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**Approved Minutes of the of the
Nevada Public Agency Insurance Pool and
Public Agency Compensation Trust Human Resources
Oversight Committee Meeting
Time: 10:12 a.m.
Date: September 12, 2007**

1. Oversight Committee Roll Call:

Members participating: Chairperson Curtis Calder, Bill Deist, Nancy Medford, Ann Murdoch, Marilou Walling, Guy LeFever, Geof Stark, Richard Stokes, and Dee Zambetti. Consultant staff present: Mitch Brust and Dania Reid.

2. Action Item: Approval of Minutes of Meeting May 23, 2007

Bill Deist said the minutes from the May 23, 2007 meeting were fine, but one word needed to be corrected. He said the word “tin” needed to be changed to “in.” With that, Richard Stokes made a motion to approve the minutes of the May 23, 2007 meeting. The motion was seconded by Guy LeFever. The motion carried.

3. Action Item: Clear Direction Program

- 3a. Content / suitability**
- 3b. Cost**

Mitch Brust explained that the Clear Direction Program was intended to be pursued by those individuals who completed the Essential Management Skills Certificate Program. He said the Clear Direction Program conducted a profile assessment in a number of areas and provided a report of the assessment. Mitch said that after the assessment was completed, 13 e-learning lessons were to be completed. He said the lessons took between fifteen to twenty minutes to complete and were sent every two weeks. Mitch gave the committee a handout illustrating the Essential Management Skills courses and their related e-learning lessons provided by the Clear Direction Program. Mitch said the Clear Direction Program can be viewed as an extension of the Essential Management Skills program. He also gave the committee the Clear Direction Manager’s Manual. He said the manual would be provided to high-level managers and CEOs in order to keep those participating in the 13 e-learning lessons on track. Mitch asked the committee if they had looked at the Clear Direction Program. He also asked to whom the program should be made available to and if the committee had any ideas regarding paying for the program. He asked if the committee had seen enough of the program to make a decision on whether or not to move forward on it.

Dee Zambetti said it was a good program but wanted to finish it before making a decision. She said that a reimbursement of costs for the program from POOL/PACT Human Resources would be supported by most entities. Bill said he had the e-learning lessons but did not have time to look at them.

Richard asked Mitch to remind the committee of the financial obligation to POOL/PACT Human Resources if the Clear Direction Program was pursued. Mitch said it was \$299.00 per user and if 100 of those taking the Essential Management Skills program enrolled in the Clear Direction Program, it

would cost approximately \$30,000.00. Dee asked if enrollment would be limited to just those who completed the Essential Management Skills courses. Mitch said that was the initial thought, but did not see a problem if entities wanted to send other managers through the Clear Direction Program. Dee asked how the process would work. Mitch said entities would send a list of those who would be taking the program to POOL/PACT Human Resources and have them signed up for the Clear Direction Program, with all costs paid in the beginning by the entity. He said the entity would be reimbursed the costs for each individual the entity signed up for the courses if the individual completed the entire series.

Curtis asked Mitch how the timing would work with the Essential Management Skills courses and the Clear Direction Program. Mitch said the Essential Management Skills courses were scheduled to end in February and the next Oversight Committee meeting was to be scheduled for December. Mitch said this would provide more time for the committee members to complete the 13 e-learning lessons and be able to arrive at a decision in December. Dee asked if POOL/PACT Human Resources was going to be scheduling another series of Essential Management Skills courses. Mitch said if enough interest was generated, and a location could be decided on, a new series could be offered. Curtis asked if it was required to attend all five of the Essential Management Skills courses in order to receive a certificate. Mitch said that people needed to attend all five courses to receive the certificate.

