



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 9, 2010 Time: 10:30 a.m.
Place: 201 S. Roop, Library (2nd floor)
Carson City**

1. Oversight Committee Roll Call:

Members participating: Chairman Curtis Calder; Bill Deist; Geof Stark; Ben Sharit; Steve Englert; Ann Murdoch; Lisa Granahan; and Pat Whitten, Not present: Jose Delfin, Bob Davidson and Ben Zunino.
PRI staff: Jeanne Greene and Donna Greenhut.

2. Action Item: Approval of Minutes of Meeting March 10, 2010.

Lisa Granahan made a motion to approve the minutes of March 10, 2010, as presented. Ben Sharit seconded the motion. Motion was carried. Curtis Calder did not vote as he was not present at the March 10 meeting.

3. Item: Report on Current Activities

Jeanne Greene began discussion on the activities identified in the following order:

- **09/10 Strategic Plan** (July 1, 2009, through June 30, 2010)

Develop two new instructor led courses annually - The Perfect Storm: Workers' Compensation and its Interaction with FMLA and ADA was delivered on May 20 in Carson City as a workshop based training course offered on a regional basis. Evaluations averaged 4.9 out of 5. Steve Englert and Geof Stark attended the training, and agreed they liked the format; Geof enjoyed the sharing of knowledge in small group settings. Jeanne explained that assigned seating was used to distribute the more experienced and seasoned HR professionals with those less experienced. Mike Livermore of ASC also participated in workshop. This workshop will be presented again in late July in Pahrump.

Another new course, *The Good the Bad and the Ugly: Lessons Learned* will also be a workshop based training course. This training will be offered in Carson on June 22 and in Elko in the spring of 2011. The training was originally designed to use case studies incurred by our members, however, there was a concern regarding confidentiality. Consequently, we used subject matters we've worked with and developed our own case studies. There will be three or four case studies depending on available time.



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The final new course developed is for POWER (Public Officials Workshops, Education, and Resources), and is part of the Certified Public Officer program. This was a course presented by Larry Beller after he left PRI. He has since moved out of state and we have been contacted to present the training. We will present to the League of Cities on August 11 and NACO on November 17.

Update and revise instructor led courses – Follow through on updating and revision of courses has been consistent throughout the year. We will be consolidating the Essential Management Skills (EMS) Certificate Program to four sessions rather than five. The four session program will make more efficient use of time.

Regional training - As indicated, we initially planned to offer two regional trainings this year. We offered 14 and have two more pending. EMS was presented in five locations throughout the state. *Internal Investigations* to be offered in Pahrump on June 16, 2010, by POOL attorneys, Becky Bruch and Ann Alexander. *The Good the Bad and the Ugly: Lessons Learned* is also upcoming.

New elearning course on *Due Process 101* very near completion, just received back with voice-over's, should be online by end of month.

Personnel Management Perspective Newsletter - Bi-monthly newsletter going out next week. Bill Deist will be featured in the "As Good as it Gets" article.

Developing three new briefings: *Employee Furloughs*, and *FLSA Classification* have been developed. Classification is becoming a more critical issue with both the state and federal government. The feds have hired a number of new investigators to monitor classifications, not necessarily just exempt and non-exempt, but also independent contractors. Stimulus money has helped fund this; at state level an interim committee will be reporting to the full legislature next year. Lisa Granahan asked for clarification on this issue. Jeanne responded that it is how to classify employees as employees or independent contractors. Many employers use independent contractors and the workers do not meet the criteria under Fair Labor Standards Act.

New briefing coming out the end of this week; *Telecommuting* – making employers aware of issues they may want to consider before allowing employees to telecommute. Also covers adopting a policy before allowing employees to telecommute.

Originally 10 briefings were scheduled to be updated this fiscal year; we have issued 17, primarily due to changes in federal and state law.

Alerts issued on an as needed basis. Bi-weekly **bulletins** are issued on topics that are current.

