



DEPARTMENT OF PERSONNEL
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MEMO PERD #44/08
July 14, 2008

TO: Personnel Commission Members
Department Directors
Division Administrators
Agency Personnel Liaisons
Agency Personnel Representatives
Employee Representatives
Media Representatives

FROM: Todd Rich, Director *T.R.R.*
Department of Personnel

SUBJECT: PERSONNEL COMMISSION MEETING MINUTES

Attached are the minutes from the June 20, 2008, Personnel Commission meeting. These minutes have not been approved and are subject to revision at the next meeting of the Personnel Commission on September 12, 2008. They are also posted on our website at:

<http://dop.nv.gov/PersComm.html>

TR:vk

Attachment

**STATE OF NEVADA
PERSONNEL COMMISSION**

The Legislative Building
401 South Carson Street Room 3138, Carson City, Nevada
Videoconference to the Grant Sawyer State Office Building
555 East Washington Ave. Room 4412E, Las Vegas, Nevada

MEETING MINUTES (Subject to Commission Approval)
Friday, June 20, 2008

COMMISSIONERS PRESENT

IN CARSON CITY: Ms. Claudette Enus, Chairperson
Ms. Karen Massey, Commissioner
Ms. Katey Fox, Commissioner

COMMISSIONERS NOT PRESENT

IN CARSON CITY: Mr. David Read, Commissioner

STAFF PRESENT IN

CARSON CITY: Mr. Todd Rich, Director, Department of Personnel
Ms. Katie Armstrong, Deputy Attorney General
Mr. Peter Long, Division Administrator,
Department of Personnel
Ms. Shelley Blotter, Division Administrator,
Department of Personnel

**COMMISSIONERS PRESENT IN
LAS VEGAS VIA**

VIDEOCONFERENCE: None present

STAFF PRESENT IN

LAS VEGAS: Mr. Mark Anastas, Division Administrator,
Department of Personnel

COMMISSIONERS NOT PRESENT IN

LAS VEGAS: Mr. David Sánchez, Commissioner

I. OPEN MEETING

Chairperson Claudette Enus opened the meeting at 9:02 a.m.
Roll call: Commissioner Katey Fox, Commissioner Karen Massey and
Chairperson Claudette Enus.
Chairperson Claudette Enus announced that Commissioner David Read and
Commissioner David Sánchez were excused for today.

II. *ADOPTION OF AGENDA

MOTION: Move to adopt the agenda
BY: Commissioner Katey Fox
SECOND: Commissioner Karen Massey
VOTE: The vote was unanimously in favor of the motion

**III. *ADOPTION OF MINUTES OF PREVIOUS MEETING DATED
MARCH 21, 2008**

Ty Robben: Asked to make a public comment.

Katie Armstrong: Stated that this was at the discretion of the chairperson if she would like to hear public comments now or at the stated section at the end of the agenda.

Chairperson Claudette Enus: Asked Mr. Robben to hold his comments until the end, when the Chair will open the meeting for public comments.

Ty Robben: Stated that there is an hour of testimony missing and wanted to know if the minutes can be un-adopted later. Even though the Department of Personnel has re-done the minutes there are a few words he felt were important to add.

Chairperson Claudette Enus: Asked him to come forward, state his name and briefly give his comments.

Ty Robben: Stated he was from the Department of Taxation. The minutes were missing an hour of testimony from the Chad Davis appeal. He felt it was a violation of the Open Meeting Law. He went on to state the Department of Personnel referred people to purchase the CD-ROM for \$10.00. Stated he had a presentation.

Chairperson Claudette Enus: Indicated that our minutes are not represented to be verbatim minutes of our meetings. The CD-ROM is available for verbatim information. She let him know he could make other comments during the Public Comment period.

MOTION: Move to approve previous meeting minutes
BY: Commissioner Karen Massey
SECOND: Commissioner Katey Fox
VOTE: The vote was unanimously in favor of the motion

**IV. *CONSIDERATION AND POSSIBLE SELECTION OF SOUTHERN
HEARINGS OFFICER ALTERNATE**

- HELM, Vincent M.
- TROST, Janet
- WRIGHT, C. Todd
- GENSLER, Harry
- GREENBURG, George D.
- ROOT, Leonard J.

- SHOGREN, Shannon- withdrawn
- WHITE, Angela M.

Commissioner Karen Massey: Asked Beverly Ghan to give an overview of the process.

