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MEMORANDUM
HR#46-24

November 5, 2024

TO: DHRM Listserv Recipients

FROM: Michelle Garton, Deputy Administrator *mgarton*

SUBJECT: EMPLOYEE-MANAGEMENT COMMITTEE: RULES OF PRACTICE -
UPDATE

In accordance with [NRS 284.071](#), the Employee-Management Committee (EMC) is responsible for hearing employee grievances not covered under a collectively bargained agreement per the committee's approved revised [Rules of Practice](#) on October 17, 2024. Under the previous Rules of Practice grievances submitted to step 4 were automatically scheduled as an agendaized discussion item. This allowed the Committee to determine if a hearing should be granted based on jurisdiction, or if a grievance could be granted or denied, based on prior decisions without the need to go to hearing. This process opened the Committee to requests for reconsideration of a hearing as employees and their representatives may have felt the denial of a grievance was not clear and had the potential for a judicial challenge. Grievances submitted to step 4 will now automatically be scheduled for hearing based on:

- The minimum of 21 working days required for scheduling orders;
- Committee member availability; and/or
- Potential agency/member conflict.

An agency still may request removal of a grievance using the Agency Request for Removal form [HR-52](#) at steps 1 through 3, if the agency feels it does not meet the definition of a grievance ([NAC 284.658](#)), or for grievances where relief may be provided in another venue. With the above change to the EMC's procedure, once a grievance is submitted to step 4, the agency has the option to submit a motion to dismiss, and grievances not within the EMC's jurisdiction may be summarily dismissed at the beginning of the hearing.

Additionally, conforming changes were made based on the restructuring of the Division of Human Resource Management and Senate Bill 431 of the 2023 Legislative session.

If you have any questions, please do not hesitate to contact Nora Johnson at nora.johnson@admin.nv.gov or (775) 684-0148.

MG:nj