Statewide webinars – Webinars have been conducted in cooperation with Horizon Health (EAP). We have an allocation of eight training hours annually, free of charge. POOL/PACT HR has chosen to use those hours to conduct webinars. We are able to reach more members through



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this means and there isn't any travel expense. Webinars are stored on our website afterward so members that are not able to attend can still access them. Lisa Granahan commented that she has attended two of the webinars, *Coping with Organizational Change*, and *Transforming Conflict into Collaboration* and felt they were fantastic; she liked the facilitator and added that they engaged people. After the webinar, her group was able to continue conversations and interaction, and it was very helpful. Jeanne noted the handouts from Horizon Health are very good and that the evaluations were in the low 4's and it is possible that some members prefer the face-to-face training, but again it is an efficient way to deliver training. June 24th will be the last webinar of the year; *Negativity in the Workplace*, being presented in response to a special request from Douglas County.

Jeanne reviewed the number of **trainings** that were scheduled for 09/10: 700 trainings are scheduled; 577 have been completed (82%), 2,624 participants attended with an average evaluation score of 4.2 out of a possible 5. **Briefings**; 69 scheduled, 33 complete, several have been cancelled possibly due to layoffs and the economy. **Policy development**, 36 scheduled with 11 completed.

Jeanne stated that the method for counting stats and reporting trainings will change beginning July 1, 2010. Jeanne explained how the trainings are now counted and discussed that each class will be counted as one class, regardless of how many entities attend. Jeanne explained that next years numbers will look a little different. Lisa Granahan asked for clarification on how the participants will be counted and stated that she was fine with the new reporting method.

Succession Planning – Has been put on the back burner, but will be conducted on an “as-needed” basis.

Policy review - A number of additional policies will be posted at the end of this month.

- **Employment Opportunity Listing Website:** Jeanne stated that May statistics were lower this year, and noted that the statistics are just a partial month. The decrease may be due to the economy and people realizing that many public entities are not hiring.

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

HR Problem Solving Report - These are the incidents that are dealt with that are out of the ordinary for the previous quarter. There were no questions on the report.

FY 09/10 Report on Employment Related Claims - Jeanne reported that the volume of claims has gone up significantly for this year, and added that this is a national trend especially for EEOC claims. Forty claims were logged this year in comparison to 34 last year. Three claims have been closed this year with no cost incurred and five additional claims were closed with \$8,000 paid out and \$29,000 in expenses. Jeanne added while the number of claims is up, the costs are low.



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5. **Action Item: HR Compliance Assessment Program** - Handout 5a is a summary of the organizations we have conducted assessments with. The report covers recommendations and status of recommendations. A recurring theme is policies and job descriptions need to be updated. Jeanne anticipates next meeting we will have completed assessments for Mt. Grant General Hospital, Humboldt County, and Nevada Rural Housing Authority. Since this report was compiled, a telephone conference call with City Manager for West Wendover was conducted, and all of the recommendations have been accepted. Storey County report to be mailed by this Friday. Tonopah scheduled for June 24. Handout 5b is a list of organizations that are targeted for the next fiscal year. The Elko County School District and City of Carlin to be conducted in July, Pahrump is scheduled for October. City of Elko, Indian Hills GID, Sun Valley GID, and Mineral County School District have agreed to participate in the assessment program. Lyon County School District, City of Fernley and Carson City – still working to obtain participation. Geof Stark has agreed to participate in FY11-12. Additional attachment is evaluation results sent to eight members that participated and five responded. Overall evaluations were positive, and all agreed on value of program, no changes suggested from participants. All five stated they would recommend assessment program to other members. Four of five said they would participate in assessment again in three years. Possibly a condensed assessment as a follow-up. Curtis stated it would be interesting to see how small entities receive the program. Lisa Granahan stated that the process opens up good dialog. Steve Englert stated that the program was a motivator and helped him move forward on items he previously knew he needed to work on. Pat Whitten stated that Holli commented that the program was invaluable. Pat thought that a three year follow-up as an audit would be helpful to spot check critical issues.
6. **Action Item: Grant Application Lyon County**
- Jeanne stated that the application and attachments outline the process and the findings on the items that were reviewed. The recommendations and report are given to member allowing the member time to review and inform us what items they will be able to implement. Steve agreed to all recommendations. Follow up on progress conducted throughout the process. An onsite audit was conducted to ensure that all work was complete and a final letter was sent to the member to confirm findings. The last item - the grant application is submitted. Grants are offered up to \$500, Steve has asked for the total \$500. Lyon County adopted all of our sample policies and updated their policies, which were last revised in 2005. Funds from grants are to be used to offset cost of printing all their new policies. Copies were made of policies for each employee, which was signed for as acknowledgement by each employee at an open enrollment meeting. Motion to approve grant application made by Curtis Calder, seconded by Bill Deist. Motion carried. Jeanne asked if there were any suggestions on the application format; members stated no, and Pat Whitten commented he likes the simplicity of the form.
7. **Action Item: Schedule Next Regular Meeting for POOL/PACT Oversight Committee**
- Curtis stated that beginning July 1 he will be serving as the president for Elko Rotary. Meetings to be held on Wednesdays, and Curtis would need to attend by phone or change the meeting days. Following discussion, the next Oversight Committee meeting is scheduled for Friday, September 17, 2010, at 10:30 am.



