment list.

NAC 284.361 Use of lists and consideration of eligible persons. (NRS 284.065, 284.155, 284.250) When using lists of persons who are eligible and considering eligible persons who have been certified, the following conditions apply:

1. When a reemployment list is certified, persons who are available for appointment and who are certified on reemployment lists, other than seasonal reemployment lists, must be hired in the order in which they appear unless the appointing authority, upon submitting written justification, obtains the written concurrence of the Governor to deviate from the order of priority or to hire from another list. The appointing authority must make the written justification available for examination by affected persons or their designated representatives.

2. *The Division of Human Resource Management shall integrate the name of a person who is eligible for reassignment pursuant to subsection 2 or 4 of section 4 of LCB File No. R097-16 with the names of employees who are placed on a reassignment list pursuant to subsection 3 or 5 of section 4 of LCB File No. R097-16 whenever there is a reassignment list certified to the agency that employed the person in his or her regular position.*

3. A person must accept or refuse an offer of employment:

(a) If the offer of employment is sent by mail to the person, within 6 calendar days after the postmarked date appearing on the envelope in which the offer was mailed; or

(b) If the offer is an oral offer of employment, within 3 business days after the oral offer has been made.

~~[3]~~ 4. The appointing authority may request selective certification for a particular position if the normal method of certification does not provide candidates qualified to perform the duties of the position satisfactorily. Where selective certification is necessary, the appointing authority shall furnish in writing the special requirements peculiar to the position and his or her reasons therefor. If the facts and reasons justify such a method of selection, the Division of Human Resource Management may certify the highest ranking eligible persons who possess the special qualifications.

~~[4]~~ 5. Certification of only eligible persons who are the same sex must not be made unless there is clear evidence that the duties assigned could be performed efficiently only by the sex specified.

~~[5]~~ 6. When using ranked lists other than those for reemployment, the appointing authority shall attempt to communicate, as provided in NAC 284.373, with at least 5 persons in the first 10

ranks to determine their availability and qualifications. The names on each type of list must be considered before names from the next succeeding list. If there are fewer than 10 ranks with persons who are available for appointment on a given list and the appointing authority requests a full complement of 10 ranks, the name or names at the top of the next succeeding list must be combined with those on the preceding list to establish 10 eligible ranks with persons who are available for appointment. Except as otherwise provided in subsection ~~7.1~~ 8, all competitive appointments from ranked lists must be made from the persons who:

- (a) Are in a rank of persons who received the 10 highest scores on the examination; and
- (b) Are available for appointment.

~~6.1~~ 7. If the list is unranked or waived, the appointing authority shall attempt to communicate, as provided in NAC 284.373, with at least five eligible persons he or she deems most qualified based upon a review of their respective qualifications as they relate to the position or class, or with all of the eligible persons if there are five or less. Except as otherwise provided in subsection 1, any eligible person who is certified from an unranked or waived list may be appointed.

~~7.1~~ 8. If persons from fewer than five ranks of eligible persons are willing to accept appointment:

(a) The appointing authority may make an appointment from among those remaining available eligible persons.

(b) Certification and appointment may be made from other appropriate lists, including lists of higher grades as determined by the Division of Human Resource Management. The names from other lists must follow those which have been certified, if any, from the original lists.

(c) A new recruitment may be conducted.

(d) A provisional appointment may be made only if the requirements of NAC 284.406 are met.

[Personnel Div., Rule V § F, eff. 8-11-73; A 2-5-82]—(NAC A by Dep’t of Personnel, 10-26-84; 7-21-89; 11-16-95; 11-16-95; R082-00, 8-2-2000; A by Personnel Comm’n by R069-02, 8-14-2002; R183-03, 1-27-2004; R025-13, 10-23-2013; R034-17, 1-1-2018)—(Substituted in revision for NAC 284.378)

Sec. 4. NAC 284.618 is hereby amended to read as follows:

Explanation of Proposed Change: This amendment simply makes a conforming change based on the changes in numbering of subsections in NAC 284.361.

NAC 284.618 Layoffs: Voluntary demotions. (NRS 284.065, 284.155, 284.175, 284.380)

1. In lieu of being laid off, a permanent employee may choose to be voluntarily demoted to a vacant position or displace an employee within the department and geographical location where employed to one of the next lower classes:

(a) Within his or her current class series and option; or

(b) Within the class series and option from which he or she was appointed to his or her current position during current continuous service if he or she cannot be demoted pursuant to paragraph (a).

↪ For the purposes of this subsection, divisions of the Department of Health and Human Services and the Nevada System of Higher Education shall be deemed to be departments.

2. No employee in a higher class may displace an employee in a lower class who has more seniority. If an employee chooses to displace another, he or she must displace the member of the next lower class who has the least seniority. If that member has more seniority, the displacing employee must descend further in the class series.

3. The employees displaced reestablish the layoff class.
4. An employee may choose to displace another only if he or she meets the minimum qualifications for the class, option and position. For the purposes of this subsection, qualifications for a position may be different from those of the class and option only when selective certification is required pursuant to subsection ~~3~~ 4 of NAC 284.361.
5. Full-time, part-time and seasonal employees must be treated separately and can only displace like employees.
6. Displacement is always a movement to a class at a lower grade.
7. A current employee who elects to displace another employee has priority over former employees already on reemployment lists.
8. The pay of the employee who is taking a voluntary demotion cannot exceed the highest step for the class to which the employee is being demoted. If the current pay falls within the lower rate range, no reduction in pay may occur unless money is not available as certified by the Chief of the Budget Division or, in the case of an agency which is not supported from the State General Fund, as certified by the administrator of that agency.

[Personnel Div., Rule XIII § B subsec. 2, eff. 8-11-73]—(NAC A by Dep't of Personnel, 8-26-83; 10-26-84; 7-21-89; 8-1-91; R146-01, 1-18-2002; A by Personnel Comm'n by R096-03, 10-30-2003; R143-05, 12-29-2005; R034-17, 1-1-2018)

Personnel Commission Meeting
June 8, 2018

FOR DISCUSSION AND POSSIBLE ACTION

The following regulations have been proposed for permanent adoption. A brief explanation precedes each section and summarizes the intent of the regulation change. **NOTE:** Language in *italics* is new, and language in brackets ~~[omitted material]~~ is to be omitted.

The following summarizes the recommended action of the Personnel Commission and identifies if there has been support or opposition to the proposed action.

LCB File No. R150-17

The Division of Human Resource Management (DHRM) recommends the amendments in LCB File No. R150-17, which are related to the disciplinary process.

First, a new regulation is proposed in order to place the procedures for requesting a hearing to determine the reasonableness of disciplinary action into a separate regulation. This concept was previously included in NAC 284.6561.

Also, the term “predisciplinary review” is introduced in order to distinguish between the meeting that occurs prior to the administration of discipline from the “hearing” that occurs if an employee elects to file an appeal of the disciplinary action that was administered. Several regulations in this LCB File are affected by this change.

Finally, included in the newly proposed regulation and the amendment to NAC 284.6561 clarify that the effective date of disciplinary action in the case of a suspension is the first day on which the suspension takes effect.

Comments were received at the December 12, 2017 Regulation Workshop generally in support of the regulations.

LCB File No. R150-17

Section 1. Chapter 284 of NAC is hereby amended by adding thereto a new section to read as follows:

Explanation of Proposed Change: This amendment, proposed by the Division of Human Resource Management, will place procedures and requirements related to requesting a hearing to determine the reasonableness of a dismissal, demotion or suspension into a separate regulation. Removing this language from NAC 284.6561 will ensure that it is clear that these procedures are to be used specifically when requesting a hearing pursuant to NRS 284.390.

The amendment also clarifies that the effective date of the discipline is the *first* day the discipline takes effect. In the case of a dismissal or demotion, there is only one clear effective date of the discipline. In order to apply one clear effective date of discipline in the case of a suspension, it is necessary to use the first date of the suspension as the effective date. This will clarify that an employee who receives a suspension has the same rights to appeal, 10 working days, as an employee who is dismissed or demoted.

This amendment also adds the requirement that the written notification of an appointing authority's decision regarding proposed disciplinary action must accompany such a request.

NEW Procedure to request hearing to determine reasonableness of dismissal, demotion or suspension.

1. A permanent employee who has been dismissed, demoted or suspended may request a hearing before the hearing officer of the Commission, pursuant to NRS 284.390, within 10 working days after the effective date of his or her dismissal, demotion or suspension. For the purpose of determining the time limit for making such a request, the effective date of the dismissal, demotion or suspension is the first day that the disciplinary action takes effect.

2. Except as otherwise provided in subsection 3, such a request must be:

(a) Addressed and submitted as required pursuant to NAC 284.778; and

(b) Accompanied by the written notification of the appointing authority's decision regarding the proposed action provided to the employee pursuant to subsection 7 of NAC 284.6561.

3. If the appointing authority failed to provide the notification required pursuant to subsection 7 of NAC 284.6561 or the disciplinary action imposed was an immediate suspension or dismissal pursuant to the standards and procedures set forth in NAC 284.6563, the written notification of the appointing authority's decision regarding the proposed action need not accompany the request for a hearing.

Sec. 2. NAC 284.589 is hereby amended to read as follows:

Explanation of Proposed Change: This amendment, proposed by the Division of Human Resource Management, makes a conforming change based on the proposed amendment to NAC 284.6561, included below. This amendment will ensure that 8 hours of administrative leave is provided for preparation for a "pre-disciplinary review," as that phrase is proposed to replace the word "hearing" in NAC 284.6561. The word "hearing" will now refer to hearings to determine the reasonableness of dismissal, demotion or suspension, as provided in NRS 284.390.

At the Personnel Commission meeting on June 8, 2018, the Division of Human Resource Management will recommend changing the “or” in paragraph (d) of subsection 6 to reflect that up to 8 hours of administrative leave shall be granted for preparation for any predisciplinary review, and up to 8 hours of administrative leave shall be granted for any hearing described in paragraph (e) of subsection 6. The intent is that 8 hours of administrative leave will be granted to an employee for each type of meeting, rather than a combination of 8 hours for both types of meetings.

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, an employee who filed a complaint described in NAC 284.658 or a witness at a hearing of the Committee.

(f) His or her appearance as a witness at a hearing regarding a matter described in subparagraph (1), (2) or (3) of paragraph (e) of subsection 6.

(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 any *predisciplinary review* or any hearing described in paragraph (e).

(e) The appearance of the employee as a party at a hearing regarding:

(1) An alleged reprisal or retaliatory action against the employee for disclosing an improper governmental action as provided in NRS 281.641;

(2) An involuntary transfer of the employee as provided in NRS 284.376; or

(3) A suspension, demotion or dismissal of the employee as provided in NRS 284.390 and *at a predisciplinary review as provided in* NAC 284.6561.

(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; R042-15, 12-21-2015; R033-17, 10-31-2017)

Sec. 3. NAC 284.642 is hereby amended to read as follows:

Explanation of Proposed Change: This amendment, proposed by the Legislative Counsel Bureau, makes a conforming change to include the new regulation in Section 1 of this LCB File in NAC 284.642.

NAC 284.642 Suspensions and demotions. (NRS 284.065, 284.155, 284.383, 284.385, 284.390)

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

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

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

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

3. The rights and procedures set forth in NAC 284.655 to 284.6563, inclusive, *and section 1 of this regulation* apply to any disciplinary action taken pursuant to this section.

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

Sec. 4. NAC 284.656 is hereby amended to read as follows:

Explanation of Proposed Change: This amendment, proposed by the Division of Human Resource Management, makes a conforming change based on the proposed amendment to NAC 284.6561, included below. The phrase “pre-disciplinary review” is proposed to replace the word “hearing” in NAC 284.6561. The word “hearing” will now refer to hearings to determine the reasonableness of dismissal, demotion or suspension, as provided in NRS 284.390.

This amendment is not intended to apply to an appeal of involuntary transfer pursuant to NRS 284.376, or a whistleblower appeal pursuant to NRS 281.641.

