

State of Nevada

Division of Human Resource Management

Consultation and Accountability



Welcome to the DHRM Newsletter!

I am delighted to introduce the first edition of the quarterly Consultation and Accountability newsletter! We are very excited to launch this project to provide you with valuable educational information, helpful hints and links, and tips and news from Consultation and Accountability. Whether you are researching FMLA, EAP, the grievance process, or just have questions about one of the many HR issues we support, there will be something new in every issue.

We want to connect with you in a meaningful way that provides value and support when and where you need it. We encourage you to reach out to staff with any questions or concerns and to get to know our team. Consultation and Accountability has dedicated and knowledgeable staff who are eager to provide expert consultation. We sincerely want this newsletter to provide timely, relevant and useful information. We encourage you to take the short survey in each edition identifying topics that you need/value which will help us find better ways to serve you.

*Thank You,
Frank Richardson*

Each newsletter will be sent out via email and will be posted on our website at: http://hr.nv.gov/Sections/Consultation_and_Accountability/

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FMLA: Did You Know

...there are circumstances when the impact on your operations is a factor in an employee's leave?

By Carrie Hughes

If an employee uses Family and Medical Leave Act (FMLA) intermittent leave for planned medical treatment, whether the employee's or a family member's, an employee "must make a reasonable effort to schedule the treatment so as not to disrupt unduly the employer's operations."

[First Issue Feedback](#)

Federal Updates:

- [ADA](#)
- [FMLA](#)
- [GINA](#)
- [USERRA](#)

FMLA: Did You Know (continued)

An employee is ordinarily expected to consult with his or her agency prior to the scheduling of planned treatment to work out a schedule which best suits the needs of the agency and the employee. If an employee does not consult with the agency, the agency may contact the employee and direct the employee to attempt to setup a schedule of treatment that does not overly disrupt agency operations.

A schedule of planned medical treatment is subject to the approval of an employee's health care provider.

([29 CFR §825.203, §825.302\(e\)](#))

“Management is nothing more than motivating other people.” – Lee Iacocca

Quick Links

- [Employee Discounts Page](#)
- [Updated Forms and Publications](#)
- [HR 1-2-3](#)
- [State Holidays](#)
- [First Issue Feedback](#)

State of Nevada Exit Survey: Look for the Trends

By Kristen Hanson

Human Resource professionals have long known that information gathered from employees as they leave their jobs can be very useful, and sometimes brutally honest. Of course, there are employees who will use the Exit Survey as a chance to unload pent-up frustrations without providing truly useful organizational feedback. Most of the time however, there is value to the information obtained from an exiting employee.

Is a trend emerging in the responses? When a common complaint or theme appears in the Exit Interview Survey results, good or bad, take notice. It's likely additional employees share the sentiment.

Employee turnover is costly and lowers morale. It is important to encourage employees leaving State service or transferring to another agency to participate in the Exit Survey. It should be seen as an opportunity for both the employee and the agency. The Exit Interview Survey may be completed [online](#), or as an alternative, a printed hardcopy [paper version](#) can be forwarded to the Division of Human Resource Management.

If you have any questions or suggestions for improving the Employee Exit Interview Survey, please feel free to contact me at 775-684-0148 or khanson@admin.nv.gov.

What is a Resolution Conference?

By Denise Woo-Seymour

After a grievance has been submitted to Step 4, either the grievant or the agency may choose to request a resolution conference, thereby mandating both parties' participation. A resolution conference is an informal meeting between the parties with the assistance of a neutral facilitator, provided by the Division of Human Resource Management. The intent of the grievance process is to resolve a perceived injustice between the employee and the agency internally before it may be necessary for the grievance to go before the Employee-Management Committee for a determination. A resolution conference is one last attempt at an agreement outside of the open meeting, and it just might be the answer. After all, over half of all resolution conferences are successful!

A resolution conference can...

- Promote communication between the employee and management;
- Strengthen working relationships;
- Offer enlightenment on what is taking place in the workplace; and
- Provide an additional opportunity for a grievance issue to be discussed and for possible solutions to be considered.

A resolution conference can be requested up to 15 working days prior to a scheduled meeting of the Employee-Management Committee by contacting Denise Woo-Seymour, Resolution Conference Coordinator at 775-684-0149 or dseymour@admin.nv.gov.



HR HUMOR

HR: Late again!

Employee: Yes, it makes the day seem shorter.

HR: Don't bring me problems, bring me solutions.

Employee: If I had solutions, I wouldn't bring you anything.



HR 1-2-3

...what can it do for you?

