

**STATE OF NEVADA  
PERSONNEL COMMISSION**

Carson City at the Legislative Counsel Bureau, 401 S. Carson St., Room 4100 and in Las Vegas at the Grant Sawyer State Building, Room 4412E, 555 East Washington Avenue via Video Conference

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**MEETING MINUTES  
Friday, September 26, 2014**

**COMMISSIONERS PRESENT  
IN CARSON CITY:**

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

**STAFF PRESENT IN  
CARSON CITY:**

Shane Chesney, Sr. Deputy Attorney General  
Lee-Ann Easton, Division Administrator, DHRM  
Peter Long, Deputy Administrator, DHRM  
Shelley Blotter, Deputy Administrator, DHRM  
Tawny Polito, Executive Assistant, DHRM

**COMMISSIONERS PRESENT  
IN LAS VEGAS:**

Mr. David Sanchez, Commissioner  
Mr. Andreas Spurlock, Commissioner

**STAFF PRESENT IN  
LAS VEGAS:**

Heather Dapice, Personnel Analyst, DHRM  
Adrian Foster, Personnel Analyst, DHRM

**I. OPEN MEETING**

**Chairperson Katherine Fox:** Opened the meeting at 9:00 a.m. She welcomed everyone and took roll call.

**II. 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 Commission 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. There was none in the north. Commissioner Sanchez noted there was none in the south.

**III. ADOPTION OF THE MINUTES OF PREVIOUS MEETING      Action Item**

**MOTION:**                    Move to approve the Minutes of the meeting dated July 11, 2014.  
**BY:**                            Commissioner Sanchez  
**SECOND:**                    Chairperson Fox

VOTE: The vote was unanimous in favor of the motion. **Commissioner David Read** abstained.

**V. DISCUSSION AND APPROVAL OF PROPOSED CLASS SPECIFICATION MAINTENANCE REVIEW OF CLASSES RECOMMENDED FOR REVISIONS AND ABOLISHMENT**

**Chairperson Fox** noted that Agenda Item V will be discussed before Agenda Item IV to expedite staff time regarding questions.

- A. Engineering & Allied
  - 1. Subgroup: Environmental & Land Use Services
    - a. 6.714 Chief of Planning and Development

**Eric Mager**, Supervisory Personnel Analyst, Classification Unit, DHRM: noted that in the past when they worked on this section the job description was discussed, then changes were made. He asked if today they could go into the changes rather than read job descriptions in order to save time. Chairperson Fox approved.

**Rachel Baker**, Personnel Analyst, Classification Unit, DHRM: stated this class was reviewed by management and it was recommended that revisions be made.

**Mark Davis**, NDSP: Asked for any questions regarding the changes recommended.

**Chairperson Fox**: Asked for any questions from Commissioners. There were none. She then asked for any public comment related to the item. Hearing none, she entertained a motion.

MOTION: Move to approve Item V. A. Engineering and Allied changes  
BY: Commissioner Read  
SECOND: Commissioner Sanchez

VOTE: Motion passed unanimously.

- B. Fiscal Management & Staff Services
  - 1. Subgroup: Prop Appraisal, Val & Acquisition
    - a. 07.406 Assistant Chief, Right-of-Way
    - b. 07.412 Right-of-Way Series
    - c. 07.428 Staff Specialist, Right-of-Way

**Rachel Baker**: Stated with regard to item V. B. 1.a, management in the DOT reviewed the classes for Assistant Chief, Right-of-Way and determined that minor revisions of the class must be made in order to reflect the scope of work currently being performed. Regarding item V.B.1.b, the specification for Right-of-Way Series was reviewed by a Deputy Chief for the DOT and it was determined that the concepts and minimum qualifications are consistent with current expectations and no changes are necessary. The Staff Specialist, Right-of-Way agenda item V.B.1.c, was reviewed and it was determined that the concepts and minimum qualifications and knowledge of the class are consistent with current expectations and that no changes are necessary.

- 2. Subgroup: Intern Program
  - a. 07.673 Career Aid Series

**Denyse Bandettini**, Personnel Analyst, Classification Unit, DHRM: stated it is recommended that the class specification remain the same and only minor changes are recommended under the knowledge, skills, and abilities of the minimum qualifications. She stated that because there are no specific experience or education requirements at level one of the series, they recommend removing “the world of work” language under “Knowledge Of” at the level three as it only applies to level one where no specific experience or education is required. She also recommended a minor change be made to the same language under level one.

3. Subgroup: Public Information
  - a. 07.854 Chief Cultural Resource Manager

**Rachel Baker**: Stated regarding Chief Cultural Resource Manager it is recommended to include the requirement of a driver’s license which has always been required but not explicitly stated. She stated the position also required that the incumbent hold principal investigator status at the time of application. She stated that additionally minor updates were made to minimum qualifications to verify that the combination of education and experience at a bachelor’s degree level and the knowledge and abilities to reflect current technologies. She noted that no other changes were necessary as the duty statement remain consistent with the work currently performed. She requested approval of all the class specification changes.

**Chairperson Fox**: Asked if anyone had questions regarding item V.B. subgroups.

**Commissioner Spurlock**: Asked about Assistant Chief Right-of-Way. He asked for clarification if the position might be acquiring Utilities and Railroads. He stated that the wording of the change implied as such. **Chairperson Fox**: Stated that a representative of the department was coming forth to answer the question. **Rob Easton**, NDOT: Stated that the DOT right-of-way does intersect both railroads and other types of utilities so it will actually be on the department’s right-of-way so the purchase of land or responsibility for any type of upgrade is up to the DOT. He stated that the wording is accurate. **Commissioner Spurlock**: Asked for clarification that land and rights-of-ways “of” the utilities and the railroads was the correct wording. **Rob Easton**, NDOT: Stated yes. He stated the process was reviewed and approved by the Chief Right-of-Agent and the DHRM.