NAC 284.656 Notice. (NRS 284.065, 284.155, 284.383, 284.385, 284.390) Except as otherwise provided in NAC 284.6563, if an appointing authority proposes that a permanent employee be dismissed, suspended or demoted, the following procedure for providing notice of the proposed action must be followed:

1. The employee must be given at least 10 working days' written notice of the proposed action on the form provided by the Division of Human Resource Management.

2. The notice may be given in person or by means of any delivery service that provides a written or electronic record of the date the notice was sent and the date the notice was received. If the notice is sent by means of a delivery service, the notice must be sent to the employee's last known address. The notice must not be given by electronic mail, the use of social media or other electronic means. If the notice is returned without having been received by the employee, the employee's date of receipt shall be deemed to be the third day after the date the notice was sent.

3. The notice must:

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

(b) Inform the employee that a ~~hearing~~ *predisciplinary review* has been scheduled on his or her behalf in the manner prescribed in NAC 284.6561 and specify the date, time and place of the ~~hearing~~ *predisciplinary review*.

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

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

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

6. If the employee does not understand the reasons for the proposed action or the procedures related to disciplinary actions, including, without limitation, the right to notice, a *predisciplinary review and a hearing* ~~and an~~ *on the* appeal, the employee may seek an explanation from the appointing authority or another person in the agency familiar with the procedure.

7. As used in this section, "social media" includes, without limitation, any electronic service or account or electronic content, including, without limitation, any video, photograph, blog, video blog, podcast, instant message, text message, electronic mail program or service, online service or Internet website profile.

(Added to NAC by Dep't of Personnel, eff. 10-26-84; A 8-28-85; 7-21-89; 8-1-91; A by Personnel Comm'n, 8-1-91; A by Dep't of Personnel, 11-12-93; 11-16-95; 11-16-95; A by Personnel Comm'n by R063-09, 11-25-2009; R042-15, 1-1-2016)

Sec. 5. NAC 284.6561 is hereby amended to read as follows:

Explanation of Proposed Change: This amendment, proposed by the Division of Human Resource Management, replaces the word "hearing" with the phrase "pre-disciplinary review", to clarify that this informal meeting is different than, and occurs prior to, a hearing to determine the reasonableness of a dismissal, demotion or suspension pursuant to NRS 284.390.

The amendment clarifies that the employee will be given the opportunity to rebut the claims supporting the proposed disciplinary action and provide any mitigating circumstances.

The amendment also clarifies that the effective date of the discipline is the *first* day the discipline takes effect. In the case of a dismissal or demotion, there is only one clear effective date of the discipline. In order to apply one clear effective date of discipline in the case of a suspension, it is necessary to use the first date of the suspension as the effective date. This will clarify that an employee who receives a suspension has the same rights to appeal, 10 working days, as an employee who is dismissed or demoted.

Lastly, subsection 9 of this regulation is proposed to be removed and will now be included as the newly proposed regulation which provides the requirements to file an appeal.

This amendment is not intended to apply to an appeal of involuntary transfer pursuant to NRS 284.376, or a whistleblower appeal pursuant to NRS 281.641.

NAC 284.6561 ~~[Hearing.]~~ *Pre-disciplinary review.* (NRS 284.065, 284.155, 284.383, 284.385, 284.390)

Except as otherwise provided in NAC 284.6563, if an appointing authority proposes that a permanent employee be dismissed, suspended or demoted, the following procedure for a ~~[hearing]~~ *predisciplinary review* before the proposed action must be followed:

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

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

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

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

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

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

7. The employee must be:

(a) Given a copy of the finding or recommendation, if any, resulting from the ~~[hearing:]~~ *predisciplinary review*; and

(b) Notified in writing of the appointing authority's decision regarding the proposed action and the reasons therefor on or before the effective date of the action. *The effective date of the action is the first day the disciplinary action takes effect.*

8. The notice given pursuant to ~~[paragraph (b) of]~~ subsection 7 may be given in person or by means of any delivery service that provides a written or electronic record of the date the notice was sent and the date the notice was received. If the notice is sent by means of a delivery service, the notice must be sent to the employee's last known address. The notice must not be given by electronic mail, the use of social media or other electronic means. If the notice is returned without having been received by the employee, the employee's date of receipt shall be deemed to be the third day after the date the notice was sent. As used in this subsection, "social media" has the meaning ascribed to it in subsection 7 of NAC 284.656.

~~[9.—An employee who has been dismissed, demoted or suspended may request a hearing before the hearing officer of the Division of Human Resource Management pursuant to NRS 284.390~~

~~within 10 working days after the effective date of his or her dismissal, demotion or suspension. Such a request must be addressed to the Administrator and submitted on the form provided by the Division of Human Resource Management.]~~

(Added to NAC by Personnel Comm'n by R063-09, eff. 11-25-2009; A by R011-11, 10-26-2011; R076-16, 11-2-2016)

Sec. 6. NAC 284.778 is hereby amended to read as follows:

Explanation of Proposed Change: This amendment, proposed by the Division of Human Resource Management, makes a housekeeping change to the regulation, as suggested by the leadline. When an employee submits an appeal of the disciplinary action, he or she is requesting a hearing, which this amendment will clarify. The new requirement that the appointing authority's decision regarding the proposed action given is also included in this amendment.

NAC 284.778 Request for hearing and other communications. (NRS 281.641, 284.065, 284.155, 284.376, 284.390)

1. A request for ~~[an appeal]~~ *a hearing* must be addressed to the Administrator and submitted on the form provided by the Division of Human Resource Management.
2. A copy of any written communication directed to a hearing officer must be sent to the clerk assigned to the hearing officer.
3. A party shall not communicate with a hearing officer regarding the merits of a case:
 - (a) Except in the presence of all parties to the hearing; or
 - (b) Unless all parties to the hearing are notified of the communication in advance.
4. Unless otherwise agreed upon in writing by all parties, an offer or demand of settlement made by a party must not be disclosed to or proposed by a hearing officer before the issuance of a final decision by the hearing officer.

[Personnel Div., Hearings Procedures § (A) subsec. (1), eff. 11-28-65; A 6-9-74]—(NAC A by Dep't of Personnel, 10-26-84; A by Personnel Comm'n by R192-09, 6-30-2010, eff. 7-1-2010; R011-11, 10-26-2011; R042-15, 12-21-2015)

FOR DISCUSSION AND POSSIBLE ACTION

The following regulations have been proposed for permanent adoption. A brief explanation precedes each section and summarizes the intent of the regulation change. **NOTE:** Language in *italics* is new, and language in brackets ~~[omitted material]~~ is to be omitted.

The following summarizes the recommended action of the Personnel Commission and identifies if there has been support or opposition to the proposed action.

LCB File No. R151-17

The Division of Human Resource Management (DHRM) recommends the amendments in LCB File No. R151-17.

The proposed amendments to NAC 284.5385, 284.544 and 284.5775 create consistency with the use of annual leave and sick leave by an employee who is eligible for temporary total disability benefits. The amendments are intended to clarify which type of leave may be used to supplement an employee's wages when receiving benefits for a workers' compensation temporary total disability. Also, these changes clarify that an employee also continues to accrue annual leave and sick leave if he or she elects to supplement his or her temporary total disability benefits using compensatory time or annual leave.

The proposed amendment to NAC 284.882 makes changes regarding the list of devices to be used to test the presence of alcohol by testing an employee's breath. Effective January 1, 2018, the list of Evidential Breath Testing Devices approved by the National Highway Traffic Safety Administration will no longer appear exclusively on a conforming products list published in the Federal Register. (82 Fed. Reg. 52240 (November 13, 2017)) Instead, federal regulations require that the Evidential Breath Testing Devices approved by the National Highway Traffic Safety Administration be listed on an Internet website page maintained by the Office of Drug and Alcohol Policy and Compliance of the United States Department of Transportation.

Comments were received at the December 12, 2017 Regulation Workshop generally in support of the regulations.

LCB File No. R151-17

Section 1. NAC 284.5385 is hereby amended to read as follows:

Explanation of Proposed Change: The Division of Human Resource Management (the Division) initially proposed an amendment to NAC 284.544 in order to conform the regulation to current language in NAC 284.5775. Similar language was removed in 2005 as “unnecessary and redundant Family and Medical Leave Act language.” However, the current language when read on its face appears to be in conflict with NAC 284.5775, subsection 5 of NRS 281.390 and current State of Nevada workers’ compensation practice.

The Legislative Counsel Bureau handled the amendment differently by incorporating the reference to NAC 284.5775, and moving language related to an employee who does not have enough leave to make up the difference between his or her pay and benefits for temporary total disability, from NAC 284.544 and 284.5385, to NAC 284.5775.

NAC 284.5385 Annual leave: Leave without pay; catastrophic leave; receipt of benefits for temporary total disability. (NRS 284.065, 284.155, 284.345, 284.350)

1. Except as otherwise provided in NAC 284.580, an employee does not accrue annual leave during the time he or she is on leave *of absence* without pay or on catastrophic leave.

2. A person who is receiving benefits for a temporary total disability pursuant to chapters 616A to 616D, inclusive, or 617 of NRS and makes the election provided in ~~§~~

~~—(a) Subsection 1 or 3 of NRS 281.390]~~ *subparagraph (1), (2) or (3) of paragraph (a) of subsection 1 of NAC 284.5775* is entitled to accrue annual leave during the period he or she is receiving those benefits and is being paid an amount of ~~[sick]~~ *paid* leave equal to the difference between his or her normal pay and the benefits received.

~~[(b) Subsection 5 of NRS 281.390 must be placed on leave of absence without pay, unless the employee is on family and medical leave because a serious health condition prevents him or her from performing one or more of the essential functions of his or her position. Such an employee may, while on such leave, elect to use his or her accrued annual leave in lieu of being placed on leave of absence without pay.~~

~~—3.— An employee who does not have enough sick leave to make up the difference between his or her normal pay and the benefits for a temporary total disability must be placed on leave of absence without pay for the time he or she is receiving such benefits and the balance of time not covered by sick leave or other paid leave.]~~ The employee accrues annual leave only for the time he or she is in paid status, excluding overtime.

(Added to NAC by Dep’t of Personnel, eff. 10-26-84; A 12-17-87; 7-14-88; 7-21-89; 8-1-91; 3-27-92; 9-16-92; 11-12-93; 3-23-94; 7-1-94; 11-16-95; R147-01, 1-22-2002; A by Personnel Comm’n by R145-05, 12-29-2005)

Sec. 2. NAC 284.544 is hereby amended to read as follows:

Explanation of Proposed Change: The Division of Human Resource Management (the Division) initially proposed an amendment to NAC 284.544 in order to conform the regulation to current language in NAC 284.5775. Similar language was removed in 2005 as “unnecessary and redundant Family and Medical Leave Act language.” However, the current language when read on its face

appears to be in conflict with NAC 284.5775, subsection 5 of NRS 281.390 and current State of Nevada workers' compensation practice.

The Legislative Counsel Bureau handled the amendment differently by incorporating the reference to NAC 284.5775, and moving language related to an employee who does not have enough leave to make up the difference between his or her pay and benefits for temporary total disability, from NAC 284.544 and 284.5385, to NAC 284.5775.

NAC 284.544 Sick leave: Leave without pay; catastrophic leave; receipt of benefits for temporary total disability; computation. (NRS 284.065, 284.155, 284.345, 284.355)

1. Except as otherwise provided in NAC 284.580, an employee does not accrue sick leave during the time he or she is on leave *of absence* without pay or on catastrophic leave.

2. A person who is receiving benefits for a temporary total disability pursuant to chapters 616A to 616D, inclusive, or 617 of NRS and ~~§~~

~~—(a) Makes~~ *makes* the election provided in *subparagraph (1), (2) or (3) of paragraph (a) of subsection 1 [or 3] of [NRS 281.390] NAC 284.5775* is entitled to accrue sick leave during the period he or she is receiving those benefits and is being paid an amount of ~~[sick]~~ *paid* leave equal to the difference between his or her normal pay and the benefits received.