Beverly Ghan: Personnel Analyst from the Department of Personnel. The Department announced an opening for this position on February 27th on our website. She stated that they also advertised in publications from the Washoe County Bar Association, The State of Nevada Bar Association, and the Clark County Bar Association. There were 8 resumes submitted. On May 28, 2008, the applications were reviewed by Commissioner Karen Massey, Deputy Attorney General Katie Armstrong, Director Todd Rich and herself. The 3 applicants that were recommended by the review panel are present in Las Vegas for questions.

Janet Trost: Stated she was an applicant for the Alternate Southern Hearings Officer position. She stated she has been an Attorney for almost 18 years, practicing in Nevada and in New York. She has been an arbitrator with the Eighth Judicial District Court for 16 years, a Settlement Judge (mediator) for the Nevada Supreme Court for 7 years, and a part-time Administrative Law Judge and a Short Trial Judge. She also stated that she is a labor arbitrator for AAA, and a Board member for EMRB.

Commissioner Karen Massey: Asked if she was involved in hearings currently around employment issues.

Janet Trost: Stated that she is currently a member of the EMRB board, which has hearings every month, both in Reno and Las Vegas.

Chairperson Claudette Enus: Stated that she knew Vincent Helm and stated that she didn't feel that their relationship would inhibit her from an independent and fair judgment regarding the applicants. She also mentioned that she had been before the EMRB where Janet Trost was a member of the board.

Vincent Helm: Stated he was an applicant for the Alternate Hearings Officer position. Stated he has an extensive background in labor relations, both in State of Nevada and in the State of Washington. Most recent experience was in Washington as a Labor Relations Adjudicator and mediator for the Public Employment Relation's Commission for approximately 13 years. Stated he was also an arbitrator under auspices of the Oregon Employment Relations Board or the Federal Mediation and Conciliation service. He also mentioned he had administrative management experience with responsibilities for a 1400 employee unit with a budget of approximately 38 million dollars.

Commissioner Karen Massey: Asked when was his most recent experience?

Vincent Helm: Answered that it was the State of Washington in 2004.

C. Todd Wright: He stated he is recently licensed in Nevada in 2006 and Utah in 2007. Prior he was a director in the Gaming industry. He stated he was a union member and has appeared on both sides of the negotiating committees, for employers and for the union. He has also served as a mediator and arbitrator in private matters.

Commissioner Karen Massey: She stated his resume is impressive and asked if he had any direct experience with being a Hearings Officer in employment issues.

C. Todd Wright: Stated he had not had the opportunity.

Commissioner Karen Massey: Stated she is basing her decision on experience as a Hearings Officer and recent experience.

MOTION: Move to appoint Janet Trost to the open alternate Hearings Officer-South position.

BY: Commissioner Karen Massey

SECOND: Commissioner Katey Fox

VOTE: The vote was unanimously in favor of the motion

V. *DISCUSSION AND POSSIBLE ACTION OF EXTENSION OF HEARINGS OFFICER CONTRACT

A. WILLIAM KOCKENMEISTER- Principal Hearings Officer- North

Bill Kockenmeister: Stated his packet speaks for itself. He said that in the 48 hearings he has had, none of them have been overturned by the court. Stated that all of his decisions have been upheld. Stated he believes that when the employee appeals his agency for disciplinary action, it is a very important matter to that employee and also to the agency and he takes it with the utmost seriousness. He stated that he felt it was important for the employee to have his day in court. He stated he believes in the due process right. He went on to say that in the 48 hearings, 12 of the decisions were in favor of the employee, which is a higher percentage than the other Hearings Officers. Stated that there are several people here, and they should be able to speak for or against the contract renewal. Said he doesn't feel this is the appropriate forum to discuss appeals or any cases.

Katie Armstrong: Stated that the Personnel Commission should be looking at the record on review for Mr. Kockenmeister. She stated that according to NRS.233B any grievant could appeal directly to the District Court, and that they will have the whole record on review. Stated that we shouldn't be discussing the merits of the appeals.

Joseph Vancore: A labor representative for the American Federation for State/County Municipal Employees, Local 4041. Stated he lost all of his cases with Kockenmeister, with the exception of one case. He stated that Mr. Kockenmeister's hearings are conducted in a fair and professional manner, and he treats all parties with dignity. He stated that

he makes his decisions strictly based on the facts. He stated that the message that this decision would send other Hearings Officers is that if they have a decision appealed they could possibly not get their contract renewed or the employees would not receive a fair and impartial hearing.

