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**APPROVED MINUTES OF THE
NEVADA PUBLIC AGENCY INSURANCE POOL AND
PUBLIC AGENCY COMPENSATION TRUST
HUMAN RESOURCES
OVERSIGHT COMMITTEE MEETING**

Date: December 7, 2018 Time: 10:00 a.m.
Place: 201 S. Roop Street
Library Room – POOL/PACT Offices
Carson City, NV 89701

1. Oversight Committee Roll Call

Members participating in person: Chairman Curtis Calder; Scott Baker. Members participating by phone: Dee Carey; Jose Delfin; Abel Del Real-Nava; Cindy Hixenbaugh; Dawn Huckaby; Robert Quick; Pat Whitten. Members not participating: Danelle Shamrell; Geof Stark. PRI Staff: Stacy Norbeck; Ashley Creel; Sandra Schooler. PARMS Staff: Marshall Smith

2. Item: Public comment:

No public comment.

3. For Possible Action: Approval of Minutes of Meeting September 28, 2018

Scott Baker made a motion to approve the revised Minutes of September 28, 2018. Jose Delfin seconded the motion. Motion was carried.

4. For Possible Action: Report on Current Activities

a. 18/19 Strategic Plan to date

New Trainings — Two new classes will be updated this year: a performance evaluation course and a rewrite of *So, You Think You Want to be a Supervisor? (SYTYWTBAS)*. We are in the needs assessment phase currently of *SYTYWTBAS*. *Workplace Violence* e-Learning Course is still in process and Mike Van Houten said it should be ready by the end of December.

Revisions — The *Advanced Essential Management Skills* revision is almost complete; the writing is done and support staff is now working on proofing and editing. *Customer Service* is in SME review and being routed to our Business Partners, and *Bullying in the Workplace* remains to be done.

Regional Trainings — 12 regional trainings are scheduled throughout the state. *Essential Management Skills in the Public Sector (EMS)* is scheduled four times, three have been taught already. The March session is full and a May session has been added. One of three scheduled sessions of *Advanced Essential Management Skills (AEMS)* has been taught to date. *The Good, The Bad, and The Ugly* was taught on August 29, 2018, and had 18 registered participants. *Advanced Human Resources Representative (AHHR)* was taught one time in Carson City in October. *Human Resources Representative (HRR)* will be offered one time in Carson City in the spring. *SYTYWTBAS* training will be offered one time in Carson City on June 6, 2019.

Workshops Utilizing Outside Resources — Erickson, Thorpe and Swainston conducted three sessions of *ADA: Interactive Process/Service Emotional Support Animals*: One completed in Ely on September 25, 2018, with nine registered participants; Elko on October 9, 2018, with ten participants; Carson City on October 17, 2018, with 13 participants. Boulder City was canceled due to low registration.

HR Webinars — Three of four HR webinars have been conducted: *EEOC 101 & Beyond* conducted by Becky Bruch on October 18, 2018; *Emotional Survival* conducted by Temple Fletcher on November 27, 2018; *ADA: Interactive Process/Service Emotional Support Animals* webinar conducted by Ann Alexander and Charity Felts on December 6, 2018, to reach more members. We have scheduled a fourth webinar, *POOL/PACT 101 for Board Members* on January 9, 2019. It will be a one-hour long overview of our services and will be conducted by Marshall Smith and Stacy Norbeck. We will send information to current member boards or to our HR contacts, and have them forward to their board members. Marshall has an email list for all the newly elected board members that can be utilized. Curtis said this is great because it is always a struggle to help members understand the purpose of POOL/PACT. Dee asked if it is similar to the presentation Marshall and Stacy gave at their board meeting. Stacy responded that it was very similar and is the template they are using for the *POOL/PACT 101* training.

EAP Webinars — Two of four EAP webinars have been conducted: *Social Media Etiquette* on September 5, 2018; *Change Mastery* on December 5, 2018. The remaining two are: *Communication Skills* on March 6, 2019; *Brain Health* on June 5, 2019.

New Briefings — Two of three new briefings have been completed to date this year: *Pregnant Workers' Fairness Act* and *Workplace Rights of Domestic Violence Victims*. *Buddy to Boss* remains to be completed.

Updated Briefings — Three of 19 briefings have been updated this year.

