

**STATE OF NEVADA  
PERSONNEL COMMISSION**

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

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**MEETING MINUTES  
Friday, September 29, 2017**

**COMMISSIONERS PRESENT  
IN CARSON CITY:**

Ms. Patricia Knight, Commissioner

**COMMISSIONERS PRESENT  
IN LAS VEGAS:**

Ms. Katherine Fox, Chairperson  
Mr. David Sanchez, Commissioner  
Mr. Andreas Spurlock, Commissioner  
Mr. Gary Mauger, Commissioner

**STAFF PRESENT IN CARSON CITY:**

Mr. Peter Long, Administrator, Division of Human Resource Management  
(DHRM)  
Ms. Shelley Blotter, Deputy Administrator, DHRM  
Ms. Cassie Moir, Deputy Administrator, DHRM  
Ms. Dawn Buoncristiani, Deputy Attorney General, Office of the Attorney  
General  
Ms. Carrie Hughes, Personnel Analyst, DHRM  
Ms. Beverly Ghan, Supervisory Personnel Analyst, DHRM  
Ms. Michelle Garton, Supervisory Personnel Analyst, DHRM  
Ms. Lisa Friend, 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. Prior to the Commissioners providing a brief description of their professional backgrounds for the benefit of new Commissioner Patricia Knight and the alternate Commissioners, Chairperson Fox asked Peter Long to discuss the legislative change regarding quorum requirements and the use of alternates. **Peter Long:** Explained that Assembly Bill 467 changed the make-up of the Personnel Commission from five members to five members plus five alternate members. The make-up remains the same: three from the general public, one from labor and one from management; the alternates must also meet this criteria. Two alternates have been appointed by the Governor: Armen Asherian as a management representative and Mary Day as a general public representative. Patricia Knight is the Commission's newest regular member. The legislation also changes the quorum requirements. The statute previously held that three Commissioners equaled a quorum and anything other than a regulation change or a new regulation could be approved by two members of three if only three members were present. The new legislation requires five members be present to constitute a quorum. Once all the alternates are appointed, the alternates from Labor and from Management will be asked to attend each meeting with a rotation of the alternates from the general public.

**Chairperson Fox:** Indicated she has 21 years of human resources background with Las Vegas Metro Police, to include selection, classification and recruitment. After moving north, she became a Recruitment Manager, and then for three years prior to retiring was the Director of Human Resources for Washoe County. She keeps active consulting, doing salary studies and labor negotiations in the public sector. **Commissioner Sanchez:** Shared he began his

professional career in graduate studies, after returning from Vietnam in 1971, with the County of Los Angeles as a Personnel Analyst. In 1980, he came to the City of Las Vegas as Director of Personnel and Employee Relations. Commissioner Sanchez stated in 1991 he worked at the Las Vegas Clark County Library District as their first HR Manager and later was employed by the Economic Opportunity Board of Clark County as their first HR Manager. Semi-retired, Commissioner Sanchez indicated he was employed by the Las Vegas Valley Water District under contract as a Senior HR Manager, and then spent seven years with the Art Institute of Las Vegas as the Academic Director for General Education. Commissioner Sanchez concluded he is currently an adjunct instructor of psychology at the College of Southern Nevada. **Commissioner Spurlock:** Stated he has been in compensation and classification for 28 years. His career began in the private sector in the Midwest, first with insurance, then banking. Upon moving to Las Vegas, he was employed by Clark County for 18 years, and with the City of Las Vegas as a Senior Analyst for 4 years. He indicated he had also taught compensation management at UNLV for six years. **Commissioner Mauger:** Shared he arrived in Las Vegas 60 years ago out of the military. He stated he has a background in labor and is a 47 ½ year member of the Teamsters where he was the CEO for 25 years prior to retiring. His background includes grievances, arbitration and mediation. **Commissioner Knight:** Summarized she spent 15 years with Washoe County, 2 of those years at the District Attorney's Office and 13 with Human Resources. She stated she began as a Human Resource Analyst, moved up to Senior Analyst, then to Labor Relations Manager and is now the Assistant Director of Washoe County Human Resources. Commissioner Knight indicated her specialty is classification, compensation, labor relations, employee relations, recruitment and selection. **Chairperson Fox:** Welcomed Patricia Knight, who replaces outgoing Commissioner David Read, as well as alternate Commissioners Armen Asherian and 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 MEETINGS – Action Item

### A. Held June 23, 2017: Regular Meeting

MOTION: Moved to approve the minutes of the June 23, 2017, meeting.  
BY: Commissioner Mauger  
SECOND: Commissioner Sanchez  
VOTE: Motion passed. Commissioner Knight abstained as she was not in attendance at the meeting.

