



Nevada Public Agency Insurance Pool
Public Agency Compensation Trust
201 S. Roop Street, Suite 102
Carson City, NV 89701-4779
Toll Free Phone (877) 883-7665
Telephone (775) 885-7475
Facsimile (775) 883-7398

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

**Date: December 7, 2012 Time: 10:30 a.m.
Place: POOL/PACT Offices
201 S. Roop Street, floor conference room
Carson City, NV 89701**

1. Oversight Committee Roll Call:

Members participating: Chairman Curtis Calder; Danelle Shamrell; Robert Quick; Bill Deist; Ben Sharit; Tracy Walters. Not Present: Ben Zunino; Jose Delfin; Geof Stark; Ann Murdoch; Pat Whitten. PRI Staff: Jeanne Greene, Chelsea Moore, and Wayne Carlson.

2. Item: Public Comment

No public comment was made.

3. For Possible Action: Approval of Minutes of Meeting September 21, 2012

Robert Quick made a motion to approve the minutes. Bill Diest abstained from voting due to not being present at the previous meeting. Danelle Shamrell seconded the motion; however, with Bill Deist abstaining, there was not a quorum. Motion did not carry. The minutes will be presented for approval at the next scheduled meeting.

4. For Possible Action: Report on Current Activities

Jeanne reported the following:

- **12/13 Strategic Plan** (July 1, 2012, through June 30, 2013)

New Instructor-Led Courses – The Performance Management class is complete. Document, Discipline, and Due Process is almost complete. So, You Think You Want to be a Supervisor is a condensed, one-day course intended for employees thinking about becoming a supervisor.

Revised/Updated Trainings –Advanced EMS has been updated. The Customer Service course has not been started at this time. One more course will be updated this year; however, it has not yet been identified.

Regional Trainings – 11 regional trainings have been scheduled this year; four have been completed including, Essential Management Skills (EMS), two sessions of Advanced EMS, and Workplace Violence. Another EMS, HR Representative Certificate Program, two



**Nevada Public Agency Insurance Pool
Public Agency Compensation Trust**
201 S. Roop Street, Suite 102
Carson City, NV 89701-4779
Toll Free Phone (877) 883-7665
Telephone (775) 885-7475
Facsimile (775) 883-7398

Advanced EMS', A Perfect Storm, and two Workplace Violence courses will be offered this year.

FRISK Documentation Program – POOL/PACT HR continues to move forward with the school version of the program. The non-school version is not yet complete but it should be ready for release in February. Humboldt County and Storey County will be the first organizations to receive the non-school version of the training.

Regional Workshops – Charity Felts with Erickson, Thorpe, and Swainston provided seven sessions of Social Media throughout the state. Labor attorney, Charlie Cockerill presented Negotiations 101 trainings five times in October.

Robert Quick commented that he had attended both of the trainings and thought that the attendance was not as good as it should have been and noted the information presented was very good and helpful. Curtis also stated that he had received very good feedback from the Charlie Cockerill training. Jeanne advised the committee that the evaluations from Charlie's trainings came back very positive and there were many requests for a longer or advanced training. Jeanne said she has already discussed the possibility of doing so with Charlie when he is available either in the spring or fall.

HR Seminar – This seminar is scheduled May 2 and 3. The "Save the Date" notice has already been sent out to all HR contacts. The registration for the seminar will go out in March. The speakers and accommodations have already been confirmed.

Curtis asked Jeanne who some of the speakers are. Jeanne advised that several attorneys from the Erickson Thorpe group would be speaking. One of the events is a mock trial. The attorney takes a real case and acts out the parts with the participants acting as a jury. Karen Jenkins from the Ethics Commission, Dottie Merrill from the Nevada Association of School Boards, Jeff Fontaine from NACO, and a representative from the Nevada League of Cities will also be speakers. Jeanne offered to send out the tentative agenda to all committee members.