Post Member Pay Plan/Scale on website — Member pay scales are being added to website as they are received.

Sample Personnel Policy Annual Update — The sample drug policy was updated on August 21, 2018, to reflect Nevada Occupational Safety and Health Administration (NOSHA) post-accident testing requirement that states employers are required to have a reasonable suspicion to conduct a post-accident test. OSHA then recalled that change on October 8, 2018, and reversed their guidance. In turn, we recalled our update and replaced it with the earlier policy.

Stacy reported the policies will be updated by June 30, 2019. She routed a sample of the new format to a few members, and while a few commented they did not see the need to reduce the number of levels too far; all were happy the updates were being made. Stacy said she also received feedback from PRI staff on the policies they saw as “broken.” She has consolidated the information and plans to begin revising the first third of the policies as soon as the formatting is complete. The 2019 legislative changes will be included in the updates as well.

Alerts — Five alerts have been issued so far: 9th Circuit Restricts Acquisition of Salary History to Set Starting Pay; New FMLA forms; Disclosure Notice for Background Checks issued by the Bureau of Consumer Financial Protection for employers who utilize consumer reporting agencies to conduct background checks (New Fair Credit Reporting Act Disclosure Notice); OSHA Reverses Guidance on Post-Accident Testing; and Release Time to Vote.

Trainings — As of November 27, 2018, 84 trainings have been conducted with 2,115 participants, with 4.49 course content average; 4.8 instructor evaluation average. Twenty-two members are interested in FRISK; eight classes have been conducted with 87 participants.

Phase I HR Compliance Assessment Program — There are 12 interested members this FY; one in process (Walker Basin Conservancy – 50%); Lander County Sheriff’s office is scheduled for January 16, 2019; East Fork Fire is on January 31, 2019. There were 24 rollovers left to complete from previous years; four have been completed this FY (Esmeralda County School District, Pershing General Hospital, Pershing County School District, and Round Mountain); Lander County School District will be removed due to inactivity.

Phase II HR Compliance Assessment Program — There are four interested members this FY; checking with Lander County Sheriff’s office since they are doing a Phase I reassessment this year; waiting on a response from Churchill County; East Fork Swimming Pool District is tentatively scheduled for January 29, 2019. There are seven left to complete from previous years.

b. Report on Employment-Related Claims

As of October 31, 2018, we have nine claims, eight of which are open. They are all EEO: one race, one disability, one sex, two Title VII discrimination, one hostile work environment, and one age, and one alleging due process violation in connection with wrongful termination.

5. For Possible Action: General Manager Report

a. Merge

Stacy updated the Committee regarding the proposed PRI/PARMS merge. At the last OSC meeting it was discussed that PRI and PARMS were going to merge, but it was decided at the Joint Executive Committee meeting they are not going in that direction. The administrative function will become a new non-profit and all PARMS employees will be absorbed. Wayne will be the sole employee of PARMS which will be contracted to perform executive director services for the new non-profit.

b. Legislative Session

Stacy reported the next legislative session begins on February 4, 2019. She said that she will be tracking the bills along with Neal Freitas and Ashley Creel. Neal will be responsible for schools; Ashley will be responsible for Assembly Bills; and Stacy will handle Senate Bills. They will be meeting next week to determine their plan of attack. Once the session is over, they will create a legislative summary and make applicable policy and form changes.

Curtis asked if PRI would be coordinating anything with League of Cities and NACO as far as people on the ground going to hearings. Stacy said that had not yet been addressed; however, they will be meeting the following week. She has invited Jeanne Greene to the meeting to provide direction since she has experience in that area.

c. Assessment Grant Amounts

Stacy introduced Marshall Smith, PARMS Risk Manager, who attended the meeting to give an overview of the Loss Control Committee (LCC) Excellence Program and its history. Marshall shared that the LCC Excellence program is going through a fundamental change. Currently, there are six to eight individual modules on the plan which will be expanded to approximately 11 overall modules; the first five will be required for every member to complete, including a preliminary assessment for all entities: HR, cybersecurity, Loss Control Risk Management, Safety, and Fiscal Control Modules, to be eligible for the award. Larger entities like Elko or Nye County that have multiple departments would expand to include law enforcement, fire services, EMS, public works, fleet services, parks and recreation, in addition to a stand-alone for hospitals. The LCC has indicated they need to increase the amount of the award simply because of the amount of work they are looking at. The maximum award will be \$15,000. Marshall said he and Mike Rebaleati are working on revamping the system and are anticipating it will be operational very soon.

