



DEPARTMENT OF PERSONNEL
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MEMO PERD #56/08
September 25, 2008

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

FROM: Shelley Blotter, Interim Director
Department of Personnel

A handwritten signature in black ink, appearing to read "S Blotter".

SUBJECT: PERSONNEL COMMISSION MEETING MINUTES

Attached are the minutes from the September 12, 2008, Personnel Commission meeting. These minutes have not been approved and are subject to revision at the next meeting of the Personnel Commission on December 19, 2008. You can review these minutes on our website:

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

SB:vk

Attachment

**STATE OF NEVADA
PERSONNEL COMMISSION**

The Legislative Building
401 South Carson Street Room 4100, Carson City, Nevada
Videoconference to the Grant Sawyer State Office Building
555 East Washington Ave. Room 4412, Las Vegas, Nevada

MEETING MINUTES (Subject to Commission Approval)
Friday, September 12, 2008

COMMISSIONERS PRESENT

IN CARSON CITY: Ms. Karen Massey, Commissioner
Ms. Katey Fox, Commissioner
Mr. David Read, Commissioner

**STAFF PRESENT IN
CARSON CITY:**

Ms. Shelley Blotter, Interim Director,
Department of Personnel
Ms. Katie Armstrong, Deputy Attorney General
Mr. Peter Long, Division Administrator,
Department of Personnel

**COMMISSIONERS PRESENT IN
LAS VEGAS VIA**

VIDEOCONFERENCE: Ms. Claudette Enus, Chairperson
Mr. David Sánchez, Commissioner

**STAFF PRESENT IN
LAS VEGAS:**

Mr. Mark Anastas, Division Administrator,
Department of Personnel

I. OPEN MEETING

Chairperson Claudette Enus opened the meeting at 9:08 a.m.
Roll call: Commissioner Katey Fox, Commissioner Karen Massey
Commissioner David Read, Commissioner David Sánchez and Chairperson
Claudette Enus.

II. *ADOPTION OF AGENDA

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

**III. *ADOPTION OF MINUTES OF PREVIOUS MEETING DATED
JUNE 20, 2008**

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

IV. *APPROVAL OF PROHIBITIONS AND PENALTIES

A. Commission on Peace Officers' Standards & Training

Ron Foster: Personnel Analyst, Department of Personnel. Stated the Penalties and Prohibitions have been reviewed and there are no items in the proposal that are unique to the agency. He also stated that all items are consistent with those previously approved for other agencies, and he recommended approval.

Commissioner David Sánchez: Asked for clarification of the Penalties and Prohibitions in section C, neglect or inexcusable absence from the job. He asked specifically in regards to discipline for leaving the work area or when specifically instructed to remain at work or at the job, is an oral warning sufficient for the first offense? He went on to state that in his experience that this would be bordering on insubordination and would usually require a written reprimand.

Ron Foster: Stated that this Commission has approved this same item with the range of 1, starting at an oral warning, for 6 other agencies. He also stated that he spoke to the agency regarding this and they were satisfied with an oral warning and could see scenarios where it would be justified. He went on to say that he felt it was important to give the appointing authority the discretion to start with an oral warning.

MOTION: Move to approve the Prohibitions and Penalties for the
Commission of Peace Officers' Standards & Training
BY: Commissioner David Read
SECOND: Commissioner Karen Massey
VOTE: The vote was unanimously in favor of the motion

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

A. Sec. 1 NAC 284.470 Preparation, filing, contents, discussion and distribution of reports; power and duties of employees; review; adjustment of grievances.

Mark Evans: Supervising Personnel Analyst, Department of Personnel. Currently if an employee disagrees with their evaluation they can request a review. He stated that this regulation change provides a form, so the reviewing officer would have a form in which to reply to the employee's concerns. He went on to say that this was discussed with other agency representatives and they helped establish the form.