### B. Held June 23, 2017: Emergency Regulations

MOTION: Moved to approve the minutes of the June 23, 2017, Emergency Regulations Meeting.  
BY: Commissioner Mauger  
SECOND: Commissioner Sanchez  
VOTE: Motion passed. Commissioner Knight abstained as she was not in attendance at the meeting.

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

A. The Department of Agriculture requests the additions 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:

2.211 Administrative Assistant III, PCN: 3740-1412

12.616 Parole & Probation Specialist III, PCN: 3740-1439, 3740-1440, 3740-1441, 3740-1442

**Carrie Hughes:** Introduced herself as a Personnel Analyst for the Division of Human Resource Management (DHRM). She explained that 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 within the meaning of the Fourth Amendment and, if so, must be justified by a special need that outweighs a reasonable expectation of privacy. The Department of Public Safety has requested to add the requirement of pre-employment drug screening to the Administrative Assistant III and Parole & Probation Specialist III positions. DHRM is recommending these positions as they are safety sensitive; the positions will be working in correctional facilities and interacting with inmates on a regular basis. She noted that a representative from the Department of Public Safety was present to answer questions.

**Chairperson Fox:** Noted that these positions are part of a program which has the purpose of supporting efforts to successfully reintroduce offenders into our communities. Their work locations will be correctional and transitional housing facilities. She asked if there were questions or public comment. Hearing no questions or comments, she entertained a motion.

MOTION: Moved to approve Item IV-A-1.  
BY: Commissioner Mauger  
SECOND: Commissioner Sanchez  
VOTE: Motion passed unanimously.

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

12.619 Parole & Probation Specialist Series

**Carrie Hughes:** Stated that based on approval of the Parole & Probation Specialist III positions, DHRM is requesting a change to the class specifications for class series Parole & Probation Specialist to reflect the approval of the requirement for pre-employment screening for controlled substances.

**Chairperson Fox:** Asked if there were questions or public comment. There were no questions or comments.

MOTION: Moved to approve Item IV-A-2.  
BY: Chairperson Fox  
SECOND: Commissioner Sanchez  
VOTE: Motion passed unanimously.

- IV-B. The Department of Administration requests the addition of positions to the list approved for pre-employment screening for controlled substances to include:

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

6.754 Building Construction Inspector III, PCN: All  
6.755 Building Construction Inspector IV, PCN: All

**Carrie Hughes:** Explained that the Department of Administration, State Public Works Division has requested to add the requirement of pre-employment drug screening to their Building Construction Inspector III and IV positions. DHRM recommends approval of these positions due to the fact they are safety sensitive as they work in active construction areas and are responsible, in part, for the safety of the occupants of the buildings they inspect. There is a representative from the State Public Works Division available to answer any questions.

**Chairperson Fox:** Asked if there were questions or public comment. There were none. Hearing no questions or comments, she entertained a motion.

MOTION: Moved to approve Item IV-B-1.  
BY: Commissioner Sanchez  
SECOND: Commissioner Knight  
VOTE: Motion passed unanimously.

