



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: September 21, 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; Geof Stark; Pat Whitten; Ann Murdoch, Danelle Shamrell, and Robert Quick. Not Present: Bill Deist; Ben Zunino; Jose Delfin; and Ben Sharit. PRI Staff: Jeanne Greene and Christine Vido.

2. Item: Public Comment

No public comment was made.

3. For Possible Action: Approval of Minutes of Meeting June 15, 2012

Geof Stark made a motion to approve the minutes of June 15, 2012. Robert Quick seconded the motion. Motion was carried.

4. For Possible Action: Report on Current Activities

Jeanne reported the following:

- **Final 11/12 Strategic Plan** (July 1, 2011, through June 30, 2012)

Jeanne did not go through the plan in detail with the committee. Jeanne advised that most of the projects had been completed. The e-learning courses were not completed due to delays of the contractor. One POWER course was cancelled due to lack of registrants. There were no requests for the Succession Planning program during the year; however, Jeanne did advise that the program is still available in the current fiscal year to anyone who requests it. Jeanne asked the committee if they had any comments regarding the strategic plan and there were none.

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

New Instructor-Led Courses –Performance Management: From Start to Finish is 75 percent complete.

Revised/Updated Trainings –Advanced EMS has been updated. The training has been expanded to a full two day course.



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Regional Trainings – Essential Management Skills Certificate Program has started and the first two sessions had 30 participants. The course is scheduled again in Carson City beginning in March 2013. Three Advanced EMS (AEMS) courses are scheduled in the fall starting October 9 in Carson City, October 16 in Douglas County, and November 7 in Elko. Another AEMS course is scheduled in May. HR Rep will be presented in the Spring. A Perfect Storm is scheduled in Carson City in February. Workplace Violence is scheduled in Carson City in December and tentatively in Tonopah in the spring.

FRISK Documentation Program – FRISK was presented to Humboldt County School District. It will be presented to Lander County School District in October. Jeanne advised the committee that the local government version of the training is still being reviewed and modified. Storey County will receive the local government training first in January.

Regional Workshops – Seven sessions of Social Media are scheduled throughout the state. Charity Felts with Erickson, Thorpe, and Swainston is providing the training. Negotiations 101 training will be presented by Charlie Cockerill five times in October.

New HR Briefings – Three new briefings are scheduled for development this fiscal year. Return to Work was requested by the Executive Committee.

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

Webinars – Four webinars will be presented in conjunction with Horizon Health. The first was presented on September 20 with 41 participants.

Sample Policies – The revisions were completed and distributed to members in July. The policies will be reviewed again at the end of the year.

Collective Bargaining Concessions Database – This was also a result of the spring survey. Jeanne advised that this is the next agenda item and will be discussed in more detail at that time.

Alerts – Two have been issued this year. The first was the contract with Charlie Cockerill and the second was regarding Health Care Reform and the items that will need to be completed in the next few months. Jeanne advised the most critical item to be completed is for organizations who issued more than 200 W-2s last year. These organizations will have to include health care benefits on the W-2 that goes out in January.

Statistics – Trainings – 16 trainings have been completed with 1,000 participants. The reason for the large participant count is due to the Misconduct Trainings presented to the schools with large attendance numbers. The average evaluation rating was 4.8.

Pat Whitten asked Jeanne if there was a problem with the e-learning system. Jeanne advised that the platform for the e-learning was being updated but thought that the current system



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could still be accessed. Jeanne said she would discuss with Ann Wiswell to check the status of the system.

HR Briefings – 29 have been scheduled; 0 are complete. **Policy Development** – 35 organizations have indicated that they want to update or adopt new policies.

HR Compliance Assessment Program – Two members are still not complete from FY09/10. Yerington has not adopted their new job descriptions that Jeanne helped write. Churchill County School District continues working on their recommendations and is making progress. Tahoe Douglas Fire Protection District completed all of their recommendations and Jeanne advised the committee that their Grant Application will be presented for approval later in the meeting. The City of Fernley has completed their assessment. They were part of the FY10/11 assessment group. Their grant application has not been received as of the meeting so it will be presented for approval at the next oversight meeting. All other assessments are still in progress and members continue to work on their recommendations. Jeanne commented that policy adoption was holding up many of the completions. For FY12/13, Eureka County has accepted their recommendations and plans to complete all by December. Nye County's assessment is scheduled for the end of October. Lander County is scheduled for December. Jeanne advised that based on the request of Robert Quick she will be doing the Lander assessment at the County offices as well as the Sheriff's Office.

