

LCB File No. R030-02

**PROPOSED REGULATION OF THE
DEPARTMENT OF PERSONNEL**

(This regulation is part of the original Initial Draft of R015-02 posted on 2/1/02)

**NOTICE OF WORKSHOP
TO SOLICIT COMMENTS ON PROPOSED REGULATIONS &
NOTICE OF HEARING for
THE ADOPTION, AMENDMENT OR REPEAL of
REGULATIONS OF THE STATE PERSONNEL DEPARTMENT**

Workshop Notice: The Department of Personnel, 209 East Musser Street, Carson City, Nevada, telephone number (775) 684-0119, is proposing the permanent adoption, amendment or repeal of regulations pertaining to Chapter 284 of the Nevada Administrative Code.

A workshop has been set for 9:00 a.m. on February 27, 2002, at the Nevada Department of Transportation, Room 302, 1263 South Stewart Street, Carson City, Nevada and via video conference at the Nevada Department of Transportation, Training Room B, 123 East Washington Avenue, Las Vegas, Nevada.

Action - Newly proposed rules for permanent adoption	NAC REGULATION
Shift Trading	New section
Adjustment of steps within the same pay grade	284.204
Compensation for differentials in shifts	284.210
When resolution of grievance becomes binding	284.697

A copy of all materials relating to the proposed regulations is included with this announcement. Additional copies may be obtained at the workshop or by contacting the Department of Personnel offices at 209 East Musser Street, Room 300, Carson City, Nevada, telephone number (775) 684-0119, or 555 East Washington Avenue, Suite 1400, Las Vegas, Nevada, telephone number (702) 486-2900. A reasonable fee for copying may be charged.

Hearing Notice: The Personnel Commission will hold a public hearing at 9:00 a.m. on March 22, 2002, at the Legislative Building, Room 3138, 401 South Carson Street, and video conferenced to the Grant Sawyer State Office Building, 555 East Washington Avenue, Room 4412, Las Vegas, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the adoption, amendment, and repeal of regulations. If no person, who is directly affected by the proposed action, appears to request time to make an oral presentation, the Personnel Commission may proceed immediately to act upon any written submissions.

- These regulations do not have a direct economic effect on any business or the public.
- Enforcement of these regulations should not result in any increased cost.

- To our knowledge, these regulations do not overlap or duplicate the regulations of other State or local governmental agencies.
- These regulations do not establish any new fee or increase an existing fee.
- A statement of the need for and the purpose of the proposed regulations precedes the text of each regulation included in the attached document.

Persons wishing to comment upon the proposed action of the Personnel Commission may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to Phil Hauck, Department of Personnel, 209 East Musser Street, Room 101, Carson City, Nevada 89701-4204. **Written submissions must be received by the Department of Personnel on or before March 2, 2002.**

A copy of this notice and the regulations to be adopted, amended, or repealed will be on file at the State Library and Archives, 100 Stewart Street, Carson City, Nevada for inspection by members of the public during business hours. Additional copies of the notice and the regulations to be adopted, amended, or repealed will be available at the Department of Personnel, 209 East Musser Street, Room 300, Carson City, Nevada, or at the Department of Personnel, 555 East Washington Avenue, Las Vegas, Nevada, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. The text of each regulation will include the entire text of any section of the Nevada Administrative Code which is proposed for adoption, amendment, or repeal. Copies will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, will issue a concise statement of the principle reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

The notice of the Workshop and Hearing has been posted at the following locations:

CARSON CITY

Blasdel Building, 209 East Musser Street
 Nevada State Library and Archives, 100 Stewart Street
 Capital Building, Main Floor
 Legislative Building, Rm 3138, 401 South Carson Street
 NDOT, Room 302, 1263 South Stewart Street

LAS VEGAS

Grant Sawyer State Office Building
 555 East Washington Avenue
 NDOT, Training Rm B, 123 E. Washington Ave.

ALL STATE AGENCIES

ALL NEVADA COUNTY PUBLIC LIBRARIES

NOTE: We are pleased to make reasonable accommodations for individuals with disabilities who wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Department of Personnel, in writing, at 209 East Musser Street, Room 101, Carson City, Nevada 89701-4204, or call Debra Berry at (775) 684-0110, no later than five working days prior to the meeting.

PROPOSED REGULATION OF THE DEPARTMENT OF PERSONNEL

Sec. 4. NAC 284.697 is hereby amended to read as follows:

Explanation of Proposed Change: This amendment, proposed by the Employee-Management Committee, specifies that agencies affected by grievance resolutions with fiscal impact must submit them to the Budget Division for determination of feasibility.

NAC 284.697 When resolution of grievance becomes binding.

1. Except as provided in subsection 2, the resolution of a grievance is binding when:
 - (a) There is an agreement between the person filing the grievance and the appointing authority or the designated representative of the employing agency; or
 - (b) The committee renders a final decision.
2. Each proposed resolution of a grievance which has a fiscal effect must be submitted *by the agency affected* to the budget division of the department of administration for a determination of whether the resolution is feasible on the basis of its fiscal effects. The resolution is binding only if it is so found.