

**PROPOSED REGULATION OF
THE PERSONNEL COMMISSION**

LCB File No. R019-19

July 22, 2019

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 the State Personnel System; revising provisions requiring advance communication to certain employees required to work overtime; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Under existing regulations, if a nonexempt employee of a state agency is required to work overtime, the overtime must be: (1) authorized in accordance with statute; and (2) communicated to the employee at least 4 hours before being worked, unless an unpredictable emergency prevents compliance with those requirements. (NRS 284.242) This regulation provides that the requirement for advance communication to an employee who is required to work overtime does not apply to a nonexempt employee who: (1) is employed at an agency that maintains a workweek longer than 40 hours; and (2) performs duties that affect public health, safety or welfare.

Section 1. NAC 284.242 is hereby amended to read as follows:

284.242 1. If a nonexempt employee is required to work overtime, the overtime must be ~~authorized~~ :

(a) *Authorized* pursuant to subsection 10 of NRS 284.180 ; and ~~communicated~~

(b) *Communicated* to the employee at least 4 hours in advance by the responsible supervisor before being worked,

↳ unless an unpredictable emergency prevents prior approval and communication.

2. If a nonexempt employee requests to work overtime, the overtime must be authorized in advance pursuant to subsection 10 of NRS 284.180.

3. The provisions of paragraph (b) of subsection 1 do not apply to a nonexempt employee who:

(a) Is employed at an agency that maintains a workweek longer than the 40-hour workweek required by NRS 281.110; and

(b) Performs duties that affect public health, safety or welfare.