

**PROPOSED REGULATION OF
THE PERSONNEL COMMISSION**

LCB File No. R191-09

January 6, 2010

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

AUTHORITY: §1, NRS 284.065 and 284.384.

A REGULATION relating to the State Personnel System; revising provisions governing the filing of certain grievances relating to performance evaluations; and providing other matters properly relating thereto.

Section 1. NAC 284.678 is hereby amended to read as follows:

284.678 1. Except as otherwise provided in ~~[subsection]~~ *subsections 3 and 4* and NAC 284.692, an employee who feels aggrieved and wishes to file a formal grievance must submit his grievance in writing to his immediate supervisor on the official form, or in a letter if the official form is not available, within 20 working days after the date of the origin of the grievance or the date the employee learns of the problem. The parties should make every effort to resolve the grievance through informal discussions within these 20 working days.

2. If the employee submits a letter, it must include:

- (a) His name;
- (b) His most recent date of hire;
- (c) His position;
- (d) His department, division and section;
- (e) His mailing address;
- (f) His business telephone number;

- (g) A statement that he is filing a formal grievance;
- (h) The date, time and place of the event or the date the employee learns of the event leading to the grievance;
- (i) A concise statement of his grievance;
- (j) A detailed description of his grievance, including the names of other persons involved in the event, if any;
- (k) A proposed solution of his grievance;
- (l) His signature; and
- (m) The date he signed the statement.

3. Except as otherwise provided in NAC 284.692, if a grievance relates to a decision of a reviewing officer about a performance evaluation, an employee must file a grievance that identifies the specific points of disagreement, if such specificity is provided, not later than 10 working days after the date the employee receives the decision of the reviewing officer. Except as otherwise provided in NAC 284.692, if the grievance relates to the failure of a reviewing officer to respond to a request for a review within the time required by NAC 284.470, an employee must file a grievance not later than 10 working days after the date on which the time for such a response expired.

4. A grievance filed pursuant to ~~[this]~~ subsection 3 must be filed with:

- (a) The ~~[appointing authority; or~~
- ~~—(b) If the appointing authority is the immediate supervisor of the employee or the reviewing officer, the]~~ person who is at the next *appropriate* level of the grievance process ~~[]~~; *or*
- (b) If the person who is at the next appropriate level of the grievance process is the reviewing officer or other person who prepared or reviewed the performance evaluation, the*

person who is at the next appropriate level of the grievance process who did not prepare or review the performance evaluation.