~~[(b) Makes the election provided in subsection 5 of NRS 281.390 must be placed on leave of absence without pay, unless the employee elects to use his or her accrued annual leave.~~

~~—3.—An employee who does not have enough sick leave to make up the difference between his or her normal pay and the benefits for temporary total disability must be placed on leave of absence without pay for the time he or she is receiving such benefits and the balance of time not covered by paid leave.]~~ The employee accrues sick leave only for the time he or she is in paid status, excluding overtime.

~~[4.]~~ **3.** To compute the amount of sick leave to which an employee is entitled, an employee must be considered to work not more than 40 hours each week. If an employee occupies more than one position in different departments, the amount of sick leave to which the employee is entitled must be computed based on not more than 40 hours each week in each position.

~~[5.]~~ **4.** The basis for the computation of the amount of sick leave to which an exempt classified employee or exempt unclassified employee is entitled must not exceed the number of hours authorized in the biennial operating budget of this State for his or her position.

(Added to NAC by Dep't of Personnel, eff. 12-17-87; A 7-14-88; 7-21-89; 8-1-91; 9-16-92; 11-12-93; 3-23-94; 7-1-94; 11-16-95; R147-01, 1-22-2002; A by Personnel Comm'n by R145-05, 12-29-2005)

Sec. 3. NAC 284.5775 is hereby amended to read as follows:

Explanation of Proposed Change: The Division of Human Resource Management (the Division) initially proposed an amendment to NAC 284.544 in order to conform the regulation to current language in NAC 284.5775. Similar language was removed in 2005 as “unnecessary and redundant Family and Medical Leave Act language.” However, the current language when read on its face appears to be in conflict with NAC 284.5775, subsection 5 of NRS 281.390 and current State of Nevada workers' compensation practice.

The Legislative Counsel Bureau handled the amendment differently by incorporating the reference to NAC 284.5775, and moving language related to an employee who does not have enough leave

to make up the difference between his or her pay and benefits for temporary total disability, from NAC 284.544 and 284.5385, to NAC 284.5775.

NAC 284.5775 Temporary total disability: Use of sick leave, compensatory time, annual leave and catastrophic leave; leave of absence without pay. (NRS 284.065, 284.155, 284.345, 284.350, 284.355, 284.3626)

1. An employee who is receiving benefits for a temporary total disability pursuant to chapters 616A to 616D, inclusive, or chapter 617 of NRS may:

~~[(1)]~~ (a) Elect to receive payment for all or part of the difference between his or her normal pay and the benefits received by:

~~[(a)]~~ (1) Using his or her accrued sick leave as provided in subsection 1 or 3 of NRS 281.390;

~~[(b)]~~ (2) Using his or her accrued compensatory time;

~~[(c)]~~ (3) Using his or her accrued annual leave if he or she:

~~[(1)]~~ (I) Is on family and medical leave for a serious health condition that prevents him or her from performing one or more of the essential functions of his or her position; or

~~[(2)]~~ (II) Elected to use his or her accrued sick leave pursuant to NRS 281.390 and has exhausted all of his or her accrued sick leave; or

~~[(d)]~~ (4) Using catastrophic leave if he or she has exhausted all of his or her accrued annual leave, sick leave and compensatory time and his or her request for catastrophic leave has been approved pursuant to NAC 284.576; or

~~[(2)]~~ (b) Elect to be placed on leave of absence without pay in accordance with subsection 5 of NRS 281.390.

2. *An employee who does not have enough paid leave to make up the difference between his or her normal pay and the benefits for a temporary total disability pursuant to paragraph (a) of subsection 1 must be placed on leave of absence without pay for the time he or she is receiving such benefits and the balance of time not covered by paid leave.*

(Added to NAC by Dep't of Personnel by R031-98, eff. 4-17-98; A by R082-00, 8-2-2000)

Sec. 4. NAC 284.882 is hereby amended to read as follows:

Explanation of Proposed Change: This amendment, proposed by the Division of Human Resource Management, will require that a screening test to detect the presence of alcohol by testing an employee's breath be conducted using a breath-testing device appearing on that Internet website maintained by the Office of Drug and Alcohol Policy and Compliance.


NAC 284.882 Administration of screening tests. (NRS 284.065, 284.155, 284.4065, 284.407) A screening test to detect the general presence of:

1. A controlled substance must comply with:

(a) The standards established by the United States Department of Health and Human Services which are hereby adopted by reference. A copy of the standards is available, without charge, from the United States Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Center for Substance Abuse Prevention, Division of Workplace Programs, ~~[(1 Choke Cherry Road,)]~~ **5600 Fishers Lane**, Rockville, Maryland 20857; and

(b) Any supplementary standards and procedures established by the Commission.

2. Alcohol by testing a person's breath must be conducted using a breath-testing device ~~[(certified in accordance with the "Conforming Products List of Evidential Breath Alcohol Measurement Devices" published in the Federal Register)]~~ **approved** by the National Highway

Traffic Safety Administration of the United States Department of Transportation  *and listed on the “Approved Evidential Breath Measurement Devices” webpage on the Internet website maintained by the Office of Drug and Alcohol Policy and Compliance of the United States Department of Transportation pursuant to 49 C.F.R. § 40.229.*

(Added to NAC by Dep’t of Personnel, eff. 12-26-91; A 10-27-97; R082-00, 8-2-2000; A by Personnel Comm’n by R066-09, 10-27-2009; R009-11, 10-26-2011)

FOR DISCUSSION AND POSSIBLE ACTION

The Division of Human Resource Management has conducted a maintenance review of class specifications in the Occupational Group(s) listed below. It is recommended that the following classes be revised effective:

June 8, 2018.

CURRENT				PROPOSED			
CODE	TITLE	GRADE	EEO-4	CODE	TITLE	GRADE	EEO-4
7.711	Insurance and Loss Prevention Specialist	37	B	7.711	<i>Insurance and Loss Prevention Specialist</i>	37	B

EXPLANATION OF CHANGE

As part of the biennial Class Specification Maintenance Review process, the Division of Human Resource Management has conducted a review of the Insurance and Loss Prevention Specialist class specification.

In consultation with Subject Matter Experts from the Department of Administration and Department of Transportation, as well as, recruitment experts from the Division of Human Resource Management, it is recommended that revisions be made to the duty statements to clarify existing duties and responsibilities and to update verbiage

Furthermore, a minor revision was made to the Education and Experience section of the minimum qualifications to maintain consistency in formatting and structure.

Throughout the course of the study, management and agency staff participated by offering recommendations and reviewing changes as the process progressed, and they support this recommendation.

Note: Changes to the class specifications are noted as follows: additions in blue and deletions in red.



STATE OF NEVADA
Department of Administration
Division of Human Resource Management

CLASS SPECIFICATION

<u>TITLE</u>	<u>GRADE</u>	<u>EEO-4</u>	<u>CODE</u>
INSURANCE AND LOSS PREVENTION SPECIALIST	37	B	7.711

Under general supervision, plan and implement procedures to identify significant loss exposures, determine appropriate methods to manage risk, and finance losses arising from risk; develop and conduct safety and loss control education programs.

Analyze operations of State agencies to identify and measure exposures to loss including reviewing and investigating property and equipment used, analyzing contracts for risk assumed, communicating with key staff, and analyzing losses and major budget items.

Evaluate and choose risk-financing alternatives by determining if risk is subject to statutes, acceptable levels of financial retention, and whether risk should be retained (self-insured) or transferred to others by contractual arrangements or with insurance.

Coordinate the procurement and maintenance of insurance and/or claims administration by determining requirements, compiling data from agencies necessary for underwriting a policy, developing and evaluating specifications and requests for proposals, negotiating with chosen *insurance broker(s)*/vendor, allocating costs to proper State agency, maintaining policy files, evaluating compliance to policy and providing renewal information to *insurance broker(s)*/vendors.

Assist in claims administration by [~~assigning~~] *overseeing, coordinating and monitoring the processing of large complex* claims to insurers [~~if~~] *as* appropriate; and act as a liaison between provider, agencies and claimants.

Analyze statistical data and *review* [~~inspect~~] State properties' *inspection reports* to assess the frequency and severity of loss for State agencies; develop, coordinate and conduct loss prevention training programs and develop and recommend policies and procedures.

Assist in maintaining flood and other disaster plans for State agencies in order to minimize loss and/or plan for and prevent disasters.

Assist [~~supervisor~~] *management* with *biennial* budget preparation.

Analyze statutes and proposed legislative changes to determine potential impact on Risk Management.

Perform related duties as assigned.

MINIMUM QUALIFICATIONS

EDUCATION AND EXPERIENCE: Bachelor's degree from an accredited college or university in business administration, public administration, finance or related area and three years of professional experience in developing, implementing or administering risk management or safety programs in a large governmental body, private company, insurance or consulting firm; **OR** an equivalent combination of education and experience *as described above*.

MINIMUM QUALIFICATIONS (cont'd)

ENTRY LEVEL KNOWLEDGE, SKILLS AND ABILITIES (required at time of application):

Working knowledge of: property and casualty insurance including concepts applicable to self-insurance or insurance programs; principles and practices of risk management, safety and loss control; insurance company practices and procedures; financial, technical and legal requirements for developing, implementing and administering self-insured programs; safety training and instructional techniques; contractual risk transfer.

Ability to: analyze insurance contracts, proposals and bid specifications; analyze and research risk exposure, contracts, laws, and potential losses; compose business correspondence and prepare reports; perform mathematical computations to analyze insurance terms.

FULL PERFORMANCE KNOWLEDGE, SKILLS AND ABILITIES (typically acquired on the job):

Detailed knowledge of: risk management principles and practices related to governmental jurisdictions.

Working knowledge of: State and federal regulations and requirements regarding insurance, self-insurance and safety and loss control; State workers' compensation statutes and OSHA laws, and regulations.

This class specification is used for classification, recruitment and examination purposes. It is not to be considered a substitute for work performance standards for positions assigned to this class.

7.711

ESTABLISHED: 7/22/85
 REVISED: 7/01/93P
 9/24/92PC
 REVISED: 9/27/93UC
 REVISED: 3/25/05PC
REVISED: **6/8/18PC**

FOR DISCUSSION AND POSSIBLE ACTION

The Division of Human Resource Management has conducted a maintenance review of class specifications in the Occupational Group(s) listed below. It is recommended that the following classes be revised effective:

June 8, 2018.

CURRENT				PROPOSED			
CODE	TITLE	GRADE	EEO-4	CODE	TITLE	GRADE	EEO-4
7.814	Geologic Information Specialist	33	B	7.814	Geologic Information Specialist	33	B

EXPLANATION OF CHANGE

As part of the biennial Class Specification Maintenance Review process, the Division of Human Resource Management has conducted a review of the Geologic Information Specialist class specification.

In consultation with Subject Matter Experts from the Nevada System of Higher Education, University of Nevada – Reno and Analysts from the Division of Human Resource Management, it was determined that the concepts, minimum qualifications and knowledge, skills and abilities are consistent with current expectations.

Minor revisions, however, were made to the minimum qualifications to maintain consistency with formatting and structure.

Throughout the course of the study, management and agency staff participated in the review and they support this recommendation.

Note: Changes to the class specifications are noted as follows: additions in blue and deletions in red.



STATE OF NEVADA
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CLASS SPECIFICATION

<u>TITLE</u>	<u>GRADE</u>	<u>EEO-4</u>	<u>CODE</u>
GEOLOGIC INFORMATION SPECIALIST	33	B	7.814

Under limited supervision of the director, the incumbent receives and answers public inquiries related to Nevada's geology and mineral resources; maintains files and organizes information; performs research, and writes informational and technical articles, reports and bulletins for publication and review; provides support on the Geographic Information System (GIS) to research geologists; and participates in field work.

Perform research for bureau projects; document oil production totals; maintain a database on statewide oil and gas development; search records on people and places in Nevada mining history; and select and implement grid-type location systems on maps, in order to efficiently gather and obtain information for publications, reports, and informational filing.

