



**STATE OF NEVADA**  
**DEPARTMENT OF ADMINISTRATION**  
***Division of Human Resource Management***  
100 N. Stewart Street, Suite 200 | Carson City, Nevada 89701  
Phone: (775) 684-0150 | [www.hr.nv.gov](http://www.hr.nv.gov) | Fax: (775) 684-0124

**MEMORANDUM - REVISED**  
**HR#26-14**

April 1, 2014

**TO:** Personnel Commission Members  
Department Directors  
Division Administrators  
Agency Personnel Liaisons  
Agency Personnel Representatives  
NSHE Personnel Representatives  
Designees for Rules Distribution  
Employee Representatives  
Media Representatives

**FROM:** Lee-Ann Easton, Administrator *Lee-Ann Easton*  
Division of Human Resource Management

**SUBJECT:** NOTICE OF WORKSHOP - Amendment to NAC 284

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The regulation change included with this memorandum is being proposed for permanent adoption. In order to review the proposed regulation and solicit comments from interested persons, a workshop will be held at 9:30 a.m., on April 16, 2014 at the Legislative Counsel Bureau, Room 2135, 401 S. Carson Street, Carson City, NV and by video conference at the Grant Sawyer Building, Room 4406, 555 East Washington Avenue, Las Vegas, Nevada. An informational note explaining the nature and purpose of the proposed change precedes the regulation.

Please circulate or post the enclosed *Notice of Workshop to Solicit Comments on Proposed Permanent Regulation* along with the text of the proposed regulation, or otherwise notify your employees.

LE:cr/tp

Enclosures

**NOTICE OF WORKSHOP  
TO SOLICIT COMMENTS ON PROPOSED PERMANENT REGULATION**

The Division of Human Resource Management, 100 N. Stewart Street, Carson City, Nevada, telephone number (775) 684-0148, is proposing the permanent adoption of a regulation pertaining to Chapter 284 of Nevada Administrative Code. A workshop has been set for 9:30 a.m. on April 16, 2014 at the Legislative Counsel Bureau, Room 2135, 401 South Carson St. Carson City, Nevada and by video conference at the Grant Sawyer Building, Room 4406, 555 East Washington Avenue, Las Vegas, Nevada. Persons wishing to comment upon the proposed regulation may appear at the workshop or may address their comments, data, views, or arguments, in written form, to the Department of Administration, Division of Human Resource Management, 100 N. Stewart St., Suite 200, Carson City, NV 89701, Attention: Shelley Blotter.

The purpose of the workshop is to solicit comments from interested persons on the following topic that may be addressed in the proposed regulation:

**NAC #**

**Regulation Leadline**

284.172

Rate of pay: Effect of promotion

A copy of all materials relating to the proposal may be obtained at the workshop or by contacting the Division of Human Resource Management offices at 100 N. Stewart Street, Suite 200, Carson City, Nevada, telephone number (775) 684-0136, or 555 East Washington Avenue, Suite 1400, Las Vegas, Nevada, telephone number (702) 486-2663. A reasonable fee for copying may be charged.

This Notice of Workshop to Solicit Comments on Proposed Permanent Regulation has been sent to all persons on the agency's mailing list for administrative regulations and posted at the following locations:

**PHYSICAL LOCATIONS:**

**CARSON CITY**

Blasdel Building, 209 E. Musser St.  
NV State Library and Archives, 100 N. Stewart St.  
Legislative Counsel Bureau, 401 S. Carson St.

**WEBSITES:**

LCB: [www.leg.state.nv.us](http://www.leg.state.nv.us)  
Nevada Public Notice: [www.notice.nv.gov](http://www.notice.nv.gov)  
Division of Human Resource Management:  
[www.hr.nv.gov](http://www.hr.nv.gov)

**LAS VEGAS**

Grant Sawyer State Office Building,  
555 E. Washington Ave.

This Notice of Workshop to Solicit Comments on Proposed Permanent Regulations has been sent to all State agencies and all Nevada county public libraries.

NOTE: We are pleased to make reasonable accommodations for individuals with disabilities who wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Division of Human Resource Management, in writing, at 100 N. Stewart Street, Room 200, Carson City, Nevada 89701-4204 or call Carrie Lee at (775) 684-0135, no later than five working days before the meeting.

