

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS--NRS 233B.066**  
**Informational Statement**  
**LCB File No. R037-17**

**1. A clear and concise explanation of the need for the adopted regulation.**

Effective January 1, 2018, Senate Bill 361 (SB 361) of the 2017 Legislative Session amends Chapter 613 of the Nevada Revised Statutes (NRS 613) to require an employer to make reasonable arrangements for an employee who is not the alleged perpetrator, and who is a victim of domestic violence or whose family or household member is a victim of domestic violence. Such arrangements could include movement of a workstation, a modified work schedule, a new work telephone number or other arrangement that will not cause an undue hardship.

Regulations defining “domestic violence” and “family or household member” have been added to be used in relation to the new requirements in Chapter 284 of the Nevada Administrative Code (NAC 284).

Amendments to the annual leave, sick leave and leave without pay regulations included in this LCB File, require the approval of a leave request when an employee or the family or household member of the employee is a victim of domestic violence. The total allowable amount of leave requested for this purpose is 160 hours in a 12-month period, which begins at the time the domestic violence occurs, and includes any combination of all leave types, e.g. annual, sick and leave without pay.

The amendment to the family and medical leave regulation is necessary based on the requirement in SB 361 that leave used for the purpose of an act of domestic violence that may also be taken pursuant to the Family and Medical Leave Act must be deducted from leave permitted by that Act.

**2. A description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.**

On August 30, 2017, copies of the proposed regulation amendments were sent by email to persons who were known to have an interest in the subject of proposed personnel regulation changes as well as any person who had specifically requested such notice via Listserv. These documents were also made available on the Division of Human Resource Management’s website, the Nevada Public Notice website, the Legislative Counsel Bureau’s website, and mailed to all county libraries in Nevada, and posted at the following locations:

Blasdel Building  
209 E. Musser Street  
Carson City, NV

Nevada State Library and Archives  
100 N. Stewart Street  
Carson City, NV

Legislative Counsel Bureau  
401 S. Carson Street  
Carson City, NV

Grant Sawyer Office Building  
555 E. Washington Avenue  
Las Vegas, NV

A regulation workshop was conducted by the Division of Human Resource Management on July 11, 2017, and a public hearing was held by the Nevada Personnel Commission on September 29, 2017.

During the workshop held on July 11, 2017, comments received requested clarification on the process of an employee requesting an accommodation; payroll codes for reporting usage; and usage in conjunction with the Family and Medical Leave Act (FMLA).

At the public hearing, staff provided information regarding the intent and need for the regulations. No public comment was received at the hearing.

Written minutes and comments from the regulation workshop and public hearing can be obtained from the Division of Human Resource Management by contacting Shelley Blotter at [sblotter@admin.nv.gov](mailto:sblotter@admin.nv.gov) or by calling (775) 684-0105.

- 3. The number of persons who:**
  - (a) Attended each hearing: 37**
  - (b) Testified at each hearing: 1**
  - (c) Submitted written comments: 0**
  
- 4. Following is a list of names and contact information, including telephone number, business address, business telephone number, electronic mail address, and name of entity or organization represented, for each person identified above in #3(b):**

Carrie Hughes, Personnel Analyst  
State of Nevada  
Department of Administration  
Division of Human Resource Management  
100 N. Stewart Street  
Carson City, NV 89701  
(775) 684-0111  
[chughes@admin.nv.gov](mailto:chughes@admin.nv.gov)

- 5. A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.**

Comments were not solicited from businesses, as the regulation does not affect businesses. Comments were solicited from effected parties including employees and employee associations. Written minutes and comments from the workshop and public hearing can be obtained as instructed in the response to question #2.

- 6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

There was no opposition to the regulation at the Personnel Commission hearing.

- 7. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and each case must include:**
- (a) Both adverse and beneficial effects; and**
  - (b) Both immediate and long-term effects.**

This regulation does not have a direct economic effect on either a regulated business or the public.

- 8. The estimated cost to the agency for enforcement of the proposed regulation:**

There is no additional cost to the agency for enforcement of this regulation.

- 9. A description of any regulations of other State or governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

This regulation does not overlap or duplicate any State or federal regulations.

- 10. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**

The regulation does not include any provisions that are covered by any federal regulations.

- 11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

No fees are associated with this regulation.