Chris Sanseverino: Department of Transportation. Stated Mr. Kockenmeister has a fair and impartial approach in rendering his decisions. He stated that Mr. Kockenmeister was 100% consistent with all the evidence presented to him.

Glen Marr: Division of Forestry. Stated he has withdrawn his complaint against Mr. Kockenmeister. Stated that the Department of Forestry did not submit all the evidence to the Hearings Officer and as such he could not render a proper decision.

Dennis Mallory: Local 4041. Stated that he supports renewal of Kockenmeister's contract. Stated that Mr. Kockenmeister bases his decisions on facts.

James Bold: Lawyer for 20 years representing employees. He feels that Mr. Kockenmeister has a sense of integrity, and has personally been in his hearings, which have been fair and impartial.

Terry Patraw: Former UNR Women's Soccer coach. Stated that he is not the fairest Hearings Officer out there. Asked the commissioners to terminate his contract as a Hearings Officer with the State. She submitted over 70 pages of support in favor of terminating his contract. Stated that he has no regard for the law and makes decisions based on personal opinions. She made a statement that he knows the law and chooses to violate the law.

Lane Grow: Stated he was concerned about Mr. Kockenmeister following the Open Meeting Law. He gave an example of how he felt Mr. Kockenmeister violated the Open Meeting Law by taking comments off the record and in private and then rendering a decision. Stated he has never been a part of a hearing with Mr. Kockenmeister.

Catherine Thayer: NDOT-Deputy Attorney General. Stated that her client feels that the law was not followed in the case with Mr. Kockenmeister.

Tom Donaldson: Attorney. Stated that he recommends Mr. Kockenmeister's contract be renewed.

Benny Mills: Retired machinist and a member of the Washoe Tribe. He stated that he has filed a complaint against Mr. Kockenmeister. He went on to state some facts in past cases in which Mr. Kockenmeister was the Hearings Officer. He also filed an affidavit of prejudice with the court asking them to remove Mr. Kockenmeister from his cases.

Jacqueline Bennett: Stated she was an advocate in the Washoe Tribe courtroom during one of Mr. Kockenmeister's cases. She stated that if he doesn't agree with what has been said he will laugh out loud in court. She felt it was inappropriate behavior for a Hearings Officer.

Josephine James: Washoe Tribe member elder. Stated that this judge has no integrity whatsoever.

Jean McNickels: Washoe Tribe member elder. Stated she is also known as “Yata”. Is appalled with the court scene. She went on to state some information that is confidential in a tribal case.

Katie Armstrong: Stated that any decisions rendered by the Tribal courts is beyond the scope of this Personnel Commission.

Jean McNickels: Stated she has attended all the Tribal court sessions that Mr. Kockenmeister has been a judge at, and that he has permitted lies in his court and she feels he is dishonest.

Ken McKenna: Attorney. He stated he has appeared several times in front of Mr. Kockenmeister and thinks he is fabulous, straight forward, and treats people with respect.

Joe Vancore: Wanted to clarify a statement made of joking in the courtroom, that the subject matter is always taken very seriously. Stated the issues are serious, but the process may not be as formal.

Hussein S. Hussein: Stated that he attended two of Mr. Kockenmeister’s hearings and was appalled by the closed hearing in violation of the Open Meeting Law. He urged the Commission to listen to the people.

Gary Wolff: NSLEOA. He stated that he doesn’t feel that Mr. Kockenmeister has a good understanding of the NRS 289 for police officers. He doesn’t feel as though he used proper judgment.

Commissioner Katey Fox: Stated that the Personnel Commission has a limited role here and has to only deal with the facts.

Commissioner Karen Massey: Said she agrees with the other Commissioner’s comments that have been made. The Commission’s role is to listen to the concerns and help protect the process. The statistics provided for Mr. Kockenmeister are important and this is the information we need to render a decision. Stated also, that she is comforted in knowing there is a judicial review option available.

Chairperson Enus: Stated she is in agreeance with her fellow Commissioners. She wanted to see a balance in the pro and con comments from all representatives and individuals. The prevue of this body is limited to the certain facts.