By Carrie Hughes

Do you know when it is appropriate to grant [release time](#)? Do you know where to find information on addressing the needs of [pregnant and nursing employees](#)? Do you know where to start with questions relating to subjects such as [ethics](#), [workplace violence](#), or [separations for physical, mental or emotional disorder](#)? Where to find best practice on [coaching](#) employees?

HR 1-2-3 can assist.

What is HR 1-2-3? It is an online reference on human resource subjects. It is a self-serve tool intended to provide a brief, simple explanation and/or re-direct to the appropriate resource (e.g., agency human resource staff, Office of Risk Management) for further information and assistance. It provides a quick summary on each topic with links to related information such as forms, additional resources (e.g., statutes, regulations), and associated topics. It contains a hyperlinked glossary of defined and human resource specific terminology. Hyperlinks also create cross references with associated topics.

HR 1-2-3 is constructed of information that applies to all executive branch agencies. However, some information may not be applicable to employees of the Nevada System of Higher Education (e.g., UNR, College of Southern Nevada).

Upcoming

Employee

Assistance

Program

Webinars

- Time Management Tools: To-Do Lists, Calendars, etc.
- Basics of Estate Planning
- From Smoker to Smoke Free
- Where Are You Going? Goal Setting for Personal and Professional Success
- Sailing On: A Guide to Transitioning into Retirement
- Helping Children Develop Strong Ethics and Values
- Staying Connected: Keeping the Spark Alive in Your Relationship
- Becoming a Team Player
- Getting the Best Value out of Your Health Benefits
- Counseling & Therapy, Demystified
- Caring from a Distance
- Strengthening Your Ability to Empathize
- The Confident You: Taking Charge of Your Life
- The Power of Voice: Speech Techniques to Help You Be Heard

Register for these webinars at :

[http://hr.nv.gov/StateEmployees/EAPtraining/!](http://hr.nv.gov/StateEmployees/EAPtraining/)

HR 1-2-3 (continued)

Areas typically addressed by agencies' policies and procedures are either not addressed or users are re-directed to their agency.

As federal and state laws and regulations change, HR 1-2-3 is revised to reflect current information. Following each legislative session, a full review of the resource is conducted with input solicited from subject matter experts. Additionally, suggestions are solicited on the main webpage.

While HR 1-2-3 was constructed with frontline supervisors as the target audience, it is a resource for all levels of management and human resources. If you have not already, I invite you to look at this resource and see how it can assist you and your staff.

When a Grievance is Not a Grievance

By Denise Woo-Seymour

We all know there are numerous reasons an employee may file a grievance. We also know that a grievance must meet the definition of a grievance pursuant to NAC 284.658. But, what happens when grievance doesn't meet the definition? In this case, a request for the removal of the grievance from the process may be submitted by the agency using the following procedures:

[Agency Request for Removal of Grievance \(At Steps 1, 2 or 3\)](#) – A request by an agency to remove a grievance may be approved based on the following grounds: the employee is not in the classified service, the employee is not a permanent employee, the grievance relates to a rejection from trial period, the grievance does not arise out of the employer-employee relationship or the contested issues are addressed through another venue such as an appeal of a dismissal, demotion, suspension or an involuntary transfer. An [Agency Request for Removal of Grievance from Grievance Process Based on NRS 284.384](#) form must be submitted to the Division of Human Resource Management (DHRM) through the Employee-Management Committee (EMC) Coordinator.

[Agency Motion to Dismiss Employee Grievance \(Only at Step 4\)](#) - If a grievance escalates to Step 4, is scheduled for a hearing before the EMC

and contests the same issues as noted in the previous paragraph as grounds for removal or the grievance may be answered by an EMC determination of a similar grievance, an agency may file a Motion to Dismiss the grievance. The [Agency Motion to Dismiss Employee Grievance That Has Been Submitted to the Employee-Management Committee form](#) may be submitted to the EMC through the EMC Coordinator once the grievance has been scheduled for a hearing.

Please remember, a grievance may not meet the definition and be removed from the process, but it likely will not eliminate the employee's perception that an issue exists. This is an opportunity for the agency and the employee to continue the dialogue addressing the employee's concerns.

Further questions may be directed to Denise Woo-Seymour at dseymour@admin.nv.gov 775-684-0149 or Nora Johnson at nora.johnson@admin.nv.gov 775-684-0135.

Helpful Links for Grievances

- [Grievance FAQ](#)
- [Grievance Forms](#)
- [EMC Meeting Dates](#)

Is Your Workplace Culture Aligned with the Mission & Vision of Your Agency?