New HR Briefings – Three new briefings are scheduled for development this fiscal year. Overtime Requirements Under State Law is almost complete. Social Media is currently being reviewed by Charity Felts before it is released. The other briefing in development is Return to Work.

Revised HR Briefings – 13 are scheduled for revision and three have been completed.

Webinars – Four webinars will be presented in conjunction with Horizon Health; two have been completed. Managing the Difficult Interaction was presented on December 6, with 42 participants.

Tracy commented that several managers had advised her that the last webinar was very good and asked if it could be presented again. Danelle commented that she received the same



**Nevada Public Agency Insurance Pool
Public Agency Compensation Trust**
201 S. Roop Street, Suite 102
Carson City, NV 89701-4779
Toll Free Phone (877) 883-7665
Telephone (775) 885-7475
Facsimile (775) 883-7398

feedback and asked Jeanne if an audio file would be available. Jeanne advised that she would have to check with Horizon Health to see if a recording was available. Danelle also stated that the training could have been longer since the presenter wasn't able to cover everything. Jeanne said that she did verify with Horizon Health that these trainings could be extended to an hour-and-a-half if necessary.

Sample Policies – The revisions were completed and distributed to members in July. The policies will be reviewed again after the legislature adjourns.

Collective Bargaining Concessions Database – Jeanne advised that this is a separate agenda item and will be discussed in more detail later in the meeting.

Alerts – Three have been issued this year.

Statistics – Trainings – 166 trainings have been scheduled so far this year with 56 completed with 1,700 participants. **ELearning** – 437 employees enrolled with 295 completed. Jeanne did advise the committee that the elearning platform was being moved so there has been a slight delay in having employees complete those trainings.

HR Compliance Assessment Program – Two members from FY09/10 are still not complete but continue working forward. Members from FY10/11 and 11/12 also continue working on their recommendations. For FY12/13, Eureka County, Carson Water Subconservancy District, Nye County, City of Ely, and Lander County have completed their on-site assessment.

HR Assessment Phase II – This is the compensation-related assessment. The City of Carlin has been rescheduled for January and . Jeanne indicated that Lyon County might still be interested in participating this year and Tracy Walters confirmed they were.

Curtis asked about the dates for the HR Seminar and if it is a conflict with the POOL/PACT board meeting. Jeanne said it is scheduled for the week after. Bill Deist asked about the Alert that was released regarding the contract with Charlie Cockerill. Jeanne told Bill that she would provide that information to him. Jeanne also asked Bill if he received the Alert regarding healthcare reform. Jeanne explained the healthcare reform requires organizations to include the cost of the health benefits on the employees W-2 for organizations with more than 250 employees. Bill asked that Alert be sent to him as well.

- **CBA Database**

Jeanne explained to the committee that in the packet is a sample of the CBA database with all of the requested fields added. Jeanne explained that the police/sheriff agreements will be entered first. When this group is complete, the information will be sent out to the members to confirm that the information was entered correctly. Once confirmation is received, the file will be uploaded to the POOL/PACT website and will have limited access. Jeanne pointed out numbers on the handout that are in parenthesis. Those numbers refer to specific pages



**Nevada Public Agency Insurance Pool
Public Agency Compensation Trust**
201 S. Roop Street, Suite 102
Carson City, NV 89701-4779
Toll Free Phone (877) 883-7665
Telephone (775) 885-7475
Facsimile (775) 883-7398

within member contracts. Jeanne explained that member contracts will also be uploaded and available for review in the same area of the website so the HR contacts will be able to look up these contracts and review specific language and have the coordinating references in the database. Jeanne advised the group that the law enforcement section of the database should be complete by the end of the year. Jeanne also advised the group that Bill Zelinski was overseeing this project.

- **Employment Opportunity Listing Website** - Jeanne let the committee know that the number of visits to the Nevada Rural Job website continue to remain consistent.

Robert asked if there was a way to see which local sites were getting the most views. Jeanne let Robert know that she would get more information regarding this.

