



Nevada Public Agency Insurance Pool
Public Agency Compensation Trust
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**APPROVED MINUTES OF THE
NEVADA PUBLIC AGENCY INSURANCE POOL AND
PUBLIC AGENCY COMPENSATION TRUST
HUMAN RESOURCES
OVERSIGHT COMMITTEE MEETING**

**Date: June 17, 2011 Time: 10:30 a.m.
Place: POOL/PACT Building
201 S. Roop St., Library (2nd floor)
Carson City**

1. Oversight Committee Roll Call:

Members participating: Chairman Curtis Calder; Ann Murdoch; Darcy Worms; Pat Whitten; Steve Englert; Bill Deist; Geof Stark; and Ben Sharit. Not Present: Ben Zunino and Jose Delfin. PRI Staff: Jeanne Greene and Christine Vido.

2. Action Item: Approval of Minutes of Meeting March 17, 2011.

Geof Stark made a motion to approve the minutes of March 17, 2011, as presented. Darcy Worms seconded the motion. Motion was carried.

3. Item: Report on Current Activities

Jeanne Greene began discussion on the activities for the current fiscal year. The focus was on items not completed and when they are anticipated to be complete.

- **10/11 Strategic Plan** (July 1, 2010, through June 30, 2011)

New Instructor-Led Courses – Achieving a Drug- and Alcohol-Free Workplace was to be completed this fiscal year. Due to the training manager's maternity leave until August 1, this will be moved into the next fiscal year and is anticipated to be available in September.

Regional Training Courses – The strategic plan indicated that two would be presented. 14 have been completed during this fiscal year. Seven of the courses were the Essential Management Skills (EMS) Certificate Program.

Workplace Violence – Two were delivered during the current fiscal year. Two more have already been scheduled for the next fiscal year. One will be held in Lovelock in July and another in Douglas County sometime in January 2012.

Internal Investigations – Presented by POOL Attorneys Becky Bruch and Ann Alexander. Scheduled in Boulder City in September.

EMS – Scheduled in Carson City in October. Another has been scheduled specifically for Lyon County in September.



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New E-Learning Courses – Addressing Sexual Misconduct in Schools will be available by August 1st. Drug and Alcohol training will not be completed this fiscal year due to the new facilitator-led training not being completed. It is anticipated that it will be available in October or November. There is a drug and alcohol course available online currently; this would become a new course.

Statewide Webinars – There is an EAP webinar scheduled for June 22. The topic will be Respect in the Workplace. POOL Attorneys Becky Bruch and Ann Alexander presented the new ADA Regulations via webinar in May. An overview of the 2011 legislation is scheduled for the end of the month.

Roundtable Meetings – Jeanne advised that she sent out a survey to the members of the roundtable and it was agreed by all that it was unnecessary to do these on a quarterly basis. The members of the roundtable preferred to see that these meetings are called when an issue arises. It was also suggested that perhaps a briefing could be conducted in this format.

FAQ Section on Website – This project has been put on hold waiting for updates and improvements to the POOL/PACT website.

Enhancing Client Tracking System – Jeanne advised that this is an internal system for POOL/PACT HR's use. It does not impact member services. It will be moved over into FY11/12.

Statistics – Trainings – 103 trainings scheduled; 95 completed. About 3,000 employees have been trained. **E-learning** – Almost 7,600 employees are enrolled. Jeanne clarified that this number could include one employee enrolled into multiple trainings. Of this total, about 4,000 have completed the online training. **HR Briefings** – Half of the scheduled briefings have been completed. Members have asked for some of these to be postponed or removed completely from their service plan. **Policy Development** – 10 are completed.

New Client Service Programs – There have not been any requests for Succession Planning at this time. It is still a current service available. The other service, Recruitment and Hiring Coaching was utilized by Esmeralda County School District for their Superintendent search and was successful in producing a new Superintendent. Their new Superintendent will start on June 30th.

Personnel Policy Review – Because of changes in legislation, there will be changes to the sample policies. The revisions will go out after July 1st.

HR Compliance Assessment Program – In FY09/10 four out of ten participant assessments were completed. For FY10/11, Carlin is the only organization that has completed all of their recommendations.

