

**ADOPTED REGULATION OF THE  
PERSONNEL COMMISSION**

**LCB File No. R030-02**

Effective May 2, 2002

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

AUTHORITY: §1, NRS 284.384.

**Section 1.** NAC 284.697 is hereby amended to read as follows:

284.697 1. Except as *otherwise* provided in subsection 2, the resolution of a grievance is binding when:

(a) There is an agreement between the person filing the grievance and the appointing authority or the designated representative of the employing agency; or

(b) The committee renders a final decision.

2. ~~Each~~ *The appointing authority or the designated representative of the employing agency shall submit each* proposed resolution of a grievance which has a fiscal effect ~~must be submitted~~ to the budget division of the department of administration for a determination of whether the resolution is feasible on the basis of its fiscal effects. The resolution is binding only if it is so found.

**NOTICE OF ADOPTION OF PROPOSED REGULATION**  
**LCB File No. R015-02**

The Personnel Commission adopted regulations assigned LCB File No. R015-02 which pertain to chapter 284 of the Nevada Administrative Code on March 22, 2002.

**Notice date:** 1/31/02  
**Hearing date:** 3/22/02

**Date of adoption by agency:** 3/22/02  
**Filing date:** 5/2/02

**INFORMATIONAL STATEMENT**

On March 22, 2002, the Personnel Commission approved the adoption of the attached amendments to Chapter 284 of NAC. The following is the informational statement concerning these actions as required in 233B.066:

1. On January 21, 2002, copies of the "Notice of Workshop" to solicit comments on proposed regulations and "Notice of Hearing" for the adoption, amendment and repeal of regulations were posted conspicuously in public buildings. On the same day, copies of the notices and the text of the proposed regulations were filed with the Legislative Counsel Bureau and the Nevada State Library. Also on January 21, 2002, all State agencies were notified by memorandum of the proposed actions. Copies of the notices with the text of the proposed regulations were included with the memorandum for dissemination among State employees. Copies of the notices and text of the proposed regulations were also sent to the State of Nevada Employees Association, the main public library in each county, all requesting parties, and members of the Personnel Commission.

2. The workshop was held at the Department of Transportation in Carson City and via video conference in Las Vegas on February 27, 2002. Fifty-two people attended the workshop on the proposed regulations.

The explanation of change was read for each of the sections. Wayne Wiswell, Personnel Analyst with the Department of Human Resources, requested clarification on section 1. Both Ruth Jones, Personnel Officer with DETR, and Barbara Morningstar, Personnel Analyst with Taxation, had concerns with the proposed amendment to section 2. Robert Wideman, Chief of the Nevada Investigations Division, requested broader language to allow for the normal rate of pay to be used as the comparison point when determining if a differential adjustment should be made. Employees, employee association representatives, and Marilyn Yezek, Personnel Officer with the Department of Transportation, spoke against the proposed amendments in section 3. Ruth Jones indicated her support for the regulation change in section 3. Bob Romer of SNEA expressed his opposition to the proposed change in section 4. Morris Kanowitz, Chairman of the Employee-Management Committee, explained the need for clarification of the regulation. A summary of the public workshop is available upon request from the Department of Personnel, 209 East Musser Street, Room 101, Carson City, Nevada 89701-4204.

On Friday, March 22, 2002, a Personnel Commission hearing was held at the Legislative Building in Carson City; all of the proposed regulations were adopted except for section 3,

Compensation for Differentials in Shifts. Forty-one people were in attendance in Carson City, and 25 were in attendance in Las Vegas via video conference.

During the hearing, Shelley Blotter, from the Department of Personnel, gave a brief overview of the proposed regulations and the intent of the changes.

Section 1 was unanimously approved for adoption. Personnel Commission Chairwoman Enus asked about the administration requirements and anticipated training which would be provided. Gary Wolf of Nevada Highway Patrol Association and Teamster Local 14 requested clarification that the shift trading agreements would be strictly on a voluntary basis, and with that assurance indicated that he was not opposed to the regulation.

Section 2 was unanimously approved for adoption without objection.

Section 3 was tabled to the next meeting so that the Department could provide information regarding the financial impact of the proposed change on employees and their department's. Prior to the motion to table the regulation, Perry Comeaux, Director, Department of Administration provided testimony supporting the need for clarification of the regulation. Kevin Ingram, Personnel Officer with the Department of Corrections, provided testimony clarifying the Department of Corrections pay practices and support for the regulation change. Scott MacKenzie, Exec. Director of SNEA, opposed the proposed amendment as did employee spokespersons from the Department of Corrections and Department of Human Resources.

Section 4 was unanimously approved for adoption without objection.

A summary of the hearing is available upon request from the Department of Personnel, 209 East Musser Street, Room 101, Carson City, Nevada 89701-4204

3. The regulations do not affect businesses; therefore, their comments were not solicited.
4. These regulations do not have a direct economic effect on any business or the public.
5. Enforcement of these regulations should not result in any increased cost to the Department of Personnel.
6. These regulations do not duplicate or overlap with other State or government regulations.