

**REVISED PROPOSED REGULATION OF  
THE PERSONNEL COMMISSION**

**LCB File No. R138-13**

February 26, 2014

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

AUTHORITY: §1, NRS 281.145, 284.065 and 284.345.

A REGULATION relating to public personnel; establishing provisions governing military leave with pay for certain public officers and employees of the State; interpreting certain terms relating to such leaves of absence; and providing other matters properly relating thereto.

**Section 1.** Chapter 284 of NAC is hereby amended by adding thereto a new section to read as follows:

*1. In accordance with NRS 281.145 and subsections 2 and 3:*

*(a) If a public officer or employee has a work schedule that does not include any portion of Saturday or Sunday, the public officer or employee must be granted a maximum of 15 working days of military leave with pay in a calendar year to serve under orders; and*

*(b) If a public officer or employee has a work schedule that includes any portion of Saturday or Sunday, the public officer or employee must be granted a maximum of 39 working days of military leave with pay in a calendar year to serve under orders.*

*2. If the work schedule of a public officer or employee is changed in a calendar year from including any portion of Saturday or Sunday to not including any portion of Saturday or Sunday, the public officer or employee is entitled to receive not more than 15 working days of military leave with pay after the effective date of the change to the work schedule, but is not*

*entitled to receive more than a total of 39 working days of military leave with pay for the calendar year.*

*3. If the work schedule of a public officer or employee is changed in a calendar year from not including any portion of Saturday or Sunday to including any portion of Saturday or Sunday, the public officer or employee is entitled to receive not more than 39 working days of military leave with pay for the calendar year from the effective date of the change to the work schedule, but is not entitled to receive more than a total of 39 working days of military leave with pay for the calendar year or more than 15 working days of military leave with pay before the effective date of the change. If the public officer or employee took more than 15 working days of military leave to serve under orders before the effective date of the change to the work schedule, military leave with pay must not be granted retroactively for those working days.*

*4. As used in this section and NRS 281.145, the Commission will interpret:*

*(a) “To serve under orders” to mean to perform military service pursuant to orders issued by the appropriate military authority, including, without limitation, orders for deployment and any orders to complete training.*

*(b) “Work schedule” to mean a public officer’s or employee’s regularly assigned schedule of work. The term does not include any short-term changes to a schedule, overtime, standby status or instances where the public officer or employee is called back to work during his or her scheduled time off, unless the change becomes part of his or her regularly assigned schedule.*

*(c) “Working day” to mean a period of work consisting of the number of hours a public officer or employee is regularly scheduled to work. The term does not include overtime,*

*standby status or instances where the public officer or employee is called back to work during his or her scheduled time off.*