

**PROPOSED REGULATION OF
THE PERSONNEL COMMISSION**

LCB File No. R012-11

June 16, 2011

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

AUTHORITY: §§1 and 2, NRS 284.065 and 284.155.

A REGULATION relating to state personnel; revising the compensation of employees on standby status; revising the compensation of employees who work on a holiday; and providing other matters properly relating thereto.

Section 1. NAC 284.218 is hereby amended to read as follows:

284.218 1. A nonexempt employee in the classified service of the State is on standby status when he is:

- (a) Directed to remain available for notification to work during specified hours;
- (b) Prepared to work if the need arises;
- (c) Able to report to work within a reasonable time;
- (d) Directed by his supervisor to carry a paging device, provide a telephone number where he may be notified or provide any other acceptable means for notification; and
- (e) Allowed to use the time during which he is waiting for notification to work for his personal pursuits.

2. When a nonexempt employee in the classified service of the State who is on standby status begins the performance of his regular duties after receiving notice to work, he ceases to be on standby status and qualifies for straight time or overtime pay, whichever is applicable, for the

actual time worked. Upon completion of the work, he returns to standby status for the remainder of the time he has been directed to be available to work.

3. A nonexempt employee in the classified service of the State is entitled to receive additional pay ~~[, or equivalent compensatory time off,]~~ at the rate of 5 percent of his normal rate of pay for every hour he is on standby status.

4. ~~[Cash payment is the preferred method of compensation pursuant to this section, but compensatory time off, not to exceed the maximum allowed pursuant to subsection 3 of NAC 284.250, must be granted in lieu of cash payment if the employee requests compensatory time and the agency approves the request.~~

~~—5.]~~ Any class designated by statute as a 24-hour class does not automatically qualify for this additional pay.

Sec. 2. NAC 284.256 is hereby amended to read as follows:

284.256 1. As used in this section, “holiday premium pay” means pay ~~[or compensatory time]~~ at the rate of time and one-half of an employee’s normal rate of pay for hours designated as worked on a holiday, except those hours that are considered overtime pursuant to NRS 284.180.

2. A nonexempt employee who works on a holiday is entitled to receive holiday premium pay ~~[,]~~ *or* overtime pay ~~[or compensatory time]~~ for the hours he works on the holiday, in addition to any holiday pay that he is entitled to be paid pursuant to NAC 284.255. ~~[A nonexempt employee who elects to receive compensatory time for the hours he works on a holiday must not exceed the limits on the accrual of compensatory time set forth in NAC 284.250.]~~