MOTION: Move to approve amendment to NAC 284.470
BY: Commissioner Katey Fox
SECOND: Commissioner David Read
VOTE: The vote was unanimously in favor of the motion

VI. *APPROVAL OF PRE-EMPLOYMENT SCREENING FOR CONTROLLED SUBSTANCES

- A. DPS- Manager, Criminal Justice Records- Class Code 11.132 (All budgets and positions)
- B. DPS- Administrative Assistant III- Class Code 2.211 (3743-0028)

Mark Evans: Supervising Personnel Analyst, Department of Personnel. He introduced this item and stated why the Department of Public Safety was requesting these additions.

Commissioner Katey Fox: Wanted to thank the State of Nevada Personnel Department for all the work they did in putting together information related classes/positions requiring pre-employment drug testing. She also went on to state the whole analysis piece that was put together by the Department of Personnel was very helpful.

Mark Evans: Stated that it was Renee Travis who put it together and wanted to thank her.

Norma Santoyo: Personnel Officer, Department of Public Safety; stated that D.P.S. is reviewing all of their classes and positions currently requiring pre-employment testing and they maybe requesting more in the future.

MOTION: Move to approve the pre-employment screening for controlled substances for DPS positions, Criminal Justice Records Manager and Administrative Assistant III
BY: Commissioner Katey Fox
SECOND: Commissioner David Sánchez
VOTE: The vote was unanimously in favor of the motion

VII. OCCUPATIONAL GROUP STUDY NEW/REVISED CLASS SPECIFICATIONS & CLASSIFICATION APPEALS

- A. Social Services & Rehabilitation Occupational Group
 - Group Institutional Supervision & Correctional Subgroup
 - 1. Classification Appeals

Mary Day: Supervising Personnel Analyst, Department of Personnel. Stated she was here to present three occupational group studies, or certain aspects of three studies. She went on to state that "A" is a carry over from the last meeting; at that time the Correctional Casework Specialist study was presented. She gave a brief overview of the changes that were made. She went on to state that Correctional Casework Specialists perform duties related to the evaluation and classification of the individual inmates within State correctional facilities. Incumbents maintain comprehensive records for each inmate regarding personal information, legal data, criminal history, institutional adjustment, program needs and achievements, classification history and rule infractions. She stated that they looked at positions at correctional institutions, conservation camps, and restitution or transitional housing facilities. She also stated that the duty statements, knowledge, skills and abilities were updated to reflect current terminology and the class concepts were updated to provide better distinction between classes.

- a. Rodney Keith, Correctional Casework Specialist II
Department of Corrections- Casa Grande Transitional Housing

Chairperson Claudette Enus: Stated that it does not appear that the appellant is present.

Shelley Blotter: Asked the Commission to deny his appeal based on the information already provided to the Commission.

Commissioner David Read: Made a motion to move the appeal to the last item on the agenda to give the appellant time to appear.

Commissioner David Sánchez: Seconded the motion.

- b. Kim Terry, Correctional Casework Specialist III
Department of Corrections- Southern Desert Correctional Center

Chairperson Claudette Enus: Announced that this appeal was withdrawn.

- B. Fiscal Management & Staff Services Occupational Group Study
 - 1. Subgroup: Revenue Collections & Management
 - Tax Program Supervisor Series

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Mary Day: Stated that this Subgroup is a carryover from the June meeting as well. Stated the Tax Program Supervisor series has been modified to accommodate a very unique position in the Department of Taxation.

MOTION: Move to approve Tax Program Supervisor Series
BY: Commissioner Katey Fox
SECOND: Commissioner David Sánchez
VOTE: The vote was unanimously in favor of the motion

2. Subgroup: Administrative & Budget Analysis

Mary Day: Stated that the remainder of items in VII deals with an occupational study of the Program Officer Series. Stated that this was a study of over 330 positions and the Department had used the traditional study process of collecting questionnaires from each employee and conducting over 200 desk audits. She also stated that this series has been used as a “catch all”, if the position was difficult to classify then it was placed in this series. She went on to say that over time it was found that it was not a very effective way to recruit for positions. The decision was made to look at each position, and rather than consolidating classes, a number of new titles were developed in order to accommodate these positions. Supervision was never very clear in this series and became problematic in classifying positions. She stated they did a very extensive re-write and basically started over, and that for items 2 and 3 there were no appeals.