Curtis thanked Marshall for the thorough explanation. He thought it would be worthwhile to consider a premium reduction or a deductible credit that could be applied toward liability deductibles. He said that would add more value and still incentivize it. He said a good claims history could get an entity better premiums and lower deductibles.

Pat Whitten said that as the LCC looks at entities, they need to also consider the inability of the overall entity to control the actions of one constitutional officer.

Curtis said he thinks that holds true for a lot of organizations that have elected officials and if they have a rogue elected official causing liability, you can have all the best policies in the world and the only way you can get rid of that official is through a recall election, unless there is another avenue he is unaware of. Pat said it is subject to the voters.

Curtis asked, based on what Marshall said, would it be worthwhile to bring this before the Board at the next annual Board meeting. Pat agreed with the HR aspect and thinks it is something the OSC should be revisiting with Wayne before taking it before the Executive Board. Dee agreed with what was being communicated.

Stacy then introduced a new idea related to the same topic. She said she has been considering the possibility of creating a training recognition program to recognize our members who have utilized certain types of training, such as: online compliance trainings, live compliance trainings, and certificate programs. It could possibly be part of the premium reduction program if that is the route we go.

Scott Baker said he thinks the end users (the public) also need to know who is doing their due diligence and training their employees.

Marshall stated he agrees with the end user concept and said they have a plan for it.

Curtis stated he likes the incentives with POWER, because it incentivizes one person.

Stacy said she is open to individual awards especially since many of the assessments are due to the work of one or two people, if it is something the Board would approve.

Curtis stated he thinks it is another leg of the stool to consider. He said he thinks the premium reduction and the deductible reduction would be awesome, but he believes Wayne will say we need to talk to actuaries because it could affect the way rates are set up. Curtis said that would be his long-term goal, and in the interim, incentivize it to the individual responsible for doing the work.

Stacy asked if there is an ethics issue with giving an incentive directly to the individual.

Both Curtis and Marshall said through POWER there is a \$1,000 incentive that goes directly to the individual.

Curtis said it is something to take under consideration. Stacy said she is looking for direction on the issue because it will affect our budget going forward. Curtis said those are old numbers from 2009, so increasing at a minimum from \$500 to \$750 and \$750 to \$1000 would change nothing about the format other than the award amount. Another consideration we could implement quickly would be giving the award to the individual or to the organization.

Stacy asked how we would proceed to do that. Curtis said we would need to talk to Steven Balkenbush to tell us if we can do it legally.

Stacy asked if we would include individuals who complete or start as of July 1, 2019. Curtis answered it would be for anyone who starts an assessment as of July 1, 2019.

Stacy summarized and said she would talk with Steven Balkenbush to see if changing from the organization to the individual is doable and then coordinate a pre-meeting before the next OSC meeting to continue the discussion Pat was talking about. In the meantime, Curtis, Wayne, and Pat will have another meeting.

Curtis agreed and asked Stacy to coordinate the meetings. Stacy said she would do so.

d. HR Seminar

Stacy reported that the dates and location for next year's HR seminar had been set. It will be held October 17-18, 2019, at the Atlantis in Reno. A Save the Date will go out soon.

The speakers currently scheduled on Day One are Gerry Preciado on Leadership; Round Table Discussions; CPS HR on Public-Sector Recruitment, and Anthony Hall and Dora Lane with Legal Updates. The Day Two schedule will include Karyn Jensen on Strategic HR Time Management; Becky Bruch with Legal Updates; and Charity Felts and Ann Alexander (Erickson, Thorpe & Swainston, Ltd.) facilitating a Mock Trial.

Stacy reported there was discussion about changing the name of the annual event from "seminar" to "conference." The word "seminar" is typically used for more class-room type events, whereas "conference" emphasizes the networking and variety of sessions we have to offer. She said that Ashley Creel has been researching creative ideas on how we can make it more memorable and aligned with a leadership theme and has put together a list of possible themes for next year's event. Stacy said she thought the word "conference" better describes the event and liked the following possible titles:

- 1) Best Practices in Public-Sector Employment
- 2) Navigating Today's HR Challenges in Public-Sector Employment

Stacy asked if everyone was in agreement on changing it to a "conference" and if so, did they think it was important to keep the same name to eliminate confusion, or have an opportunity to change the name.