Richard asked Mitch if he had considered an alternative for the \$30,000.00 it would cost for the Clear Direction Program. Richard said that many managers and supervisors already go through basic managerial skills training at some point and coupled with the lack of time to complete the coursework, he said he found it difficult to agree that the Clear Direction Program was the best use of \$30,000.00. Mitch said he did not have another project in mind that would cost \$30,000.00 at that time. Dee said that any added learning of management skills was priceless. Curtis agreed with Dee and said that organizations were always looking for innovative methods to provide management development training. Curtis said that the Clear Direction Program did offer minimal use of time and allowed managers and supervisors to train at the workplace rather than off-site. He said that relative to the alternative, the costs were very minimal.

Bill suggested that the issue of the Clear Direction Program be put off until the December meeting in order to allow the committee members to complete the entire series of e-learning courses. Curtis concurred and said that the committee most likely would move to support the program as there had been nothing negative said about the program and the reimbursement concept was a good one. He urged everyone to complete their e-learning lessons before the December Oversight Committee meeting, at which time action would be taken.

- 4. Item: Report on Current Activities**
- 4a. Service Offerings**
- FY07-08 Service Plan Summary**
- Workshops – Focus Group Sessions**
- HR Strategic Partner Workshop – Oct 23, 2007 – How to Manage Change to Achieve Results
- Video Conference –**
- Sexual Misconduct – Spring 2008
- Teleconferences Update**
- Sept 27, 2007 – How the changes in SB544 will affect organizations and retirees
 - Brief Committee on impact to CBAs
- Training Update**
- E-learning Update
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- SafeSchools Marketing
- Essential Management Skills

Legislative Update

Newsletters and Alerts Update

- Updated Nevada Minimum Wage – Alert (completed)
- Age Discrimination – Alert (being developed)

Personnel Policies - revised

4b. Centralized Job Listing

Mitch said that service plans for FY07-08 had been completed for all but 22 clients. He said that of the 22 clients without a service plan, most were smaller organizations who were invited to attend training sessions of the larger organizations that are nearby. Mitch said the 4 largest organizations without service plans had relatively new HR managers and were currently in the process of developing service plans with POOL/PACT Human Resources.

Mitch said that the HR workshops were topic areas where the larger organizations showed interest, during the previous year. He said the upcoming workshop on October 23, 2007, was on managing change within the organization. He said the topic would cover the issue of change and how managers can work to achieve the best results in light of that change. Mitch said the session would last approximately three hours.

Mitch told the committee that another workshop was being planned for sometime during the spring of 2008. He said it was going to be a video conference on sexual misconduct in schools. He said that United Educators (UE) was partnering with POOL/PACT Human Resources and Bob Baird of UE would be facilitating the video conference. He said that POOL/PACT Human Resources was looking into the possibility of being able to conduct a video conference for counties, cities, and other organizations in the future. Mitch said the reason for the sexual misconduct topic was because school districts were continuing to have problems in that area. Curtis asked if the video conference would be focused only on sexual misconduct and not sexual harassment. Mitch said that sexual misconduct was the sole focus of the video conference.

Mitch said that the next teleconference would be held on September 27, 2007, and the topic would be on the impact of Senate Bill 544. He said the bill had been tracked by Dania Reid of POOL/PACT Human Resources and that the teleconference would be presented by Leslie Johnstone, Executive Director of the Public Employee Benefits Program (PEBP). He said that Dania would provide a brief overview of SB544 and new developments regarding the legislation.

Dania said that SB544 essentially covered the obligations of subsidies and enrollment of retirees into PEBP. She said that in order for retirees to participate in PEBP after November 1, 2008, all active employees of the organization must be enrolled in PEBP as well, for a minimum of four years. Marilou Walling asked if Dania meant 100% of the employees in an organization. Dania said organizations would not be allowed to pick and choose who was enrolled and that all active employees must be enrolled in order for retirees to participate. Marilou said the problem would be many people would retire prior to November 1, 2008 because of SB544. Dania said that was an issue that Leslie Johnstone was aware of. Dania raised the question of whether or not health trusts established by collective bargaining agreements (CBA) would be eligible to participate in PEBP if the organization opted not to enroll. It is her understanding that CBAs with health trusts were not eligible for PEBP if the organization did not participate. Dania also explained the decision by the Clark County District Court regarding the case between PEBP and the Las Vegas Metro Police. She said the decision by the judge was essentially that those retirees who were enrolled in PEBP prior to July 1, 2003 were not eligible for the employer subsidy requirements of Assembly Bill 286 of the 2003