Provide support to research geologists; assemble data; perform data analysis and produce maps of analyzed data for reports and bulletins; present information through lectures, instruction or oral presentation; answer public inquiries on digital data, provide current sources of data, and develop GIS databases and maps as needed for the public.

Catalog and archive rock and mineral sample collections and core and cutting samples from oil, gas, and geothermal wells, and prepare data for inclusion in database; collect unpublished geologic information regarding Nevada's oil, gas and geothermal resources, mineral production, mining districts, engineering geology, geologic open-file reports, maps, aerial photography and imagery, geologic theses and other special topics according to public interest.

Maintain and upgrade mining district files; integrate historic information into files; assist with the preparation of documents to be scanned for Internet access; develop and organize new filing methods; implement and update computerized office index and location system; maintain copies of oil, gas, and geothermal drilling and production records; and organize federal and State publications and records.

Provide public information to customers on the availability and location of specific geologic information; keep website current to provide answers to the most common inquiries; direct customers to informational sources; account for and file records used by customers; instruct patrons on use of filing system; integrate copies of completed environmental assessments and impact statements into bureau files; and reproduce maps, reports, and other information requested in order to assist the public, private and governmental agencies, and bureau employees in the dissemination of recorded information.

Research current events, published and unpublished literature, and professional papers regarding exploration and mining activities, oil and gas exploration, drilling, and production; review reports and publications; and meet with professionals in the field to be current on the latest information available.

Perform related duties as assigned.

MINIMUM QUALIFICATIONS

EDUCATION AND EXPERIENCE: Bachelor's degree from an accredited college or university with major coursework in geology or closely related field and two years of technical or professional experience directly related to geology, or preparing and writing technical publications related to geology; **OR** an equivalent combination of education and experience *as described above*.

ENTRY LEVEL KNOWLEDGE, SKILLS AND ABILITIES (required at time of application):

Detailed knowledge of: geologic principles. **Working knowledge of:** research methods and the preparation and presentation of technical data and information pertaining to geology; computer operation and basic computer software packages and database programs. **General knowledge of:** fundamentals of geological and geophysical exploration; aerial photography and other remotely sensed images. **Ability to:** operate a personal computer and associated software; organize data; prepare and write technical articles, manuals and reports; use library facilities for research purposes; identify and analyze hand specimens of rocks, minerals and fossils; read and interpret geologic, topographic and related maps and aerial photos; read and understand professional and scientific journals and publications; write interpretively and abstract and condense geologic information through research; present information to the public through lectures, instructions, or other oral presentations; establish and maintain cooperative relationships with colleagues, bureau employees, and the public; prepare rough illustrations and diagrams for layout purposes; and maintain accurate records.

FULL PERFORMANCE KNOWLEDGE, SKILLS AND ABILITIES (typically acquired on the job):

Working knowledge of: related agencies that provide services, assistance and information on geology, mining and history both in State and out of state; Nevada mining history and industry; basic principles of geography; chart, graph and table formatting; GIS software and principles of database creation and analysis, modeling and dispensing of data, and GIS capabilities and databases of other agencies; computer operating systems and hardware components; data formats and transfer procedures. **Ability to:** maintain, collect, and index files of unpublished geologic, geographic, and historical information; work independently with minimal supervision; prepare indexes and user manuals for new and existing data files; prepare sampling forms for geochemical tests; efficiently manage multiple databases; communicate GIS principles and methods and propose GIS projects; and produce informative maps and charts.

This class specification is used for classification, recruitment and examination purposes. It is not to be considered a substitute for work performance standards for positions assigned to this class.

7.814

ESTABLISHED: 8/2/74
REVISED: 7/1/89P
8/19/88-3
REVISED: 7/1/95P
9/16/94PC
REVISED: 9/23/05PC
REVISED: 6/8/18PC

FOR DISCUSSION AND POSSIBLE ACTION

The Division of Human Resource Management has conducted a maintenance review of class specifications in the Occupational Group(s) listed below. It is recommended that the following classes be revised effective:

June 8, 2018.

CURRENT				PROPOSED			
CODE	TITLE	GRADE	EEO-4	CODE	TITLE	GRADE	EEO-4
7.849	Publications Editor II	33	B	<i>7.849</i>	<i>Publications Editor II</i>	<i>33</i>	<i>B</i>
7.830	Publications Editor I	31	B	<i>7.830</i>	<i>Publications Editor I</i>	<i>31</i>	<i>B</i>

EXPLANATION OF CHANGE

The Nevada Department of Administration, Division of Human Resource Management, conducted a class specification maintenance review for the Publications Editor series.

In coordination with Subject Matter Experts from the State Controller’s Office it is recommended that revisions be made to the series concept and minimum qualifications to update occupational language and to reflect current methods and practices being used. It is also recommended that revisions be made to the minimum qualifications to maintain consistency with verbiage, formatting and structure.

Throughout the course of the study, management and agency staff participated by offering recommendations and reviewing changes as the process progressed, and they support this recommendation.

Note: Changes to the class specifications are noted as follows: additions in blue and deletions in red.



STATE OF NEVADA
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CLASS SPECIFICATION

<u>TITLE</u>	<u>GRADE</u>	<u>EEO-4</u>	<u>CODE</u>
PUBLICATIONS EDITOR II	33	B	7.849
PUBLICATIONS EDITOR I	31	B	7.830

SERIES CONCEPT

Publications Editors perform technical and copy editing, provide research and editorial assistance to authors, and coordinate production of books, ~~manuscripts~~ reports, magazines, maps, graphics and digital media.

Assist authors during text preparation by reviewing drafts; suggest improvements for readability, organization and clarity; discuss editorial style, policy and production schedules; and track work in progress to ensure completion as scheduled.

Perform copy editing, including reviewing and revising text for organization, clarity, consistency, grammar, spelling, usage of technical terms[;] and style; eliminate redundancies, ambiguities and inconsistencies; rephrase narrative without changing author's meaning; determine format and layout; resolve bibliographic questions; insert headings and captions; perform research to verify factual material; and prepare ~~manuscripts for publication~~ publications for press-ready print and/or digital distribution.

Produce press-ready copy using ~~page layout~~ publication software[;] or organize material for ~~manuscript~~ publication layout including photographs, maps, graphics[;] and/or artwork; follow editing codes or procedures according to established specifications; proofread, correct, review and approve final copy; and ensure end product is error free.

May arrange for the services of freelance editors, photographers or writers[;]; negotiate fees[;]; and review vendors' work.

Maintain related records and databases and prepare related reports.

Perform related duties as assigned.

CLASS CONCEPTS

Publications Editor II: Under direction, incumbents perform the full range of duties in the series concept for books or other complex publications such as scientific or professional journals. This level is distinguished from the journey level by participation in evaluation and selection of ~~manuscripts~~ content for publication, often requiring interaction with professional reviewers; extensive rewriting; and work with academic ~~manuscripts~~ publications requiring specialized knowledge of a particular discipline and/or the ability to comprehend and evaluate material from several disciplines.

Publications Editor I: Under direction, incumbents perform the full range of duties in the series concept at the journey level. Incumbents typically work on magazines, reports, brochures, catalogs, newsletters, internal communications, forms and other materials.

MINIMUM QUALIFICATIONS

PUBLICATIONS EDITOR II

EDUCATION AND EXPERIENCE: Bachelor's degree from an accredited college or university [~~with major coursework~~] in English, journalism or closely related field and two years of technical writing or editing experience, which included one year of experience *using advanced publication software and either conducting the preliminary evaluation of [manuscripts] publications, developmental editing [;] and style or working with authors on [manuscript] publication revision[, and experience using page layout software];* **OR** *one year experience as a Publications Editor I in Nevada State service;* **OR** an equivalent combination of education and experience *as described above.*

ENTRY LEVEL KNOWLEDGE, SKILLS AND ABILITIES (required at time of application):

Detailed knowledge of: *advanced publication software, such as, Adobe CC, Quark, etc.;* standard editing marks for making and reading changes; common sources of style information, *such as, [({)Associated Press Stylebook, Chicago Manual of Style[)},], etc.* **Working knowledge of:** publishing terminology; type, layout, photography and graphics required in publications; *requirements and standards related to editing publications and maps.* **General knowledge of:** *copyright and libel laws.* **Ability to:** communicate professional reviewers' concerns to authors; comprehend and write clearly on a wide variety of topics; *determine strengths and weaknesses of publications.* **Skill in:** use of computers and [~~page layout~~] *advanced publication software; and all knowledge, skills and abilities required at the lower level.*

FULL PERFORMANCE KNOWLEDGE, SKILLS AND ABILITIES (typically acquired on the job):

Working knowledge of: department regulations, policies and procedures; agency goals and objectives; agency specific publishing terminology. **Ability to:** evaluate [~~manuscripts~~] *publications* and determine suitability for publication; reconcile [~~manuscript~~] *publication* problems with authors; identify key points and summarize complex narrative into abstracts or promotional literature.

PUBLICATIONS EDITOR I

EDUCATION AND EXPERIENCE: Bachelor's degree from an accredited college or university [~~with major coursework~~] in English, journalism or closely related field and one year of technical writing or editing experience; **OR** an equivalent combination of education and experience *as described above.*

ENTRY LEVEL KNOWLEDGE, SKILLS AND ABILITIES (required at time of application):

Detailed knowledge of: English grammar, spelling, punctuation[;] and style. **Working knowledge of:** standard editing marks for making and reading changes; common sources of style information, *such as, [({)Associated Press Stylebook [and], Chicago Manual of Style[)},], etc.* **General knowledge of:** [~~page layout~~] *publication* software. **Ability to:** pay close attention to detail; establish cooperative working relationships; edit and proofread rapidly and accurately; comprehend material written for a wide range of audiences from the general public to scientific professionals; communicate effectively, both orally and in writing with a variety of individuals and diverse topics.

FULL PERFORMANCE KNOWLEDGE, SKILLS AND ABILITIES (typically acquired on the job):

~~[Working knowledge of: publishing terminology; type, layout, photography, and graphics required in publications; departmental requirements and standards related to editing publications and maps. General knowledge of: copyright and libel laws; agency goals and objectives. Ability to: judge strengths and weaknesses of manuscripts. Skill in: use of computers and page layout software.]~~ *(These are identical to the Entry Level Knowledge, Skills and Abilities required of Publications Editor II.)*

PUBLICATIONS EDITOR II
PUBLICATIONS EDITOR I

33 **B** **7.849**
31 **B** **7.830**

Page 3 of 3

This class specification is used for classification, recruitment and examination purposes. It is not to be considered a substitute for work performance standards for positions assigned to this class.

	<u>7.849</u>	<u>7.830</u>
ESTABLISHED:	7/1/89P	7/1/89P
	8/19/88PC	8/19/88PC
REVISED:	7/1/95P	7/1/95P
	9/16/94PC	9/16/94PC
REVISED:	8/11/06PC	8/11/06PC
REVISED:	6/8/18PC	6/8/18PC

FOR DISCUSSION AND POSSIBLE ACTION

The Division of Human Resource Management has conducted a maintenance review of class specifications in the Occupational Group(s) listed below. It is recommended that the following classes be revised effective:

June 8, 2018.

CURRENT				PROPOSED			
CODE	TITLE	GRADE	EEO-4	CODE	TITLE	GRADE	EEO-4
9.715	Offset Press Operator	29	H	<i>9.715</i>	<i>Offset Press Operator</i>	<i>29</i>	<i>H</i>

EXPLANATION OF CHANGE

The Nevada Department of Administration, Division of Human Resource Management, conducted a class specification maintenance review for the Offset Press Operator class specifications.

In coordination with Subject Matter Experts from the College of Southern Nevada it is recommended that revisions be made to the series concept and minimum qualifications to update occupational language and to reflect current methods and practices being used. It is also recommended that revisions be made to the minimum qualifications to maintain consistency with verbiage, formatting and structure.

