

**ADOPTED REGULATION OF THE
PERSONNEL COMMISSION**

LCB File No. R008-12

Effective May 30, 2012

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

AUTHORITY: §1, NRS 284.065, 284.155 and 284.175.

A REGULATION relating to state personnel; providing an expiration date for the revision of provisions governing the payment of a differential rate of pay for certain shifts; and providing other matters properly relating thereto.

Section 1. LCB File No. R077-11, which was adopted by the Personnel Commission and filed with the Secretary of State on December 30, 2011, is hereby amended by adding thereto a new section to be designated as section 2, immediately following section 1, to read as follows:

Sec. 2. This regulation expires by limitation on July 7, 2013.

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED BY
NRS 233B.066
LCB File #R008-12**

The following statement is submitted for amendments to Nevada Administrative Code (NAC) 284.

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

Copies of the proposed regulation, notice of workshop, and notice of intent to act upon a regulation 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. These documents were also made available on the Division of Human Resource Management website at <http://dop.nv.gov/> (formerly The Department of Personnel,) mailed to all county libraries in Nevada and posted at the following locations:

Department of Administration Division of Human Resource Management Blasdel Building 209 E. Musser St Carson City, NV 89701	Grant Sawyer State Office Bldg. 555 E. Washington Blvd Suite 4401 Las Vegas, NV 89101
Nevada State Library and Archives 100 Stewart St Carson City, NV 89701	Capitol Building Main Floor Carson City, NV 89701
Legislative Building 401 S. Carson St Carson City, NV 89701	

Attached are excerpts from the minutes from the workshop and a summary of the Personnel Commission comments that apply to this regulation.

A Regulation Workshop was conducted by the Division of Human Resource Management on January 30, 2012 and a public hearing was held by the Nevada Personnel Commission on March 16, 2012.

2. The number of persons who:

- (a) **Attended each hearing:** January 30, 2012 – 19; March 16, 2012 – 57
- (b) **Testified at each hearing:** January 30, 2012 – 5; March 16, 2012 – 2
- (c) **Submitted written comments:** 1

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

Comments were not solicited, as the regulation does not affect businesses.

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

Priscilla Maloney, AFSME representative, understood that previously adopted revisions to this regulation were necessary to accommodate department budgets, such as Corrections, in order to impact the least number of employees. AFSME and Kimberly King, Department of Transportation, supported an expiration date that would allow the previously adopted regulation to expire and revert back to old language on July 7, 2013, which would coincide with the end of the pay period.

A written comment protested recently adopted amendments to differential shift pay, but this was not considered by the commission since this revision solely proposed a limitation on the previously adopted changes.

Aside from a comment of appreciation from AFSME for considering their recommendation to add an expiration date to adopted LCB File No. R077-11, the proposed revision was approved without change by the Personnel Commission.

5. **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.

6. **The estimated cost to the agency for enforcement of the adopted regulation:**

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

7. **A description of any regulations of other State or governmental agencies which the 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.**

There are no other state or government agency regulations that the proposed amendment duplicates.

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

This regulation does not include any provisions that are more stringent than any federal regulation.

- 9. 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.

- 10. Is the proposed regulation likely to impose a direct and significant economic burden upon a small business or directly restrict the formation, operation or expansion of a small business? What methods did the agency use in determining the impact of the regulation on a small business?**

This regulation is specific to State government agencies and has no impact on small businesses.