



STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
Division of Human Resource Management
209 E. Musser Street, Suite 101 | Carson City, Nevada 89701
Phone: (775) 684-0150 | <http://hr.nv.gov> | Fax: (775) 684-0122

MEMORANDUM
HR#32-18

July 12, 2018

TO: DHRM Listserv Recipients

FROM: Peter Long, Administrator *Peter Long*
Division of Human Resource Management

SUBJECT: AMENDMENTS TO CHAPTER 284 OF THE NEVADA
ADMINISTRATIVE CODE

The Personnel Commission adopted several permanent regulation changes at their June 8th meeting, which have been approved by the Legislative Commission and are effective as of June 26, 2018. While the Division of Human Resource Management works to republish the *Rules for State Personnel Administration* to reflect the recent codification of Chapter 284 of the Nevada Administrative Code (NAC) and the amendments below, we are providing the following information for your reference.

The following summary of the substantive changes includes links to the adopted language in each LCB File on the Legislative Counsel Bureau's website:

[LCB File No. R098-17](#)

The new regulation regarding letters of instruction is included in this LCB File, as is the clarification in NAC 284.458 that an employee who is rejected during a probationary or trial period may not file an appeal or a grievance as a result of such a decision by his or her appointing authority. The amendment to NAC 284.458 also allows the Division of Human Resource Management to remove a grievance or an appeal from the process when either is filed as a result of a rejection from probation or a trial period. Additionally, NAC 284.692 has been amended to allow an appointing authority to extend grievance timeframes in certain circumstances.

[LCB File No. R119-17](#)

The amendment to NAC 284.888 removes language from subsection 3 to make the

regulation consistent with NRS 284.4065, clarifying that when an appointing authority requests an employee to submit to an alcohol and/or controlled substance test due to the one of the reasons outlined in subsection 2 of NRS 284.4065, the form referenced in subsection 2 of the regulation is not required. Additionally, the amendment changes the word “accident” to “crash” based on statutory amendments made during the 2015 State Legislative session.

[LCB File No. R121-17](#)

The amendment to NAC 284.358 requires an appointing authority to recognize the reassignment list as a priority list which must be used following the reemployment list when available. It also requires an appointing authority to follow the order listed in the regulation when using the priority list and requires agencies to contact the Division of Human Resource Management to determine if such a priority list exists before proceeding to other available eligible list and/or recruitment. The proposed amendment to NAC 284.360 revises procedures to clarify the order that the Division of Human Resource Management must follow when certifying and providing eligible lists to an appointing authority is as established in NAC 284.358. The proposed amendment to NAC 284.361 requires the integration of names of eligible persons for reassignment within an agency onto the reassignment list provided to that agency.

[LCB File No. R150-17](#)

The new regulation regarding the procedure an employee may use to request a hearing by a hearing officer if he or she has been dismissed, demoted or suspended is included in this LCB File, as is the clarification of language regarding a predisciplinary review, which typically occurs prior to any discipline being administered. This change in terminology will distinguish the predisciplinary review from the hearing by a hearing officer after disciplinary action has been taken. The amendment to NAC 284.589 will require the granting of up to 8 hours of administrative leave to an employee to prepare for and attend any predisciplinary hearing. Also, included in the new regulation and NAC 284.6561, it is clarified that the effective date of the action is the first day the disciplinary action takes effect.

[LCB File No. R151-17](#)

The amendments in this LCB File bring into agreement the provisions relating to sick and annual leave when used in combination with temporary total disability benefits under the workers’ compensation program. The amendment to NAC 284.882 is intended to conform the regulation to the new U.S. Department of Transportation standard for breath alcohol testing equipment.

If you have any questions, please contact Michelle Garton at mgarton@admin.nv.gov or (775) 684-0136.

PL:mg