

Steve Sisolak  
Governor



Peter Long  
Interim Director

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Frank Richardson  
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**STATE OF NEVADA**  
**DEPARTMENT OF ADMINISTRATION**  
***Division of Human Resource Management***  
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**REGULATIONS WORKSHOP**

**DATE:** December 3, 2019

**TIME:** 9:00 a.m.

<b>PLACE:</b>	Legislative Counsel Bureau	Grant Sawyer Building
	Room 2135	Room 4412E
	401 S. Carson Street	555 E. Washington Avenue
	Carson City, Nevada	Las Vegas, Nevada

**Workshop Minutes**

**Staff present in Carson City:**

Frank Richardson, Interim Administrator, Division of Human Resource Management, DHRM  
Michelle Garton, Supervisory Personnel Analyst, Consultation & Accountability, DHRM  
Beverly Ghan, Deputy Administrator, DHRM  
Carrie Hughes, Personnel Analyst, Consultation & Accountability DHRM

**Others present in Carson City:**

Lisa Kreskey, Environmental Scientist, DCNR  
Matt Donaldson, Environmental Scientist, DCNR  
Teri Hack, Personnel Analyst, DCNR  
Mary Gordon, Personnel Officer, NDOT  
Kim Eberly, Personnel Analyst, DMV  
Kara Sullivan, Supervisory Personnel Analyst, Recruitment, DHRM  
Rosana Woomer Personnel Analyst, DHRM  
Sandy Finley, Personnel Analyst, DHRM  
Katie Holmberg, Personnel Officer, OPM  
Emily Kuhlman, Personnel Officer, DHHS-DPBH  
Logan Kuhlman, Personnel Officer, DHHS-DHCFP

**Others present in Las Vegas:**

Stephanie Lan, Personnel Analyst, DMV

Angela Santos, Personnel Officer, DMV

Heather Dapice, Supervisory Personnel Analyst, DHRM

Chris Walsh, Personnel Officer, DHRM

**1. Call to Order**

DHRM Supervisory Personnel Analyst Michelle Garton called the workshop to order and explained that based on the feedback received, proposed language may be changed or deleted, and a group of regulations may be affected. If the regulations are submitted to the Personnel Commission for adoption, amendment or repeal, the minutes from the workshop and any other comments received will be provided to the Personnel Commission when the regulation is presented for their consideration. Staff will provide an explanation of the proposed changes and provide time for comments from the audience.

**2. Review of proposed changes to NAC 284**

**284.650 Causes for disciplinary or corrective action.**

Carrie Hughes, Personnel Analyst with DHRM, explained the amendment will remove the ability to discipline employees, who have no business reason to carry a firearm but hold a permit to concealed carry, for carrying a concealed firearm on the premises of the public building in which they are employed.

This amendment is the result of employees petitioning the Division of Human Resource Management to align the provisions of NRS 202.3673 and NAC 284.650, due to their security concerns.

Carrie Hughes stated as these are the proposed changes to these regulations, DHRM would welcome any discussions or thoughts that the audience may have.

Ms. Lisa Kreskey, an Employee with the State of Nevada stated she and her coworker submitted a petition due to the increase in mass shootings in the country over the last couple of years as well as the limited security in their building.

Ms. Kreskey stated they had requested the one regulation and the one statute be more in alignment with each other.

Ms. Kreskey stated she submitted the memo to Administrator Long and asked to read the memo and stated the memo had been slightly altered since she first submitted it

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Matt Donaldson, an Employee with the State of Nevada clarified that he and Ms. Kreskey were on leave and not representing their Division.

Ms. Lisa Kreskey stated on July 10, 2017 the Administrator of her Division announced they had been issued metal door bars to assist in building security.

Ms. Kreskey stated the bars were to block out access to employees from an active shooter by wedging the door.

Ms. Kreskey stated the number of mass shootings has tragically increased in the last 20 years primarily since the horrific episode in Colorado at Columbine High School.

Ms. Kreskey stated many such tragedies had taken place including in Carson City in September of 2011 when a mentally disturbed individual walked in to the IHOP and gunned down 5 people and wounded many more.

Ms. Kreskey stated her building has limited physical security and anyone can enter the elevators during normal business hours, go to any floor and cause any manner of trouble they wished.

Ms. Kreskey stated as a public employee with a background in municipal law enforcement, she was deeply concerned by the poor security in her building.

Ms. Kreskey stated the nation-wide increase in mass shootings has been terrifying.

Ms. Kreskey stated when the door bars were issued, she was struck by the fact the bars would not prevent an active shooter from simply firing through a door or wall neither of which is very thick.