**Chairperson Fox**: Asked for any addition questions. There were none in the north or south.

**MOTION:** Move to approve changes to the occupational group Fiscal Management Staff Services, revisions to subgroup Property Appraisal, Value, Acquisition, including Assistant Chief Right-of-Way, Right-of-Way Series, Staff Specialist for Right-of-Way, subgroup the Intern Program, Career Aid Service Series, and Public Information subgroup Chief Cultural Resource Manager

**BY:** Commissioner Read

**SECOND:** Commissioner Sanchez

**VOTE:** Motion passed unanimously.

- C. Medical, Health & Related Services
  1. Subgroup: Public Health Dental
    - a. 10.261 Dental Prosthetics Technician

2. Subgroup: Environmental and Health Protection
  - a. 10.504 HIV/AIDS Program Manager
  - b. 10.514 Emergency Medical Services Rep Series

**Heather Dapice**, Personnel Analyst, Classification Unit, DHRM: Stated the classification for the series V. C. 1. a. was reviewed by agency management, HR staff, and the Department of Corrections and the University of Nevada Las Vegas. She stated they found the concepts, minimum qualifications, and knowledge, skills, and abilities are consistent with current expectations. She recommended that no changes to the class specifications were necessary. She then discussed item V.C. sub-item 2.a, HIV/AIDS Program Manager. She stated they consulted subject matter experts and determined that only minor modifications to the duties statements were needed to include responsibility for the HIV prevention program. The knowledge, skills, and abilities were revised reflect these changes. She then discussed item V.C.2.b, Emergency Medical Services Representative. She stated they consulted with subject matter experts from the Department of Public and Behavioral Health and determined that only minor changes to the series' concept were needed to policies, procedures, and statutory changes. She stated that an informational note was added which requires certification of an advanced emergency medical technician, licensure as a paramedic, or licensure as an EMS registered nurse to be acquired within six months of appointment and as a condition of continuing appointment at the Emergency Medical Services Representative III level. She stated the agency feels that the scope of responsibility and professional nature of the III level requires that incumbents have the advance level certification.

3. Subgroup: Laboratory Services
  - a. 10.740 Radiological Technologist

**Denyse Bandettini**: Stated it is recommended to add language associated with handling digital images using a computer to the Radiological Technologist class specification.

**Chairperson Fox**: Asked for any questions regarding item V.C. Medical Health Related Services.

**Commissioner Sanchez**: Noted that the HIV/AIDS Program Manager language stating under the administrative direction from the State Epidemiologist has been removed. He asked who the position reports to. **Heather Dapice**: Answered it reports to the Health Program Manager for the division. She stated that they don't have the State Epidemiologist as a supervisor anymore. **Commissioner Sanchez**: Asked if it were necessary to state the supervisory reporting relationship for this position. **Heather Dapice**: Answered that the position has been moved back and forth so to put in any supervisory report they would have to change it again if it moves to another department.

**Chairperson Fox**: Asked Heather Dapice about the Emergency Medical Services Representative III. She noted the informational note talks about the certification required within six months of employment for the three level and asked if the certification was paid for by the State or if incumbents incur that as a cost. **Heather Dapice**: Stated she believes the incumbents incurs the cost.

**Chairperson Fox**: Asked for any further questions related to Item V.C. Seeing and hearing none, she entertained a motion.

**MOTION**: Move to approve changes to the occupational group Medical Health and Related Services, specifically subgroup Public Health Dental to include Dental Prosthetics Technician; subgroup Environmental Health Protection to

include HIV/AIDS Program Manager, Emergency Medical Service Rep Series, and Laboratory Services, specifically Radiological Technologist

BY: Commissioner Read

SECOND: Commissioner Fox

VOTE: Motion passed unanimously.

- D. Regulatory & Public Safety
  - 1. Subgroup: Licensing & Regulations
    - a. 11.412 Tort Claims Adjuster
    - b. 11.509 Plans Examiner Series

**Heather Dapice:** Discussed Item V.D. sub-item 1.a. Tort Claims Analyst. She stated that in consultation with subject matter experts in the Attorney General's Office, it was determined that modifications to the duty statements were needed to reflect process changes and update language. She also noted that there were changes to the knowledge, skills and abilities. She stated the class title should change from Tort Claims Adjuster to Tort Claims Analyst. She noted the change of emphasis from adjusting claims to the analysis of legal liability and the state of Nevada's risk factors. She then discussed Item V.D. sub-item 1.b Plans Examiner. She stated in consultation with subject matter experts, the Department of Public Safety Fire Marshall Division, it was determined that minor changes were needed to account for changes in codes and certifications. She stated that special requirements and the minimum qualifications were modified to reflect these changes.

**Chairperson Fox:** Asked for any questions from the Commissioners. There were none in the south or north. She then asked for public comment. There being none, she entertained a motion.

MOTION: Move to approve changes to the occupational group Regulatory and Public Safety, specifically subgroup Licensing and Regulations, to approve revisions to Tort Claims Adjuster and Plans Examiner Series

BY: Commissioner Read

SECOND: Chairperson Fox

VOTE: Motion passed unanimously.

