

**STATE OF NEVADA
PERSONNEL COMMISSION**

Richard Bryan Building, 901 S. Stewart St., Tahoe Hearing Room 2nd Floor, Carson City with
videoconferencing to Las Vegas at the Grant Sawyer Building, Conference Room 1400, 555 E.
Washington Ave

**MEETING MINUTES (Subject to Commission Approval)
Thursday, June 20, 2013**

**COMMISSIONERS PRESENT
IN CARSON CITY:**

Ms. Katherine Fox, Chairperson
Mr. David Read, Commissioner
Mr. Mitch Brust, Commissioner

**STAFF PRESENT IN
CARSON CITY:**

Ms. Lee-Ann Easton, Division Administrator, DHRM
Mr. Peter Long, Deputy Administrator, DHRM
Ms. Shelley Blotter, Deputy Administrator, DHRM

**COMMISSIONERS PRESENT
IN LAS VEGAS:**

Mr. David Sanchez, Commissioner
Mr. Gary Mauger, Commissioner

**STAFF PRESENT
IN LAS VEGAS:**

Mr. Shane Chesney, Sr. Deputy Attorney General

I. OPEN MEETING

Chairperson Katherine Fox: Opened the meeting at 1:30 p.m.

II. ADOPTION OF AGENDA

Action Item

MOTION: Move to approve the adoption of the Agenda
BY: Commissioner David Read
SECOND: Commissioner Mitch Brust
VOTE: The vote was unanimous in favor of the motion

III. ADOPTION OF THE MINUTES OF PREVIOUS MEETING

Action Item

MOTION: Move to approve the Minutes of the 05/10/13 meeting
BY: Commissioner Gary Mauger
SECOND: Commissioner David Sanchez
VOTE: The vote was unanimous in favor of the motion

IV. PUBLIC COMMENT NOTICE: Read into record by **Chairperson Fox:**

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) 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 Committee Chair may elect to allow additional public comment on a specific agenda item when the item is being considered.

Chairperson Fox: Asked if there was any public comment. She noted there was none in the north or the south.

**V. APPROVAL OF PROPOSED EMERGENCY REGULATION CHANGES TO
NEVADA ADMINISTRATIVE CODE, CHAPTER 284 Action Item**

A. NAC 284.531 – Furlough Leave

Shelley Blotter, Deputy Administrator, HRM (Human Resource Management): Stated that she had before the Personnel Commission an Emergency Regulation. She noted it was proposed as a result of action taken during the Legislative Session. She stated that the Legislature had continued the furlough in the same manner that had been implemented over the last two years. She stated that on the previous occasion when the Furlough Regulation was adopted it was set to expire on June 30, 2013. She explained that two things needed to be done. The first was to extend the regulation to June 30, 2015. She added the second concerned language. She said that in the body of the regulation, subsection 10 there was a reference to the statute that was adopted in 2011 and this would now be updated to reflect the bill that had adopted furlough once again for the next biennium.

Commissioner Read: Asked whether it was eight hours per month originally and then cut back to four. **Shelley Blotter:** Responded yes, for the first biennium the furlough enacted had been 96 hours per year and then became 48 during the last two years. She stated that they were moving forward now in that same manner.

Chairperson Fox: Asked if there any questions in the south.

Commissioner Mauger: Asked what the downside would be if the Commission did not adopt the furlough regulation. **Shelley Blotter:** Responded that this would then provide no instruction to the agencies on how to implement it. She stated that this would provide a framework and structure so agencies would implement them fairly and evenly across the state service. **Commissioner Mauger:** Asked if the furloughs would be continued or extended. **Shelley Blotter:** Responded that the furloughs are set by the Legislature and she said that was required regardless of whether the Commission would adopt the regulation or not. She continued that the regulation would give instruction to the agencies and she provided several examples of situations. She commented that this was just implementing the furlough and was not making any other demand or increase. **Commissioner Mauger:** Noted that it was extending what was already in place. **Shelley Blotter:** Confirmed that was correct. **Commissioner Sanchez:** Asked if there had been any feedback from employees about the extension of the furlough. **Shelley Blotter:** Responded that she had not received any nor was she aware of any coming from staff.

Chairperson Fox: Asked if there was any public comment. There was no public comment in the south.

Shelley Blotter: Stated that she would read the Statement of Emergency into the record:

"Whereas, the Personnel Commission has convened this public meeting for the purpose of considering the adoption of the foregoing Emergency Regulation which relates to the implementation of furloughs. Whereas, the Commission finds that an emergency exists insofar as:

- 1. The need for swift action to implement furloughs due to the state's significant budget shortfall and the statutory requirements for implementation of the furloughs on July 1, 2013 does not leave adequate time for the Commission to use the procedures mandated by Chapter 233B of the NRS for amending a permanent regulation and*
- 2. That the current regulation requiring 48 hours of furlough leave per fiscal year for full-time employees, pro-rated for part-time employees expires on June 30, 2013 which will be extended to June 30, 2015.*

Now, whereas, the Commission hereby adopts the following Emergency Regulation which shall be effective on July 1, 2013 upon the endorsement by the governor and filing with the Secretary of State."

Shelley Blotter: Noted that was followed by the text of the regulation. She added that they would have to go through the regular adoption process including a workshop and pre-adoption review by the Legislative Commission, the approval of the Personnel Commission and then post-approval by the Legislative Commission for it to become a permanent regulation.

Chairperson Fox: Noted it was her understanding that this was the adoption of an Emergency Regulation so the furloughs could continue into the new fiscal year beginning July 1st. **Shelley Blotter:** Responded that was correct.

MOTION: Move to approve the adoption of proposed Emergency Regulation changes to the Nevada NAC 284.531- Furlough Leave effective July 1, 2013 through June 30, 2015 and the authority to do so provided in AB511 of the 2013 Legislative Session
BY: Commissioner Read
SECOND: Commissioner Brust
VOTE: The vote was unanimous in favor of the motion

VI. PUBLIC COMMENT: Read into record by **Chairperson Fox:**

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) 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 Committee Chair may elect to allow additional public comment on a specific agenda item when the item is being considered.

Chairperson Fox: Asked if there was any public comment. She noted there was none in the north or the south.

VII. ANNOUNCEMENT OF DATES FOR UPCOMING MEETINGS

Chairperson Fox: Stated that they had identified September 20, 2013 and December 13, 2013 to end the meetings in 2013.

VIII. ADJOURNMENT - The meeting adjourned at 1:43 p.m.