- a. Program Officer Series and Benchmark Descriptions
- b. NSHE Specialist Series

Mary Day: Stated that this series was developed especially for the Nevada System of Higher Education. She stated that when reviewing the program officer series for NSHE, they found positions that were unique to the University System.

- c. Contract Specialist Series

Mary Day: Stated that this series was developed for larger agencies for those individuals who deal mainly with contracts for services and goods. She stated that there was at least 10 positions that were identified that fit into this particular series.

3. Other Class Series Revised or Developed During the Study

- a. Mail Room Series

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Mary Day: Stated that they identified two positions in the State mailroom that were classified as Program Officers. One was the manager and the other was an assistant manager. She indicated that they added two new levels to this series.

b. Executive Assistant

Mary Day: Stated that in the class specification it indicates that there is only one Executive Assistant per each executive. She indicated that a modification was necessary to accommodate two positions assigned to provide executive assistance to the Board of Regents, which has 13 members.

c. Records Manager/Analyst Series

Mary Day: Stated that they identified two Program Officers that were working at an advanced level, and the grades were restructured in that series to accommodate those two individuals who are doing advanced work in the area of electronics and digital archiving and records management.

d. Motor Pool Manager and Fleet Services Manager/Worker Series

Mary Day: Indicated that there were two positions functioning as Program Officers who were in fact functioning at a Motor Pool Manager and Fleet Service Manager level. She stated they added two levels to this series to accommodate these two positions.

e. NCJIS Program Specialist Series

Mary Day: Stated that the way the minimum qualifications were written for this class it was impossible for subordinate administrative staff to promote into this class. She stated that as a result, a training level was developed and also a supervisory level.

Julie Butler: Criminal Justice Records Manager, Department of Public Safety Records Bureau. Stated this series has not been revised since 1980 and needed significant re-work. She asked the Commission for a different effective date to start immediately. She stated that they currently have vacancies and in order to recruit for these positions, they would have to use the old class. They would like to recruit under the newly revised spec and use the training level.

Peter Long: Stated that there would be positions moving into this series that result in upgrades.

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Julie Butler: Stated that there are 4 positions in the unit that are currently grade 29 that would move into this class, which is grade 31. She went on to state that the other positions would laterally move into this series.

Peter Long: Indicated that Legislature needs to approve funding for these positions, and that is why they are not in effect until June of 2009. He stated that the Occupational Studies couldn't go into effect until they have been reviewed and approved by the Legislature due to funding issues. He indicated that we upgraded 4 positions to go into this new class.

Julie Butler: Clarified that her question was for the vacant positions, and she wants to recruit using the training level.

Peter Long: Stated that his concern then would be that DPS should not be moving their employees into the new Supervisory positions since it has not been approved by the Legislature yet.

Katie Armstrong: Deputy Attorney General, Attorney General's Office. Concerned about voting on this item because it has been posted as the effective date of 2009. Suggested that the Commission review this item at a later date and reminded them that it has already been posted for June of 2009. Stated that she will look at it and let Peter Long know if in fact the effective date can be changed.

f. DMV Services Manager I

Mary Day: Stated that DMV currently has Program Officer III functioning as Assistant Managers at the large metropolitan offices. She stated that it posed recruitment issues and that they added the Assistant Manager concept to this series.

g. Safety Specialist Series

Mary Day: Stated that there are 3 positions functioning as Program Officers at the University and they were moved to this series because the majority of their work fits in this series much better.

h. Workers' Compensation Specialist

Mary Day: Indicated that this is a single position class, that warranted a new specification. She stated the work is specialized and this position manages the workers' compensation claims for the Nevada Department of Transportation.

i. Emergency Operations Coordinator

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Mary Day: Stated that this is a position at UNR that was classified as a Program Officer III. This individual works in the UNR police department and is responsible for developing an emergency operations center and response plan.