Offset Press Operators, under general supervision, provide skilled printing and bindery services and prepare plates for offset printing; operate medium size multi-color offset presses to prepare a wide variety of printed materials.

Throughout the course of the study, management and agency staff participated by offering recommendations and reviewing changes as the process progressed, and they support this recommendation.

Note: Changes to the class specifications are noted as follows: additions in blue and deletions in red.



STATE OF NEVADA
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CLASS SPECIFICATION

<u>TITLE</u>	<u>GRADE</u>	<u>EEO-4</u>	<u>CODE</u>
OFFSET PRESS OPERATOR	29	H	9.715

SERIES CONCEPT

Under general supervision, Offset Press Operators provide skilled printing and bindery services and prepare plates for offset printing[;] *and* operate medium size multi-color offset presses to prepare a wide variety of printed materials.

Schedule and set up for printing jobs; review work orders to determine job requirements such as quantity, paper size, ink color, bindery requirements[;] and production deadline; custom blend ink color; price out the work order by consulting established price chart and perform calculations based on the printing requirements as assigned.

~~[Produce plates for press operations; operate process camera to produce negatives; program exposure time in accordance with the types of shots; operate graphics modifier to create chokes, spreads, shading, outlining, and special effects; process film; compile negatives on masking sheets; expose]~~ *Inspect and ensure plates are suitable for production;* process *and properly store* plates [at] *for* a predetermined time [~~and processor speed~~].

Operate multi-color offset presses to produce single work and multi-color process work; load the press with the appropriate size and type of paper; adjust feeding, inking[;] and water control mechanisms to accommodate each job; mount plates onto press and align within .001 inch tolerance the multiple images being printed at one time.

Service and repair the press to maintain equipment in proper working order; clean and lubricate equipment; change adjusting roller covers and cylinder blankets; adjust roller and cylinder pressures.

Assemble and bind printed materials in accordance with the work order; set up and operate various bindery equipment such as collators, drills, stitchers[;] and binding machines.

Perform related duties as assigned.

MINIMUM QUALIFICATIONS

[INFORMATIONAL NOTE:]

~~*—Work is performed in a print shop environment.]~~

EDUCATION AND EXPERIENCE: Graduation from high school or equivalent education and two years of [skilled] experience operating a medium size multi-color offset press, preparing plates for offset printing[;] and operating [camera and] plate processing equipment; **OR** an equivalent combination of education and experience *as described above.* [~~(See Informational Note)~~]

MINIMUM QUALIFICATIONS (cont'd)

ENTRY LEVEL KNOWLEDGE, SKILLS AND ABILITIES (required at time of application):

Working knowledge of: quality and characteristics of various inks and paper stock; methods, materials~~[;]~~ and equipment used in offset press operations, duplicating and bindery work~~[; camera work and plate making]~~. **Ability to:** establish priorities and complete assignments within production deadlines; communicate effectively with clients regarding printing requests and deadlines. **Skill in:** operating multi-color offset presses to produce high quality four-color process work; using electrical and mechanical measuring devices; maintaining, adjusting~~[;]~~ and repairing medium size offset presses; ~~[processing color separations;]~~ detecting and correcting problems with equipment, alignment, ink~~[;]~~ or solutions which result in imperfections in the final product; ~~[opaquing and aligning negatives on layout sheets;]~~ safely operating, adjusting and maintaining offset presses, bindery equipment~~[; cameras;]~~ and plate developers; performing basic composition and layout work.

FULL PERFORMANCE KNOWLEDGE, SKILLS AND ABILITIES (typically acquired on the job):

Detailed knowledge of: process color printing. **Working knowledge of:** policies and procedures of the assigned work unit. **Ability to:** estimate the quantity of materials and supplies required for the work unit; schedule and monitor production activities to ensure projects are completed on time; inspect finished materials to ensure quality of work. ~~[Skill in: producing four color separations, halftone separations, and process prints for multi-color printing; making stats and veloxes; stripping four color negatives; registering step and repeat flats.]~~

This class specification is used for classification, recruitment and examination purposes. It is not to be considered a substitute for work performance standards for positions assigned to this class.

9.715

ESTABLISHED: 7/1/91P
 11/29/90PC
 6/25/04PC
REVISED: 6/8/18PC

FOR DISCUSSION AND POSSIBLE ACTION

The Division of Human Resource Management has conducted a maintenance review of class specifications in the Occupational Group(s) listed below. It is recommended that the following classes be revised effective:

June 8, 2018.

CURRENT				PROPOSED			
CODE	TITLE	GRADE	EEO-4	CODE	TITLE	GRADE	EEO-4
9.731	Offset Machine Operator III	29	H	<i>9.731</i>	<i>Offset Machine Operator III</i>	<i>29</i>	<i>H</i>
9.712	Offset Machine Operator II	28	H	<i>9.712</i>	<i>Offset Machine Operator II</i>	<i>28</i>	<i>H</i>
9.713	Offset Machine Operator I	26	H	<i>9.713</i>	<i>Offset Machine Operator I</i>	<i>26</i>	<i>H</i>

EXPLANATION OF CHANGE

The Nevada Department of Administration, Division of Human Resource Management, conducted a class specification maintenance review for the Offset Machine Operator series.

In coordination with Subject Matter Experts from the University of Nevada, Las Vegas and recruitment experts from Human Resource Management, it was determined that the concepts, minimum qualifications and knowledge, skills and abilities are consistent with current expectations.

Minor revisions, however, were made to the series and class concept and the minimum qualifications to account for spelling and grammatical corrections and to maintain consistent with formatting and structure.

Throughout the course of the study, management and agency staff participated in the review and they support this recommendation.

Note: Changes to the class specifications are noted as follows: additions in blue and deletions in red.



STATE OF NEVADA
Department of Administration
Division of Human Resource Management

CLASS SPECIFICATION

<u>TITLE</u>	<u>GRADE</u>	<u>EEO-4</u>	<u>CODE</u>
OFFSET MACHINE OPERATOR III	29	H	9.731
OFFSET MACHINE OPERATOR II	28	H	9.712
OFFSET MACHINE OPERATOR I	26	H	9.713

SERIES CONCEPT

Offset Machine Operators are assigned to a centralized facility that provides printing and bindery services to a major agency and are responsible for printing materials.

Schedule and set up for printing jobs; review work order to determine job requirements such as quantity, paper type, size, ink color, bindery requirements[5] and production deadline.

Operate small offset printing machines; mount plate on the cylinder; set machine for the size and thickness of paper stock; adjust controls to position paper; adjust flow of ink and speed of the paper feed; produce proof copy and adjust controls to obtain specific color registration; and observe mechanical operation of the press during printing.

Assemble and bind printed materials in accordance with work orders by setting up and operating various bindery equipment such as collators, drills, stitchers[5] and binding machines.

Service, repair and maintain equipment; lubricate equipment; remove and clean [dampering] dampening rollers, ink rollers[5] and ink reservoir; clean blanket, front and back cylinders; adjust roller and cylinder pressures; change bearings, gears, rollers, gripper bars[5] and ink and water fountain assemblies.

Perform related duties as assigned.

CLASS CONCEPTS

Offset Machine Operator III: Under general supervision, incumbents perform the range of duties described in the series concept and supervise lower level Offset Machine Operators engaged in printing and binding materials for a major agency; direct and oversee the reproduction section and shipping and receiving activities; consult with clients to plan jobs and provide cost estimates; and advise management regarding reproduction equipment and material needs.

[This class] *The Offset Machine Operator III* is distinguished from *the* Offset Machine Operator II by the responsibility for directing and overseeing the reproduction section and shipping and receiving activities and performing related supervisory and administrative duties. This is the supervisory level in the series.

Offset Machine Operator II: Under general supervision, incumbents perform the full range of duties described in the series. This is the journey level in the series.

Offset Machine Operator I: Under close supervision, incumbents receive training in operating offset printing machines to produce routine printing assignments, servicing equipment, assembling and binding printed materials. This is the [entry] trainee level in the series and progression to the journey level may occur upon meeting minimum qualifications, *satisfactory performance* and with the approval of the appointing authority.

OFFSET MACHINE OPERATOR III	29	H	9.731
OFFSET MACHINE OPERATOR II	28	H	9.712
OFFSET MACHINE OPERATOR I	26	H	9.713

MINIMUM QUALIFICATIONS

OFFSET MACHINE OPERATOR III

EDUCATION AND EXPERIENCE: Graduation from high school or equivalent education and four years of experience operating a variety of offset printing, plate making[;] and bindery equipment and scheduling and setting up jobs; **OR** one year of experience as an Offset Machine Operator II in Nevada State service; **OR** an equivalent combination of education and experience *as described above*.

ENTRY LEVEL KNOWLEDGE, SKILLS AND ABILITIES (required at time of application):

Ability to: plan jobs and prepare cost estimates for clients; adapt procedures or methods to accommodate new or unique circumstances; establish work unit priorities and organize workflow to accomplish objectives; respond to complaints from agency staff. **Skill in:** troubleshooting problems with duplicating and bindery equipment; *and all knowledge, skills and abilities required at the lower levels.*

FULL PERFORMANCE KNOWLEDGE, SKILLS AND ABILITIES (typically acquired on the job):

Working knowledge of: agency policies and procedures pertaining to duplicating services and storeroom operations. **General knowledge of:** the principles and practices of supervision. **Ability to:** train, supervise and evaluate the performance of staff; assign and review work; establish work schedules and priorities.

OFFSET MACHINE OPERATOR II

EDUCATION AND EXPERIENCE: Graduation from high school or equivalent education and three years of experience operating a variety of offset duplicating, plate making[;] and [bindery] *bindery* equipment[;] and scheduling and setting up jobs; **OR** one year of experience as an Offset Machine Operator I in Nevada State service; **OR** an equivalent combination of education and experience *as described above*.

ENTRY LEVEL KNOWLEDGE, SKILLS AND ABILITIES (required at time of application):

Working knowledge of: printing terminology. **Ability to:** match colors, mix ink[;] and apply the appropriate ink and fountain solution. **Skill in:** printing on a variety of paper stock; safely operating a variety of duplicating and bindery equipment including complex duplicating machines, collators, folders, stitchers[;] and binders; *and all knowledge, skills and abilities required at the lower level.*

FULL PERFORMANCE KNOWLEDGE, SKILLS AND ABILITIES (typically acquired on the job):

(These are identical to the Entry Level Knowledge, Skills and Abilities for the Offset Machine Operator III.)

OFFSET MACHINE OPERATOR I

EDUCATION AND EXPERIENCE: Graduation from high school or equivalent education and two years of experience which included operating a variety of duplicating machines and bindery equipment; **OR** an equivalent combination of education and experience *as described above*.

ENTRY LEVEL KNOWLEDGE, SKILLS AND ABILITIES (required at time of application):

General knowledge of: printing terminology; methods, materials, and equipment used in reproduction and bindery operations. **Ability to:** read printing requests submitted by clients and equipment service manuals; prepare reproduction services and billing records; understand and follow oral and written instructions; and subtract, multiply[;] and divide whole numbers, fractions[;] and decimals to set up duplicating and bindery jobs and perform layout duties.

OFFSET MACHINE OPERATOR III	29	H	9.731
OFFSET MACHINE OPERATOR II	28	H	9.712
OFFSET MACHINE OPERATOR I	26	H	9.713

Page 3 of 3

MINIMUM QUALIFICATIONS (cont'd)

OFFSET MACHINE OPERATOR I

FULL PERFORMANCE KNOWLEDGE, SKILLS AND ABILITIES (typically acquired on the job):
(These are identical to the Entry Level Knowledge, Skills and Abilities required for Offset Machine Operator II.)

This class specification is used for classification, recruitment and examination purposes. It is not to be considered a substitute for work performance standards for positions assigned to this class.

