



**POOL/PACT Human Resources (HR)**  
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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 20, 2014      Time: 10:30 a.m.  
Place: POOL/PACT Offices  
201 S. Roop Street  
Carson City, NV 89701**

**1. Oversight Committee Roll Call**

Members participating in person: Chairman Curtis Calder; Pat Whitten; Alan Reeder. Members participating by phone: Bill Deist; Ben Sharit; Robert Quick; Cindy Hixenbaugh; Danelle Shamrell. Not participating: Geof Stark; Jose Delfin; Emily Carter. PRI staff: Jeanne Greene; Christine Vido; Sharon Gesick.

**2. Item: Public comment**

None

**3. For Possible Action: Approval of Minutes of Meeting March 28, 2014**

Pat Whitten made a motion to approve the minutes of March 28, 2014. Robert Quick seconded the motion. Motion was carried.

**4. For Possible Action: Report on Current Activities**

**a. 13/14 Strategic Plan to date**

Jeanne Greene stated there will be few updates in the final Strategic Plan for the next meeting.

**New Trainings** – *Advanced HR Representative* is a two-day program; first presentation is scheduled for July. *Employee From Hell*, which is a half-day program has been given four times this year and has been scheduled a number of times next year.

**Updated Trainings** – Revised 21 trainings this year; only one not complete, but in process and should be done by the end of this fiscal year.

**Regional Trainings** – Three that were scheduled were cancelled. *Workplace Violence* was canceled in Eureka due to their HR person leaving and no one was available to coordinate; *The Good, The Bad, and The Ugly* and *AEMS* in Carson were advertised, but didn't receive sufficient number of



attendance. *EMS* was given three times (twice in Carson City, once in Incline Village); *Workplace Violence*: once in Battle Mountain in coordination with Willis Pooling; *Employee From Hell*: four times this year; *Advanced EMS* in Carson City, as well *HR Rep* in Carson City (five-day program). *Advanced HR Rep* scheduled for June was moved to July 22 and 23, 2014. Charlie Cockerill presented the *Negotiations 101* and *Advanced Negotiations*; *Media Relations* was given for Nye County School District; *Investigation Techniques for Bullying Complaints*: Ann Alexander will be providing to Nye County School District in July this year; *Student Interaction* for Douglas County School District is not going forth as they have had a change in their HR Director.

**Research New Methods of Delivering HR Trainings/Briefings** – Jeanne stated the possibility of trainings or briefings via skype or some other electronic means has moved to upcoming fiscal year because the POOL/PACT building is switching to a new high-speed internet provider. Once that is in place, research can move forward.

**Post Members Pay Plan/Scale on Website** – Jeanne stated the members’ pay plans are posted on the POOL/PACT website and will be updated on an annual basis.

**Review and Update Sample Forms** – Jeanne stated these have been moved to next year due to other priorities.

**Sample Personnel Policy Annual Update** – Jeanne stated the sample policies were sent out July 1, 2013; will go out again before July 1, 2014.

**Create a Database of Collective Bargaining Concessions** – Jeanne stated this is a database that will be updated on an annual basis as agreements are revised or changed. Robert Quick asked where updated agreements should be sent; Jeanne stated they should be forwarded to Christine Vido.

Bill Deist asked about getting information regarding policy revisions. Jeanne stated the new policies are online and are available in tracking format. Bill also requested information regarding electronic cigarettes due to their no smoking policy. Jeanne stated this is covered in the sample policies; electronic cigarettes are prohibited. POOL/PACT has received legal opinion on this matter. Jeanne will send to all Oversight Committee members.