## Proposed Permanent Regulation Amendments

**Explanation of Proposed Change:** Proposed by the Division of Human Resource Management, this amendment will simplify the “Rate of pay: Effect of promotion” so errors do not occur and all employees are treated equitably. The Division does not have the resources to conduct an in-depth audit of all employee records transactions. Therefore, it is possible that errors, which could result in some employees being afforded a greater or lesser compensation benefit than the regulation currently provides, have occurred as a result of a promotion. The current regulation may dissuade an employee from voluntarily demoting to change his or her career path or enter a new class entirely, by limiting his or her pay in the event that he or she accepts a promotion in the future. The proposed change removes the limitation governing the pay upon promotion when a demotion has occurred in the past. This change is in alignment with the amendment to NAC 284.173 Rate of pay: Effect of demotion, which will be proposed at the April 11, 2014 meeting of the Personnel Commission. This proposed amendment, as well as the proposed amendment to NAC 284.173, provides dedicated employees the opportunity to broaden their skill sets, as well as the incentive to remain in State service.

### **NAC 284.172 Rate of pay: Effect of promotion.** (NRS 284.065, 284.155, 284.175)

1. The following provisions govern the rate of pay which must be paid if an employee is promoted:

(a) The employee must be placed at the lowest step in the higher grade that meets one of the following requirements:

(1) If the employee moves one or two grades above his or her former grade, he or she must be placed at the same step in the new grade as the step held in his or her former grade.

(2) If the employee moves three or more grades above his or her former grade, the employee must be placed:

(I) At a step which is equivalent to an increase of two steps above the step held in his or her former grade; or

(II) At the lowest step of the new grade,

↪ whichever pay is higher and in accordance with the provisions of NAC 284.179.

(b) A special adjustment to an employee’s pay for performing supervisory duties which is granted in accordance with paragraph (c) of subsection 2 of NAC 284.206 is the present level of pay for the purpose of calculating a promotional increase authorized by paragraph (a) only if the employee has received the special adjustment to his or her pay for more than 6 months of continuous full-time service.

(c) ~~If an employee has been demoted, he or she may not receive a promotional increase in pay that is greater than the increase which he or she would have otherwise been entitled to receive had he or she not been demoted.~~

~~—(d) This subsection does not apply when an employee is reemployed or reappointed to his or her former grade within 1 year after holding that grade.~~

2. As used in this section, “present level of pay” means a rate of pay that is equal to the amount that is assigned to the step within the grade which is closest to, but does not exceed, the employee’s pay after a special adjustment to pay pursuant to the provisions of NAC 284.206.

(Added to NAC by Personnel Comm’n by R133-12, eff. 10-4-2013)



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**REGULATION WORKSHOP**

**DATE:** April 16, 2014

**TIME:** 9:30 a.m.

**PLACE:** Legislative Counsel Bureau                      Grant Sawyer Building  
Room 2135    Room 4406  
401 South Carson St.    555 East Washington Ave  
Carson City, Nevada    Las Vegas, Nevada

The sites will be connected by videoconference. The public is invited to attend at either location.

**AGENDA**

1. Call To Order
2. Review of proposed changes to NAC 284:  
Regulation Leadline:  
Rate of pay: Effect of promotion    NAC 284.172
3. Adjournment

This workshop will be conducted in accordance with the Open Meeting Law (NRS 241.020).

**NOTE:** Comments by the general public will be taken following a description of the proposed regulation changes. Public comment may be limited to 15 minutes per person at the discretion of the staff member conducting the workshop. Additionally, comments, data, views, or arguments, in written form, may be submitted to the Department of Administration, Division of Human Resource Management, 100 N. Stewart St., Suite 200, Carson City, NV 89701, Attention: Shelley Blotter.

If anyone has questions or wish to discuss in further detail, the item scheduled for this regulations workshop, please contact Shelley Blotter at (775) 684-0105.

**Notices have been posted on the Division of Human Resource Management's website at [www.hr.nv.gov](http://www.hr.nv.gov) and at the following locations:**

Blasdel Building, 209 E. Musser St., Carson City, NV

NV State Library and Archives, 100 N. Stewart St., Carson City, NV

Legislative Counsel Bureau (LCB), 401 S. Carson St., Carson City, NV

Grant Sawyer Office Building - 555 East Washington Avenue, Las Vegas, Nevada

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Nevada Public Notice website: [www.notice.nv.gov](http://www.notice.nv.gov)

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Brian Sandoval  
Governor



Jeff Mohlenkamp  
Director

Lee-Ann Easton  
Administrator

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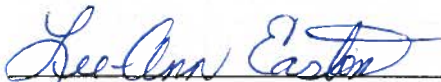
April 1, 2014

**Regulation Small Business Impact Statement**

The Division of Human Resource Management has determined that the adoption of this proposed regulation does not impose a significant economic burden on small businesses, nor will it restrict the formation, operation or expansion of small business.

These regulations only impact the classified service of Executive Branch departments and the Nevada System of Higher Education.

*I certify that to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small business and that the information contained in this statement is accurate.*

  
Lee-Ann Easton, Administrator

4/1/14  
Date