	<u>9.731</u>	<u>9.712</u>	<u>9.713</u>
ESTABLISHED:	7/1/91P 11/29/90PC	1/1/61	1/1/61
REVISED:		4/1/69	4/1/66
REVISED:		8/27/76	8/27/76
REVISED:		3/10/78-3	1/30/79-3
REVISED:		12/19/85-12	12/19/85-12
REVISED:		7/1/89P	7/1/89P
		9/27/88PC	9/27/88PC
REVISED:		7/1/91P	3/3/89-3
		11/29/90PC	
REVISED:			7/1/91P
			11/29/90PC
REVISED:	6/25/04PC	6/25/04PC	6/25/04PC
REVISED:	6/8/18PC	6/8/18PC	6/8/18PC

FOR DISCUSSION AND POSSIBLE ACTION

The Division of Human Resource Management has conducted a maintenance review of class specifications in the Occupational Group(s) listed below. It is recommended that the following classes be revised effective:

June 8, 2018.

CURRENT				PROPOSED			
CODE	TITLE	GRADE	EEO-4	CODE	TITLE	GRADE	EEO-4
9.739	Silk Screen Printer	30	G	<i>9.739</i>	<i>Silk Screen Printer</i>	<i>30</i>	<i>G</i>

EXPLANATION OF CHANGE

The Nevada Department of Administration, Division of Human Resource Management, conducted a class specification maintenance review for the Silk Screen Printer class specification.

In coordination with Subject Matter Experts from the Department of Transportation, it is recommended that revisions be made to the series concept and minimum qualifications to update occupational language and to reflect current methods and practices being used. It is also recommended that revisions be made to the minimum qualifications to maintain consistency with verbiage, formatting and structure.

Silk Screen Printers, under general supervision, produce standard highway signs for the Department of Transportation on a statewide basis using silkscreen process.

Throughout the course of the study, management and agency staff participated by offering recommendations and reviewing changes as the process progressed, and they support this recommendation.

Note: Changes to the class specifications are noted as follows: additions in blue and deletions in red.



STATE OF NEVADA
Department of Administration
Division of Human Resource Management

CLASS SPECIFICATION

<u>TITLE</u>	<u>GRADE</u>	<u>EEO-4</u>	<u>CODE</u>
SILK SCREEN PRINTER	30	G	9.739

SERIES CONCEPT

Under general supervision, Silk Screen Printers produce standard highway signs for the Department of Transportation on a statewide basis using silkscreen process.

Prepare for printing process by reviewing work orders and ensuring special requests comply with federal and State standards; select appropriate screens; select ~~[paint]~~ *ink* based on the surface to be printed; position screen on printing table to register for printing; arrange required screens and sign blanks in an organized manner to expedite the production process.

Print designs and/or lettering which include mixing ~~[paint]~~ *ink* and adjust ~~[paint]~~ *ink* consistency; apply ~~[paint]~~ *ink* to screen; force ~~[paint]~~ *ink* through screen using appropriate squeegee pressure and angle as required; change screens and ~~[paints]~~ *inks* for jobs with multiple colors; and observe operation to detect and correct any printing flaws.

Affix hand-cut letters or numbers at the conclusion of the printing process; disassemble equipment setup; clean tools and screens with appropriate solvent; and file screens for future use.

Make screens by assembling wooden ~~[frame]~~ *or aluminum frames* and stretching fabric over the frame to the proper tension; prepare art work required to produce signs which includes making layout on ~~[paper]~~ *clear film* by measuring the letters and design ~~[and through use of an episcopes to trace design at the size]~~ required to fit the sign.

Transfer art work to screens by coating screens with a photosensitive emulsion; place art work on vacuum frame with screen on top and expose film with a high intensity light; and wash screen with water to remove unexposed emulsion.

Reclaim screens with stencil remover to remove old image and emulsion when screens are no longer needed or obsolete.

Maintain equipment used in the silk screen process *to ensure it* is in proper working order; oil, clean and repair parts on the squeegee and printing table; repair and sharpen the squeegee; change screen cleaning solvents and change screen washing rack filters; oil and clean vacuum frames and change ~~[carbon-rod]~~ *halogen bulbs* in lamps, *as needed*; label and dispose of ~~[paints]~~ *inks* and solvents in accordance with hazardous waste regulations.

Perform related duties as assigned.

MINIMUM QUALIFICATIONS

EDUCATION AND EXPERIENCE: ~~[Completion of a recognized apprenticeship program as a silk screen printer; **OR**]~~ *Graduation from high school or equivalent education and* three years of experience in silk screen printing which included design and layout work, pattern making, construction of silk screens^[7] and multi-color printing under the direction of a skilled silk screen printer; **OR** an equivalent combination of education and experience *as described above*.

ENTRY LEVEL KNOWLEDGE, SKILLS AND ABILITIES (required at time of application):

Working knowledge of: methods, materials, tools and equipment used in the production of signs by the silk screening process; characteristics and uses of ~~[paints]~~ *inks*, primers, reflectors^[7] and metal sheeting. **General knowledge of:** sign fabrication and sign writing methods and procedures. **Ability to:** make positive and negative art work; prepare work orders, requisition supplies^[7] and letter signs; read and understand work orders, manuals regarding highway signs and uniform traffic control devices^[7] and manuals regarding the repair and maintenance of equipment; take measurements and make mathematical calculations necessary to lay out projects. **Skill in:** preparing and framing silk screens; pattern making and screen printing on metal; safely operating, maintaining^[7] and repairing the equipment and tools used in silk screen printing; screen printing on materials other than metal.

FULL PERFORMANCE KNOWLEDGE, SKILLS AND ABILITIES (typically acquired on the job):

Working knowledge of: federal and State requirements regarding uniform traffic control devices, standard alphabets and standard highway signs; agency and division rules, policies and procedures regarding sign production, shop operations and safety.

This class specification is used for classification, recruitment and examination purposes. It is not to be considered a substitute for work performance standards for positions assigned to this class.

9.739

ESTABLISHED:	7/1/91P
REVISED:	11/29/90PC
REVISED:	3/19/04PC
REVISED:	6/8/18PC

Personnel Commission Meeting
June 8, 2018

REPORT OF CLASSIFICATION CHANGES NOT REQUIRING PERSONNEL COMMISSION APPROVAL

Attached is a report of changes made to the classification plan pursuant to NRS 284.160, sections 4 through 6 which reads as follows:

“4. The classification plan and changes therein are subject to approval by the Commission, except that the Administrator may make a change in the classification plan without the prior approval of the Commission if:

- (a) The Administrator deems it necessary for the efficiency of the public service;
- (b) The change is not proposed in conjunction with an occupational study; and
- (c) The Administrator, at least 20 working days before acting upon the proposed change:

(1) Provides written notice of the proposal to each member of the Commission, to all departments and to any head of an employees' organization who requests notice of such proposals; and

(2) Posts a written notice of the proposal in each of the principal offices of the Division.

Any occupational study conducted by the Division in connection with the preparation, maintenance or revision of the classification plan must be approved by the Commission.

5. If no written objection to the proposed change to the classification plan is received by the Administrator before the date it is scheduled to be acted upon, the Administrator may effect the change. The Administrator shall report to the Commission any change in the classification plan made without its approval at the Commission's next succeeding regular meeting.

6. If a written objection is received before the date the proposed change is scheduled to be acted upon, the Administrator shall place the matter on the agenda of the Commission for consideration at its next succeeding regular meeting.”

The conditions set forth in these statutes have been met. A copy of the justifications and revised class specifications are on file in the office of the Administrator of the Division of Human Resource Management.

The following changes have been effected:

REPORT OF CLASSIFICATION CHANGES

POSTING#: 13-18

Effective: 01/09/18

CURRENT				APPROVED			
CODE	TITLE	GRADE	EEO-4	CODE	TITLE	GRADE	EEO-4
6.208	Professional Land Surveyor	42	B	<i>6.208</i>	<i>Professional Land Surveyor II</i>	<i>42</i>	<i>B</i>
	New			<i>6.210</i>	<i>Professional Land Surveyor I</i>	<i>41</i>	<i>B</i>

BASIS FOR RECOMMENDATION

As a result of an Individual Classification Study (NPD-19) and in partnership with Subject Matter Experts from the Department of Transportation (DOT) and the Division of Human Resource Management (DHRM), it was determined that an additional level in the series be created. The new level is needed as a result of increased complexity requiring additional positions to be licensed as Professional Land Surveyors while still working under the direction of an Individual in Responsible Charge of Work as defined in NRS 625.080.

It is recommended that the existing Professional Land Surveyor be re-titled to Professional Land Surveyor II. The Professional Land Surveyor II, under administrative direction, and in addition to performing the full range of duties described in the series concept, will either supervise a Staff of Professional Land Surveyor I positions or a staff of professional and technical staff. This position will also assist in budget preparation, prepare and negotiate draft budget requests and review purchase requests for supplies, equipment and services for compliance with fiscal policies and procedures.

The newly created Professional Land Surveyor I, under general direction, will perform the full range of duties as described in the series concept and may supervise professional and technical staff as assigned.

In reviewing the job duties and responsibilities, it was determined that a grade 41 was warranted as both positions require licensure as a Professional Land Surveyor and the difference between the two levels is primarily budget related. While the duties, responsibilities and minimum qualifications are not exact, they are similar to the Manager II, Right-of-Way Survey Services – PLS, 6.301, grade 42 and the Manager I, Right-of-Way Survey Services, 6.302, grade 40 (please note that the Manager I does not require licensure as a Professional Land Surveyor). The one grade difference is also warranted as typically a +5% Salary Adjustment would have been granted for supervising staff of the same grade. Also, there is generally a one grade difference between a supervisory level and a strong lead position. The preponderant duties allows for this class to be assigned to the same Engineering & Allied Occupational Group, Environmental & Land Use Services subgroup. As this new level performs duties of a similar nature to the existing series, this class will be assigned to the following EEO-4 category: B – Professionals.

Throughout the review, management staff within DOT and analysts within the DHRM participated by offering recommendations and reviewing changes as the process progressed and they support the recommended changes.

POSTING#: 14-18
Effective: 01/22/18

CURRENT				APPROVED			
CODE	TITLE	GRADE	EEO-4	CODE	TITLE	GRADE	EEO-4
7.634	Executive Branch Budget Officer II	43	B		No Change		
7.632	Executive Branch Budget Officer I	41	B	7.632	<i>Executive Branch Budget Officer I</i>	41	B

BASIS FOR RECOMMENDATION

At the request of the Governor’s Finance Office, the Division of Human Resource Management has conducted a review of the Executive Branch Budget Officer series. Analysts within the Division of Human Resource Management (DHRM) worked with subject matter experts from the Governor’s Finance Office, and as a result of this review, it is recommended that the Minimum Qualifications, Education and Experience section, for the Executive Branch Budget Officer I be amended to allow for one year of experience as an Executive Branch Auditor I in Nevada State Service.

This change will allow for greater flexibility in the recruitment process and will create an additional career ladder for State employees.

Throughout the review, management staff within the Governor’s Finance Office and analysts within the DHRM participated by offering recommendations and reviewing changes as the process progressed and they support the recommended changes.

POSTING#: 15-18
Effective: 03/12/18

CURRENT				APPROVED			
CODE	TITLE	GRADE	EEO-4	CODE	TITLE	GRADE	EEO-4
	<i>New</i>			3.530	<i>Transportation & Safety Attendant III</i>	28	<i>H</i>
	<i>New</i>			3.535	<i>Transportation & Safety Attendant II</i>	26	<i>H</i>
	<i>New</i>			3.540	<i>Transportation & Safety Attendant I</i>	24	<i>H</i>

BASIS FOR RECOMMENDATION

As a result of an Individual Classification Study (NPD-19) and in partnership with Subject Matter Experts from the Department of Veterans Services and the Division of Human Resource Management (DHRM), it was determined there was a need for a new series to be created to account for duties and responsibilities not currently identified in a singular series.

Transportation & Safety Attendants, within the Nevada State Veterans Home, operate various types of motor vehicles such as shuttle buses, automobiles, vans, light trucks or golf carts in order to transport Veterans who have physical, intellectual, psychiatric and/or advanced cognitive impairment to medical appointments and community outings to include parks, restaurants, movie theaters, church and other leisure and recreational activities; and conduct both interior and exterior fire and life safety patrols to ensure compliance with State and federal rules, regulations, policies and procedures.