Danelle Shamrell asked Jeanne if POOL/PACT is addressing medical marijuana prescriptions as a prescription drug, and would it have to be disclosed. Jeanne stated it appears it would be treated as any other type of prescribed drug. If an employee has a prescription for medical marijuana and is drug tested and it is within the testing parameters, the employer will not receive a positive test result. If the employee doesn’t have a prescription, it will come back as a positive test. Pat Whitten asked if CDL licensed employees will have a totally different policy as they are subject to random testing. Jeanne stated that CDLs fall under federal highway regulations and as medical



marijuana is not recognized as a legal drug by the federal government, CDL holders would receive a positive test if they have any level of marijuana in their system.

**Alerts** – Jeanne stated the last one sent out was *Deferral of the FMLA Leave*. The Ninth Circuit decision says that employees have the option to defer their FMLA leave. In the past, POOL/PACT HR recommended putting employees on FMLA and running their paid leave concurrently. The Ninth Circuit says you cannot require employees to be put on FMLA if they want to defer it. Jeanne stated our contract attorney put together a waiver form for employees if they choose to defer their FMLA leave, which was sent out to all members. Danelle Shamrell questioned the process of notifying employees. Robert Quick stated they have educated their employees regarding this matter. Jeanne stated she has asked Becky Bruch and Ann Alexander and they both suggested to just do business as usual and not tell the employees that they have the choice, unless they come back and are adamant they don't want to use FMLA leave; and at that time, have them sign the deferral form. Curtis asked if POOL/PACT was going to propose a new policy revision. Jeanne stated the policy is appropriate as written and no change is needed.

**Trainings** – 136 trainings are completed; average evaluation course content was 4.6; average instructor evaluation was 4.8. John Bates completed 15 FRISK trainings; **Elearning** – Almost 12,000 employees have signed up for different HR-related courses; 5,000 completed before the eLearning system went down. All members should have received notification from Ann Wiswell that a new platform should be up and running middle of July; **HR Briefings** – 26 have been completed; Jeanne stated that the HR Briefings are taking a little different form than what they were originally established for. Originally, one-on-one or two basis and just meeting with the HR staff; it is now for larger groups of individuals. For example, the EAP Briefing at Lyon County School District was presented for all of the bus drivers. About 100 employees there and did the same in Churchill County.

**Policy Development** – Eight members completed this year.

**New Briefings** – Four Briefings completed. *Bring your Own Device* has moved to next year due to a higher priority. Jeanne reminded the committee that updating the HR Briefings will be divided in half; updating half every other year (this year 30 were updated).

**Webinars** – Last webinar was *Resolving Conflict*. Jeanne stated there had been 50 seats available. A waiting list had been created so additional seats were requested for participants. Recording was available two weeks afterwards.



**HR Compliance Assessment Phase I** – Four organizations completed their assessments this quarter: Churchill County School District; Beatty Water and Sanitation District, Churchill County, and Kingsbury GID.

As a side comment, Pat Whitten questioned the fact that he knows of at least one organization that doesn't participate in POOL/PACT's services, but still has the benefit of POOL's insurance. He also suggested that whether it's the HR Compliance Assessment or some other type of service that an organization doesn't participate, an upcharge of 10% on their premium could be assessed to that member. Jeanne advised the committee this may be an issue they can bring up at the retreat in November. She also stated that at the full Board meeting, there was discussion about initiating a "Hammer Clause" for members. Specifically, if a POOL defense attorney advises a member to take some type of action in order to resolve a claim and members are ignoring that legal advice, a "Hammer Clause" would be used. Curtis stated he understands this issue has been brought up for years at Board meetings and is now being considered because of larger claims that have been paid out. The HR Oversight Committee strongly suggests this is discussed at the retreat. Jeanne will bring this issue to next meeting with statistics of members who have participated in POOL/PACT HR services and which services they have done.

Jeanne stated that the notice of retreat is going out today and registration is available on the POOL/PACT website. This year will be in Eureka again. Jeanne encourages anyone to attend, as it is really good to have input from the Oversight Committee.

Jeanne continued with HR Compliance Assessment Phase I. There are three moving to next year because members have had some type of issues internally and asked they be moved: Town of Round Mountain, White Pine School District, and Boulder City have all committed to next year.