Commissioner Katey Fox: Stated that she wanted to commend Mary Day for taking a look at this broad based class and separating them. Stated it was really good work.

Commissioner David Read: Stated he would like to commend the Department of Personnel for taking this project on and understands how easy it is to put on band-aids to these classes and appreciates the effort in changing it.

MOTION: Move to approve Occupational Group Study New/Revised Class Specifications and Classification Appeals. Fiscal Management & Staff Services Occupational Group Study, Subgroup: Administrative & Budget Analysis a-c and other class series revised or developed during the study a-i.

BY: Commissioner Katey Fox

SECOND: Commissioner David Read

VOTE: The vote was unanimously in favor of the motion

4. Classification Appeal

a. Joanne Gierer, Program Officer II

Department of Business & Industry, Real Estate Division

Joanne Gierer: Legal Administrative Officer for the Department of Business and Industry, Real Estate Division. Stated that she is appealing the decision based on the fact that it appears she was denied on a NPD-19 that was submitted back August of 2004, due to the duties that have been unchanged. She stated that the desk audit performed does not reflect what happened in the 2005 session when the NPD-19 and projected budget was submitted for approval. In 2006 a commission was created, the Common Interest Communities Commission, which created the administrative program that hears cases that the commission cannot hear regarding the CC&R's of the homeowners associations. She stated that the program is under her purview at this time and has been since the inception of the program. In 2007, the Condominium Act was passed, which was incorporated into the Common Interest Communities Commission, and now is called the Common Interest Communities and Condominium Hotels Commission. This has brought on more duties and responsibilities.

Lieka Fitzgerald: Personnel Analyst, Department of Personnel. Ms. Gierer's position was reviewed during the Program Officer Occupational Group Study. She stated this position no longer met the class concepts for

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Program Officer II, grade 33 and recommend allocation to the Management Analyst I, grade 33. She went on to state that this position was reviewed in 2005, at the request of the agency. She indicated at that time, the extra duties supported an upgrade to Program Officer II, grade 33. She also stated that The Department of Personnel did not find any substantial change in duties since the study in 2005. She stated the additional duties on the Condominium Hotel Act may have increased her workload, however, these duties are consistent with the duties she is already performing.

Commissioner David Sánchez: Asked Ms. Gierer what class would satisfy your appeal at the grade 35?

Joanne Gierer: Stated she felt the position should be at the Management Analyst II, grade 35. She stated that she felt that there have been added duties with significant change, not just added workload.

Lieka Fitzgerald: Responded to Commissioner Sánchez's question in the difference between the Management Analyst I and II, and explained the duties of a higher-level Management Analyst II duties. She stated the level of performance is distinguished from the Management Analyst I by the broader scope of responsibility and complexity of work, and the level of independence in performing the duties.

MOTION: To deny the appeal of Joanne Gierer
BY: Commissioner David Sánchez
SECOND: Commissioner David Read
VOTE: The vote was unanimously in favor of the motion

MOTION: Move to approve the Fiscal Management and Staff Services Occupational Study Group. Subgroup: Administrative and Budget Analyst Program Officer Series and Benchmark Descriptions.
BY: Commissioner David Read
SECOND: Commissioner David Sánchez
VOTE: The vote was unanimously in favor of the motion

VIII. *INDIVIDUAL CLASSIFICATION APPEAL

Shelley Blotter: requested from the Commission to delay consideration on this item, as there is possible resolution with the Controller's Office. If the issues could not be resolved, this item would be placed on the December agenda.

IX. UNCONTESTED CLASSIFICATION ACTION REPORT

Posting #09-08

X. SPECIAL REPORTS

Adrian Foster: He gave a PowerPoint presentation regarding recruitment of information technology positions at the State of Nevada. He stated that the Commission requested this report because of issues raised concerning the effectiveness of recruiting efforts, qualifications and certifications used to qualify applicants and the retention of IT employees. The PowerPoint presentation is available upon request.

