

**PROPOSED REGULATION OF
THE PERSONNEL COMMISSION**

LCB File No. R010-14

February 12, 2014

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

AUTHORITY: §1, NRS 284.065.

A REGULATION relating to state personnel; revising a provision relating to the selection of a hearing officer for certain personnel hearings; and providing other matters properly relating thereto.

Section 1. NAC 284.780 is hereby amended to read as follows:

284.780 1. For each hearing requested in a claim relating to a dismissal, suspension, demotion, involuntary transfer, or reprisal or retaliatory action, the ~~{Administrator shall}~~

Commission will provide ~~{to each party to the claim:~~

~~—(a) A list of three} *for a* qualified hearing ~~{officers; or~~~~

~~—(b) A list of five qualified hearing officers.} *officer.*~~

2. If ~~{the Administrator provides a list of:~~

~~—(a) Three} *it is determined that the* qualified hearing ~~{officers, each party may strike one name from the list; or~~~~

~~—(b) Five qualified hearing officers, each party may strike two names from the list,~~

~~→ and shall return the list with the remaining names to the Administrator not later than 10 days after receipt of the list.~~

~~—3.— Except as otherwise provided in subsection 5, each person whose name is struck from the list pursuant to subsection 2 is ineligible to serve as a hearing officer in that claim.~~

~~—4.— Except as otherwise provided in subsection 5, the Administrator shall select a hearing officer for the hearing from among the persons whose names were not struck from the list pursuant to subsection 2.~~

~~—5.— If, for any reason, all of the hearing officers whose names were not struck from the list pursuant to subsection 2 are unqualified or~~ *officer provided for pursuant to subsection 1 is precluded from serving due to a conflict of interest or is* otherwise unavailable to serve as a hearing officer for the hearing, the ~~Administrator may~~ *Commission will* provide ~~a new list of hearing officers to the parties in the manner provided in this section or may select any~~ *for a* qualified hearing officer who is available to serve as a hearing officer in the hearing.