

LCB File No. R064-09

**PROPOSED REGULATION OF THE
PERSONNEL COMMISSION**

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

Sec. 13. NAC 284.682 is hereby amended to read as follows:

Explanation of Proposed Change: This amendment, proposed by the Department of Personnel, clarifies that a grievant may only bypass a level or levels if the employee and appointing authority mutually agree or if the Department of Personnel determines that the submission at such a level would be a useless act.

NAC 284.682 Submission of grievance to next appropriate level. (NRS 284.065, 284.155, 284.384)

1. If the *employee and appointing authority agree that the* correction of the matter under appeal is beyond the control of a level of supervision contemplated in this procedure or if ~~the Department of Personnel~~ *the Director or his designee in consultation with the appointing authority* determines that the submission of the grievance to the supervisor would be a useless act, the aggrieved employee may appeal directly to the next appropriate level.

2. Except as otherwise provided in NAC 284.692, an employee has 10 working days to refer his grievance to the next level after:

(a) He receives notification of the action; or

(b) The passage of 10 working days after his grievance is deemed to have been received, whichever occurs first, at each step in the procedure.