Chapter 284 of NAC

EMERGENCY REGULATION OF THE PERSONNEL COMMISSION

LCB File No. E002-11

(Effective for 120 days from July 1, 2011)

NEVADA PERSONNEL COMMISSION'S STATEMENT OF EMERGENCY

WHEREAS, the Nevada Personnel Commission ("Commission") has convened this public meeting for the purpose of considering the adoption of the foregoing Emergency Regulation, which relates to compensation for working on a holiday;

WHEREAS, the Commission finds that an emergency exists insofar as:

- 1. The need for swift action to reduce the compensation for working on a holiday due to the statutory requirement for implement on July 1,2011 does not leave adequate time for the Commission to use the procedures mandated by Chapter 233B of the NRS for amending a permanent regulation, and
- 2. Pursuant to A.B. 560 of the 2011 Legislative Session, this amendment changes the rate of pay for an employee who works on a State holiday from time and one-half of the employee's normal rate of pay to the rate of the employee's normal rate of pay. Overtime worked on a State holiday will continue to be paid at the rate of time and one-half the employee's normal rate of pay.

NOW THEREFORE, the Commission hereby adopts the following Emergency Regulation which shall be effective on July 1, 2011 upon the endorsement by the Governor and filing with the Secretary of State.

(Text continues on next page)

EMERGENCY REGULATION OF THE PERSONNEL COMMISSION

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NAC 284.256 is hereby amended to read as follows:

NAC 284.256 Holidays: Compensation for working. (NRS 284.065, 284.155, 284.175)

- 1. As used in this section, "holiday premium pay" means pay or compensatory time at an employee's normal rate of pay for hours designated as worked on a holiday, except those hours that are considered overtime pursuant to NRS 284.180.
- 2. A nonexempt employee who works on a holiday is entitled to receive holiday premium pay, overtime pay or compensatory time for the hours he works on the holiday, in addition to any holiday pay that he is entitled to be paid pursuant to NAC 284.255. A nonexempt employee who elects to receive compensatory time for the hours he works on a holiday must not exceed the limits on the accrual of compensatory time set forth in NAC 284.250.

[Personnel Div., Rule VII § B part subsec. 3, eff. 8-11-73]—(NAC A by Dep't of Personnel, 7-21-89; 9-13-91; 3-23-94; R058-01, 9-6-2001; R147-01, 1-22-2002)—(Substituted in revision for NAC 284.530)

FOR THE COMMISSION:	
KATHERINE FOX, Chairman Nevada Personnel Commission	<u>June 21, 2011</u> Date
GOVERNOR'S ENDORSEMENT I, Governor Brian Sandoval, endorse the Nevada Personnel Commission's foregoing Statement of Emergency.	
BRIAN SANDOVAL Governor of Nevada	June 21, 2011 Date