5. **For Possible Action: Report on Other Activities**

- **HR Problem-Solving Reports** – Jeanne advised that these were unique situations that occurred during the last quarter that the oversight committee might be interested in. One of the situations involved a trans-gender issue which had not been dealt with before.
- **Report on Employment Related Claims** – Jeanne said the report was as of October 31, 2012. There were 12 claims at that time. Jeanne advised the committee that she was aware of several more claims from school districts since then and they should be reflected on the reports at the next meeting.

Curtis asked Jeanne if there was a common theme to all of the claims. Jeanne said many of the school claims involve abuse of special education students. Jeanne explained that the claims continue a downward trend since the all-time high of 09/10. Curtis asked Wayne Carlson if schools add more risk versus other agencies that participate in the POOL. Wayne responded that more employees open up more opportunity for liability but there was not a significant adverse trend. Wayne also added that schools tend to have more claims because there are students involved. Jeanne added that Ann Alexander has been reviewing school policies and is presenting them via webinar. Jeanne said if school organizations adopt the updated policies, it will hopefully reduce the claims as well.

6. **For Possible Action: Benefitsolver**

The committee reviewed a presentation of the Benefitsolver program via webinar. The committee members who were unable to attend in person were emailed login instructions to review the same presentation.

Tamara Tretter from Willis opened up the webinar presentation. Benefitsolver is an online benefits enrollment system. The advantage of using the program is to put the responsibility for benefits information into the hands of employees. Organizations limit their exposure to errors regarding entering benefit information. Tamara explained that POOL is offering this for members and paying for the initial implementation setup fee. Mike from Benefitsolver then began walking the committee through the demonstration. For the demonstration, Mike pointed out that many fields could be



**Nevada Public Agency Insurance Pool
Public Agency Compensation Trust**
201 S. Roop Street, Suite 102
Carson City, NV 89701-4779
Toll Free Phone (877) 883-7665
Telephone (775) 885-7475
Facsimile (775) 883-7398

modified to accommodate member organization needs. The system is updated in real time so employees always have up to date information. Language that employees view is configurable and additional fields can be added to fit the organization's needs. Mike explained that Willis will do the initial setup for member organizations. Administrators will have the ability to make changes on the employee's behalf. Employees will be able to review plan pricing for different plans, key in enrollment information, and choose who is covered under the plan. Also, Mike explained that it is possible to enter new hire information once as it can be exported from an organization's payroll software. The exported file can be used to set up the employee in Benefitsolver.

Curtis asked Mike how clean is the upload. Mike explained that the Benefitsolver system fields are mapped to match existing records in the organization. Mike also said that a team of individuals at Willis who will be reviewing the importing process to look for any issues or discrepancies. Curtis also asked Mike if once the data is in Benefitsolver can it be exported and manipulated for reports. Mike confirmed that it could. Robert asked if the system can allow the employee to scan and attach records to their files such as birth certificates. Mike said it is possible for employees to do this and once uploaded the file is available for the administrators to view.

Mike then discussed the reporting function of the software. Participation analytics provides a point-in-time snapshot of all employees currently in the system. It can be broken down into demographic information or displayed to show the number of employees enrolled in different programs. They are interactive charts. There are full reporting options including a number of preloaded reports as well as the ability to create customizable reports. Also, there is the option to save and schedule recurring reports. Comparison reports are also available to compare information between benefits and payroll to assure accuracy.

Another feature that Mike presented was the export dashboard which helps to minimize the administrative burden of updating carriers. When an employee enrolls for benefits, the system takes a snapshot of the information submitted and provides the carrier with any changes in terms.

Mike also showed the committee the payroll dashboard. He explained that a payroll file can be created to an organization's specific requirements. They can be scheduled to send to a member's payroll company on a regular basis. Mike also pointed out if there is ever a question of the payroll information and benefits information not matching, a comparison report can be generated to see if any discrepancies exist.

Mike presented termination and COBRA administration support dashboard. He demonstrated how to enter termination information, in the example; an employee gives two week notice. When the termination date is entered, the system automatically takes the user to COBRA information. The system knows the plan rules and prompts the user accordingly.