#### IV. INDIVIDUAL CLASSIFICATION APPEAL

**Chairperson Fox:** Introduced agenda Item IV and noted they would speak to Item IV.B. first.

- B. Siovhon Goldstein, Administrative Assistant III -- Office of the State Treasurer

**Chairperson Fox:** Noted that Ms. Goldstein provided additional documentation, 35 pages, within the last two to three days and the Commission has not had an opportunity to review that in any detail. She also noted that there was an apparent miscommunication regarding the timeframe when the incumbent was to submit her package for consideration. She gave the incumbent a choice to reschedule the appeal to December if the incumbent felt she had not been given enough time. Siovhon Goldstein conferred with a representative and decided to proceed.

**Chairperson Fox:** Instructed Siovhon Goldstein on how to address the Commission and explained the process.

**Siovhan Goldstein**, Administrative Assistant III, Office of the State Treasurer: She stated she started with the Unclaimed Property Division in 2008 as an Administrative Assistant II, then was promoted to Administrative Assistant III. She stated her main job function is to reunite funds to owners through the department's outreach program. She stated she has the full support of the agency and Chief of Staff, who was not present. She stated the Deputy Treasurer for the Unclaimed Property Division was present as well as the Program Officer I and Auditor III. She compared the reasons for reclassification according to the DHRM job classification process to her new duties. She stated her work requires significantly higher levels of knowledge and skills than indicated for her class specification. She noted that due to the growth of her office, job functions have significantly changed since 1999 and that new jobs were created and allocated to various positions. The complexity of researching and analyzing claims in her position has changed significantly.

She stated that when she started her job in 2008 the Deputy Treasurer was in charge of making decisions whether a claim was needed or additional information, and to determine who the check was payable to in regards to business or international claims. She stated at that time her only duties were to review the easy level claims and request additional documentation needed for the Deputy's decision. She stated her duties have significantly changed and transferred to her position which required her to obtain a higher level of knowledge and skills needed to research and analyze claims.

She explained that the next reason for upgrade is that the position is assigned responsibilities for making program recommendations and decisions with the degree of authority and independence not typical of other positions in the class. She stated that, as the duties of a Program Officer listed in the class specification of the HR department, she also provides information and interpretation of the program and its rules and regulations to department staff, general staff, and program clientele. She stated she continuously interprets statutes for all states and international countries involving laws governing wills, trusts, probates, and estates. She stated business owners also fall into this category and require extensive knowledge and understanding of the corporate laws relating to mergers, acquisitions, bankruptcies, and dissolution. She stated that she also must have the ability to interpret legal documentation to ensure the rightful owner is paid. If this is not correctly determined, it could result in the claim being paid twice.

She noted that she has worked on several claims that she discovered were fraudulent and saved thousands of dollars for the State being paid illegally. She gave an example of a claimant for a company who said he purchased the company. She said the claimant had the documents that were signed from the previous owner. She stated during the investigation she realized the company was no longer in business and discovered that the claimant fraudulently made the documentation. She stated the case has been going through the legal process for approximately two years and she will be attending the hearing when it happens.

She stated new responsibilities added to her position include reviewing and creating deputy bonds for cashier checks. She explained that bond principles involve analyzing property and reports sent by the reporting entity or detailed information in order to make a final decision for payment. She stated that garnishments, taxation withholds, IRS liens and writ of executions are also processed under her position. She stated that disputed funds and court funds are also part of the process which requires extensive knowledge and determination to figure out if the funds should be returned to the reporting company and to inform the claimant how to proceed with the Clark County court. She stated that check cancellation and reissue also involves researching to determine the check has been negotiated and determine whether the check is reissued, stale dated, or reissued in other named, entity, trust, or estate.

She stated she would state her concerns in the process involved in the matter. She stated her concern that the HR department arrived at their decision, although she had previously stated that much of the information they used to arrive at their decision was incorrect. She stated her concern that errors were never taken into consideration or acknowledged and this leads her to believe her request for job upgrade was not taken seriously.

She stated there was difficulty in receiving documentation from the Human Resource Department, the document being the NPD-19 for her position that the department used to come to their determination. She stated that in addition to the appeal documentation, previously sent documentation was mailed to an incomplete address; no suite number was provided. She stated that confidential information concerning herself was sent to other agencies, which caused delays in receiving it in a timely manner.

She stated it was stipulated in the response to her Individual Study Appeal prepared by Human Resources the duties she currently performs were previously performed by other Administrative Assistant IIIs. She stated this was incorrect. She stated one of the responsibilities for that position was holder reporting and the other is stock. She stated that the current Administrative Assistant II's responsibility is to assist her with claims processing. She stated that too is incorrect. She stated the Administrative Assistant II has no jurisdiction in processing claims nor does the job description state this.

She stated that according to the June 9, 2014 letter from Lee-Ann Easton, the initial decision to deny the upgrade was based on the NPD-19 that Human Resources has on file for her position. She stated that that job description was the job description for the current Program Officer I for Holder Reporting (exhibit 12 by DHRM). She stated that no one has been able to find the NPD-19 for her current position. She noted that exhibit 12 was from 1999 and that this position has been changed twice since that time, and the job duties listed are those of a Program Officer.

She stated that an email from Heather Dapice dated February 14, 2014, Ms. Dapice indicated that processing claims for the Unclaimed Property Division is not a program and therefore her position does not qualify for a Program Officer upgrade. She asked if this were true, how was it that the person responsible for Holder Reporting is now a Program Officer.