Curtis Calder had a question regarding NACO salary surveys. He wanted to know if anyone was still doing it. Jeanne stated that she spoke with Jeff Fontaine at NACO and was told that the counties



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indicated that there was no interest to continue doing the survey. Steve Englert said that it was good information to have. Bill Deist commented that it was good information but the problem that he ran into was the accuracy of the data. Darcy Worms said that a good example of the inaccuracy is when some agencies only have firefighters while other agencies have paramedic firefighters so the duties differed as well as the salaries. That was a large problem with the old salary surveys. Pat Whitten also mentioned that it lacked references to the scope of benefits. That is a key element and good information to have. Jeanne advised that the state is required to do a compensation survey every two years and present the results to the legislature. It is pretty extensive, it provides descriptions of the positions, the minimum qualifications, and they do a separate benefits survey that ties a dollar amount to the benefit. Jeanne offered to provide copies of this survey to everyone. Pat Whitten asked a question regarding EMS registration. He asked that moving forward, Holli Kiechler be advised of anyone from Storey County registering for POOL/PACT HR courses to assure the right people in his organization are being trained.

- **Employment Opportunity Listing Website** – Report shows numbers of those accessing the Nevada Rural Jobs website. Geof Stark had asked for a year-to-year comparison which was provided again for this meeting. Jeanne stated there are no significant changes to the statistics.

4. **Item: Report on Other Activities**

- **HR Problem-Solving Reports** – These are unique situations that occurred during the 3rd quarter. There were no questions on the report.
- **FY 10/11 Report on Employment Related Claims** – Jeanne was happy to report that the claims listed for 2011 are significantly lower than the previous year. The previous year was an all-time high which was also reflected at the national level with many EEOC claims being filed.
- **Legislation Tracking** – Jeanne advised that there were over 100 bills that were being tracked at the start of the session. The final count is 57 bills. There will be a webinar later in the month to provide more in-depth information. Jeanne reviewed some of the significant bills. The school-related bills were skipped due to both school members not participating in the meeting. A few bills mentioned were:
 - *AB45- Previously counties of 2,500 or less voters in the last congressional race were exempt from the hours and days of operation for the DA's office. The population has been changed to 9,000. The counties affected are Pershing, Lander, Lincoln, Mineral, Storey, Eureka, and Esmeralda. It also clarifies minimum responsibilities of the District Attorney.*
 - *AB59 - Significant bill stating that quasi-judicial bodies must comply with the open meeting law, additional requirements of how agenda items are listed, and time for public comments.*
 - *AB211- Adds gender identity or expression to the list of groups that cannot be discriminated against.*



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Curtis mentioned that AB211 regarding gender identity may have an impact to dress codes. He thought it would be the first impact of the new law on employers. Jeanne said that the POOL/PACT HR sample policies include dress code and would have to be reviewed because there may be different standards listed for male and female employees.

- *AB257 – The other open meeting law that states an opportunity for public comment must be provided at the beginning of a meeting, at the end of the meeting, or before taking action on any of the agenda items which have been designated as an action item.*
- *AB262 – Storey County is added to the list of District Attorneys who also act as Public Administrators.*
- *AB265 – Deals with law enforcement agencies. It prohibits law enforcement personnel from being placed on leave without pay during an investigation unless there is specific language in their CBA allowing it. It also stipulates the times to conduct the investigation and possible overtime issues.*
- *AB289 – Requires licensure for dieticians.*
- *AB330 – When any current services are privatized, they will need to be included in the budget documentation, specifically identifying the number of employees who previously performed the service, and the salary amounts.*

Curtis asked if this would apply to temporary employment services such as Manpower. Jeanne responded that this bill specifically says temporary employment services, so yes, this would have to be reported.

- *AB362 – Removes child care licensure requirements for before/after school programs. It does require entities obtain a permit instead for out of school recreation programs.*

Curtis asked if the permit was going to be issued by the state. Jeanne said yes it would be.

- *AB420 – Provides protection to members of the National Guard from being discriminated against when they participate in their weekend duties.*

Curtis asked if this bill gave the same compensation requirements as the Executive Branch employees. Jeanne indicated that portion of the bill did not pass.