The next item discussed by Mike is how carriers are paid. He showed the committee the billing/invoice document center. Once a month, invoices will be created to show how much money will be owed to each benefits carrier. The reports can be generated in Excel or as a PDF. The reports can be modified to the organization's need or the benefit carrier's needs. Mike also explained that rules can be built into the system so it knows when and how to bill each month. In an example, Mike



**Nevada Public Agency Insurance Pool
Public Agency Compensation Trust**
201 S. Roop Street, Suite 102
Carson City, NV 89701-4779
Toll Free Phone (877) 883-7665
Telephone (775) 885-7475
Facsimile (775) 883-7398

said if a carrier does not bill for new employees who are hired after the of the month until the following month, the rule can be set in the system so the member is not charged accordingly.

The final part of the presentation involved how member organizations can communicate with their employees through the Benefitsolver system. Mike demonstrated the message center. An employee will receive an email stating they have an important message regarding their benefits. The message will then prompt the employee to log into the system and access the information through a secure mailbox. Mike then concluded the presentation by reviewing the different training options available through Willis, which would assist users in getting comfortable with the system.

Wayne let the committee know that the Executive Committee had already approved funding the initial implementation setup. Wayne said the next steps for member organizations who would like to use the system, is to review the annual costs associated with the system. Wayne also indicated that the more members that join, those costs can be shared between members. Jeanne stated that a survey had been sent out to the members asking about the number of employees who receive benefits and which carriers they are using. The deadline for that survey is December 17. Jeanne said with the information compiled, there would be a better understanding of how the costs can be shared. Jeanne added if anyone on the committee is interested, they can email Jeanne who will then contact Tamara for a proposal. There were no additional questions.

7. For Possible Action: Subsequent Injury Fund

Wayne started by informing the committee that the subsequent injury fund was created in the workers' comp statute for employees who have an injury with a disability rating of over 6% and are kept in employment or an employee hired with a disability rating over 6%, there is potential to recover half or more of the cost of the claim. PACT contributes to the fund as an organization; about 15% of the population of the self-insured groups. The benefit of this is that it reduces claims cost and it keeps member experience rates down. In the past, these claims could be submitted, medical records could be received and reviewed, and it could be determined if the injury exceeded 6%. A recent court case stated that the employer must have knowledge of the injury or disability before the fact in order to access the fund. The question before the committee is how does a member organization get this information without violating other areas of HR such as the ADA?

Jeanne informed the committee that Bob Balkenbush, who is the primary PACT attorney put together the draft questionnaire for the committee's consideration. The employee would complete the questionnaire after being hired. The questionnaire would then be placed in the employee's confidential medical file. If the employee had a workers' comp injury, this information could be reviewed to assist in determining if the subsequent injury fund could be accessed. Jeanne also pointed out that along with the handout; she gave the committee members specific questions to consider. One question is, should it be strongly encouraged for all PACT members to use this form? Jeanne advised the committee that Becky Bruch is reviewing the form for possible ADA ramifications. Another issue is if the form is made mandatory, what can be done regarding employees who refuse to complete the form.



**Nevada Public Agency Insurance Pool
Public Agency Compensation Trust**
201 S. Roop Street, Suite 102
Carson City, NV 89701-4779
Toll Free Phone (877) 883-7665
Telephone (775) 885-7475
Facsimile (775) 883-7398