She indicated information in a packet she sent to the Commission one day prior to the meeting explained the current positions. She stated no one has been able to find the current job descriptions positions for the Unclaimed Property Division and she wanted to show what the positions have changed into.

She stated that she had recently found documentation for a Program Officer I in charge of processing claims in 2000. She stated that position has been upgraded over the years and is now a Management Analyst IV. She stated that the job description does include processing claims.

**Chairperson Fox:** Thanked Ms. Goldstein. She asked if there were any questions from the Commissioners. **Chairperson Fox:** asked Ms. Goldstein her educational level. **Ms. Goldstein:** stated she has a degree in Management Information Systems from the University of Nevada, Las Vegas and a minor in Finance. **Chairperson Fox** asked for any further questions.

**Chairperson Fox:** Introduced Heather Dapice, representative of DHRM, to present her findings.

**Heather Dapice:** Stated she conducted the Individual Classification Study on appellant Siovhon Goldstein's position on April 3, 2014. She stated the study included review of position description questionnaires from the occupational group study completed in 2001 and NPD-19, work performance standards, and class specifications. She stated that the review determined there was no significant change, as defined in 284.126, which resulted in a denial of the appellant's request to reclassify her position. She stated that "significant change" means the duties assigned to a position have changed to such a degree that the current class specification no longer fairly describes the preponderance of responsibilities. She stated that in applying a definition of change that is the result of natural growth or increasing workload common to most positions in State service is not considered to fall within the meaning of significant change, nor is the addition of duties that are similar in nature of complexity to previous responsibilities. She stated that in the review it was noted that in 2001 three positions within the Unclaimed Property Division were classified as Administrative Assistant IIIs. She stated position number three, currently occupied by the appellant, was responsible for minor claims processing; however, the preponderance of duties were related to working with holders of abandoned or unclaimed property to ensure they were compliant to reporting the property. She stated that position number four performs claims processing and in addition retains a system of accounting and controls for securities and mutual funds. Position number seven also performs claims processing, holder reporting, stocks and mutual funds, and the safety of property. She stated the position description questionnaires are exhibits 12 and 14 respectively.

She stated in 2006 the duties were consolidated and rotated amongst the Administrative Assistant IIIs. She stated position three currently held by the appellant was given responsibility for claims processing. She stated position four maintained responsibilities for securities and mutual funds, and position seven was given responsibility for holder reporting. She said this was evidenced by exhibit nine. She stated that exhibit 11, an NPD-19 approved effective 10/01/2007, that created an Administrative Assistant II position in part and describes in questions one and three of the NDP-19. She stated this position was to assist position three for receiving, logging, scanning and reviewing the validity of the individual claim and forwarding it to position three for approval.

She stated that in February of 2008, the appellant was hired as an Administrative Assistant II and on August 22, 2008 the appellant was moved to her current position, Administrative Assistant III, position three. She stated that exhibit eight shows on August 25, 2008 the appellant signed work performance standards that are identical to the work performance standards on exhibit nine, dated 12/13/2006. She stated exhibit seven also shows a performance standard dated 9/14/2013 which are also identical to those signed in 2008 and in 2006.

She stated in February of 2013, she was asked to conduct a paper audit on the appellant's position to determine if the agency should request funding for an upgrade. She stated that the position, as stated in the NPD-19 and verified through the review, is to process unclaimed property claims. She stated on February 15, 2013 she sent an email documenting she found no significant changes to request a reclassification to a higher level. She stated the NPD-19 and subsequent correspondence was exhibit six. She stated in conducting the individual classification study in April of 2014 it was again noted and verified that the primary function of the position is to review and approve unclaimed property claims. She stated that in the review she found out that while there were new duties added to the position such as processing check cancellations, processing claims resultant in requests for garnishments and liens, and bond verifications, these changes were not significant, were similar in nature, and were not totally outside the scope of duties and responsibilities of an Administrative Assistant III.



She stated the appellant, in her appeal, questioned whether accurate comparisons could be made by using positions of other divisions when her position is unique and specific to Unclaimed Property. She stated that in conducting comparisons they look at duties being performed, not which division duties are performed in. She stated that processing claims is a function that is similar across the board and may be utilizing many of the same steps. She stated that the appellant indicates that her duties are more comparable to a Program Officer because she implements established policies and procedures, provides information and interpretation of her program and its rules and regulations. She stated Program Officers perform administrative work in planning, coordinating, and directing a comprehensive program of program functions for specific clientele. She stated this position does not plan, coordinate, or direct a program or program function. She explained further examples of the different job specifications. She stated that the appellant's duties are not outside the scope of responsibilities of the Administrative Assistant III level.

She stated she would be happy to answer any questions.