Ms. Kreskey stated on May 31, 2019, a disgruntled employee of the Virginia Beach Municipal Center entered his place of work and opened fire on his coworkers.

Ms. Kreskey stated not one of those people could defend themselves due to the building being a posted 'gun free' zone and an associated 'gun free' policy at the workplace; 12 people were killed.

Ms. Kreskey stated in 2011, she along with several other public employees were threatened with shooting by a member of the regulated community.

Ms. Kreskey stated anytime they entered this man's property, they had to be surrounded by armed police officers.

Ms. Kreskey stated with signs on the doors that declare the building a 'gun free' zone, her offices are potential targets for mentally ill persons seeking to do great harm.

Ms. Kreskey stated according to the Crime Prevention Research Center, 98.4 percent of mass shootings are conducted with a posted 'gun free' policy and that such zones are nothing more than 'murder magnets'.

Ms. Kreskey stated according to the Bureau of Justice statistics, only 28 percent of calls for violent crime are answered by police within 5 minutes or less.

Ms. Kreskey stated one active shooter can do incredible damage and take many lives by the time police can respond.

Ms. Kreskey stated she and her coworker approached their Bureau Chief to request that eligible, permitted employees be allowed to carry concealed firearms to defend themselves and their coworkers in the event of an active shooter.

Ms. Kreskey stated they had several meetings with upper management between April 2018 and 2019 but ran into a problem with the interpretation of NAC 284.650 as it directly contradicts NRS 202.3673.

Ms. Kreskey stated the latter, paraphrased, allows persons with a CCW (Carrying a Concealed Weapons permit) to carry their firearm in a public building which they work as long as it is not the type of building where such weapons are banned such as airports, courthouses, schools and other facilities.

Ms. Kreskey stated NAC 284.650(20) stated if a weapon is not needed for the execution of the State employee's duty, he or she can be punished for carrying it.

Ms. Kreskey stated NAC 284.650 stated appropriate disciplinary action may be taken for any of the following causes: subsection 20, carrying while on the premises of a workplace any firearm which is not required for the performance of the employee's current job duties or authorized by his or her appointing authority.

Ms. Kreskey stated she and her coworker had initially requested that subsection 20 be stricken entirely from the regulation, however, the Division of Human Resource Management proposed not deleting the clause but adding language to it.

Ms. Kreskey stated that language was 'this subsection does not apply when an employee who is authorized to carry a concealed firearm does so in the public building in which he or she is employed'.

Ms. Kreskey stated she and her coworker greatly appreciate the consideration given to their request but feel the word 'authorized' in the proposed language is open to interpretation.

Ms. Kreskey asked if the word 'authorized' referred to authorization given to the issuance of a CCW permit, or does it refer to authorization given by the Department Administrator.

Ms. Kreskey stated when employees as field inspectors are in State vehicles, that car or truck is their building and for the period of time in the field it is their office, their place of employment.

Ms. Kreskey stated on many occasions, she had broken down and was stranded in remote locations with no law enforcement and no means of defending herself while waiting for a tow truck.

Ms. Kreskey stated the ability to carry personal protection while stranded in a State vehicle is crucial to personal safety.

Ms. Kreskey stated there are no provisions in NRS 202.3673 prohibiting this act, therefore they are asking the proposed language in NAC 284.650 be amended to ‘this subsection does not apply when an employee who is authorized by a CCW permit to carry a concealed firearm does so in the public building in which he or she is employed or a State vehicle in which he or she is assigned’.

Ms. Kreskey thanked the panel for the opportunity to air their concerns.

Michelle Garton, with DHRM, thanked Ms. Kreskey for the memo and for the specific proposed language.

Michelle Garton, with DHRM, asked for any feedback or concerns.

There were no comments in Carson City or in Las Vegas.

### **284.726 Access to confidential records.**

Michelle Garton, with DRHM, stated the amendment to this regulation will require the release by an appointing authority of records requested by the Division of Human Resource Management in the course a sexual harassment or discrimination investigation.

In the past, the Division has experienced difficulties obtaining such relevant records and the intent of the amendment to this regulation is to resolve this challenge.

Michelle Garton, with DHRM, asked for any feedback or concerns.

There were no comments in Carson City or in Las Vegas.

Michelle Garton, with DHRM, stated items that move forward will be sent to the Legislative Counsel Bureau for pre-adoption review and potentially discussed at an upcoming Personnel Commission meeting either in March or June of 2020, depending on the length of the pre-adoption review process.

### **3. Adjournment**

After thanking everyone for attending and participating, Ms. Garton adjourned the workshop at approximately 9:12 am.