Scott stated he thought it was an opportunity to advertise it as a leadership event rather than just an HR event. Stacy said Next Level Leadership was another suggestion for a title.

Curtis said he thought "seminar" was too narrow and agreed making a name change was a good idea.

Stacy asked again if everyone was in agreement on changing it to "conference."

Cindy, Dee, and Scott supported a change in name and liked Best Practices. Dawn supported a change as well.

Curtis asked if the League of Cities or NACO conferences would conflict with our dates. Stacy said we do our best to always let them know ahead of time what the dates are for the event, and schedule out ahead of them scheduling their dates. She also stated it was her understanding that since it is a legislative year, their conferences would be in September.

e. ATD Certification Training Program

Stacy reported that on November 28-29, 2018, the entire PRI staff and PARMS staff (except for Mike Van Houten) attended a two-day certificate program from the Association of Training & Development called Basic Training for Trainers. She needed to have Ashley Creel and Shari Brantley go through the training as new facilitators but decided to partner with PARMS and brought it to 15 people, including our support staff. The course covered the training cycle, needs assessments, adult learning principles, participant-oriented materials, facilitation skills,

and evaluations. We had many opportunities for interaction and each of us presented a ten-minute session for which we developed the program and visual aids. Ashley and Shari reported it was exactly what they were looking for to assist them in being better facilitators; others reported they received great information they will be able to apply in their work.

Stacy said some of the changes the staff would like to implement from the training include:

Utilizing more activities to apply adult learning techniques: Get people out of their chairs more and give them an opportunity to work with different people in the class; use small group activities; consider using table groups more, rather than classroom style; and place toys on tables for those learners who like to do something with their hands while learning.

Conducting higher levels of evaluation: There are a total of five levels of evaluation. We currently do level 1 "reaction" evaluations (happy sheets) at the end of every class and level 2 "learning" evaluations in certificate programs (pre- and post-tests); we have previously conducted level 3 "behavior" evaluations for certificate programs and will re-implement those to try to collect data on how participants applied knowledge; implement a low level gift card drawing to incentivize response; and require participants who register for advanced programs to complete a questionnaire on how they applied information.

Stacy said we are also considering adopting an attendance policy similar to ATD's policy.

Stacy stated PRI's suggestion is to have a policy for certificate programs and one for non-certificate courses, as well as a make-up policy as follows:

POOL/PACT Human Resources Attendance Policy

Certificate Programs: Participation in all originally scheduled sessions of multi-day certificate programs is mandatory in order to receive the certificate of completion and CEUs. Participants who miss more than two hours of the program will not be eligible to receive the certificate until all sessions are completed in their entirety.

Non-Certificate Courses: Participation in all originally scheduled sessions of non-certificate courses is mandatory in order to receive the certificate of attendance and CEUs. Participants who miss more than one hour of the course will not be eligible to receive the certificate.

POOL/PACT Human Resources Certificate Program Make-Up Policy: Participants who miss more than two hours of a certificate program may be able to make up missed sessions; interested participants should contact POOL/PACT Human Resources.

Stacy stated there will be exceptions made for extenuating circumstances and she is looking for further direction from the OSC.

Curtis concurred with the policy and that individuals need to block out time and commit to showing up and completing the program. He said even in an emergency, they need to make up the time.

Stacy reminded the group there are grants available to individuals who need to travel and find it necessary to stay overnight, thus ensuring completion of their program.

Scott Baker stated it is a matter of integrity.

Dee agreed as well. She said so much that is communicated in the classes is important. Cindy and Abel also agreed. Abel stated when people miss out on portions of the information, they could come across later in their practice and not have the skills necessary to be able to get through it. It is important that if people attend, they attend the whole thing.