As the primary purpose of this series is to function as a driver with secondary responsibility for performing fire and life safety patrols, it is recommended that the series be placed in the 3.000 Domestic Services Occupational Group, Personal & Protective Services sub group. Furthermore, it is recommended that the Transportation & Safety Attendant III be allocated at grade 28 to recognize supervisory responsibility and the oversight of transportation and fire and life safety patrol activities. It is further recommended that the Transportation & Safety Attendant II and I be allocated at grades 26 and 24 respectively to account for journey level and trainee level duties and responsibilities. The EEO-4 job category for the Transportation & Safety Attendant has been determined as follows: category “H – Service Maintenance” which are occupations where workers perform duties which result in or contribute to the comfort, convenience, hygiene or safety of the general public or which contribute to the upkeep and care of buildings, facilities or grounds of public property. The Facility Attendant (9.637, grade 21), Maintenance Repair Aid II (9.483, grade 22), Custodial Worker II (9.631, grade 23), Driver – Van/Automobile (3.506, grade 22), Driver Warehouse Worker I (9.210, grade 26), and Security Officer (11.260, grade 27) were used as comparisons in assisting with determining the appropriate grade levels.

Throughout the review, management staff within the Department of Veterans Services and analysts within the DHRM participated by offering recommendations and reviewing changes as the process progressed and they support the recommended changes.

POSTING#: 16-18
Effective: 03/19/18

CURRENT				APPROVED			
CODE	TITLE	GRADE	EEO-4	CODE	TITLE	GRADE	EEO-4
	<i>New</i>			12.392	<i>Casework Management Specialist Supervisor</i>	37	<i>B</i>
	<i>New</i>			12.393	<i>Casework Management Specialist IV</i>	36	<i>B</i>
	<i>New</i>			12.394	<i>Casework Management Specialist III</i>	35	<i>B</i>
	<i>New</i>			12.395	<i>Casework Management Specialist II</i>	34	<i>B</i>
	<i>New</i>			12.396	<i>Casework Management Specialist I</i>	32	<i>B</i>

BASIS FOR RECOMMENDATION

Due to high vacancy rates for Social Workers in its Rural Offices and the development of a new model to provide service coordination and case management, the Department of Health & Human Services (DHHS), Division of Child & Family Services (DCFS), has requested the creation of a new series. In partnership with Subject Matter Experts from the DHHS, DCFS and the Division of Human Resource Management (DHRM), it was determined that a new series be established.

Casework Management Specialists within DHHS, DCFS, provide case management services for children and their families and may be assigned to one of many specialized programs and/or facilities where duties may be performed in the home and/or any similar setting. Incumbents often work in a team environment to provide service coordination and case management services; develop and implement case and safety plans; provide direct services and case management to support the safety, permanency and well-being of assigned clientele; utilize crisis intervention to manage angry, hostile or combative clientele; develop, identify, obtain, coordinate, monitor and evaluate resources and services to meet client and family/care provider needs; make referrals to other service providers and community resources; utilize evidence based practices to bring about change behavior to ensure client goals are accomplished; prepare and submit a variety of reports related to client services and evaluation to courts and other State and federal agencies; and provide education, information, and technical assistance to clients, family members, other agencies and service providers.

It is recommended that the series be placed in the 12.000 Social Services & Rehabilitation Occupational Group, Social Services sub group. The EEO-4 job category for the Casework Management Specialist has been determined as follows: category “B–Professional” which are occupations which require specialized and theoretical knowledge which is usually acquired through college training or through work experience and other training which provides comparable knowledge. The Correctional Casework Specialist (12.556), Developmental Specialist (10.133), Elder Rights Specialist (12.346), Health Care Coordinator (12.332), Parole & Probation Specialist (12.619), Psychiatric Caseworker (10.185), Social Services Program Specialist (12.315) and the Social Worker (12.345) series were used as comparisons in assisting with determining the appropriate grade levels.

Throughout the review, management staff within DHHS and DCFS and analysts within DHRM participated by offering recommendations and reviewing changes as the process progressed and they support the recommended changes.

POSTING#: 17-18
Effective: 03/30/18

CURRENT				APPROVED			
CODE	TITLE	GRADE	EEO-4	CODE	TITLE	GRADE	EEO-4
10.306	Psychiatric Nurse IV	43*	B	<i>10.306</i>	<i>Psychiatric Nurse IV</i>	<i>43*</i>	<i>B</i>
10.305	Psychiatric Nurse III	41*	B	<i>10.305</i>	<i>Psychiatric Nurse III</i>	<i>41*</i>	<i>B</i>
10.307	Psychiatric Nurse II	39*	B	<i>10.307</i>	<i>Psychiatric Nurse II</i>	<i>39*</i>	<i>B</i>
10.309	Psychiatric Nurse I	37*	B	<i>10.309</i>	<i>Psychiatric Nurse I</i>	<i>37*</i>	<i>B</i>

BASIS FOR RECOMMENDATION

At the request of both the Division of Public & Behavioral Health and the Division of Human Resource Management, Recruitment Unit, it is recommended that an Informational Note be added to the Psychiatric Nurse series in order to be consistent with the Correctional Nurse and Registered Nurse series.

The Informational Note details that out of state applicants must have a temporary license as a Registered Nurse issued by the Nevada State Board of Nursing at the time of appointment and must obtain permanent licensure as a Registered Nurse issued by the Nevada State Board of Nursing as a condition of continuing employment.

Minor revisions to the Education & Experience section of the Minimum Qualifications were made to account for the addition of the Informational Note and to maintain consistency with formatting and structure. Also, minor changes were made to the series and class concepts to account for changes in verbiage.

This change will allow for greater flexibility in the recruitment process and create a larger pool of applicants which the agency can draw from.

Throughout the review, management staff within DPBH and analysts within the DHRM participated by offering recommendations and reviewing changes as the process progressed and they support the recommended changes.

POSTING#: 18-18
Effective: 04/27/18

CURRENT				APPROVED			
CODE	TITLE	GRADE	EEO-4	CODE	TITLE	GRADE	EEO-4
10.540	Medical Marijuana Program Supervisor	38	B	<i>10.540</i>	<i>Marijuana Program Supervisor</i>	<i>38</i>	<i>B</i>
10.541	Medical Marijuana Program Inspector II	36	B	<i>10.541</i>	<i>Marijuana Program Inspector II</i>	<i>36</i>	<i>B</i>
10.542	Medical Marijuana Program Inspector I	34	B	<i>10.542</i>	<i>Marijuana Program Inspector I</i>	<i>34</i>	<i>B</i>

BASIS FOR RECOMMENDATION

The Department of Taxation, Marijuana Regulation & Control unit, requested a review of the Medical Marijuana Program Inspector Series resulting from the legalization of marijuana in the State of Nevada.

Due to the legalization of marijuana, it is recommended that titles be changed to eliminate the reference to medical as the duties and responsibilities will no longer be limited to medical marijuana facilities. It is also recommended that references to “medical” in the series and class concept as well as the minimum qualifications be removed.

It is further recommended that minor revisions be made to the Education & Experience section of the Minimum Qualifications to maintain consistency with formatting and structure. Lastly, minor changes were made to the Education & Experience section of the Marijuana Program Inspector I to clarify experience required and allow for equivalent State experience.

Throughout the review, management staff within Taxation and analysts within DHRM participated by offering recommendations and reviewing changes as the process progressed and they support the recommended changes.

POSTING#: 19-18
Effective: 05/03/18

CURRENT				APPROVED			
CODE	TITLE	GRADE	EEO-4	CODE	TITLE	GRADE	EEO-4
10.352	Registered Nurse V	41*	B	10.352	Registered Nurse V	41*	B
10.354	Registered Nurse IV	39*	B	10.354	Registered Nurse IV	39*	B
10.355	Registered Nurse III	38*	B	10.355	Registered Nurse III	38*	B
10.359	Registered Nurse II	37*	B	10.359	Registered Nurse II	37*	B
10.358	Nurse I	35*	B	10.358	Nurse I	35*	B

BASIS FOR RECOMMENDATION

The Department of Veterans Services, requested a review of the Registered Nurse Series resulting from the need to have positions with additional supervisory responsibility.

In consultation with Subject Matter Experts (SME) from the Department of Veterans Services and Analysts within the Division of Human Resource Management, it is recommended that the class concept for the Registered Nurse IV be amended to reflect that positions “*may supervise lower level Registered Nurses, Licensed Practical Nurses, Certified Nursing Assistants and/or other professional, technical or administrative staff as required.*” It is further recommended that the Class Concept for the Registered Nurse II and Nurse I be amended to maintain consistency with formatting and structure.

It is further recommended that minor revisions be made to the Education & Experience section of the Minimum Qualifications, at Registered Nurse V, IV, III, and II, to allow for equivalent experience and to maintain consistency with formatting and structure.

Throughout the review, management staff within the Department and analysts within DHRM participated by offering recommendations and reviewing changes as the process progressed and they support the recommended changes.

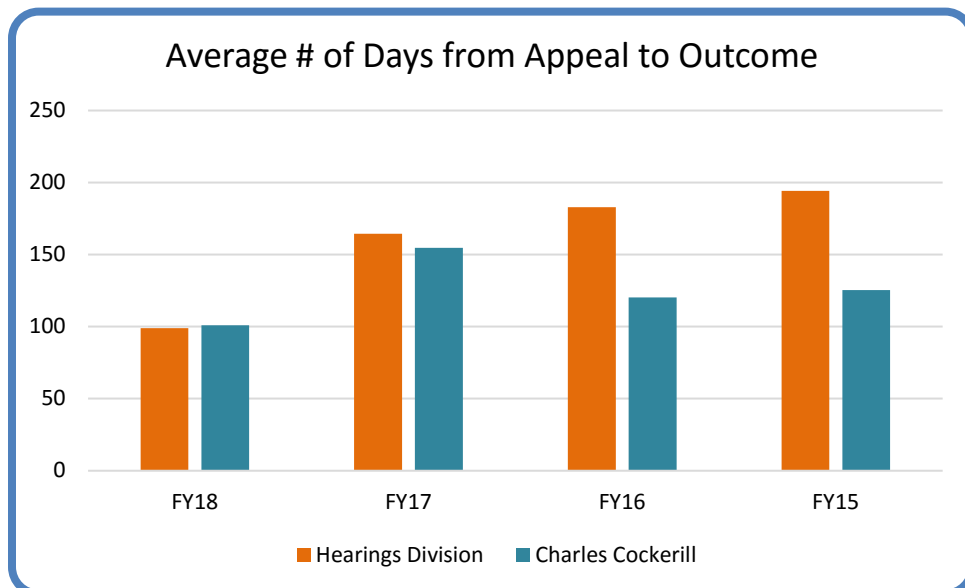
Presentation of Hearing Officer Case Handling Statistics

At the time that the Hearings Division was selected as the primary hearing officers for disciplinary and Whistle Blower appeals, the Commission requested periodic updates. The Division of Human Resource Management has provided statistics and analysis of fiscal years (FY) 2015 – 2018 (through March 31, 2018):

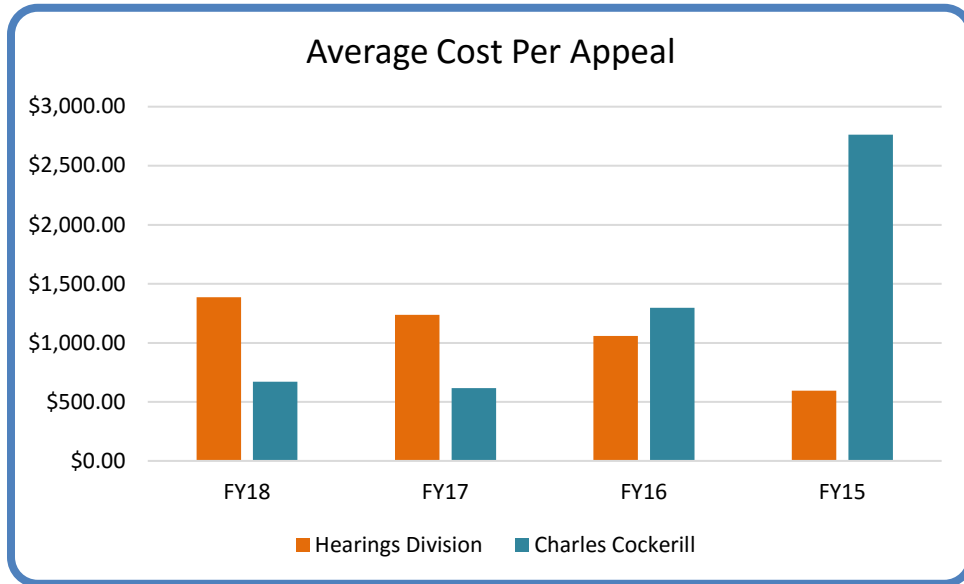
- Average # of Days from Appeal to Outcome
- Average Cost Per Appeal
- Type of Outcomes

The Hearings Division conducted a customer satisfaction survey last year but did not receive a statistically valid response to report. They are again conducting a survey and this information will be provided to the Commission once it becomes available.