**Chairperson Fox:** Asked for any questions for Ms. Dapice or the appellant from the Commissioners. **Commissioner Sanchez:** Asked Ms. Goldstein if her statement that the agency had requested the classification study was correct. **Siovhon Goldstein** stated it was correct. **Commissioner Sanchez:** Reiterated that she did not do so herself. **Siovhon Goldstein:** Stated she has the support of Steve George, their Chief of Staff, who filed the NPD-19 on her behalf. **Commissioner Sanchez:** Noted that in a letter dated July 21, 2014, the appellant said she had requested a copy of her NPD-19 and she never received it and he asked if that was correct. **Siovhon Goldstein:** Stated that was correct. She stated she is looking for the NPD-19 that shows her job functions. She stated that many things have changed along the way regarding positions. She stated that the NPD-19 she was given shows the duties of a Program Officer. She explained the changes in positions and duties over the past few years. **Commissioner Sanchez:** Asked Heather Dapice about the concern regarding the original NPD-19 and if she used accurate information in making the study conclusions. **Heather Dapice:** Reiterated that in 2001 there was an occupational group study which provided position description questionnaires, not NPD-19s, which was used to assign the positions to Administrative Assistant III levels. She explained in 2006 the agency rotated and reassigned duties and did not include NPD-19s for that rotation. She stated that she used the work performance standards to determine which duties were assigned to position three. She stated again that position three had originally been assigned "holder" responsibilities and those duties were reassigned to position seven. She stated that position seven was reclassified in 2008 to an Account Technician and in 2007 a new position was recreated, to perform Holder functions, but that position also does things related to outreach and has a higher level of duties. She also stated that position four was reclassified to a higher level due to the higher level of responsibilities with stocks and bonds. She stated that no NPD-19 was ever submitted by the agency; they just had work performance standards for the position that was reassigned in 2006. She stated that in 2012 the agency submitted a NPD-19 requesting a new classification, which they denied because there was no significant changes in the duties of Administrative Assistant III. She noted that the appellant was provided all of this information.

**Siovhon Goldstein:** Asked permission to speak. **Chairperson Fox:** Agreed. **Siovhon Goldstein:** Explained that she received the NPD-19 for the two previous ones that were submitted. She reiterated the Commissioners have a breakdown of the current positions for the Unclaimed Property. She stated that the Program Officer is actually in charge of the Holder Reporting which is the opposite of claims processing. She explained the process of a claim and reiterated that the duties of different positions have been changed.

**Commissioner Sanchez:** Asked Ms. Goldstein how long she has been in her current position. **Siovhon Goldstein:** Stated since August 2008 but that she has been processing claims since she was an Administrative Assistant II. She stated that the duties of an Administrative Assistant II in the work standards it does not include processing claims and that Ms. Dapice's reference to AAIIs working on easy level claims is actually the projection of a position the agency presented to obtain and did not receive.

**Commissioner Sanchez:** Asked Heather Dapice about her educational background. **Heather Dapice:** Stated she has a Bachelor's Degree in Business Administration from UNLV with a concentration in Human Resource Management. **Commissioner Sanchez:** Asked how long she has been in her position. **Heather Dapice:** Stated she has been doing classifications for seven years with the State of Nevada and prior to that she worked 17 years doing investigatory research and interviews. **Commissioner Sanchez:** Asked Heather Dapice about her training in classification studies. **Heather Dapice:** Stated that classification studies, not only with regards the knowledge and skills from her degree and the PRH she has, she was trained in 2008, shadowed for a year to do the classification process. She stated during the classification process they do classification maintenance and occupational group studies to give them a strong knowledge of the classification.

**Commissioner Sanchez:** Stated that unless he could find some very specific details that would suggest Ms. Dapice's process and procedures were wrong, he is not convinced that what she wrote is incorrect. He stated he would like to hear any information about errors in the procedures followed in the classification study.

**Chairperson Fox:** Recognized Commissioner Spurlock. **Commissioner Spurlock:** Stated he understands the classification system and that a majority is about context. He asked if there were a manager from the unit present and asked Chairperson Fox if he could ask them a question. **Chairperson Fox:** Said to proceed. **Linda Everhard,** from the Unclaimed Property Division: Introduced herself. **Commissioner Spurlock:** Asked if Linda felt that, other than Ms. Goldstein, anybody else in the unit is improperly classified, without saying any names or details. He then asked for a general summary of what the two Program Officers do and what the Administrative Assistant II and what the Management Analyst I does. **Linda Everhard:** Stated she does not believe anyone else in her office is misclassified. She stated the Administrative Assistant II answers the phones, greets customers, and initiates claims which means she will print them or work online downloading claims. The Administrative Assistant II's main purpose to get the claims printed and the information in the mail, getting the additional evidence and receiving that and does not do any claims processing. She stated one of the Program Officers does outreach and his primary responsibilities are the voluntary disclosure program, assessing penalty and interest on late holder reports. She stated he works in conjunction with the other Program Officer I and also works with the Secretary of State portal about non-reporting businesses and attempts to get them to report. She stated the other Program Officer is totally responsible for the Holder Reporting system. She stated the employee supervises an accounting position and writes the Holder Reporting manual each year and determines whether or not holding reports should be accepted by the agency. She stated she works with the online portal, with individuals, and the other Program Officer. She stated the Management Analyst I was one of the Administrative Assistants whose position was reclassified and is the stocks and bonds and mutual funds officer who is responsible for tracking interest, shares, etc. and works with agencies. She stated the Management Analyst I authorizes sales of the stocks and bonds if the claimant requests.

**Commissioner Spurlock:** Asked Heather Dapice if there were any aspect of Linda Everhard's statement regarding positions in the unit that she disagrees with or wanted to clarify. **Heather**

**Dapice:** Stated there is a copy of the NPD-19 in the Commissioners' packet for the Administrative Assistant II where the position is supposed to be doing those higher level duties with regards to claims processing, holder information, which is described in I and III. She stated that it appears there has been some removal of higher level duties from the II. She stated that with regards to the Program Officer IIs, which were created as new positions, that position was supposed to do holder education and outreach, which has been reassigned to the other officer, as well as identifying businesses, reviewing best practices in other states, report and analysis of reconciliation of holder reports, etc. She stated that a large amount of one Program Officer's duties has been reassigned to the other Program Officer. She stated as regards the appellant's position it is still claims processing.

