

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS--NRS 233B.066
Informational Statement
LCB File No. R088-17

1. A clear and concise explanation of the need for the adopted regulation.

Chapter 122A of the Nevada Revised Statutes (NRS) states that a public agency in the State of Nevada shall not discriminate against the person on the basis that the person is a domestic partner rather than a spouse. Therefore it is necessary to define “domestic partner” and “spouse” to be used in in relation to this in Chapter 284 of the Nevada Administrative Code (NAC 284).

The amendment to the regulation related to affirmative action and equal employment opportunity is necessary in order to incorporate the requirement that the State of Nevada shall not discriminate against the person on the basis that the person is a domestic partner rather than a spouse.

Effective January 1, 2018, Senate Bill 361 (S.B. 361) of the 2017 Legislative Session amends Chapter 613 of the Nevada Revised Statutes (NRS 613) to require an employer to make reasonable arrangements for an employee who is not the alleged perpetrator, and who is a victim of domestic violence or whose family or household member is a victim of domestic violence. Such arrangements could include movement of a workstation, a modified work schedule, a new work telephone number or other arrangement that will not cause an undue hardship.

The amendment to the compensatory time regulation included in this LCB File requires the approval of a request to use compensatory time when an employee or the family or household member of the employee is a victim of domestic violence. The total allowable amount of leave requested for this purpose is 160 hours in a 12-month period, which begins at the time the domestic violence occurs, and includes any combination of all leave types, e.g. annual, sick and leave without pay.

Amendments to the annual leave, sick leave and leave without pay regulations were approved by the Legislative Commission on October 31, 2017.

2. A description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.

On November 2, 2017, copies of the proposed regulation amendments were sent by email to persons who were known to have an interest in the subject of proposed personnel regulation changes as well as any person who had specifically requested such notice via Listserv. These documents were also made available on the Division of Human Resource Management’s website, the Nevada Public Notice website, the Legislative Counsel Bureau’s website, and mailed to all county libraries in Nevada, and posted at the following

locations:

Blasdel Building
209 E. Musser Street
Carson City, NV

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

Legislative Counsel Bureau
401 S. Carson Street
Carson City, NV

Grant Sawyer Office Building
555 E. Washington Avenue
Las Vegas, NV

A regulation workshop was conducted by the Division of Human Resource Management on August 30, 2017, and a public hearing was held by the Nevada Personnel Commission on December 7, 2017.

At the workshop held on August 30, 2017, no comment was received in support or opposition of the amendment.

At the public hearing, staff provided information regarding the intent and need for the regulations. No public comment was received at the hearing.

Written minutes and comments from the regulation workshop and public hearing can be obtained from the Division of Human Resource Management by contacting Shelley Blotter at sblotter@admin.nv.gov or by calling (775) 684-0105.

3. **The number of persons who:**
 - (a) **Attended each hearing:** 32
 - (b) **Testified at each hearing:** 2
 - (c) **Submitted written comments:** 0
4. **Following is a list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity or organization represented, for each person identified above in #3(b):**

Michelle Garton, Supervisory Personnel Analyst
State of Nevada
Department of Administration
Division of Human Resource Management
100 N. Stewart Street
Carson City, NV 89701
(775) 684-0136
mgarton@admin.nv.gov

Amy Taylor, Equal Employment Opportunity Administrator
State of Nevada
Department of Administration

Division of Human Resource Management
555 East Washington Avenue
Las Vegas, NV 89101
amytaylor@admin.nv.gov

- 5. A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.**

Comments were not solicited from businesses, as the regulation does not affect businesses. Comments were solicited from effected parties including employees and employee associations. Written minutes and comments from the workshop and public hearing can be obtained as instructed in the response to question #2.

- 6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

There was no opposition to the regulation at the Personnel Commission hearing.

- 7. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and each case must include:**
(a) Both adverse and beneficial effects; and
(b) Both immediate and long-term effects.

This regulation does not have a direct economic effect on either a regulated business or the public.

- 8. The estimated cost to the agency for enforcement of the proposed regulation:**

There is no additional cost to the agency for enforcement of this regulation.

- 9. A description of any regulations of other State or governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

This regulation does not overlap or duplicate any State or federal regulations.

- 10. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**

The regulation does not include any provisions that are covered by any federal regulations.

- 11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

No fees are associated with this regulation.