**V. DISCUSSION AND APPROVAL OF PROPOSED REGULATIONS CHANGES TO NEVADA ADMINISTRATIVE CODE, CHAPTER 284**

A. LCB File No. R033-17

- Sec. 1. Amends Chapter 284 to add Sections 2, 3 and 4.
- Sec. 2. NEW Reasonable break times and place to express milk.
- Sec. 3. NEW Request for break times and place to express milk.
- Sec. 4. NEW Submission of complaint to the Employee-Management Committee.
- Sec. 5. NAC 284.0735 “Organizational climate study” defined.
- Sec. 6. NAC 284.112 “Working day” defined.
- Sec. 7. NAC 284.523 Definitions.
- Sec. 8. NAC 284.524 Reporting for work; workweeks and workdays; periods for meals and rest.
- Sec. 9. NAC 284.589 Administrative leave with pay.
- Sec. 10. NAC 284.658 “Complaint” and “grievance” defined.
- Sec. 11. NAC 284.662 Providing assistance to employee.
- Sec. 12. NAC 284.680 Date of receipt of grievance or complaint.
- Sec. 13. NAC 284.692 Agreement for extension of time to file grievance or complaint, or take required action.
- Sec. 14. NAC 284.6952 Request for resolution conference; appointment of facilitator; effect of request for resolution conference on jurisdiction of Employee-Management Committee.
- Sec. 15. NAC 284.6955 Hearing before Employee-Management Committee: Procedure.
- Sec. 16. NAC 284.6957 Hearing before Employee-Management Committee: Continuance; abeyance.
- Sec. 17. NAC 284.696 Unlawful discrimination.
- Sec. 18. NAC 284.697 When resolution of grievance or complaint becomes binding.
- 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:  
Removal of ineligible grievance or complaint from procedure.

**Carrie Hughes:** Stated that Assembly Bill 113 of the 2017 Legislative Session provides an employee who is a nursing mother reasonable break times and a place to express milk. The majority of the new sections and amendments in LCB File No. R033-17 are proposing to address the provisions of Assembly Bill 113, which became effective on July 1, 2017. For that reason, these new sections and amendments were filed, and are now effective, as emergency regulations. However, as the emergency regulations are set to expire on October 29th, DHRM is proposing them now as permanent regulations. There are some differences between the emergency and permanent versions of these regulations, based on comments received and the Legislative Council Bureau’s pre-adoption review. Section 1 of LCB File No. R033-17 amends Nevada Administrative Code (NAC) Chapter 284 to add the new administrative regulations in Sections 2, 3 and 4 of the LCB file.

Section 2 requires an agency to allow an employee with a child under one year of age to take reasonable break times as needed to express breast milk, unless it constitutes an undue hardship to the agency. If it would be an undue hardship to the agency, the agency may propose and ultimately provide a reasonable alternative. If an employee determines that her rest periods are not sufficient to express breast milk, her agency will allow the employee to use leave, such as annual leave, compensatory time or leave without pay, or modify her work schedule to make up any additional break time. It also requires that an employee be provided a clean and private place, other than a bathroom, to express breast milk.

Section 3 requires agencies to develop a procedure for requesting reasonable break times and a place to express milk. It also encourages early communication between an agency and an employee regarding the employee’s needs by

clarifying that this discussion does not have to wait until an employee returns to work following the birth of her child. It also establishes when an employee's request for break times and/or a private place to express milk is deemed to be received by an agency and requires the agency to respond within five working days. Section 4 outlines a complaint procedure which provides for an employee to file a complaint with the Employee-Management Committee relating to requests for breaks and/or a place other than a bathroom to express milk.

Additionally, an employee who alleges retaliation for the use of break times or a place to express milk as well as for taking any action to ensure compliance with these requirements may file a complaint with the Committee. A male employee may also file a complaint under these provisions in response to retaliation for having taken action to ensure compliance with these provisions. Due to language in the bill and the need for an employee who is nursing to receive a quick response, the agency's, employee's and Committee's time periods in the complaint process have been made as short as possible, allowing for statutory requirements. Additionally, complaints have been given priority over grievances in placement on a Committee's agenda.

Sections 5, 6 and 7 make conforming changes related to the defined terms "complaint," "working day" and "normal rest periods." Section 8 makes a conforming change to allow an exception to the timing of required breaks as outlined in NAC 284.524 for expression of breast milk. Section 9 amends NAC 284.589 to provide an employee with administrative leave for appearing as a complainant at a hearing of the Employee-Management Committee. This provides a benefit equivalent to an employee who has a grievance heard by the Committee.

Section 10 amends NAC 284.658 to add "complaint" as a defined term. Based upon input from legal counsel, all employees, including unclassified, are eligible to file a complaint. Section 11, amending NAC 284.662, extends the right to representation and assistance from the Division and an employee's agency's human resources to employees who file a complaint. Additionally, it provides employees who file a complaint, and those who assist or testify regarding a complaint, protection against discrimination. Section 12 amends NAC 284.680 to establish when a complaint is deemed to have been received by the Employee-Management Committee.

Section 13 amends NAC 284.692 to allow for extensions of time for filing or other actions related to a complaint upon mutual written agreement of the agency and the employee. It also clarifies that complaint extensions must be authorized by both the agency and the employee. An amendment not directly related to AB 113 in Section 13 is the removal of the requirement that a request for an extension of time related to a grievance, and now a complaint, be made on a form prescribed by the Division, which will allow for requests to be submitted by email.