**HR Compliance Assessment Phase II** – Jeanne reminded the committee this phase covers compensation-related assessments such as overtime; independent contractor vs. employee; and exempt vs. nonexempt are reviewed. Nevada Rural Housing Authority completed their assessment this quarter and their grant will be discussed later in the meeting.

Jeanne stated three Phase II assessments were completed this year, and three are moving to next year. Bill Deist asked Jeanne on what basis POOL/PACT HR uses when looking at independent contractor vs. employees. Jeanne stated the guidelines set by both FLSA and IRS are used. Bill Deist shared an experience Humboldt County had with a recent IRS audit. Jeanne stated POOL/PACT HR has found a lot of independent contractors vs. employees cases in the assessments, where persons should be employees rather than independent contractors.



**b. Employment Opportunity Listing Website.** Jeanne stated the numbers of hits for this website have gone up. In comparison, March was up 33%; May, 10%. It appears more individuals are becoming familiar with that website.

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

**a. Report on Employment Related Claims** – Jeanne stated the report is as of June 4; there may be some additional claims since then. 40 employment-related claims filed; counties are highest at 22; school districts are down from last year of 14, down to 6 this year. Jeanne stated POOL/PACT attorneys are successful in closing cases without eating costs, keeping them at a low limit especially when trying to negotiate a settlement with employee.

**6. For Possible Action: HR Scholarship Application Approval.**

Mike Ariztia from Sun Valley GID submitted a scholarship application to attend the *Mediation and Conflict Resolution* training. Jeanne supports this request. She stated Neal Freitas and Shani Dues of POOL/PACT, and Sheema Barnes of Nye County School District will be going to the training. If the Oversight Committee approves, that would be four individuals from POOL/PACT attending this training. Once they attend, they will provide mediation training to other member employees, and both Mike and Sheema have agreed to assist Shani and Neal doing that. Cost is \$1,895 for a five-day training program in Las Vegas, with an estimated \$600 per diem. Jeanne pointed out that three scholarships were previously approved and all three employees were successful: Jonalee Roberts from Mt. Grant General Hospital and Doug Gailey of City of Elko received their SPHR; and Hope Blinco of Mineral County School District received her PHR. Mike Smith from Elko County School District was also provided a scholarship, but because of workload issues, he did not take the exam; he will take it at end of this calendar year. Both Jeanne and Curtis explained the four-month program process and difficulty of the test exams. Jeanne added it's about a 50% pass rate. These employees will be recognized at the HR seminar. Pat Whitten made a motion to approve the scholarship for Mike Ariztia; Curtis Calder seconded the motion. Motion was carried.

**7. For Possible Action: HR Assessment Grant Application:** Nevada Rural Housing Authority completed

Phase II. They requested \$750 to be used for awards for an employee recognition program. Kingsbury GID is requesting \$500 for furnishing a small training room set aside for e-learning. Jeanne stated both requests seem to be appropriate use for the funds. Pat Whitten stated he would like to see the structure of the Nevada Rural Housing Authority program. Once the program is in place, Jeanne will share with the Oversight Committee. Curtis Calder made a motion to approve the two grants; Robert Quick seconded the motion. Motion was carried.



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**8. For Possible Action: Schedule Next Regular Meeting for POOL/PACT Human Resources Oversight Committee:** September 19, 2014, 10:30 a.m., in Winnemucca.

**9. Item: Public Comment:** Jeanne stated items to be on the next meeting's agenda: Final 13/14 Strategic Plan; 14/15 Strategic Plan; update on Eureka County Contract; statistics for members as far as trainings, assessments, etc. Curtis suggested adding discussion concerning the Hammer Clause. Curtis stated he will make recommendation to the Executive Board in advance of the retreat. Jeanne to make this subject an action item for next meeting.

**10. For Possible Action: Adjournment**

Curtis Calder called the meeting adjourned at 11:10 a.m.