MOTION: Move to approve the extension of the contract for William Kockenmeister as the Principal Hearings Officer-North

BY: Commissioner Karen Massey

SECOND: Commissioner Katey Fox

VOTE: The vote was unanimously in favor of the motion

VI. *APPROVAL OF PROPOSED REGULATION CHANGES TO NEVADA ADMINISTRATIVE CODE, CHAPTER 284

A. SEC.1 NAC 284.680 DATE OF RECEIPT OF GRIEVANCE

Shelley Blotter: Division Administrator, Employee and Management Services, Department of Personnel. Stated on January 1, 2008, the Department implemented a new incident tracking system. This change reflects in regulation the date of receipt of a grievance through that system is the date that grievance is submitted in the system. The regulation as it is stated currently reflects only mailing and hand delivery, not electronic submission.

MOTION: Move to approve changes to NAC 284.680
BY: Commissioner Karen Massey
SECOND: Commissioner Katey Fox
VOTE: The vote was unanimously in favor of the motion

B. SEC.2 NAC 284.697 WHEN RESOLUTION OF GRIEVANCE BECOMES BINDING

Shelley Blotter: Stated that this amendment clarifies that the grievance becomes binding when the written decision is actually issued.
Dennis Mallory: AFSME local 4041. Stated that he has no problem with this change. Stated that it brings everything consistent with the Hearings Officer process. Wanted to have some sort of timeline for these decisions.
Shelley Blotter: Stated there is a 30 day timeframe already in place. She suggested that the Attorney General of the EMC be notified of the change.

MOTION: Move to approve changes to NAC 284.697
BY: Commissioner Karen Massey
SECOND: Commissioner Katey Fox
VOTE: The vote was unanimously in favor of the motion

VII. APPROVAL FOR PRE-EMPLOYMENT SCREENING FOR CONTROLLED SUBSTANCES

- A. DEPARTMENT OF PUBLIC SAFETY, IT PROFESSIONAL III, CLASS CODE 7.925 (4733-0145,0150)
- B. DEPARTMENT OF PUBLIC SAFETY, IT PROFESSIONAL II, CLASS CODE 7.926 (4733-0251, 0260, 0450)

Renee Travis: Personnel Analyst for the Department of Personnel. Stated that NRS 284.4066 provides for pre-employment testing for controlled substances, for applicants in positions that affect public safety.
Commissioner Katey Fox: Asked why don't ALL positions in the Department of Public Safety have this requirement?
Norma Santoyo: Department of Public Safety. All of the Records Information Technology positions go through drug screening, due to the sensitive information that they have access to.
Commissioner Karen Massey: Who does not have access?

Norma Santoyo: Not all employees have access to the Criminal Justice system.

Mindy McCain: Records Division from Public Safety. These IT positions have the ability to view and manipulate the information.

Commissioner Katey Fox: Would like a report on the positions from Public Safety, which and how many positions go through the pre-employment drug screening.

Todd Rich: Stated that in 2007 session, we asked for a bill change to go through to provide drug testing for ALL new employees. The bill was not passed. Stated that he believes we should be testing all our new employees that we bring into State service.

MOTION: Move to approve the pre-employment screening for specific positions in the Department of Public Safety, IT Professional III and II

BY: Commissioner Katey Fox

SECOND: Commissioner Karen Massey

VOTE: The vote was unanimously in favor of the motion

VIII. *DISCUSSION AND POSSIBLE ACTION OF OCCUPATIONAL GROUP STUDY REVISED CLASS SPECIFICATIONS & CLASSIFICATION APPEALS

A. SOCIAL SERVICES & REHABILITATION OCCUPATIONAL GROUP

1. Subgroup: Correctional Classification & Identification, select classes:

- a. Correctional Casework Specialist series
- b. Correctional Classification & Planning Specialist
- c. Chief of Classification & Planning

Peter Long: Division Administrator for Compensation & Classification for the Department of Personnel. He introduced Mary Day.

Mary Day: Supervisory Personnel Analyst. Stated the Department of Personnel did a study of 115 Correctional Casework Specialists. The study indicated that there would be 7 downgrades and 1 upgrade. The Trainee series was actually upgraded from a 32 to a 34. Stated that the process included: written position description questionnaire from each employee, desk and phone audits, met with supervisors and managers to get a clear understanding as to what the Correctional Casework Specialists do. Stated that they also met with subject matter experts. She indicated that the class concepts were revised to include the duties performed at correctional institutions, conservation camps and restitution or transitional housing units. They were revised to make clearer distinctions between the levels in the series. She explained what happens to an employee when they are downgraded due to an occupational group study. Explained this will not go into effect until July 1, 2009. They are eligible for re-employment in a similar class and have re-employment

rights for one year after the date of notification of reclassification. Additionally, their salary is frozen up to 4 years. If the incumbent declines the first opening offered, then the re-employment rights and retained rate of pay are canceled.