Legislative Session. She said the decision concluded that retirees who enrolled in PEBP after July 1, 2003, were eligible to have subsidies paid by their organization. Dania said that PEBP would appeal the decision to the Nevada Supreme Court, and PEBP would attempt to stay the enforcement of the Clark County District Court decision until the case was heard at the Supreme Court.

Mitch asked if organizations could still join PEBP even if CBAs were outside of PEBP. Dania said that was the interpretation of the legislation. She said that Leslie Johnstone had said the Nevada Legislature was aware that there may be a mass retirement in the wake of SB544, but that the State was no longer willing to shoulder the burden of the public organizations. Marilou said that organizations faced a difficult decision to either opt into the state benefit plan or have a mass retirement. Marilou said that it was possible that the Nevada Legislature did not know what the impact would be with AB286 four years ago and thus, enacted SB544 as a way to avoid the responsibility of the public entities' retirees. Dania said another issue may arise with organizations attempting to hire back people to fill positions vacated by outgoing retirees and what benefits apply to those filling the positions.

Bill said that he believed the state was trying to get everyone under one insurance plan and that SB544 was another step toward that goal. Curtis asked how pre-1994 retirees would be affected by SB544 and if PEBP had considered what to do with those retirees if the organization opted to enroll in PEBP after November 1, 2008. Curtis said that another issue would arise with long-term CBAs and how the organization would meet the contractual obligations for retiree coverage with the changes from SB544. Marilou said another difficulty would come in the form of preexisting medical issues as PEBP had informed her that newly enrolled employees would have to wait one year in order for their preexisting medical issues to be covered. Curtis said many public organizations would be facing tight deadlines for making a decision as budgets needed to be written up and developed starting in February.

Guy asked if organizations were not required to pay the subsidies on pre-2003 retirees enrolled in PEBP. Dania said the decision by the Clark County District Court stated that was correct. Bill asked if PEBP would issue a refund for those subsidies paid on pre-2003 retirees if the Nevada Supreme Court upholds the Clark County District Court decision. Dania said that was good question and that she believed PEBP would probably have to reimburse the organizations that did pay.

Mitch said the issue of SB544 was a very hot teleconference topic and that when POOL/PACT Human Resources had sent the flier out on Monday, by noon there were over 50 client organizations signed up for the teleconference. Curtis said that one of the biggest problems after AB286 was enacted was that PEBP continued giving different answers and confusing the issue, along with conflicting opinions from the Legislative Counsel Bureau and the Attorney General. Curtis said he hoped Leslie Johnstone understood that the organizations would be seeing her as speaking for PEBP and that trouble may arise if different guidance was issued after the teleconference as some organizations may have already established plans based on the information given at the teleconference.

Ann Murdoch said that some trouble came just in getting the actual amount to be paid. She said PEBP told her that it was a flat rate in the manual, but Curtis had mentioned that insurance people had informed him that rates would either have to increase to cover everyone or that different employers would be required to pay different rates. Ann said this made it difficult to prepare and compare rates. Curtis said he believed the teleconference would be well attended and urged larger organizations to inform smaller entities that may be unaware of the impact of SB544 of what potentially may be occurring.

Mitch then moved on to the training update. In regard to e-learning courses, Mitch said there was a good level of enrollment, with 25 client organizations enrolled, and a total of 1360 employees signed up for courses. He said that when service plans were being developed, e-learning was something that was explained to the clients. He said that the interest and participation for e-learning is evident by the enrollment figures. Mitch said the first two courses on sexual harassment and drug and alcohol awareness would be joined by a third course, Workplace Violence, coming toward the end of 2007.