**Commissioner Spurlock:** Asked for a final response from Linda Everhard. **Linda Everhard:** Explained they do have a new individual in the Administrative Assistant II position who underfilled as a I and will promote to a II in October and then some of the minor claims processing duties will come to the fore. She stated that the volume the unit is dealing with is 11,000 claims after one week of advertising and that their only claims processor is Siovhan Goldstein.

**Chairperson Fox:** Asked Linda Everhard how many programs the Unclaimed Property Division had. **Linda Everhard:** Answered that the division has an Audit Section, a Holder Reporting Section, a Stocks and Bonds Section, the VDA Penalty and Interest Section, and the Claims Processing Section which is larger. **Chairperson Fox:** Asked what job class is responsible for program administration of claims processing. **Linda Everhard:** Answered that the appellant does the claim processing from the time that she receives the claim, doing the research, requesting additional documentation, reviewing documentation, and making the decision as to whether the claim goes forward or not. She stated that in the past claims have been approved in their system by a Management Analyst IV, a position currently unfilled, so currently she is performing that duty as Deputy Treasurer. **Chairperson Fox:** Asked if Linda Everhard were to call claims processing a program, she would say a Management Analyst IV is responsible for that program. **Linda Everhard:** Stated that position is the supervisor of the claims processor and the Administrative Assistant II and III, but that the majority of the work is performed by the appellant. She stated that the appellant does the decision making as far as for internal controls and for the information received. She stated Ms. Goldstein does make the decisions whether a claim will move forward or not. She states the final approval rests with someone else but that the appellant's approval is the determining factor as to whether a claim may go forward or not.

**Commissioner Read:** Commended Ms. Goldstein for being well represented. He stated he does not understand as much as the others, not being Human Resources. He stated that if the Treasurer's Office does not advance the appellant that there were many other places in the State of Nevada service that would love to have her service in a higher position.

**Chairperson Fox:** Stated she believes that the appellant is the claims processor with that decision making ability but her dilemma is that the State of Nevada and what the DHRM presented is that the job expectation of Administrative Assistant III's in other departments with in-state services is that they are handling claims at that same job classification level as the appellant, the Administrative Assistant III. She stated she believes Ms. Goldstein does have an opportunity for a great career in State service.

**Chairperson Fox:** Asked for any additional questions or comments. She then asked for public comment.

**Commissioner Sanchez:** Stated there was public comment in the south.

**Cecilia West:** Introduced herself as an Auditor II Unclaimed Property Division, who has been with the division since 1995. She stated that what the appellant does is very complex. She stated she was a Program Officer III at one time and would have supervised the appellant's position and the predecessor to Ms. Goldstein had a much lower level of work. She noted that the appellant has a degree and uses it. She stated many good things regarding the appellant and stated that the information given to personnel is not equal to job duties within the agency because the agency is understaffed with the amount of work and the volume they do. She stated that the level of work the Commission has been detailed regarding Administrative Assistant III is nowhere near the complexity of what the appellant is examining. She stated that when she was supervising, she was doing the level of claims that Ms. Goldstein is currently doing. She stated the appellant has been instrumental in saving the State thousands of dollars in fraudulent claims. She stated the level of work and complexity of work that the appellant is doing in the Administrative Assistant III position is higher than ever in the past. She disagreed with the job duty descriptions given by Heather Dapice.

**Chairperson Fox:** Thanked Cecilia West and asked if Linda Everhard had any response to the comments. **Linda Everhard:** Stated she agreed with Cecilia West since Ms. West has been in the agency the longest. **Chairperson Fox:** Asked if she could explain why Claims Processing is not a program and why Audit is a program, Holder Reporting is a program. **Linda Everhard:** Replied that she did state Claims Processing was a program within the office.

**Chairperson Fox:** Asked for any further public comment.

**Siovhon Goldstein:** Asked to make a final statement. **Chairperson Fox:** Agreed. **Siovhon Goldstein:** Stated she did a lot of research regarding the position and found a Program Officer I position for the University of Reno posted from the State which listed duties as "The incumbent will log and process exceptions, corrections, and substitutions for a degree requirement." She stated that the description sounds like her work with claims.

**Commissioner Sanchez:** Stated there was additional public comment in the south.

**Lisa Cole:** Introduced herself as the Program Officer for Unclaimed Property for Holder Reporting. She noted that Chairperson Fox wanted to know why claims processing was not a program. She answered that there was an email from Ms. Easton from February 2013, she believed, where Ms. Easton specifically stated that claims processing wasn't a program. She stated the department questioned why claims processing wasn't and that at one point all three Administrative Assistant III positions were to be upgraded but because the previous claims processor did not have a bachelor's degree the State Treasurer refused to upgrade that position. She stated that Ms. Goldstein then filled the position and the question fell by the wayside and the position was never upgraded. She stated that at the same time her and the other Program Officer I's positions were upgraded the claims processor was also supposed to be upgraded but because of the lack of educational background it was put aside.

**Commissioner Spurlock:** Requested to make a comment. **Chairperson Fox:** Agreed. **Commissioner Spurlock:** Stated that the last three out of three instances were trying to differentiate between the Administrative Assistant job family and the Program Officer job family. He stated every agency struggles with the problem. He stated that the State will have to deal with it.