- *AB433 – Prohibits taking adverse action against an employee running for office. The bill specifically states employees can be reassigned if there is a conflict of interest.*

Jeanne says that the bill does not indicate that the reassignment has to be in the same geographical area or at the same salary. Jeanne thought that if an employee's salary was affected, that could be construed as an adverse employment action. Jeanne also advised that this bill does go against what POOL/PACT HR currently has in the sample policies. (Note – this bill was subsequently vetoed by the Governor)



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- *AB536 – Requires fingerprint and background checks for employees who work with children committed to a juvenile facility. The employees cannot work with the children by themselves pending the results.*

Jeanne indicated that this would affect WNRYS, China Springs, and the new facility in Churchill County.

- *SB27- Regarding child care facilities. Because of the definitions in AB362, this bill would probably not apply. It requires employees to take 15 hours of training including training on wellness and health.*
- *SB98 – Incorporates the definition of a supervisory employee into NRS288. If an employee meets that definition, they are not eligible to be part of a labor organization. There is also a requirement that under the scope of mandatory bargaining the agreements can be reopened during fiscal emergencies.*

Curtis asked if POOL/PACT HR would provide any guidance on this bill because it is vague and there will be questions. Jeanne stated that she was going to contact a labor attorney to get their input. Jeanne thought the supervisory employees that would be affected would be very limited because the definition is so narrowly defined.

- *SB129 – Requires programs that provide personal care services to individuals in the home or adult day facilities to provide training to employees on the prevention of abuse of senior citizens.*
- *SB140 – Prohibits text messaging while driving. There are several exceptions.*

Pat said the bill started out as a text bill but has morphed to include hands-free devices. Ben Sharit asked if there is conflict in policies and procedures if districts want to keep their restrictions on cell phone use. Jeanne said it is acceptable to further restrict the policies; this bill focuses on the legal side.

- *SB149 – Changes the term “mental retardation” to individuals with “intellectual disabilities.”*
- *SB190 – Requires licensing for music therapists.*
- *SB207/208 – Misclassification bills. Both were vetoed by the Governor.*
- *SB246 – Regarding juvenile facilities. The agency must ensure that employees, who administer medication to the children, receive a policy regarding the administration of medication.*
- *SB282 – Prohibits the posting of social security numbers.*



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- *SB328 – Adds creative professionals to the list of employees exempt from overtime requirements.*

Jeanne stated that creative professionals are already exempt per the FLSA, however this is adding the class to Nevada statute as it had not been listed previously. Curtis asked if this was passed to give state employees clarification. Jeanne said this is directed more toward private employers.

- *SB331 – Another gender identity bill. It prohibits discrimination in places of public accommodation.*

Jeanne advised this would affect our members who have convention centers or other facilities open to the public.

- *SB368 – The final gender identity bill that prohibits discrimination in housing. This bill also added sexual orientation as well.*

Jeanne thought the only member of POOL/PACT that would be affected by this bill would be Nevada Rural Housing Authority.

- *SB381 – Removed the temporary provision for counties to deviate from the required hours of operations. That law was made permanent. The county commission would have to make the determination.*
- *SB411 – Allows nursing assistants to be certified as medical aides and administer medications. This would primarily apply to hospitals but may apply to city or county health programs.*
- *SB419 – Regarding the issue or renewal of license for firefighters or EMTs. The applicant has to attest that they have knowledge of transmission of infectious agents. There is identical language for other occupations as well.*
- *SB471, 443, 480 – Bills regarding paying the State for services or the county taking over the services.*

Jeanne advised that there will be two webinars coming up on June 28th for general bills and the 29th for school-specific bills. There were no further questions regarding the bills.

5. Item: Survey of Services Result

Jeanne mentioned that these were the results of the survey that was approved at the previous oversight meeting. One question asked members to rank the current services. Jeanne didn't think there were many surprises however alerts were higher in the ranking than expected. Under the training categories, legal compliance was ranked first and certificate programs were ranked second. The next category was training formats. Facilitator-led training was the preferred method. Advanced EMS was ranked first for potential services. Curtis asked if there were any comments on the survey results and there were none.