VII-A Chairperson Claudette Enus: Stated that they would now hear Item **VII-A section 1 – a.** appeal from Rodney Keith. (Previously, moved to the end of the meeting).

Rodney Keith: Indicated that he was not notified of this hearing.

Peter Long: Stated that the Department has record that Mr. Keith was sent notification, stating the time, place, and what is to be required in presenting to the Commission. He stated that he was concerned about him not receiving notification, and that when Mr. Keith was sent the original determination for the occupational study, Mr. Keith advised the Department that he didn't receive it until 4 weeks after everyone else. Mr. Long stated that Mr. Keith's implication is questionable.

Rodney Keith: Caseworker II at Casa Grande Transitional Housing. Indicated that he received a letter stating that his appeal was to be heard, but no indication of time and place or that he would have to appear in person.

Commissioner David Sánchez: Stated that Mr. Keith is here and we should continue this hearing.

Rodney Keith: Indicated that Casa Grande was opened three years ago and has had 100 escapes, and as a result these individuals are charged with felony escape. He stated that they have approximately 400 inmates, and on average, 15 per month transfer out. He also went on to state that his duties are comparable to High Desert or any maximum or medium security facility job duties of a Caseworker II. He stated that he often catches mistakes from the other Caseworkers at the larger facilities in respect to the qualifications to transfer an inmate. He went on to compare his job duties to other Caseworker II positions at the maximum/minimum facilities. He also stated that he has duties that are over and above the Caseworker II.

Commissioner David Sánchez: Read the letter dated April 2nd 2008 into the record. "As stated above: Correctional Casework Specialist II perform at least one of the listed specialized duties in an institution consisting

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mostly of maximum and/or medium security inmates. Inmates housed at the Casa Grande Transitional Housing Facility are classified as either community trustees or minimum custody inmates. The SME's (Subject Matter Experts) indicated that casework services provided at a minimum custody facility are of lesser complexity than those at the medium/maximum institutions."

Rodney Keith: He stated that his responsibilities are up and beyond the complexity of caseworkers at the medium security facility. He went on to completely disagree with what was read.

Chairperson Claudette Enus: Asked Mr. Keith if he had sat down with the Department of Personnel and reviewed his duties.

Rodney Keith: Indicated that he had never been asked by the Department of Personnel about his job.

Brenda Harvey: Personnel Analyst, Department of Personnel. Stated that this appeal was left over from the occupational group study approved in June for the Correctional Casework Specialist series. She stated that based on the SME input, allocation to the Correctional Casework Specialist II level requires that a position be responsible for one of four special assignments performed in a medium or maximum security facility, or that a position supervise one or more Correctional Casework Specialist positions. She went on to say that the SME's were made up of an: Associate Warden, Warden of Nevada State Prison, Associate Warden at Lovelock and Gregory Smith (Correctional Planning Specialist for the OMD division). She also stated that granting this request would elevate him to the level of his immediate supervisor and would result in four other positions performing similar duties being upgraded. She also mentioned that the Department of Personnel scheduled a desk audit with the people at Casa Grande, which included three Correctional Casework Specialists on September 17th, via video conference, but no one showed up. She also stated that on August 8th desk audits were conducted on similar positions at Northern Nevada Correctional Facility were conducted.

Chairperson Claudette Enus: Indicated that Rodney Keith had signed off on a position description questionnaire dated May 2007.

MOTION: Move to deny the appeal of Rodney Keith
BY: Commissioner David Sánchez
SECOND: Commissioner David Read
VOTE: The vote was unanimously in favor of the motion

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Chairperson Claudette Enus: Indicated to Mr. Keith that the Department of Personnel would let him know what the next step in the appeal process would be if he wishes to continue.

XI. 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.

XII. ANNOUNCE DATE FOR NEXT MEETING

December 19, 2008 and February 20, 2009

XIII. *ADJOURNMENT

MOTION: Move to adjourn
BY: Commissioner Katey Fox
SECOND: Commissioner David Read
VOTE: The vote was unanimously in favor of the motion.
The meeting concluded at 11:07 a.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>