Section 14 amends NAC 284.6952 to allow either an agency or a complainant to request a resolution conference prior to an Employee-Management Committee hearing. However, due to the need for an expedited response to a complaint, if a resolution conference cannot be scheduled prior to a scheduled hearing, a resolution conference will not be held. An amendment not directly related to AB 113 in Section 14 is the clarification that if either party to a grievance or complaint requests a resolution conference, both parties must participate.

Section 15 amends NAC 284.6955 to use the existing procedures and documentation requirements for an Employee-Management Committee hearing for a grievance for the complaint procedure. Section 16 amends NAC 284.6957 to allow the Chair of the Employee-Management Committee to, in relation to a complaint, grant a continuance or place the complaint in abeyance, if good cause is shown. Section 17 amends NAC 284.696 to clarify that the term "complaint," as used in this regulation, does not include a complaint as defined in AB 113 of the 2017 Legislative Session.

Section 18 amends NAC 284.697 to outline when a resolution to a complaint becomes binding by adopting the existing provisions for grievances. Section 19 amends Section 1 of LCB File No. R076-15 to provide the Division with the authority to remove a complaint from submission to the Employee-Management Committee if it deems that the complaint is not eligible.

**Chairperson Fox:** Asked if there were questions or public comment.

**Commissioner Sanchez:** Asked if whether it is anticipated that there will be problems throughout the State in finding ample locations for female employees to express milk. **Shelley Blotter:** Responded that larger agencies that have implemented the emergency regulation have been surveyed. Based on the survey results, it was found that there were

no difficulties thus far and no problems are anticipated. **Commissioner Sanchez:** Asked how the information will be disseminated to those affected regarding their rights for grievances under this regulation. **Shelley Blotter:** Stated that once the emergency regulation was enacted, information was sent out over the Listserv regarding the new regulations. Information will also be included in the Employee Handbook.

**Chairperson Fox:** Solicited additional comments. Hearing none, she entertained a motion.

MOTION: Moved to approve the adoption of Item V-A.  
BY: Commissioner Sanchez  
SECOND: Commissioner Mauger  
VOTE: Motion passed unanimously.

**V-B. LCB File No. R037-17**

- Sec. 1. Amends Chapter 284 to add Sections 2, 3 and 4.
- Sec. 2. NEW “Domestic violence” defined.
- Sec. 3. NEW “Family or household member” defined.
- Sec. 4. NEW Accommodation for employee affected by domestic violence.
- Sec. 5. NAC 284.010 Definitions.
- Sec. 6. NAC 284.539 Annual leave: Written request; approval or denial; authorized use.
- Sec. 7. NAC 284.554 Sick leave: Authorized use.
- Sec. 8. NAC 284.578 Leave of absence without pay.
- Sec. 9. NAC 284.5811 Family and medical leave: Maximum amount in 12-month period; eligibility; use.
- Sec. 10. Effective Date This regulation becomes effective on January 1, 2018, or upon filing with the Secretary of State, whichever occurs later.

**Carrie Hughes:** Explained that DHRM is proposing new sections and amendments to NAC Chapter 284 to address the provisions of Senate Bill 361 of the 2017 Legislative Session, which provides new employment benefits and requirements relating to domestic abuse. SB 361 was signed into law by the Governor on June 8th and becomes effective on January 1, 2018.

Section 1 of LCB File No. R037-17 amends NAC Chapter 284 to add the new administrative regulations in Sections 2, 3 and 4 of the LCB file. Section 2 defines “domestic violence” as used in NAC Chapter 284 as an act described in NRS 33.018.

Section 3 defines “family or household member” based upon the definition in SB 361 of the 2017 Legislative Session. The relationships that would qualify are that of a spouse, domestic partner, minor child, parent or other adult related within the first degree of consanguinity or who was residing with the employee at the time of the act of domestic violence. Section 4 requires agencies to provide accommodations, such as relocation of a workspace or duty location, modification of a work schedule or a new work phone number to an employee who is a victim of an act of domestic violence or whose family or household member is a victim of domestic violence, unless the employee is the alleged perpetrator, and unless an accommodation would pose an undue hardship. Section 5 makes a conforming change related to the new defined terms “domestic violence” and “family or household member.”