HR Assessment Phase II – Jeanne advised the committee that this is the compensation-related assessment. Jeanne said that the next organization to be contacted will be the City of Carlin. Jeanne is still hopeful to complete the assessments for Douglas County and Lyon County after their new HR managers are settled into their positions.

- **HR Assessment Phase II Provisions**

Jeanne presented a handout outlining items to be reviewed during the Phase II assessment. Specific policies will be reviewed for compliance with state and federal law including workers' comp, FMLA, exempt vs. non-exempt, compensation, and volunteer programs. Another item will be reviewing CBAs to ensure that the agreements are in compliance with federal law.

Danelle asked if this assessment would be conducted after the first phase and Jeanne confirmed that it would.

Jeanne said all exempt job descriptions would be reviewed to make sure they meet the FLSA test for exempt status. The volunteer program will be reviewed to specifically look for employees who also work as volunteers to assure that their role is not an extension of their paid position; potentially bringing up overtime issues for the organization. Records will be reviewed for volunteers paid a salary/stipend because if the amount of payment goes over a certain threshold, the volunteer may be considered an employee. Independent contracts will be reviewed to assure individuals in this class are not actually employees. Jeanne advised the committee that this area is being reviewed closely by federal and state governments. Jeanne



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also advised that the Governor vetoed several bills during the last legislative session that would have given the state more authority to review these records. Jeanne said it will go before the legislature again this session to see if the vetoed bills are overridden. Overtime pay practices will be reviewed to see if organizations are in compliance with state and federal law as well as CBAs. 7k and 7j exceptions will be reviewed for those organizations that have police/fire and hospital employees. Individual payroll files will be reviewed for supplemental pay especially for police/fire. There are also “optional” items that an organization can choose to have reviewed. This includes reviewing FMLA files to determine if the organization is compliant with whole week and intermittent FMLA, catastrophic leave (if offered), and workers’ compensation.

Jeanne mentioned that once the first assessment is complete, the process will be assessed to see if any changes are required for future assessments. Robert Quick asked if ADA compliance regarding reasonable accommodation requests would be reviewed. Jeanne stated that several issues have come forth regarding ADA leave in law enforcement. She stated that once a law enforcement employee has exhausted FMLA leave, but continues to have a qualifying disability, leave without pay may be considered a reasonable accommodation. Jeanne said it is not included in the program at this time and could be added. Pat Whitten asked if PERS classification could be reviewed. Jeanne responded that the intent of the assessment is to catch issues before the organization is penalized so it could be an “optional” item for organization to add. Jeanne asked if anyone had a list of items that PERS looked for. Geof replied that he did not. Robert suggested contacting PERS directly and talking to one of their auditors.

Curtis asked if any of the new healthcare reform requirements should be added. Jeanne responded that it will not be added at this time as many of the items have not gone into effect. Curtis commented that he is currently researching if organizations are required to comply with the healthcare reform requirements when employees are covered under union health benefits. Jeanne asked Curtis to provide his findings to her.

- **CBA Database**

Jeanne explained to the committee that this was another item that came out of the member survey. A draft was included with the board packets that outline the types of items that will be looked at in the collective bargaining agreements (CBA). Jeanne stated that Bill Zelinski is heading this project along with the help of Christine Vido. The draft is a result of a meeting between Bill, Christine, Darcy Worms, and Neal Freitas. The intent of this project is to identify collective bargaining agreements and outline what the organizations have or have not agreed to. Pat Whitten asked if employee/employer paid PERS could be identified in the database. Robert Quick stated that the old NACO salary surveys were inconsistent in the past because the way different items were paid (e.g., extra duty pay). He suggested having a way to identify those differences for each organization. Jeanne said that could be accomplished. Jeanne also advised the committee that another item to be added to the database is a hyperlink to the appropriate CBA. Danelle requested having the hyperlink take the user directly to the



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specific section referenced in the database. Jeanne advised that the database will be available on the website only to specified users. Jeanne mentioned that Darcy had asked for Washoe County agreements to be added. Danelle commented that the units in her organization frequently refer to Clark County agreements and she requested that information added as well. Jeanne asked the committee if they liked knowing how many employees were in the unit. Robert said the number covered may not be the number of the unit. Robert also thought that links to EMRB information, NAC, or NRS would be helpful as well as retiree insurance premiums. Pat requested annual salary schedule links added. Jeanne said once the information was inputted in draft format, it would be sent to each organization to assure that the information is accurate. Jeanne told the committee that a finalized draft would be provided at the next meeting.