- MOTION:** Move to approve the Occupational Group Study Social Services and Rehabilitation for the Correctional Casework Specialist series, Correctional Classification & Planning Specialist and the Chief of Classification and Planning
- BY:** Commissioner Katey Fox
- SECOND:** Commissioner Karen Massey
- VOTE:** The vote was unanimously in favor of the motion

2. Classification Appeal

- a. Jeffrey Froschauer, Correctional Casework Specialist III
Department of Corrections- Offender Management

Jeffrey Froschauer: Stated he had been with NDOC for 19 years. He felt the CCSIII should actually be upgraded to a IV position. He went on to state that in 2006 there were only 2 caseworkers at that time, a CCS2 and a CCS3. There was a review done at this time and the CCS2 was upgraded to a CCS3. The CCS3 did not qualify under the CCS3 guidelines. He felt that the CCS3 should have gotten a new classification at that time. His complaint was that the duties and responsibilities have not changed since 2006, but the job should have been recognized back then as a different classification. The duties that they have as CCS3s are different than other CCS3s. They have the Director's level of authority to make decisions, ability to override others with a higher grade than themselves; they provide direction to all staff and are the experts of caseworkers.

Peter Long: Stated that the Department did look at these positions in 2006, the CCS3 was not performing duties per the class concept. The CCS3 should be supervising, and he is not supervising. If the Department were to upgrade his position to a CCS4 then he would be at the same level as his supervisor, then we would have to move that position up, then that would cause his supervisor's position to be at the same level as their supervisor. Stated that we are not just affecting his position upgrade but the next 5 positions.

Commissioner Karen Massey: Asked if the only difference between the 3 and 4 was supervisory responsibility.

Peter Long: Stated that there is no 4. The difference would be between the 2 and the 3, the 3 having supervisory responsibilities. He also noted that these are the only CCS3s that do not supervise any other level in the State.

Commissioner Katey Fox: Stated that because of their unique job duties and authorization, that is why they are CCS3s and not supervising.

Peter Long: Stated they have been receiving a 10% increase because of their unique responsibilities.

Jeffrey Froschauer: Stated that all the positions above him should be increased.

Brenda Harvey: Personnel Analyst that worked on this study. Stated that the Department of Personnel had 4 subject matter experts that came from Corrections (a Warden and Associate Wardens and a Supervisor from the OMD division). Stated that these were 3 unique positions here in Carson City. There was never any mention that they were doing anything beyond what was already in the specifications.

MOTION: Move to deny the appeal of Jeffrey Froschauer
BY: Commissioner Katey Fox
SECOND: Commissioner Karen Massey
VOTE: The vote was unanimously in favor of the motion

b. Julia Matlock, Correctional Casework Specialist II

Julia Matlock: CCS2 from Las Vegas, Casa Grande Transitional Housing. She stated she is being downgraded from a grade 38 to a grade 36. Indicated she is doing the duties of a CCS2. She went on to state that she feels it is unfair because she works at a transitional housing facility and the only reason it is being downgraded is because it is not a maximum or minimum-security facility. She also said that no one from the Department of Personnel had contacted her supervisor in regards to her duties.

Peter Long: Stated that the work performed at Casa Grande is different than that of a minimum and maximum-security facility. He wanted to note that Ms. Matlock's qualifications and duties are not taken into consideration, that she does a great job. Stated that the subject matter experts explained the difference between each facility. The CCS1 is recognized as working with NON medium and maximum security facilities. To be a CCS2 you would need to perform the duties only found at the medium and maximum-security facilities.

Chairperson Claudette Enus: asked Ms. Matlock when she was originally assigned to Casa Grande?

Julia Matlock: She responded, October 2006.

Peter Long: It is a fairly new facility. He indicated that if you were a caseworker at a restitution facility then you would be a CCS1. All of the CCS2 at these transition-housing facilities would have to be supervisors. At Casa Grande, there are

currently 2 CCS2s who will be downgraded to a 1 and a CCS3 will be downgraded to a 2.

Julia Matlock: Asked if the paperwork and duties to release a prisoner is the same then why is she being downgraded?