Sections 6, 7 and 8 provide that an employee who has 90 days of employment with an employer, and is not the alleged perpetrator, will be entitled to not more than 160 hours of leave in one 12-month period, if an employee is a victim of an act of domestic violence or his or her family or household member is a victim of domestic violence. An employee may take annual leave, sick leave and/or leave without pay up to the combined maximum of 160 hours in a 12-month period. The statutory requirement that an employee would have to have six months employment with the State to be able to use annual leave would apply, as other leave types are available if an employee is not eligible for annual leave.

Section 9 amends NAC 284.5811 to include the requirement in SB 361 of the 2017 Legislative Session that an employee take leave related to domestic violence, concurrent with the Family and Medical Leave Act provisions, if an employee meets the eligibility for both such provisions. Section 10 establishes the effective date for the regulations included in LCB File No. R037-17 as January 1, 2018, or upon filing with the Secretary of State.

**Chairperson Fox:** Asked if there were questions or public comment.

**Commissioner Sanchez:** Referred to Section 4, which discusses relocation of an employee who may be a victim of domestic violence and inquired as to the procedures involved. **Carrie Hughes:** Clarified that the type of transfer, as mentioned at the hearings for SB 361 during the 2017 Legislative Session, was that of moving an employee to another office or location within the same work location and possibly away from immediate access from the public.

**Chairperson Fox:** Stated her understanding that the employee has to make a request for an accommodation or relocation because of safety concerns. **Carrie Hughes:** Explained that the intent of the regulation is that employee not be forced to make the changes, but rather that it be at their request or with their agreement. **Chairperson Fox:** Surmised that the difficult area to navigate going forward would be if an agency has evidence of potential domestic violence against an employee, but that the employee has not reported such to the agency or requested an accommodation. She solicited additional questions from Commissioners. There were none.

MOTION: Moved to approve the adoption of Item V-B.  
BY: Chairperson Fox  
SECOND: Commissioner Sanchez  
VOTE: Motion passed unanimously.

**V-C. LCB File No. R039-17**

Sec. 1. Section 1 of LCB File No. R100-16, is hereby amended as follows:

Appeal of refusal to examine or certify.

**Beverly Ghan:** Introduced herself as a Supervisory Personnel Analyst for the DHRM Recruitment section. Agenda Item V-C is proposed to amend a relatively new section of the regulations previously adopted as Section 1 of LCB File No. R100-16. It is labeled this way as the regulation has not yet been assigned a permanent number through the codification process. After the regulation's initial adoption, it was determined that the process described for a person to appeal the Division's refusal to examine or certify a person did not accurately represent the Division's actual process. The proposed amendments presented specify that an appeal may be submitted to the Supervisor of the DHRM Recruitment section for the initial review. If a person is not satisfied with the Recruitment Supervisor response, he or she may then request a statement of the Division's Administrator of the reasons for the refusal to examine or certify. If still unsatisfied, the person may appeal the decision to the Personnel Commission.

**Chairperson Fox:** Asked if there were questions or public comment.

**Commissioner Sanchez:** Asked for a walk-through of the process. **Beverly Ghan:** Answered that an application is received online and a recruiter receives the application immediately. The application is reviewed for minimum qualifications and if the applicant does not meet the qualifications, an online notice is sent to them within a few days of receipt of the application. The notice indicates to the applicant that they do not qualify and provides the reasons for the disqualification. If the applicant wishes to speak with someone about the decision, they can consult with a recruiter; contact information is provided. If the applicant contacts the recruiter to discuss the reasons for not meeting the qualifications, the applicant is free to provide additional information to the recruiter to clarify duties. This additional information often results in applicant eligibility. If not, the applicant may discuss with the Recruitment Supervisor the minimum qualifications. If the Supervisor does not approve eligibility, the applicant may choose to proceed through the appeal process.

**Commissioner Sanchez:** Noted that this file discusses issues of deception and fraud and asked how that is determined by the recruiter. **Commissioner Spurlock:** Stated his understanding of the concept of fraud was related to information included on the application and/or background check. **Peter Long:** Explained that typically fraud is identified when an applicant has submitted multiple applications, wherein the current application is inconsistent with what has been presented in the past. An applicant is rarely disqualified from meeting the minimum qualifications unless the deception or fraud is extremely obvious. For example, deception or fraud can include submission of invalid or expired license information. It is rare where someone would be disqualified or doesn't meet the minimum qualifications based on deception or fraud.

