

**PROPOSED REGULATION OF THE  
HUMAN RESOURCES COMMISSION**

**LCB File No. R123-26**

June 25, 2026

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: § 1, NRS 284.065, 284.155 and 284.380.

A REGULATION relating to human resources; requiring the director of a department to take certain actions before laying off a classified employee; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law requires the Human Resources Commission of the Division of Human Resource Management of the Department of Administration to adopt regulations to carry out the provisions of existing law governing the State Human Resources System. (NRS 284.065) Existing law authorizes an appointing authority, in accordance with regulations, to lay off an employee in the classified service whenever the appointing authority deems it necessary by reason of shortage of work or money or of the abolition of a position or of other material changes in duties or organization. (NRS 284.380) Existing regulations require the director of a department to take certain actions if it becomes necessary for a classified employee to be laid off. (NAC 284.614)

This regulation requires the director of a department, before laying off a classified employee, to determine whether a vacant position exists within the department that could be eliminated so as to render the laying off of the employee unnecessary. If the director determines that no such vacant position exists, this regulation requires the director to coordinate with the Division of Human Resource Management for possible reallocation of the employee to another position in the State.

**Section 1.** NAC 284.614 is hereby amended to read as follows:

284.614 1. Except as otherwise provided in NAC 284.425, if it becomes necessary for a classified employee to be laid off because of a shortage of work or money, the abolition of a position, or some other material change in duties or organization:

(a) The director of the department shall determine in what geographical location, class series, class and option the reductions in staff will have the least detrimental effect on the operations of the department and shall specify layoffs accordingly. In the Department of ~~Health and~~ Human Services and the Nevada System of Higher Education, the administrator of a division may be designated to make these determinations with the approval of the director of the department.

(b) *The director of the department shall, before laying off the employee:*

*(1) Determine whether a vacant position exists within the department that could be eliminated so as to render the laying off of the employee unnecessary; and*

*(2) If the director determines that no vacant position described in subparagraph (1) exists, coordinate with the Division of Human Resource Management for possible reallocation of the employee to another position in the State.*

(c) Within the department, geographical location, class series, class and option selected, all employees of the department who are not permanent must be separated from service before any permanent employees in the following order:

- (1) Emergency employees.
- (2) Temporary employees.
- (3) Provisional employees.
- (4) Probationary employees.

~~(e)~~ (d) If additional reductions are necessary, permanent employees must be laid off on the basis of seniority pursuant to NAC 284.632.

~~(d)~~ (e) In the department, geographical location, class series, class and option where layoffs are to take place, those employees with the least seniority must be laid off, transferred as set forth in subsection 2 or voluntarily demoted as set forth in NAC 284.618.

~~(e)~~ (f) An appointing authority may consider limiting layoffs to employees in full-time or part-time positions. Similar considerations may be given to and limitations placed on positions requiring selective certification pursuant to NAC 284.361.

2. If a permanent employee must be laid off for one of the reasons set forth in subsection 1, the appointing authority shall notify the employee that he or she may choose to:

(a) Transfer within his or her department, class and option into the position of the employee in his or her department, class and option with the least seniority;

(b) Be voluntarily demoted as set forth in NAC 284.618; or

(c) Exercise his or her reemployment rights as set forth in NAC 284.630.

3. Within 3 working days after an employee has been notified of his or her choices pursuant to subsection 2, he or she must designate in writing to the appointing authority the choice he or she will exercise.

4. For the purposes of this section, divisions of the Department of ~~Health and~~ Human Services and the Nevada System of Higher Education shall be deemed to be departments.