Scott Baker made a motion to approve the POOL/PACT Human Resources Attendance Policy as written. Dee Carey seconded the motion. Motion carried.

f. Peer Support Training

Stacy reported we had the webinar with Temple Fletcher on November 27, 2018, and it is now available on the POOL/PACT website to those who were not in attendance. She said we have provided forms from Temple for creating a Peer Support Program including a recruitment memo, application, and reference letter template. We have reached out to members asking for the best day of the week and time of day to hold facilitator-led training and received no response in late winter. We are planning to host three 4-hour sessions on Emotional Management and Survival (\$400 each plus travel and expenses). The LCC has approved funding for these sessions; once completed, they will consider further funding. POOL/PACT members may also use education grants to bring the training to their own entity or send employees to offsite courses.

g. Mission Statement

Stacy reported we had our strategic planning meeting on November 9, 2018, which she will address further in Item 7 of the agenda. This year we looked at our mission statement and will be holding a workshop to review and possibly revise it to better reflect our mission which is to reduce liability through proactive means. She asked whether the Committee needed to approve PRI going ahead with the workshop or if the results from the workshop should be brought back to the next OSC meeting. Curtis said he would like to have PRI staff work on a new statement and present it for approval at the next OSC meeting.

6. Survey Report and Scope of Services

a. Survey Report

Stacy stated this survey goes out every other year with the first being in 2012. It asks participants to rate POOL/PACT HR on the value of current services, quality of current services, accessibility of web-based services, staff, and training topics. The survey also asks participants to suggest additional HR services they would like to see. Participants were provided the opportunity to provide comments in each specific area as well as general comments. This year a section for risk management was added to assist PARMS. The survey was sent to 194 HR contacts on October 15, 2018, and closed on October 29, 2018 (reminder sent on October 22, 2018), with a response rate of 21.13% (41 respondents). Prior surveys had higher response rates, e.g., 2012 had 176 HR contacts, 67 respondents, 39.8% response rate; 2014 had 169 HR contacts, 62 respondents, 36.7% response rate; and 2016 had 201 HR contacts, 67 respondents,

30% response rate. This year, the value of current services was rated 3.8 for HR Alerts, sample personnel policies, and annual revisions to sample personnel policies, and 3.1 for quarterly EAP webinars. Stacy said the comment from Geof (shared with his permission) regarding sample job descriptions and the salary schedule database would be addressed under the Scope of Services update. The quality of current services was rated 3.6 for HR Alerts, and 3.0 for the salary schedule database. The accessibility of Web-based service was 3.8 for HR Alerts, sample personnel policies, sample job descriptions, and sample forms, and 3.1 for e-Learning courses. POOL/PACT HR Staff rating was 3.9. Training topics was rated 3.9 for Effective Management Skills in the Public Sector and legal compliance, and 3.4 for FRISK. Stacy said the comment regarding emotional/self-awareness was part of the strategic planning meeting discussion and would be covered under Item 7 of the agenda. Additional HR Services was rated 2.6 for negotiated rates for outside consultants to provide compensation and benefits studies, and 2.2 for recruitment services and succession planning services. Risk Management Service was rated 3.4 for e-Learning, risk management grant program, TargetSolutions, and cyber security assessment, and 24/7/365 was rated 2.8 (possibly due to being a new program). Overall, there were three city/town, eight counties, two hospitals, three public safety, seven schools, 11 special districts, and seven did not report. The size of the entities included eight less than 15 employees; two equal to 15-49 employees; 24 over 50 employees; and seven did not respond.

Due to the low response to the survey this year, Stacy asked the OSC to consider whether they would like to accept the results or have PRI reopen the survey. Curtis said nothing stood out in the report that would prompt him to reopen it as he did not think it was the best use of staff time. He said the comments were probably the most valuable and should be looked to see if anything does stand out regarding the upcoming Strategic Plan. He also stated if the survey indicates a service is not being utilized, we could phase it out over time.

b. Scope of Services

Stacy stated on the first page under HR Briefings, we are supposed to do three new briefings a year. She would like to consider that to be “as needed.” Curtis and Dee both agreed it should be on an “as needed” basis. Scott said he thinks it is a good step; however, he is concerned something will not get covered. Curtis said we can try it; it can always revert to the former requirement of three briefings.