**Chairperson Fox:** Asked for any additional public comment. There were none. Chairperson Fox entertained a motion.

**MOTION:** Move to deny the appeal of incumbent Siovhon Goldstein from Administrative Assistant III to Program Officer I for the State Treasurer's office

**BY:** Commissioner Sanchez

**SECOND:** Commissioner Spurlock

**VOTE:** Motion passed. Chairperson Fox voted no.

**Chairperson Fox:** Thanked Ms. Goldstein and representatives from the Office of the State Treasurer as well as the DHRM. She called for a 10 minute break.

A. Julia Bledsoe, Administrative Assistant IV, NSHE – Business Center North

**Chairperson Fox:** Explained the appeal process to Julia Bledsoe.

**Julia Bledsoe,** Administrative Assistant IV, NSHE: Introduced herself. She stated she did submit an NPD-19 to have her position upgraded to Program Officer. She believes the position she held is a Program Officer because of the level of responsibilities she had. She stated she ran various programs and has found comparable Program Officer announcements. She also stated that she is no longer in the Administrative Assistant IV position as she has been moved to a Program Officer I at a Truckee Meadows Community College. She stated that she is still appealing her former position for her successor in that position.

**Commissioner Sanchez:** Stated that he and Commissioner Spurlock were confused, as they were prepared to hear an appeal for an individual rather than a justification for reclassification for a vacant position.

**Peter Long, Deputy Administrator, DHRM:** Stated that the appellant has the right to appeal the determination as she was in the position at the time and should the appeal be granted, she would be entitled to back pay though she has vacated the position.

**Chairperson Fox:** Stated that it would be part of an incumbent issue and that if the reclassification were approved by the Commission it goes back to an individual request so there might be a back pay payment to the appellant. She asked what impact there would be if the position was reclassified for an incumbent in the now vacant position.

**Peter Long:** Stated that based on the Commission's determination the university could recruit for the position at its current classification or whatever classification was determined as appropriate.

**Janine Nelson,** UNR: Stated that they have already recruited for the appellant's former position and that the incumbent is seated at the Administrative Assistant IV level. She stated if the appeal were to be granted the current incumbent does qualify for a Program Officer I.

**Julia Bledsoe:** Stated there were many factors contributing to the request for an upgrade. She stated there were two most important. She explained that in her position as Administrative Assistant IV in the music department she was responsible for all of the business operations of the department as well

as supervising all the staff, classified, part-time students and letter of appointments, and worked closely with the technical director of the concert hall. She stated she monitored and weighed in on his evaluations. She stated in 2012 the music department instituted a self-ticketing program for events in the concert hall and she was given the responsibility of researching and developing the ticketing system. She stated that ticketing program further integrated her duties as front of the house manager for the concert hall, increasing both responsibility and workload.

She stated that in 2008, the decision was made to alter the staffing of the marching band and the band program. She stated that one of the staff was fully responsible for the vital instrument rental program. She stated she was asked to take over that program. She read the current position announcement which stated “Responsible for planning, organizing, managing, and overseeing activities and operations of these programs.”

She stated the programs remain a responsibility of the Administrative Assistant IV position and stated the new duties and responsibilities in the desk audit, but rather, focused on the similarities between a 2007 desk audit request and NPD-19 descriptions and similarities between current duties without regard to additional duties given to the position. She stated there was little attention given to the depth and complexity of the instrumental rental program as well. She asked for any questions.

**Chairperson Fox:** Asked for any questions for the appellate or if Commissioners wanted to wait until after the DHRM presentation. The Commissioners asked to wait.

**Janine Nelson,** Manager of Classification at Business Center North, Human Resources at UNR: She stated the original classification analysis of the appellant’s position was done by Robin Freestone and Jacob Cann in the fall of 2013. She stated that Denyse Bandettini conducted the appeal analysis in the spring of 2014. She stated all were present at the meeting. She stated in 2007 the appellant’s position was reclassified for Administrative Assistant III to Administrative Assistant IV. She stated at the time Ms. Bledsoe functioned as the office manager of the Department of Music and the duties included “managing the daily administrative and clerical activities of the department, including supervision of subordinate staff, coordinating departmental HR and budgetary activities, monitoring music facilities and necessary repairs, remodels, or moves, acting as a scholarship coordinator and managing the financial operations of Nightingale Hall.”

She stated in 2013 Ms. Bledsoe submitted and NPD-19 requesting reclassification to Program Officer I. She stated Ms. Bledsoe were performing the previously mentioned duties as stated on the NPD-19 and assumed new duties related to instrument rentals and inventory, and ticketing and event promotion oversight, performing and supervising course and event scheduling, increased oversight of the music department facilities, and supervision of new employees, providing web support. She stated the job purpose and responsibilities were evaluated assigned to the position in 2007 as compared to 2013 and it was found that the primary purpose of the position remains high level office management, including continued management and prioritization of daily office assignments, supervision, fiscal and HR coordination, and increased support to Nightingale Hall. She stated the changes represented within the NPD-19 reflected approximately 30 percent change to the overall position. She stated that out of this percentage only 10 percent was identified as higher level job functions equivalent to Program Officer I, specifically the new house operations of ticket coordination and event promotion. She stated that it was determined that the preponderance of job duties remained aligned to the current Administrative Assistant IV level. She stated comparisons to class specifications in comparable positions supported this finding.