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8. **Item: Public Comment** - Curtis stated that he attended the annual POOL/PACT meeting. Considerable discussion was held on an item Wayne is proposing: a wellness program for public safety that was approved as a pilot program. The concept of this program is that public safety personnel must participate in a wellness program to avoid a workers' comp premium increase on PACT side. Curtis has concerns for NRS 288 ramifications for entities that have unions in place. Curtis added that he understands Wayne is trying to mitigate issues with the Heart and Lung legislation. Curtis was the only person who did not vote in favor of the program. Curtis promised Jeanne he would be researching this issue and getting some information to the Oversight Committee. Curtis feels there may be legal issues with unions. Curtis asked if anyone else had concerns or issues. No concerns or issues were voiced. Pat Whitten stated that he attended and felt that Wayne's presentation was done very well, and that the program should be given a chance. Curtis stated that the penalty phase is when everyone participates, but health does not improve, and still receives an additional premium, and seems to be a punishment to the department. Conceptually it probably is a good program, but the financial disincentive makes it appear negative and creates the perception of an increase to benefit amounts. The heart and lung benefit is onerous and is a concern; NRS 288 does not specify what types of insurance benefits are negotiable. Could be implied that workers' comp is negotiable as a mandatory subject of bargaining. This legislation blurs the lines between voluntary and mandatory.

Curtis stated he received an email from the League of Cities or NACO (uncertain) regarding legislative changes in NRS 288 and asked if other members received the email. This email addressed the cost reporting of contracts. Bill Deist asked for clarification if this was the paper written by Hobbs, Ong & Associates. Curtis confirmed that it was the same. Bill Deist also received it. Curtis stated he would forward the email to Jeanne, and remarked that it has cost ramifications to members that have collective bargaining agreements. The language contained in the paper includes collective bargaining agreements be approved at a public meeting, and disclose the total cost of the contracts including benefits. While this level of calculation does not mandate hiring an actuary, it may be required. Bill Deist commented that someone needs to look at it and Curtis agreed that it is the opinion of one consultant, and Pat Whitten agreed. Law went into effect January 1, 2010, and anyone with open contracts will need to comply with law. Jeanne will work with Curtis on this issue and report back to committee.

Jeanne mentioned the HR Roundtable meeting this afternoon following the Oversight Committee Meeting will host a guest speaker, Matt Cox from NV Dept. of Public Safety, to discuss conducting background checks internally, without use of third party vendor. Completion of this program enables member agency to become certified to conduct background checks internally. Steve Englert recently received his certification and was previously spending \$65 per hire on background checks. Through this program a background check now costs \$20. Significant savings can be realized through this program.

9. **Action Item: Adjournment**

Curtis Calder motioned for adjournment, Ben Sharit seconded, motion carried.

The meeting was adjourned at 11:25 a.m.