Mitch gave the committee a handout listing the classes available through SafeSchools and explained that this was an online course program exclusively for schools in order to train their employees on subjects with minimal impact to availability and lost work time. He said that while POOL/PACT Human Resources was paying for the human resources course listing, SafeSchools has opted to open all course content, including safety courses, to school districts for no extra charge. He said that schools were increasing their usage of the website and course content daily. Mitch said school districts would send SafeSchools an Excel spreadsheet with the relevant data regarding employees to be enrolled in courses and then SafeSchools would load the data to the system. Courses would then be assigned to the employees from either the district office or from the actual school site.

Mitch gave the committee a handout showing school districts signed up for courses and how many training assignments had been assigned to employees. He said all but six of the county school districts were signed up and that the remaining six should be completing enrollment soon. Mitch explained that POOL/PACT Human Resources was waiting for feedback on the SafeSchools program and the quality of the courses. Richard said he appreciated POOL/PACT Human Resources' efforts in bring SafeSchools to the school districts as it is difficult to get all employees together for training purposes. Curtis said that if the program was proactive and prevented some issues with school districts, then it was well worth the investment. Curtis said that there might be a similar program for counties and cities if the SafeSchools program works.

Ann Wiswell of POOL/PACT explained that an updated version of the e-learning course content currently offered by POOL/PACT would be available November 1, 2007. She said it was difficult and time-consuming to develop the proper learning management system (LMS), and database software and that was why it took several months to develop. She also said that POOL/PACT was developing safety courses for clients in addition to the HR content currently available. Ann said that not all e-learning content in development would be available November 1, 2007, but would become available over time. She discussed available webinars which were offered the POOL/PACT website and hosted by Midwest Casualty. Ann also said United Educators would be hosting a telephone round table for school districts on October 24, 2007.

Mitch said that the Essential Management Skills courses were on track and that it was being offered in 10 different locations. He said that 330 participants had registered and 270 of them had completed the first two courses. He said the final three courses would be delivered over the course of the next few months.

Mitch informed the committee that the legislative update was available on the website with information on relevant legislation for clients. He said newsletters and alerts were being produced on a regular basis. He said the alert for the Nevada minimum wage was posted on the website and that an alert on age discrimination was being produced. Regarding personnel policies, Mitch said those were posted on the website in Word format, allowing clients to download the policies and make any necessary changes directly to the document. He said any updates to the policies would be followed by an email notification to the clients informing them of the change.

Ann Wiswell gave the committee a presentation on the possible centralized job listing service on the website. She explained that there were various themes, one of which was a territory theme and another which was based on counties. Ann explained that once a user clicked the appropriate area link, it would bring the user to a more detailed web page listing details concerning client locations and other pertinent information. Curtis said he liked the territory theme as it was not too busy and would combine many counties into one, reducing the number of actions required by the user. Ann said development of the centralized job listing service would continue with the territory theme. Geof Stark and Marilou said they also liked the territory theme.

- 5. Item: Report on Other Activities**
- 5a. Approval of name change to POOL/PACT HR**
 - 5b. Report on HR Issues – Preventions and Solutions – (*handout*)**
 - 5c. Report on Employment Related Claims – (*handout- FAXED*)**
 - 5d. Report on Budget (*handout – FAXED*)**
 - 5e. Loss Control Retreat - Summary of Goals - (*handout*)**

Mitch informed the committee that the name Cooperative for Human Resource Management (CHRM) had officially been changed to POOL/PACT Human Resources.

Mitch gave the committee a copy of the quarterly HR Issues: Preventions and Solutions handout and said POOL/PACT Human Resources had shared over 70 issues with the committee throughout FY06-07. Bill said that John Bates had brought some of the issues to a management meeting in Humboldt County and that it was very helpful in illustrating what types of issues can occur.