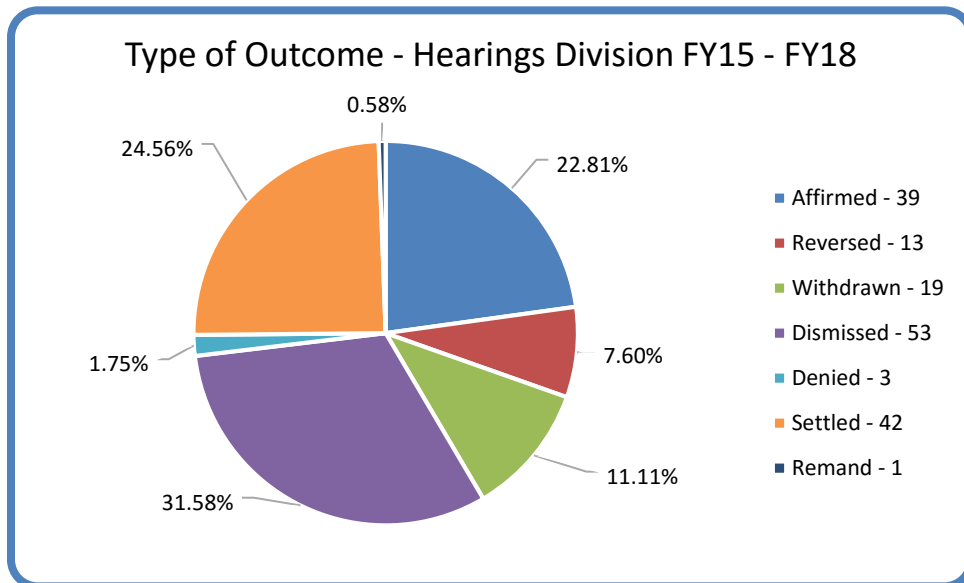
The average number of days from appeal to outcome for Hearings Division hearing officers remains below the 6-month processing time. There was a significant decrease in processing time for the Hearings Division hearing officers this fiscal year over last. Charles Cockerill’s processing time also significantly decreased this fiscal year over last, and also remains under the 6-month processing time requirement.

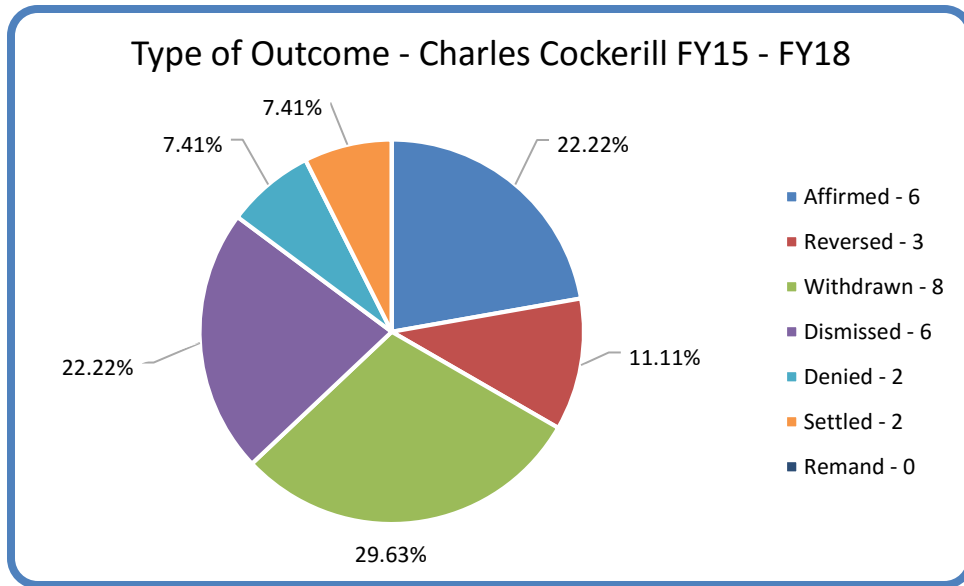


The cost per appeal dropped slightly this fiscal year over last for both the Hearings Division hearing officers and Charles Cockerill. In FY15, Charles Cockerill heard a total of three cases, two of which incurred high costs. These cases included travel expenses which were out of his control and longer than usual hearings. The cost of the third case was \$950.00.



Most cases assigned to the Hearings Division hearing officers and Charles Cockerill did not result in a hearing as they were either settled, withdrawn, or dismissed. Of the cases heard, the percentage of appeals upheld was virtually the same for the Hearings Division hearing officers and Charles Cockerill.

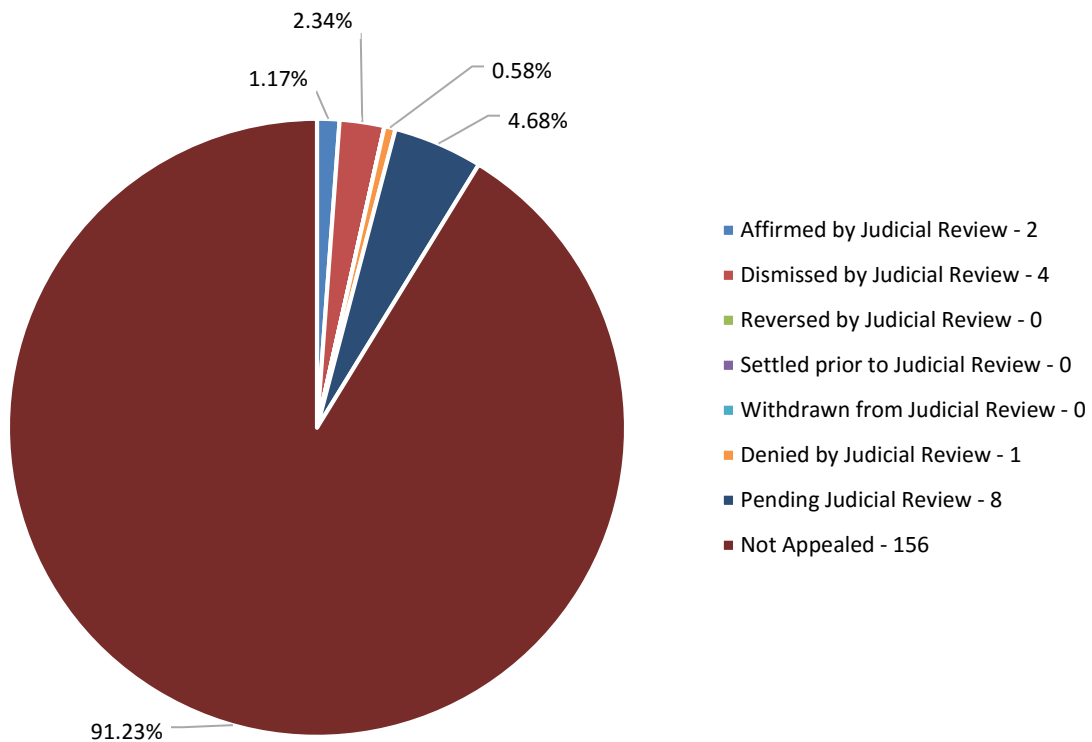




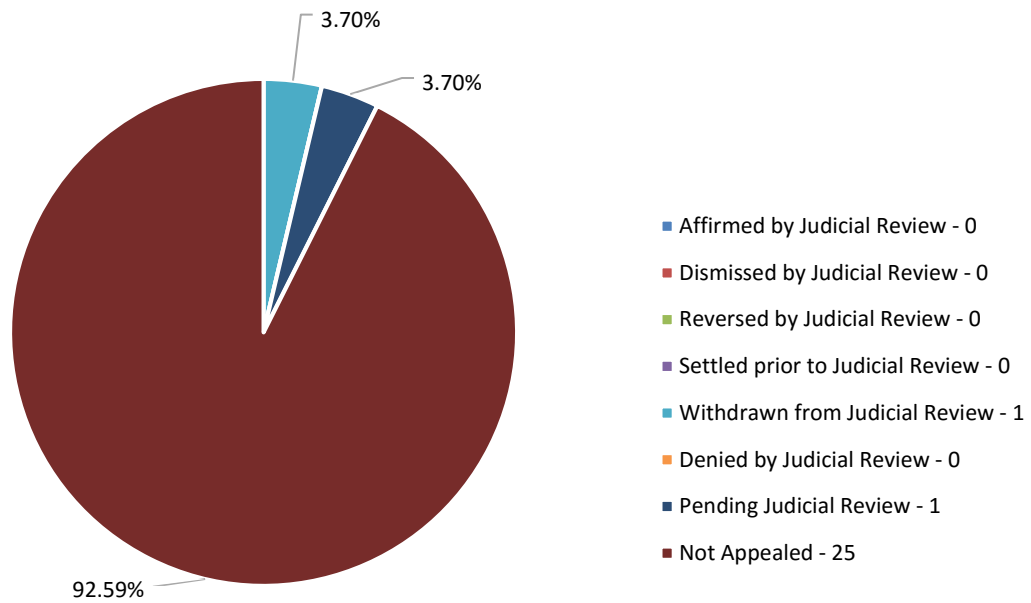
- Affirmed:** The agency disciplinary action was upheld.
- Reversed:** The agency disciplinary action was reversed.
- Withdrawn:** After filing an appeal, the appellant decided to no longer seek a hearing officer decision. Appeals are typically withdrawn prior to a hearing.
- Dismissed:** The hearing officer determined that the appeal was filed in the wrong jurisdiction, was filed untimely, the employee left state service, or the employee did not have the right to appeal.
- Denied:** This decision relates to a motion for reconsideration by a party to the action.
- Settled:** The appellant and the agency agreed upon a resolution prior to the appeal being heard by a hearing officer.
- Remand:** The appeal was returned to the agency with a recommendation of reduction in the level of discipline.

Over 90% of decisions by the Hearings Division hearings officers and Charles Cockerill have not been appealed. Neither the Hearings Division hearing officers nor Charles Cockerill had any decisions overturned by the District Court.

Hearings Division Decisions FY15 - FY18



Charles Cockerill Decisions FY15 - FY18



Summary

The Hearings Division hearing officers and Charles Cockerill's performance is considered timely, has resulted in lower costs compared to when a pool of independent contractors were used, and their decisions are not being overturned by District Court.

The Hearings Division continues to provide hearing room space and clerical support to Charles Cockerill which no longer requires the Division of Human Resource Management (DHRM) to maintain staff and locate rooms to support hearing officers.

In December 2016, the Commission voted to continue the contract with the Hearings Division to hear personnel appeals. Also, Charles Cockerill's contract was continued for three years, and will now expire on June 30, 2020.