

**REVISED PROPOSED REGULATION OF THE
PERSONNEL COMMISSION**

LCB File No. R064-14

June 5, 2014

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; revising provisions relating to the rate of pay for employees in the classified service of the State; and providing other matters properly relating thereto.

Legislative Counsel's Digest

Under existing law, the Personnel Commission of the Division of Human Resource Management of the Department of Administration is required to adopt regulations concerning the job and salary classifications of certain persons who are employed by the State. (NRS 284.065, 284.155, 284.175) Under existing regulations, an employee who has been promoted after a past demotion may not receive a promotional increase in pay that is greater than the increase which he or she would have otherwise been entitled to receive had he or she not been demoted. (NAC 284.172) This regulation reduces to 1 year this limitation governing pay upon promotion after an employee's past demotion and authorizes the Administrator of the Division to approve, within 1 year after the employee's demotion, a promotional increase in pay that is greater than the amount the person would have been entitled to receive had he or she not been demoted.

Section 1. NAC 284.172 is hereby amended to read as follows:

284.172 1. The following provisions govern the rate of pay which must be paid if an employee is promoted:

(a) The employee must be placed at the lowest step in the higher grade that meets one of the following requirements:

(1) If the employee moves one or two grades above his or her former grade, he or she must be placed at the same step in the new grade as the step held in his or her former grade.

(2) If the employee moves three or more grades above his or her former grade, the employee must be placed:

(I) At a step which is equivalent to an increase of two steps above the step held in his or her former grade; or

(II) At the lowest step of the new grade,

↪ whichever pay is higher and in accordance with the provisions of NAC 284.179.

(b) A special adjustment to an employee's pay for performing supervisory duties which is granted in accordance with paragraph (c) of subsection 2 of NAC 284.206 is the present level of pay for the purpose of calculating a promotional increase authorized by paragraph (a) only if the employee has received the special adjustment to his or her pay for more than 6 months of continuous full-time service.

(c) If an employee has been demoted, he or she may not , *within 1 year after the demotion,* receive a promotional increase in pay that is greater than the increase which he or she would have otherwise been entitled to receive had he or she not been demoted ~~+~~ *unless the Administrator approves the promotional increase.*

(d) This subsection does not apply when an employee is reemployed or reappointed to his or her former grade within 1 year after holding that grade.

2. As used in this section, "present level of pay" means a rate of pay that is equal to the amount that is assigned to the step within the grade which is closest to, but does not exceed, the employee's pay after a special adjustment to pay pursuant to the provisions of NAC 284.206.