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6. Action Item: 2012/2013 Strategic Plan

Jeanne explained that they were looking at the proposed plan for the next fiscal year.

New Instructor-Led Courses - Three new trainings were identified under the instructor-led course. This will be in addition to the Drug and Alcohol training that is being carried over from the current fiscal year. Advanced EMS will be a two-day course and it should be ready in February 2012.

Update and Revise Instructor-Led Courses – HR Rep and EMS will be updated along with several other trainings due to recently passed legislation. A majority of the courses will need to be updated.

New E-learning Courses – Supervisory Documentation and another as yet unidentified course will be developed. **Regional Trainings** – EMS is already scheduled twice, Workplace Violence is scheduled twice, Internal Investigations in Boulder City in September, and Advanced EMS in the spring. **New HR Briefings** – Documentation of Employee Performance, Handling Employee Complaints, and Reasonable Suspicion have been identified for the new briefings. **Review of HR Briefings** – Have committed to reviewing 10 but there will probably be more due to legislation. **Conducting Roundtable Meeting** – Upon request or need. **Compliance Assessment Program** – Ten members have indicated an interest to participating in the program for the upcoming year. **Develop New Member Service Programs** – No new services identified. POOL/PACT HR will continue offering the Succession Planning and Recruitment programs already available. **Updating Policies** – Jeanne would like to see the sample policies updated on an annual basis vs. quarterly if the committee approves. It would be easier for members to make all changes and present to their boards for approval once per year vs. several times per year.

Pat Whitten asked how extensive it would be on the members for one annual update of the policies. Jeanne responded that making the updates to the policies and presenting to the board once per year should reduce the workload for the members. The workload for POOL/PACT HR would be about the same. Jeanne did clarify that if there were any changes in state or federal law during the year that required immediate attention, the policies would be updated at that time. Jeanne said that one policy that would most likely be updated on a continuous basis is the social media policy as it is such an evolving topic. Pat Whitten reiterated a point that he made last meeting about the entities who are not updating their policies or refusing to do so. He said perhaps looking at loss history and tying it back to the member would give the member a reason to make the updates and it could become a requirement for participation in the pool. Jeanne responded that would be an issue that would have to be brought to the Executive Board. Curtis also suggested that it would be a topic to mention at the upcoming POOL/PACT retreat. Jeanne asked the committee for direction on policy updates. Curtis and Steve Englert both agreed annual updates would be best. Steve indicated that the reason he would prefer annual updates is that the cost to print new policy manuals can get expensive. Jeanne also mentioned that when the policies are updated and distributed, the members also need to obtain a signed acknowledgement from each employee which can be time consuming. Pat Whitten made a motion to approve 2011/2012 Strategic Plan, clarifying the policies would be updated annually. Darcy Worms seconded the motion. Motion was carried.

7. Action Item: HR Assessment Grant Application Approval

Jeanne presented the committee with three applications for approval. They were for Storey County, Nevada Rural Housing Authority, and Carlin. Darcy Worms made a motion to approve the



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applications as presented. Pat Whitten abstained from the vote. Ben Sharit seconded the motion. Motion was carried.

8. Action Item: Schedule Next Regular Meeting for POOL/PACT Human Resources Oversight Committee

It was agreed that Fridays work well for everyone to meet. The next meeting will be Friday, September 16, 2011, at 10:30 a.m. in Carson City.

9. Action Item: Public Comment

Jeanne shared with the committee that one of POOL/PACT HR Business Partners, Jonathan Sherwood has left for an employment opportunity in Connecticut. At this time his position will remain vacant to generate salary savings. Jonathan's assignments were distributed amongst the other business partners. Sharon Gesick has also given notice and will be leaving June 30th. Her position will be filled and a job offer has already been made. Curtis asked Jeanne if there was still funding in the budget to replace Jonathan's position. Jeanne advised that money was available. Curtis said that he encouraged POOL/PACT Human Resources to hire someone if the workload is spread too thin. Jeanne advised that she has talked to Wayne Carlson, Mike Rebaleati, and Alan Kalt and that is a possibility in the future. No further comments were made.

10. Action Item: Adjournment

Curtis Calder called the meeting adjourned at 11:57 a.m.