

Steve Sisolak
Governor



Laura E. Freed
Director

Matthew Tuma
Deputy Director

Frank Richardson
Administrator

STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
Division of Human Resource Management
209 E. Musser Street, Suite 101 | Carson City, Nevada 89701
Phone: (775) 684-0150 | <http://hr.nv.gov> | Fax: (775) 684-0122

MEMORANDUM
HR# 40-22

August 10, 2022

TO: DHRM Listserv Recipients
Nevada County Libraries
State Library and Archives

FROM: Frank Richardson, Administrator *Frank Richardson*
Division of Human Resource Management

SUBJECT: NOTICE OF WORKSHOP – Temporary Amendments to NAC 284

The topics that may be addressed regarding changes to and/or additions to regulations included with this memorandum are being proposed for temporary adoption. In order to review these topics and solicit comments from interested persons, a workshop will be held at 9:00 a.m. on August 26, 2022, at the Nevada State Library and Archives Building, 100 N. Stewart St., Room 110, Carson City, Nevada with videoconferencing to the Grant Sawyer Building, 555 E. Washington Avenue, Room 1400, Las Vegas, Nevada.

Please circulate or post the attached *Notice of Workshop to Solicit Comments on Proposed Permanent Regulations* along with the text of the proposed regulations.

FR:mg

Attachments

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REGULATION WORKSHOP

DATE: August 26, 2022
TIME: 9:00 a.m.
PLACE: Nevada State Library and Archives Grant Sawyer Building
100 N. Stewart Street 555 E. Washington Avenue
Room 110 Room 1400
Carson City, Nevada Las Vegas, Nevada

Effective June 1, 2021, the Governor's Emergency Directive expired, and Open Meeting Law procedures were reinstated.

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

Meeting materials are available on the Division of Human Resource Management's website at:

[http://hr.nv.gov/Boards/Master Meetings Calendar/](http://hr.nv.gov/Boards/Master_Meetings_Calendar/)

AGENDA

1. Call to Order
2. Review of related topics that may be addressed in proposed temporary changes to and/or additions to Chapter 284 of the Nevada Administrative Code.
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 5 minutes per person at the discretion of the staff member conducting the workshop.

If anyone has questions or wishes to discuss in further detail, the items scheduled for this regulation workshop, please contact Michelle Garton at (775) 684-0136.

Notices have been posted on the Division of Human Resource Management's website at www.hr.nv.gov and at the following locations:

CARSON CITY

Blasdel Building, 209 E. Musser Street
NV State Library and Archives, 100 N. Stewart Street
Legislative Counsel Bureau (LCB), 401 S. Carson Street
Nevada State Capitol Building, 101 N. Carson Street

LAS VEGAS

Grant Sawyer Building, 555 E. Washington Avenue

WEBSITES

LCB website: www.leg.state.nv.us

Nevada Public Notice website: www.notice.nv.gov

We are pleased to make reasonable accommodations for individuals with disabilities who wish to participate in the meeting. If special arrangements for the meeting are necessary, please notify Michelle Garton at (775) 684-0136 or mgarton@admin.nv.gov no later than five working days before the meeting.

**NOTICE OF WORKSHOP
TO SOLICIT COMMENTS ON PROPOSED TEMPORARY REGULATIONS**

The Division of Human Resource Management, 209 E. Musser Street, Suite 101, Carson City, Nevada, telephone number (775) 684-0136, is proposing the temporary amendment of regulations pertaining to Chapter 284 of Nevada Administrative Code. A workshop has been set for 9:00 a.m. on August 26, 2022, at the Nevada State Library and Archives Building, 100 N. Stewart St., Room 110, Carson City, Nevada with videoconferencing to the Grant Sawyer Building, 555 E. Washington Avenue, Room 1400, Las Vegas, Nevada. The purpose of the workshop is to solicit comments from interested persons on the following topics that may be addressed in the proposed regulations.

**Meeting materials are available on the Division of Human Resource Management’s
website at:**

<http://hr.nv.gov/Boards/Master Meetings Calendar/>

Request for Comments and Review of Nevada Administrative Code, Chapter 284, related to the amendment of regulations regarding:

1. Compensation pursuant to NAC 284.180;
2. Leave pursuant to NAC 284.582 and 284.589.

A copy of all materials relating to the proposal may be obtained by contacting the Division of Human Resource Management at (775) 684-0136 or mgarton@admin.nv.gov. A reasonable fee for copying may be charged. The agency’s Small Business Impact Statement is attached.