Peter Long: Responded, that according to the subject matter experts, they indicate that the release paperwork is much different for maximum-security institutions than at the transitional housing facilities.

MOTION: Move to deny the appeal of Julia Matlock
BY: Commissioner Karen Massey
SECOND: Commissioner Katey Fox
VOTE: The vote was unanimously in favor of the motion

- c. Thomas Pulliam, Correctional Casework Specialist I
Department of Corrections – Humbolt Conservation Camp

Peter Long: Indicated that the appellant did not show up. Asked the Commission to approve the occupational group study.

MOTION: Move to deny the appeal for Thomas Pulliam
BY: Commissioner Katey Fox
SECOND: Commissioner Karen Massey
VOTE: The vote was unanimously in favor of the motion

B. FISCAL MANAGEMENT & STAFF SERVICES OCCUPATIONAL GROUP

1. Subgroup: Financial
Auditor Series

Mary Day: Stated that they reviewed 161 auditor positions. She also stated that there were 55 upgrades and 1 downgrade. She explained the study process: obtained written position description questionnaire from each employee, performed desk and phone audits, met with supervisors and managers to obtain a clear understanding as to what the auditor did for their department. She stated that they changed the Supervising Auditor II to Audit Manager, and Supervising Auditor I to Audit Supervisor.

MOTION: Move to approve the Fiscal Management & Staff Services Occupational group, Financial subgroup, Auditor Series.
BY: Commissioner Katey Fox
SECOND: Commissioner Karen Massey
VOTE: The vote was unanimously in favor of the motion

2. Classification Appeal

David Murray, Auditor II, Department of Taxation

Ken McKenna: Attorney for Dave Murray. Stated how important the appeal packet was that David had put together. He also went on to state that there wouldn't be many appeals on 55 upgrades.

David Murray: Auditor II from the Department of Taxation. Stated his past work history with the State and previous work history before the State. He was instructed by the Chairperson to stick to the content of the occupational study due to the 20-minute time limit. He went on to explain his troubles he has had with the State and the grievances he has previously filed. The Chairperson asked him to please present relative information to the occupational study.

Ken McKenna: Stated that Mr. Murray is in a unique position because of his location. He felt that if the entity of the auditor's client was big it was easier; he stated that the smaller the entity the more complex it was. Stated that the smaller entity is actually more difficult and more complex. He said he also feels that the State has miss-used the word "complex." Stated that Elko is known for mines that are very big business and are considered complex. He claimed that since his grievance history with the department, he has not been given the mines to audit. He stated the only reason Mr. Murray is not an Auditor III, is because he does not do complex audits. Mr. McKenna asked the Commissioners to look into the future, for future inventory of July 2009. If they approve his appeal and he moves to Auditor III, then the Department of Taxation will have to give him the mines to audit.

Peter Long: Stated that in the Auditor III series the auditor would have to perform complex audits at least 50% of the time. Mines are considered complex, and the Department of Personnel does not have the authority to assign duties.

Ken McKenna: Stated that this appeal is about the assignments, not the occupational group study.

Barbara Morningstar: Stated that the mines are not part of the normal inventory of our auditors. She stated that in the last 5 years there have been 5 audits performed on the mines.

Ken McKenna: Stated that the mines are not the only complex audits in Elko. Mr. Murray is doing audits for casinos as well; he felt that with the mines it would be 50% of complex audits.

Commissioner Karen Massey: Stated we need to rely on the subject matter experts.

MOTION: Move to deny the appeal of David Murray
BY: Commissioner Karen Massey
SECOND: Commissioner Katey Fox
VOTE: The vote was unanimously in favor of the motion

IX. DISCUSSION AND POSSIBLE ACTION OF INDIVIDUAL CLASSIFICATION APPEALS

A. Heather Elliott, Administrative Services Officer I
Commission on Peace Officers' Standards & Training

Dick Clark: Director of P.O.S.T. Stated that this position is extremely important to the agency. He stated that the ASO2 upgrade was recommended by the Budget Office. He also stated that Heather makes all fiscal decisions for their department and has no limitations, she reports directly to him and advises him of all fiscal decisions. He advised the Commission that if the upgrade was not granted and P.O.S.T. lost Heather, an ASO1 would not be able to do her job.

Heather Elliott: Stated that there has been tremendous growth at P.O.S.T, and her job duties have expanded. She felt she is doing the job of a ASO2 at the least.