By Bacher Washington

The participation in a climate study can figure that out for you. Successful agencies all have a key characteristic in common - they work together to address problems and create a positive work environment. An employee climate study enables a successful agency to operate more efficiently through the use of worker input and satisfaction ratings.

A positive workplace climate is an enjoyable, pleasant place to work where people work together well and treat each other with respect that is reciprocated. It is also the extent to which leadership and employees believe that they have a collaborative opportunity to contribute to the agency's success in a meaningful way. The culture and climate of an agency are the natural forces which leave an imprint on an agency. Both have a strong impact on the agency's effectiveness.

Culture through values, beliefs, myths, traditions and norms, creates the workplace climate (what employees experience in the workplace). The workplace climate study has a significant impact on individual and agency performance. There are many factors that contribute to your workplace climate. We can explore some of these factors, some will be quite obvious and others not so much. Our survey is designed to focus on the climate drivers such as communication, work satisfaction, leadership, etc. Through the input process we dive deep in order to measure the level of satisfaction or lack thereof, related to leadership, policy, practice and agency alignment. If you feel your agency could benefit from a climate study, please contact Bacher Washington at 702-486-2907 or bwashington@admin.nv.gov.

“Human resources are like natural resources; they're often buried deep. You have to go looking for them, they're not just lying around on the surface. You have to create the circumstances where they show themselves.” - Ken Robinson

Amendments to Regulations: We Love This Stuff

By Michelle Garton

Did you know?

The Nevada Administrative Procedure Act (NRS 233B) defines a regulation, in part, as an agency rule, standard, directive or statement of general applicability which effectuates or interprets law or policy, or describes the organization, procedure or practice requirements of any agency. The Consultation and Accountability (C&A) section is responsible for amendments to regulations found in NAC 284, which is quite a process, but we love this stuff!

The following is a VERY brief description of the process...

For permanent amendments to NAC 284 to become effective, first we need ideas. These ideas come from many sources such as agency human resources offices, human resource working groups, employee associations, as well as by Division staff in response to questions and concerns raised by our customers through consulting activities.

Once we have everyone's ideas, a workshop is held to gather input from interested parties. Based on input received, the draft regulations may or may not be revised,

and are submitted to the Legal Division of the Legislative Counsel Bureau (LCB Legal) for pre-adoption review. At this time, LCB Legal ensures that the regulations are clear and concise and can be supported by statute. LCB Legal then returns a draft to the C&A for review.

Once LCB Legal and C&A have collaborated and come to a consensus on the draft, the regulation is ready to go to the Personnel Commission for adoption. If the regulation is adopted by the Personnel Commission, it is then submitted to LCB Legal for post-adoption review and scheduled to go before the Legislative Commission for approval. The regulation becomes effective once it is approved by the Legislative Commission and stamped by the Secretary of State. If you'd like to follow regulations through the process, the [Nevada Register](#) on LCB's website is the place to go.

C&A is always interested in discussing amendments to NAC 284!

Please contact Michelle Garton at: 775-684-0136 or mgarton@admin.nv.gov for additional information related to this process.

First Issue Feedback

State of Nevada Division of Human Resource Management Consultation and Accountability

MISSION:

To provide exceptional Human Resource services with integrity, respect and accountability.

VISION:

To be recognized as a leader and partner in the management of Human Resources.

Regulations Update

By Michelle Garton

Several permanent amendments to NAC 284 were adopted by the Personnel Commission at their meeting on December 7th. All documents required for post-adoption review have been submitted to Legislative Counsel Bureau (LCB) Legal, and we're told there is a high likelihood of a Legislative Commission meeting in January. The regulations will (hopefully!!) be approved and will become effective at that time.

Please visit the 2018 Regulations page on the [Nevada Register](#) to find information on the following adopted LCB Files: [R163-18](#), [R164-18](#), [R166-18](#) and [R175-18](#).

In addition to the above, regulation amendments related to reports on performance are scheduled to be presented to the Personnel Commission for adoption at their meeting on March 8, 2019.

Another thing to watch for are possible emergency regulations in June 2019 based on bills passed during the upcoming 2019 Legislative Session. Stay tuned for that!

Remember to use the [Rules for State Personnel Administration](#) publication and watch for the distribution of replacement pages because LCB only updates their website once codification is completed. Please contact Michelle Garton at 775-684-0136 or mgarton@admin.nv.gov for additional information.

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DHRM—Top Four Call Topics by Percentage: Qtr. 3 and Qtr. 4