Curtis said he reviewed the form and it looked similar to many post-hire supplement forms. He asked Wayne what PACT has required in the past. Wayne said that to date, PACT has not required the form because access to the medical information had been fairly simple to acquire. With easy access to the information, PACT has been successful in collecting recoveries, but with the current ruling, there has to be documentation that a condition existed and the member hired or retained them anyway. Curtis said he does not see a problem with the form, but he thinks a problem will occur when trying to get existing employees to fill it out. Jeanne pointed out a concern that she had is on the second page of the form which asks if the employee has ever received treatment for back, neck, or upper extremities. Jeanne thinks if someone indicates that they do, then HR would be obligated to start the ADA interactive process to determine if any reasonable accommodations are needed for their job. Jeanne asked Danelle for her input. Danelle stated that she has never been involved with this type of issue but is interested in finding out what Becky will determine. Curtis said even if the disability or condition is perceived, organizations are obligated to follow the ADA. Jeanne's concern is that if organizations have this type of documentation and an employee is terminated during probation, can the employee use the form to say they were terminated due to the disability. Tracy Walters asked if a follow-up question could be added to the form asking if the employee is currently experiencing problems or has it been resolved by treatment. Curtis asked, depending on the pros and cons, which way would save the most money? Wayne said that there have been arguments in the legislature to determine if abolishing the subsequent injury fund makes sense as the ADA accomplishes the same purpose of encouraging employers to hire people with disabilities. Wayne mentioned that a majority of the claims involve back injuries. Wayne also stated that getting heart/lung claims paid through subsequent injury would be huge. Curtis asked Wayne, if the fund was abolished would PACT receive a refund of monies paid into it? Wayne said there would not be a refund because it is a revolving fund and has no cumulative balance.

Jeanne said perhaps HR should start retaining all medical notes in the medical file, such as time sheets noting time off for medical issues, doctor's notes, or other documentation. Jeanne asked the committee how much additional work this would cause. Tracy said they keep all information until the employee terminates. The record retention says the information needs to be retained for two years. Most of the committee members indicated that they retain the information as long as the employee is at the organization at this time. Danelle thought that it would be simple to get new hires to fill out the form; the difficulty will be asking existing employees to do the same. Curtis said that he did not have difficulty having employees fill out a similar form in the past. He said the path of least resistance would be having new hires fill out the form. Curtis said the best approach is waiting for Becky's review to be complete before making a decision. Wayne said getting engaged in the interactive process would be a good thing to get the documentation for the medical files. Wayne asked, if this form is used as part of the open enrollment process would it be difficult to get employees to complete it? Curtis thought that would be the best time. Wayne said it would be the least threatening approach for current employees. Curtis asked if the cover page could be elaborated to explain to the employees why this information was being collected and advise employees of the consequences of not filling out the form. Jeanne asked if it should be stated on the form that filling it out is voluntary. Curtis thought that would be best, though only about 50% of the employees will fill it out. Jeanne closed the discussion summarizing what was agreed to which included: having Becky review the form, including it with new hire packet, and having existing employees complete the form



**Nevada Public Agency Insurance Pool
Public Agency Compensation Trust**
201 S. Roop Street, Suite 102
Carson City, NV 89701-4779
Toll Free Phone (877) 883-7665
Telephone (775) 885-7475
Facsimile (775) 883-7398

during the open enrollment period. Curtis asked if a motion needed to be made. Wayne said in terms of making it a requirement of the program, it would be a recommendation of this committee to the Executive Committee. Curtis asked the group if there is a quorum. There was not a quorum as Ben Sharit and Bill Deist was no longer on the phone. There was no action on this item.

8. For Possible Action: Legislative Session

Jeanne advised the committee that legislation will be tracked. There are over 600 BDRs currently. There are over 100 that could possibly be tracked. Jeanne said the plan is to have a tracking form that can be uploaded online. Jeanne asked if just the oversight committee should have the ability to view this information or should all HR contacts have access to this tracking. The committee agreed that all HR contacts should be able to view this information.

9. For Possible Action: HR Assessment Grant Application

No applications were completed prior to the oversight meeting.

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

The next meeting will be held in March 2013. Jeanne indicated that every Friday in March is available. Robert Quick indicated that March would not work. Curtis recommended March in Winnemucca at 10:30 a.m. Jeanne said she would contact Bill Deist to see if he is agreeable to hosting the meeting.

11. Item: Public Comment:

No public comment was made.

12. For Possible Action: Adjournment

Curtis Calder called the meeting adjourned at 12:25 p.m.