**Commissioner Spurlock:** Stated that because the Personnel Commission only meets every three months, an applicant's delayed ability to come to the Commission after being refused to examine might potentially hold up some recruitments severely. **Peter Long:** Acknowledged that this is correct. However, other regulations within NAC 284 describe when a list can be held up or still issued; this would not be an occasion when we would be required to hold up a list. There are also times when an appointing authority, based on compelling need, could request that a list still be certified. The applicant may not be included in that current recruitment, however, if the issue went before the Commission and it was determined that the applicant met the minimum qualifications, that would be noted for future recruitments.

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

MOTION: Moved to approve Item V-C.  
BY: Commissioner Mauger  
SECOND: Commissioner Sanchez  
VOTE: Motion passed unanimously.

#### V-D. Emergency Regulation

NAC 284.325 Preferences for veterans.

**Michelle Garton:** Introduced herself as the Supervisory Personnel Analyst for DHRM's Consultation and Accountability section. DHRM is proposing an emergency regulation amendment to address the provisions of Assembly Bill 309 of the 2017 Legislative Session, which was signed into law by the Governor on June 9, 2017, and becomes effective on October 1, 2017. The Division is proposing this amendment as an emergency regulation, as it allows the regulation to be adopted quickly and with few procedural requirements, and the permanent regulation process will delay the implementation of the statutory change the regulation reflects. However, as emergency regulations are effective for only 120 days, it is the Division's intention to bring the regulation back to the Commission as a permanent amendment at the December 7th meeting. Currently, a veteran with a disability receives ten points added to the passing grade on a ranked, competitive examination, and a veteran with a disability receives five points. There are also veteran's preference points that could be added to a passing grade on a competitive examination for a promotion that may only be used once. AB 309 requires that ten preference points must be added to the passing grade of all veterans as well as widows and widowers of persons killed in the line of duty while on active duty in the U.S. Armed Forces. This bill also removes the restriction of use of veteran's preference points. In addition, any qualified applicant on a list who is a veteran with a service-connected disability will be granted an interview. If there are veterans on a list with a service-connected disability, at least 22 percent of those qualified applicants will be interviewed. If there is not a sufficient number to reach 22 percent, each veteran who is a qualified applicant will be interviewed for the position. NAC 284.325 explains the use of preference points for veterans and the proposed amendment removes the restriction on the use of veteran's preference points in regulation.

**Peter Long:** Clarified that the bill states that all veterans with a service-connected disability must be interviewed, not 22 percent of them. For other veterans without a service-connected disability, 22 percent of those veterans must be interviewed in proportion to the total number of applicants that were interviewed.

**Commissioner Sanchez:** Noted that in terms of service-connected disability, the military usually assigns a percentage to the disabled veteran. He asked whether there would be a percentage assigned to the service-connected disability or whether any service-connected disability will qualify. **Peter Long:** Confirmed that any service-connected disability will qualify. There is no set percentage that includes or excludes an individual. **Chairperson Fox:** Stated that it is her understanding that the use of the points can be for an open competitive exam. Points can be used to enter State service and points can also be used for promotion within an organization. **Peter Long:** Confirmed this understanding. In the past, an applicant could only use the veteran's points on one promotional recruitment; use is now unlimited.

**Commissioner Sanchez:** Asked whether a general discharge makes a veteran eligible under these provisions. **Peter Long:** Stated the definition of a veteran is different than it has been and refers to another chapter of NRS. It is his belief that a person is considered a veteran for any discharge other than dishonorable. **Commissioner Sanchez:** Said he has a problem with this, as general discharges are typically given to individuals for nonjudicial punishment or not being able to complete service requirements. People who are given general discharges are not eligible for veteran's



benefits. He requested clarification for this provision. **Peter Long:** Indicated he would obtain and provide the information at the next Commission meeting. He further indicated that if that was the definition, DHRM was adhering to the requirements of the bill. **Commissioner Mauger:** Suggested that other discharge categories should also be looked at. These include Section 8, which applies to psychological issues and discipline. **Peter Long:** Requested a moment to look up the definition of “veteran” as stated per the bill in NRS 417.005. **Chairperson Fox:** Stated the Commission would return to Item V-D upon clarification from DHRM and proceed to Item VI.