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

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. Jeanne asked if there were any comments and there were none.
- **Report on Employment Related Claims** – Jeanne said the report gives an overview of current claims as well as final numbers for last fiscal year. Last year, 38 HR-related claims were opened. The majority of the claims involved school districts. In the current fiscal year, there are four opened claims. Jeanne pointed out that the paid expenses vs. paid claims shows there is not a lot of money being paid out to the people filing the claims. Jeanne commented on a claim that she recently reviewed in which an at-will employee for a City was required to reimburse the POOL for attorney fees due to not having ground for the claim. Pat asked if there was information that could be provided to find out how to get those types of reimbursements. Jeanne said that she did not have that information but Becky Bruch had been the attorney on the case she referenced.

6. **For Possible Action: Subsequent Injury Fund**

Jeanne advised that this item is being deferred until the December meeting. Jeanne provided a brief overview to the committee. When an employee has a subsequent injury, PACT can access that fund to pay for the claim. A recent Supreme Court case says in order to access the fund, the employer must have written documentation that they were aware that the employee has some type of impairment before the injury and they were kept on the payroll. This will be discussed further during the next meeting.



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7. For Possible Action: POOL/PACT HR Seminar: Current Issues in Public Sector Employment

Jeanne told the committee that the idea for the seminar is to bring HR people from different organizations together to discuss HR-relevant issues. POOL/PACT HR will host the seminar. All primary HR contacts will be invited. The tentative dates for this event is currently May 2 and 3 in Reno. A list of possible topics and speakers was provided in the agenda packet. Jeanne pointed out that one of the sessions would involve “roundtable” discussions with members of similar organizations such as schools, counties, towns, etc. (Curtis suggested that this could be condensed to one day.). Robert commented that once the discussion at seminars begin, they can continue for a long time so he felt that one day would not be long enough and two days is a good starting point. Geof agreed with Robert and said taking into account the travel time that some would require getting to the event, a two day seminar is better. Jeanne advised the committee the three locations in consideration for the event are the Nugget, Peppermill, and Atlantis in Reno. Jeanne asked if there were any preferences to the location. Pat commented that the Nugget has done a great job for the POOL/PACT events in the past. Danelle asked why the specific dates were selected. Jeanne responded that the dates were determined by several factors including the upcoming legislative session, PRIMA conference, and the full POOL/PACT board meetings. Jeanne asked the committee if there were any additional topics that they would like to include. Pat thought a presentation by POOL/PACT attorneys; outlining unique situations and “horror stories” would be very informative.

8. For Possible Action: Legislative Session

Jeanne advised the committee that a tracking form will be presented at the next meeting that will outline how the committee will be updated on bill tracking during the upcoming legislative session. Curtis mentioned he had heard about bills requiring labor negotiations to be conducted in open meeting. Jeanne responded that she had heard the same. Robert asked about Federal legislation regarding labor negotiations. Jeanne said that federal laws are followed however the NLRB does not cover public sector organizations. Jeanne said everything at the federal level is at a standstill until the presidential election is concluded.

9. For Possible Action: HR Assessment Grant Application

The application presented to the committee was for Tahoe Douglas Fire Protection District. Jeanne told the committee that all of their recommendations were completed and they requested the full \$500 grant for a new file cabinet. Pat Whitten made a motion to approve the grant application as presented. Robert Quick seconded the motion. Motion was carried.

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

The next meeting will be held in December. Jeanne indicated that the best dates would be December 7 and 14. Curtis recommended December 7. Jeanne asked Curtis where he would like to have the meeting. Curtis selected Carson City for the meeting.

11. Item: Public Comment:

Pat Whitten complimented Christine for the organization of the agenda and handouts. Danelle also indicated her appreciation of the agenda organization.



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12. For Possible Action: Adjournment

Curtis Calder called the meeting adjourned at 11:31 a.m.