She stated that what distinguishes a Program Officer from the Administrative Assistant is responsibility for managing multiple program functions, all of which are integrated into a whole program. She stated that while Ms. Bledsoe is responsible for a variety of tasks and activities within the department, none represented full responsibility for an entire program. She stated that additionally, within the Program Officer series the application of different bodies of knowledge is required and each dissimilar program is integrated to produce a cohesive program. She stated the Program Officer maintains significant decision making authority for all aspects of the program rather than decisions for narrow work program functions. She stated Program Officer positions are considered professional in nature and may not include clerical work and gave an example. She stated that the appellant's duties fall within the scope of the Administrative Assistant IV position. She stated there were comparable Administrative Assistant positions within the College of Liberal Arts and the university, which she had provided the Commission.

She stated that following the Human Resources' determination, the appellant appealed to the DHRM and during the appeal process Ms. Bledsoe submitted a revised NPD-19 due to fluctuations of FTE assigned to certain job tasks. She stated that DHRM did not consider the revised percentages to demonstrate a significant change.

**Chairperson Fox:** Asked for any questions from the Commissioners for the appellant or the DHRM.

**Commissioner Spurlock:** Asked Ms. Bledsoe if her former manager or chair was present at the meeting. **Julia Bledsoe:** Answered that the chair was not unable to attend but the director of the School of the Arts, whom she has worked under for 13 years was present. **Commissioner Spurlock:** asked Ms. Bledsoe to give an overview of the Administrative Assistant II's responsibilities, an employee that Ms. Bledsoe supervised. **Julia Bledsoe:** Stated her responsibilities included processing the Human Resources hire packets for the department, to classify student employees, graduate assistants. She stated the Administrative Assistant II oversees the room scheduling for the department and inputs the course scheduling for the academic courses. **Commissioner Spurlock:** Thanked Ms. Bledsoe.

**Chairperson Fox:** Asked for any further questions. There were none. She then asked for public comment.

**Larry Engstrom:** Introduced himself as the Director for the School of the Arts, UNR. He stated that as Director he works closely with the three departments works very closely with the chairs, and as such is very familiar with the work done by the chairs. He stated that he was a former music department chair as well. He stated that according to the DHRM, if Ms. Bledsoe had overseen the front of house operations but also the technical director position that that would make the position a Program Officer position, and he pointed out that there are hundreds of events that go through the Nightingale Concert Hall each year, 50 of which are ticketed, and so there is a real public interface for the position. He stated that to him that part of the appellant's job by itself warrants Program Officer I. He stated that the instrument rental program is very complex and a high level responsibility, due to the large number of instrument rentals. He stated he supports the position upgrade.

**Chairperson Fox:** Thanked Mr. Engstrom. She asked for any more comments or Commissioner questions. She agreed to let Ms. Bledsoe to provide some final information comments.

**Julia Bledsoe:** Stated that one of the tasks associated with ticketing the music events was staffing for it and since all of the events were in the evening her work day was extended and she worked a lot of overtime during the initial implementation phase of the ticketing project. She stated that staffing the events was a challenge and she had to ensure there would be revenue from the ticketing to cover the cost of staffing. She also stated that when she started in the Music Department the Nightingale Concert Hall had no business plan and it was losing money. She stated she developed the policy for the program and a fee structure and categories for users of the hall and prioritize the hall's use. She stated she was able to turn the concert hall into a program that makes \$65,000 per year, as well as staffing and maintenance. She stated that the ticketing program was in addition to her front of house operations. She explained her development of the staffing program.

She stated she found an announcement for Program Officer at Truckee Meadows Community College which stated "The incumbent will be responsible for planning, organizing, managing, and overseeing activities and operations of the academic support center." She stated that she would argue that the Music Department is an academic support center and the concert hall as a business center is also an academic support center. She read further on the announcement "develop, implement, and interpret office policies, procedures to staff, instructors, the general public, prepare contracts, develop, manage, and implement departmental procedures." She stated this last paragraph was also part of her responsibilities. She read further on the job announcement "help students, manage and update web packet and calendar, interview, hire, train, supervise classified employees, compile annual budgets, budget projections, manage accounts, and plan and coordinate and oversee special projects." She stated that in her position as an Administrative Assistant IV she performed all of these duties and more. She stated that level of responsibility of her position far exceeds Administrative Assistant IV.

**Robin Freestone,** Business Center North Human Resources: Stated the position that Ms. Bledsoe was referring to at TMCC Ms. Freestone classified as an academic support center. She stated that the scope of an academic support center is TMCC-wide. She explained the duties of the Program Officer in that position. She stated she sees that position as having a full complement of Program Officer duties.

**Chairperson Fox:** Asked for any further questions from Commissioners. There were none. Chairperson Fox then entertained a motion.

MOTION: Move to deny the individual appeal of Julia Bledsoe from Administrative Assistant IV to Program Officer I for the Business Center North  
BY: Commissioner Read  
SECOND: Commissioner Sanchez

VOTE: Motion passed unanimously.

**Chairperson Fox:** Thanked Ms. Bledsoe for her presentation.

## **VI. REPORT OF UNCONTESTED CLASSIFICATION CHANGES POSTINGS #23-14 & #24-14**

**Chairperson Fox:** Stated these are contained in the Commission's packet and did not read them into the record.



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

**Chairperson Fox:** Stated they are scheduled to meet December 12, 2014. She stated the next meeting would be in March 2015.

**Commissioner Sanchez:** Stated he would not be available to attend the meeting in December, 2014.

It was decided to meet March 20, 2015.

## **VIII. 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 Commission Chair may elect to allow additional public comment on a specific agenda item when the item is being considered.

**Chairperson Fox:** Asked for any public comment. There was none.

## **IX. ADJOURNMENT**

**Chairperson Fox:** Adjourned the meeting.