## **VI. DISCUSSION AND APPROVAL OF PROPOSED CLASS SPECIFICATION MAINTENANCE REVIEW OF CLASSES RECOMMENDED FOR REVISION**

- A. Fiscal Management & Staff Services
  - 1. Subgroup: Materials & Staff Services
    - a. 7.311 Purchasing Technician Series
  - 2. Subgroup: Administrative & Budget Analysis
    - a. 7.643 Program Officer Series
- B. Medical, Health & Related Services
  - 1. Subgroup: Laboratory Services
    - a. 10.723 Pharmacy Technician Series
- C. Regulatory & Public Safety
  - 1. Subgroup: Law Enforcement Support Services
    - a. 11.260 Security Officer Series
- D. Social Services & Rehabilitation
  - 1. Subgroup: Employment Security Claims Examination & Placement
    - a. 12.127 ESD Program Specialist Series
  - 2. Subgroup: Rehabilitation
    - a. 12.440 Vocational Evaluator Series

**Chairperson Fox:** Stated the Commission would hear Item VI, Sections A, B, C and D as one unless the Commissioners would like to hear them individually. **Heather Dapice:** Introduced herself as Supervisory Personnel Analyst with the Compensation, Classification and Recruitment section of DHRM. Beginning with Item VI-A-1-a, the Purchasing Technician Series, as part of the biennial class specification maintenance review process it is recommended that revisions be made to refresh language and to maintain consistency with formatting and structure. These changes are identified in red in the handouts provided in the packet.

For Item VI-A-2-a, the Program Officer Series, as part of the biennial class specification maintenance review process it is recommended that changes be made to the series concept to clarify and expand on duties and responsibilities of the series. It is further recommended that distinguishing characteristics be added to clarify differences between this series and several other class specifications. A section regarding allocation of positions was added to further detail and clarify how Program Officers will be allocated between the three levels in the class series. The class concepts and minimum qualifications were also amended to reflect these changes and to maintain consistency with formatting and structure.

Regarding Item VI-B-1-a, the Pharmacy Technician Series, as part of the biennial class specification maintenance review process it is recommended that minor revisions be made to refresh language and to maintain consistency with formatting and structure. Item VI-C-1-a, the Security Officer Series, as part of the biennial maintenance review process it is recommended that minor revisions be made to refresh language and to maintain consistency with formatting and structure.

In terms of Item VI-D-1-a, the ESD Program Specialist Series, as part of the biennial specification maintenance review process it was determined that class concepts, minimum qualifications and knowledge, skills and abilities were consistent with the current expectations. No changes were required.

Item VI-D-2-a, the Vocational Evaluator Series, as part of the biennial specification maintenance review process it was determined that class concepts, minimum qualifications and knowledge, skills and abilities were consistent with the current expectations and required no changes. However, minor revisions were made to the minimum qualifications at each level in order to maintain consistency with formatting and structure. Ms. Dapice respectfully asked that the Personnel Commission approve the recommendations effective this date.

**Chairperson Fox:** Commented that during her briefing she felt the Division did an excellent job differentiating Program Officers from Administrative Assistants, and Program Officers from Management Analysts. She was glad to see this language, as it is a struggle for the Division when individuals feel they qualify when potentially their current work does not rise to the level of a Program Officer. **Commissioner Spurlock:** Concurred with Chairperson Fox's comments. He commended Peter Long and Shelley Blotter for their efforts in this regard, as there was an obvious need for clarification. He indicated it would help employees and managers in the long term and eliminate bad feelings or poor morale.

**Commissioner Sanchez:** Referenced the Pharmacy Tech Series and noted that within the series concept there has been a change where the Pharmacy Techs "may" review prescriptions and "may" transcribe orders, rather than "do that." He sought clarification on the change. **Lisa Friend:** Introduced herself as being with Human Resource Management Recruitment and Classification section. She stated in some locations, Pharmacists need more control. In addition, there were conversations with the Medical Director at the Department of Corrections; the Department has a new system where the function is handled exclusively by the Pharmacist, thereby freeing up the Techs. She concluded some agencies still have a need for the Techs to perform these functions.

**Cassie Moir:** Noted that Heather Dapice was responsible for the reworking of the Program Officer Series class and she did an excellent job.

**Chairperson Fox:** Asked if there were additional questions or public comment. There were none.

MOTION: Moved to approves Item VI-A through C.  
BY: Chairperson Fox  
SECOND: Commissioner Knight  
VOTE: Motion passed unanimously.