Peter Long: Stated that P.O.S.T. was established in 1999 when they separated from D.M.V. and Public Safety, as a stand-alone commission. In 2003 the Department of Personnel upgraded this position to a ASO1, and significant change has not occurred. There has been some growth in this agency. P.O.S.T. is considered a small agency and it clearly states in the class specs that an ASO1 will typically handle many functions and report directly to the director.

Dick Clark: He wanted to make a final comment in regards to subject matter experts, and that it was the Budget Office that suggested that she should be an ASO2.

Commissioner Karen Massey: Asked Mr. Long to clarify the size of the agency distinction between the levels.

Peter Long: Stated that Heather may be the only ASO1 that goes in front on Legislation, it is typically an ASO3 or higher. In relation to size of the agency, the size of the budget and number of employees are taken into consideration, even the number of employees that they supervise.

Commissioner Katey Fox: Asked Director Clark about what happened to P.O.S.T. when it separated from Public Safety.

Dick Clark: Stated there was a huge dynamic change that took place. The executives of the State were not happy with what P.O.S.T. had become under DMV/Public Safety. He went on to explain how P.O.S.T. separated off by themselves as a commission and all the new requirements they have put into place. Stated that they have completely become a separate entity.

MOTION: Move to approve the appeal of Heather Elliott to ASO2
BY: Commissioner Katey Fox
SECOND: Commissioner Karen Massey
VOTE: The vote was unanimously in favor of the motion

X. UNCONTESTED CLASSIFICATION ACTION REPORT

Posting #07-08 and #08-08

Chairperson Claudette Enus: Read into record the Uncontested Classification Action Report.

XI. SPECIAL REPORTS

Todd Rich: Stated that Commissioner Sánchez requested an overview of the IT recruitment program and process, and due to his absence at this meeting, he asked if the report could be moved to the September meeting.

XII. COMMENTS BY THE GENERAL PUBLIC – ACTION MAY NOT BE TAKEN IN THE MATTERS CONSIDERED DURING THIS PERIOD UNTIL SPECIFICALLY INCLUDED ON THE AGENDA AS AN ACTION ITEM.

Ty Robben: Indicated that he had a PowerPoint presentation and that it would not take over 10 minutes. Stated he is an IT worker with the Department of Taxation. He appealed his classification and was successful. Stated that this presentation has to do with the Open Meeting Law; he stated the minutes should be complete and published. He stated that there were a couple of lines left out and he felt they were important. He was upset to pay the \$5.00 for the CD-ROM. He went on to say that the Department of Personnel appeared to be hiding information in the Chad Davis appeal, and thought they were not being transparent. He played audio clips from the previous Personnel Commission meeting that he felt were important. He went on to state that he, along with Taxation, runs the most complex computer system in the State. He tried to play a video, but he encountered computer difficulty. Stated that the Department of Personnel seems to change the rules all the time. He went over his own appeal and the details that he felt were misunderstood. He stated that the Department of Personnel should listen to him and it would save a lot of problems. He said he feels like he is only trying to make things better. He stated he doesn't want to be ignored by the Department of Personnel, and furthermore doesn't feel as though the Department lives up to their vision and mission statement.

Dave Murray: Stated that the time limit of 20 minutes for appeals should be increased. He suggested an hour.

Mr. Robben submitted written comments, which are included as an attachment to the minutes. Additionally, a letter from the Attorney General is attached addressing Mr. Robben's Open Meeting Law Complaint.

XIII. ANNOUNCE DATE FOR NEXT MEETING

Todd Rich: Requested a two-day meeting in September.
Announced the date to be September 11 and 12.

XIV. *ADJOURNMENT

MOTION: Move to adjourn
BY: Commissioner Katey Fox
SECOND: Commissioner Karen Massey
VOTE: The vote was unanimously in favor of the motion.

The meeting concluded at 1:56 p.m.

PERSONNEL COMMISSION MINUTES

<p>Copies of the PERSONNEL COMMISSION Meeting Action Minutes at no charge are available for inspection on: <i>The Department of Personnel Web site at www.DOP.nv.gov</i></p>	<p>Free</p>
<p>Copies of audio recordings of the Personnel Commission meetings conducted in the Legislature Building are available on CD through: <i>The Legislative Counsel Bureau Publications (775) 684-6835</i></p>	<p>\$5 (plus \$4.50 for shipping)</p>