

**PROPOSED REGULATION OF THE
PERSONNEL COMMISSION**

LCB FILE NO. R135-22I

**The following document is the initial draft regulation proposed
by the agency submitted on 06/29/2022**

Explanation of Proposed Change: The following amendment, proposed by the Division of Human Resource Management, will define “telework” for the purposes of Sec. 2.

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

NEW “Telework” defined. Telework means the practice of working from home or other alternative locations, using technology, which allows the employee to access normal work materials.

Explanation of Proposed Change: The following amendment, proposed by the Division of Human Resource Management (DHRM), will support agencies that develop telework policies. Throughout the pandemic, the State of Nevada as an employer has learned, with thoughtful performance management practices, appropriate tools, and sufficient organizational support, that successful teleworking opportunities can be offered to certain State positions whenever appropriate and beneficial to the agency’s business needs. DHRM encourages State agencies to embrace the concept of telework and adopt a long-term approach to successful implementation according to DHRM’s memorandum titled Telework Policy Statement and Recommendations.

Sec. 2. Chapter 284 or NAC is hereby amended by adding thereto a new section to read as follows:

NEW Telework. An appointing authority may adopt a written policy authorizing telework by employees.

1. Such a policy may include elements that encourage:

- (a) Communication between management and employees;*
- (b) The completion of reports on performance;*
- (c) Various opportunities offered;*
- (d) Operational needs; and*
- (e) Circumstances that could result in the termination of a telework agreement.*

2. If a written policy is adopted, an appointing authority may approve a request for telework by an employee.

Explanation of Proposed Change: The following amendments, proposed by the Division of Human Resource Management (DHRM), clarifies that the Administrator of DHRM or the Governor may “grant or deny” a request for an extension related to an internal administrative investigation that is not submitted within the respective required timeframes.

Sec. 3. NAC 284.6555 is hereby amended to read as follows:

NAC 284.6555 Request for extension to complete an internal administrative investigation. (NRS 284.065, 284.155, 284.387)

1. Pursuant to subsection 2 of NRS 284.387, if an appointing authority wishes to request an initial extension of not more than 60 days from the Administrator to complete an internal administrative investigation that could lead to disciplinary action against an employee pursuant to NRS 284.385 and make a determination as a result of the investigation, the appointing authority must:

(a) Submit the request to the Administrator on a form prescribed by the Division of Human Resource Management on or before the 90th day after the employee was provided notice of the allegations against the employee;

(b) Explain in the request why the appointing authority is unable to complete the internal administrative investigation and make a determination within 90 days after the employee was provided notice of the allegations; and

(c) Provide a copy of the request to the employee who is the subject of the internal administrative investigation.

2. If an initial extension is granted pursuant to subsection 1 and the appointing authority is unable to complete the internal administrative investigation and make a determination within the period of the extension, the appointing authority may request an additional extension to be approved by the Governor. If the appointing authority wishes to request an additional extension, the appointing authority must:

(a) Submit the request in writing to the Administrator, for submission to the Governor, on or before the expiration date of the initial extension;

(b) Explain in the request why the appointing authority is unable to complete the internal administrative investigation and make a determination within the period of the initial extension; and

(c) Provide a copy of the request to the employee who is the subject of the internal administrative investigation.

3. The Administrator may *grant or* deny a request for an extension that is not submitted within the period required by paragraph (a) of subsection 1.

4. The Governor may *grant or* deny a request for an extension that is not submitted within the period required by paragraph (a) of subsection 2.

(Added to NAC by Personnel Comm'n by R076-16, eff. 11-2-2016)