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

CARSON CITY

Blasdel Building, 209 E. Musser Street
NV State Library and Archives, 100 N. Stewart Street
Legislative Counsel Bureau (LCB), 401 S. Carson Street
Nevada State Capitol Building, 101 N. Carson Street

LAS VEGAS

Grant Sawyer Building, 555 E. Washington Avenue

WEBSITES

LCB website: www.leg.state.nv.us
Division of Human Resource Management website: www.hr.nv.gov
Nevada Public Notice website: www.notice.nv.gov

In addition, this Notice of Workshop to Solicit Comments on Proposed Temporary Regulations has been sent to:

DHRM LISTSERV RECIPIENTS
ALL NEVADA COUNTY PUBLIC LIBRARIES

NOTE: We are pleased to make reasonable accommodations for individuals with disabilities who wish to participate in the meeting. If special arrangements for the meeting are necessary, please notify Michelle Garton at (775) 684-0136 or mgarton@admin.nv.gov no later than five working days before the meeting.

Explanations of Proposed Changes

Topic 1

NAC 284.180 Rate of pay: Nonclassified or unclassified employees or other certain employees appointed to classified service.

Explanation of Change: Subsection 1 of this regulation prescribes the various rates of pay that a nonclassified or unclassified could receive if he or she moves to the classified service. The Division of Human Resource Management (DHRM) is seeking input on whether or not a change should be made to allow an employee to receive a rate of pay that is closest to but not below the rate of pay he or she received in the nonclassified or unclassified service position, if he or she held the nonclassified or unclassified position for more than one year.

Topic 2

NAC 284.582 Civil leave with pay to serve on a jury or as a witness.

Explanation of Change: This regulation addresses when employees must be granted civil leave with pay to serve on a jury or as a witness. DHRM is seeking input regarding the possible clarification of the language to include that an employee must be granted civil leave with pay when he or she has been summoned to serve on a trial jury or the grand jury.

NAC 284.589 Administrative leave with pay.

Explanation of Change: There have been several requests for different amendments to this regulation, which addresses the circumstances that an employee may or shall receive administrative leave with pay.

The first request for consideration will provide clarity and ease of use by dividing the existing regulation into separate regulations outlining the nondiscretionary and discretionary bases of administrative leave

The second request for consideration extends the provision for employee assistance program counseling. Currently, an employee is entitled to administrative leave for up to two counseling appointments through an employee assistance program in an undefined period of time. The amendment will change the amount of administrative leave from two appointments to the number of appointments an employee is entitled to through the State's employee assistance program and establishes a time period for the administrative leave allowance (i.e., a fiscal year). The State's current contract for employee assistance program services provides up to four counseling appointments per issue per fiscal year.

Next, an amendment has been requested regarding the possible codification of current practice in relation to resolution conferences, mediation and rejection from a trial period to require administrative leave to be granted for these purposes.

The fourth request is for the addition of another subsection to allow administrative leave for up to

a certain number of hours, for example 40 hours, per year to an employee for various activities related to the application, licensure or to serve a county school district in whatever capacity their license allows or for which the employee is qualified.

The fifth request is for the addition of another subsection to require the approval of administrative leave for an employee who is a victim of an act which constitutes domestic violence or whose family or household member is a victim of an act which constitutes domestic violence, and the employee is not the alleged perpetrator in certain circumstances.

DHRM is seeking input on the possible amendments above.

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Regulation Small Business Impact Statement

Section 15 of Article 15 of the Nevada Constitution requires the Legislature to provide for a State merit system governing the employment of employees in the Executive Branch of State government and in 1969 the Legislature provided for such in NRS 284. Additionally, NRS 284.013 provides limitations to which employees of the Executive Branch are covered by NRS 284. NRS 284.065 authorizes the Personnel Commission to adopt regulations to carry out the provisions of this chapter.

Due to the limitations of the Nevada State Constitution and NRS 284, the Division of Human Resource Management staff has determined that the adoption of this proposed regulation does not affect small businesses, impose a significant economic burden on small businesses, nor will it restrict the formation, operation or expansion of small business. This regulation only impacts employees moving into the nonclassified, classified, or unclassified service of the Executive Branch.

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 was prepared properly and is accurate.

Frank Richardson

Frank Richardson, Administrator

August 9, 2022

Date