Mitch gave a copy of the claims for FY06-07 and said there were a total of 27 claims made during the year. He said he was interested in the claims information to determine where the claims were occurring and what POOL/PACT Human Resources needed to do in order to better prevent claims from occurring. Mitch said 8 of the 27 claims were closed and 19 remained open. The closed claims cost a total of \$28,193.00 while the to-date costs of the open claims totaled \$189,234.00. Mitch also explained that of the 27 claims, POOL/PACT Human Resources was involved in 6, with three of those claims being closed. He said that of the 27 claims, 12 came from the counties, 8 from the school districts, 6 from cities and towns, and 1 from districts. Mitch explained that 14 of the 27 claims were discrimination-based claims, 4 claims were gender based, and 4 were for sexual misconduct in schools. He said the sexual misconduct claims are why POOL/PACT Human Resources was making such a big push for training with the school districts. He said the 5 retaliation claims were also indicative of employees becoming more aware of actions that may be prohibited in response to whistle blowing activities. Bill asked if any of the retaliation claims had originated as a result of other types of claims. Mitch said the 5 retaliation claims were separate cases, unrelated to other claims listed. Dee asked if POOL/PACT Human Resources sent consultants in to conduct training for a client when a claim or incident occurs. Mitch said that POOL/PACT Human Resources works hard to mitigate any issues that arise with training or other necessary actions such as meeting with management and an appropriate course of action. Mitch said SafeSchools was being pushed in order to allow school districts the opportunity for immediate training assignment if an issue ever occurs regarding harassment or sexual misconduct. Dee suggested that the Executive Board would want to see the claim numbers as well. Curtis said at the very least, the claim numbers should be presented at the annual board meeting, if not sooner.

Mitch gave the committee members a copy of the budget for FY06-07. He said some of the reasons POOL/PACT Human Resources was able to finish with extra money in the budget was because there was no turnover, the staff was smaller than it had previously been, some of the services had been outsourced, and some of the services have been free, such as presenter services at teleconferences.

He did caution the committee that the year-end figure for the budget would most likely be lower in the second year, but he wanted to see how the second year looked before setting the budget for the third year. Guy asked if there would be any audits conducted during the second year. Mitch responded that audits were currently being conducted. Guy asked about the interest income and how that worked. Mitch said he was not sure but Wayne Carlson would probably be able to answer the question better. Guy asked what line items would most likely increase in cost during the second year. Mitch said the contract services would probably increase during the second year. He said the cost of legal services might also increase. Guy asked about equipment costs for the first year. Mitch said Wayne had picked up the costs of the equipment and furniture and that would remain with POOL/PACT and not the HR side. Curtis commended Mitch and his staff for their efficiency and being able to do more with less. Bill seconded Curtis' sentiment and said it was nice to see things being done without having to bring on additional staff as opposed to how things were done in the past. Mitch cautioned that while 8 staff members were fine at the moment, there may come a time when another staff member would need to be hired, but at the moment that was not the case.

Mitch gave the committee a copy of the goals listed from the POOL/PACT Loss Retreat. He said those goals would be voted on later that day by POOL/PACT. Dee asked how many of the goals listed were attainable. Mitch said that many of the goals could be attained. He said the drug and alcohol training, the ADA transition, light duty, addressing the aging workforce were issues that were attainable. He said the remaining goals were more related to Wayne and Ann's work focus.

6. Item: Schedule Next Regular Meeting for CHRM Oversight Committee Meeting

The next CHRM Oversight Committee meeting was scheduled for December 12, 2007 at 10:30 a.m.

7. Item: Public Comment

Curtis asked when the next POOL/PACT Retreat was going to be held. Mitch said he was not sure, but would find out and let the committee know.

8. Action Item: Adjournment

The meeting was adjourned at 11:47 a.m.