Stacy addressed the next section regarding maintaining the library of 200 sample job descriptions. She said it is an ongoing project and always on the backburner. She stated we continue to maintain the library, but it is time consuming. We are willing to keep it up-to-date, but as Geof said in his survey comment it may not be the best use of our time. She suggested we could provide a sample job description template. Curtis recommended leaving the library as it is, not updating it, and attaching a disclosure stating when it was last updated and used for demonstration purposes only. Stacy said one-third of the job description templates have been updated. She would like all to be in the new template format before updating on the website. Curtis agreed. Marshall emphasized the importance of linking the job description to job performance to discipline because you cannot discipline if the problem with that employee is not in the job description. Stacy stated PRI would always stress the importance of job descriptions and assist our members in coming up with language and helping them write their job descriptions, as we always do. She said the problem that could come up would be the member organization not changing the language to meet the needs of the actual job, and that could hinder them. Curtis stated the same could be said for the policy samples and thinks a disclosure needs to be put on the template job descriptions and policies stating the need to take the samples and personalize them. Stacy said she was not sure if there is a disclosure on the

policies, but it is on all forms and on the one-third of the job description templates that have been updated. The disclosure statements are printed in red on the templates and sample forms.

Pat agreed with Curtis. He said an administrative assistant in Storey County might be significantly different than it would be in a larger jurisdiction like Elko County or a smaller one like Esmeralda County. He said he liked the direction Curtis was taking the discussion in reference to the job description library.

Curtis liked the idea of having an historical reference library and maybe taking the job descriptions that we already have and dividing them up into a task list library for what items need to be changed, added, and/or deleted to personalize it to the specific job. It might be easier to do that than updating the remaining two-thirds of the job description templates. Stacy stated she would come up with language for the scope of services to reflect that change.

Dee Carey agreed and stated they require their full-time employees to read, sign, and date their job descriptions during their annual evaluations. Stacy stated that is PRI's advice as well. Stacy said she would update progress on the job descriptions at the next OSC meeting.

Stacy stated PRI is doing their own HR webinars now and wanted to change "EAP" to something like "HR/EAP" provider. Curtis stated it was okay to broaden that.

Stacy said she already received direction and stated she is going to do a follow-up survey with members regarding the salary schedule database. She will report her findings at the next OSC meeting in March.

7. For Possible Action: Approval of 19/20 Strategic Plan

Stacy reviewed the 19/20 Strategic Plan.

New Courses — *Team Building/Diversity/Positive Environment and Influential/Situational Leadership* course topics are scheduled to be taught and are still being developed.

Revisions — *Taking Control of Conflict* (expanded to include *Manager as Mediator*) and two additional to be determined.

Regional Trainings — *EMS, AEMS, HRR, AHRR*, and one new leadership class will be scheduled to be taught throughout the fiscal year.

Workshops Utilizing Outside Resources — Negotiations (NPERLA) and Social Media (Erickson, Thorpe, & Swainston).

New Briefings — TBD. We will be writing one for Policy Implementation and some may come through the legislative session.

Review/Update Ten Briefings Annually — See list of briefings on Strategic Plan FY 19/20.

Statewide Webinars — EAP webinars are listed on Strategic Plan FY 19/20 handout.

HR Webinars — TBD.

Sample Personnel Policy Annual Update — Our policies will be updated as usual and everything else will be determined at service plan time.

Curtis stated to defer a motion to approve to the next OSC meeting to be scheduled in March.

8. For Possible Action: HR Assessment Grant Application Approval

Pershing General Hospital: Completed Phase I Assessment. Requesting \$499.98 for two training tables which will allow the HR Department to control training. Pat Whitten made a motion to approve as presented. Dee seconded the motion. Motion was carried.

9. For Possible Action: HR Scholarship Application Approval

Douglas County School District: Keith Lewis. Requesting \$1,222 to obtain his CLRP to cover cost of the class, as well as testing.

Lyon County School District: Stephanie Nice. Requesting \$1,845 to obtain her PHR certificate through UNR. This amount includes the fees, application, and testing.

Abel Del Real-Nava made a motion to approve both applications as presented. Cindy Hixenbaugh seconded the motion. Motion was carried.

10. For Possible Action: Schedule Next Regular Meeting for POOL/PACT Human Resources Oversight Committee

Next meeting is scheduled for March 1, 2019, at 10:00 a.m., in Carson City.

11. Item: Public Comment

12. For Possible Action: Adjournment

Curtis called the meeting adjourned at 11:54 a.m.