**Chairperson Fox:** Returned to Item V-D regarding clarification regarding the types of discharge. **Peter Long:** Indicated NRS 417.005 in part states:

- "As used in this title, unless the context otherwise requires, "veteran" means a resident of this State who:
1. Was regularly enlisted, drafted, inducted or commissioned in the:
    - (a) Armed Forces of the United States and was accepted for and assigned to active duty in the Armed Forces of the United States; . . . and
    2. Was separated from such service under conditions other than dishonorable."

**Commissioner Sanchez:** Stated that this means someone who has relocated from California who is a veteran does not meet the criteria, since they are not a Nevadan. **Peter Long:** Clarified they qualify as long as they have relocated and are a resident of this State. **Commissioner Sanchez:** Continued, that means that individuals with general discharges would qualify. **Peter Long:** Responded, per the reading of the statute, yes.

**Commissioner Spurlock:** Sought clarification that an out-of-state veteran applicant would not be given the preference points if they remain out of state and do not move to Nevada until they actually get the job. **Peter Long:** Stated that it would appear to be correct, based on the definition being used. **Chairperson Fox:** Said she was surprised at this provision. **Commissioner Sanchez:** Noted that when he moved from California to work for the City of Las Vegas, he received ten points veteran's credit to start his career in Las Vegas. **Chairperson Fox:** Added that from a recruitment perspective, that can become problematic, for example, in a case of attempting to recruit out of the State of Nevada for law enforcement. A veteran from California would not be awarded the points.

**Chairperson Fox:** Asked if there were any public comments. There were none. Hearing none, she entertained a motion.

MOTION: Moved to approve Item V-D.  
BY: Chairperson Fox  
SECOND: Commissioner Sanchez  
VOTE: Motion passed unanimously.

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

Posting: #24-17

10.238 Health Program Specialist II  
10.237 Health Program Specialist I

Posting: #25-17

11.564 Safety Supervisor, Elevator – DIR  
11.538 Safety Specialist, Elevator – DIR  
11.563 Safety Representative, Elevator – DIR  
11.529 Safety Supervisor, Boiler – DIR  
11.537 Safety Specialist, Boiler – DIR  
11.549 Safety Representative, Boiler – DIR

Posting: #26-17

11.519 Safety Supervisor, Railway  
11.515 Safety Specialist, Railway  
11.513 Safety Representative, Railway  
11.540 Safety Specialist, Railway – Tracks  
11.541 Safety Specialist, Railway – Motive Power  
11.542 Safety Specialist, Railway – Hazardous Materials  
11.543 Safety Specialist, Railway – Operating Practices

Posting: #27-17

7.670 Fleet Specialist II  
7.671 Fleet Specialist I

Posting: #28-17

7.507 Equal Employment Opportunity Officer

**Chairperson Fox:** Asked if there were questions on Item VII; there were none.

**VIII. DISCUSSION AND ANNOUNCEMENT OF DATES FOR UPCOMING MEETINGS. NEXT MEETING SCHEDULED FOR DECEMBER 7, 2017**

**Chairperson Fox:** Noted that the next meeting is scheduled for December 7th. Discussion ensued as to the subsequent meeting for March, 2018. There was consensus for a tentative date of March 2, 2018, although there were Commissioners who required an opportunity to review their calendars prior to final commitment.

**IX. COMMISSION COMMENTS**

**Chairperson Fox:** Invited comments from Commissioners. **Commissioner Mauger:** Asked for clarification regarding the workshop that was held for Item V. In reviewing the minutes for the workshop, he indicated there is nothing that reflects any participation from anyone other than Human Resources regarding objections or anything in writing that may have been submitted on behalf of the employee groups. **Peter Long:** Pointed out that all workshops and regulations are posted. It has been the experience that not all groups may always be able to attend. They do not typically advise whether they are in agreement with the proposed regulations, however they do reach out with any concerns or issues. No negative input was received from the associations regarding any of the regulations. **Chairperson Fox:** Once again thanked new Commissioner Patricia Knight and the two alternate Commissioners in the audience for their willingness to volunteer on the Commission.

**X. PUBLIC COMMENT**

**Chairperson Fox:** Advised 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. There were no comments.

**XI. ADJOURNMENT**

**Chairperson Fox:** Adjourned the meeting.