

SENATE BILL NO. 36—COMMITTEE ON LEGISLATIVE
OPERATIONS AND ELECTIONS

(ON BEHALF OF THE DEPARTMENT OF PUBLIC SAFETY)

PREFILED DECEMBER 5, 2008

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions governing panels that conduct certain competitive examinations for positions in the classified service of the State. (BDR 23-318)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in **bolded italics** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to the State Personnel System; revising the requirements for conducting certain competitive examinations for positions in the classified service of the State; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires that an oral examination used to fill a vacant position in the classified service of the State be conducted by a panel. Under existing law, not more than one-third of the members of the panel may be employed by the department in which the vacant position exists, except that more than one-third of the members of the panel may be employed by the department in which the vacant position exists if: (1) one of the panel members from outside the department is unable to serve because of illness or emergency; (2) the department has more than 1,000 employees; and (3) the department has at least two divisions and the panel does not include any employees from the same division. (NRS 284.210)

This bill provides instead that more than one-third of the members of such a panel may be from the department in which the vacant position exists if the department has more than 1,000 employees, the department has at least two divisions and the panel does not include any employees from the same division.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 284.210 is hereby amended to read as follows:
284.210 1. All competitive examinations for positions in the
classified service must:

(a) Relate to those matters which fairly test the capacity and
fitness of the persons examined to perform in an efficient manner
the duties of the class in which employment is sought.

(b) Be open to all applicants who meet the reasonable standards
or requirements fixed by the Director with regard to experience,
character, age, education, physical condition and any other factors
relating to the ability of the applicants to perform the duties of the
position with reasonable efficiency.

2. An examination may consist of:

(a) An evaluation of the applicant's training and experience;

(b) A written examination;

(c) An oral examination;

(d) An evaluation of the applicant's performance, such as the
ability to operate successfully certain equipment; or

(e) Any combination of paragraphs (a) to (d), inclusive.

3. An examination may be conducted by using a center for
assessment as defined by regulations adopted by the Commission.
An employee of the department for which an examination is being
held may not serve on the panel or score the examination.

4. An oral examination given pursuant to this section must be:

(a) Except as otherwise provided in subsection 5, conducted by
a panel of which ~~not~~ **not** more than one-third of the members are
employed by the department in which a vacancy exists for the
position for which the examination is given.

(b) Recorded and maintained by the department for:

(1) Not less than 2 years after the date of the examination; or

(2) Until the final disposition of a charge of discrimination,
↪ whichever is longer, and must be available to an affected person
upon request.

5. Employees of the department in which a vacancy exists may
comprise more than one-third of the members of the panel if:

(a) ~~IA member who is not such an employee is unable to serve
on the panel because of illness or an emergency;~~

~~—(b)—~~ The department has more than 1,000 employees; and

~~H(e)~~ **(b)** The department has two or more divisions that
administer separate and diverse programs and the employees of the
department on the panel are not employed by the same division.



1 **Sec. 2.** This act becomes effective on July 1, 2009.

