

SENATE BILL NO. 46—COMMITTEE ON LEGISLATIVE
OPERATIONS AND ELECTIONS

(ON BEHALF OF THE DEPARTMENT OF PERSONNEL)

PREFILED DECEMBER 5, 2008

Referred to Committee on Legislative Operations and Elections

SUMMARY—Authorizes an additional method for providing notification to state employees of certain personnel actions. (BDR 23-309)

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; authorizing an additional method for providing notification to state employees of certain personnel actions; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law requires that for the dismissal, involuntary demotion or suspension
- 2 of certain state employees to become effective, written notification of the action
- 3 must be provided to the employee by personal delivery or by mail. (NRS 284.385)
- 4 This bill authorizes delivery of the notice by a third-party commercial carrier that
- 5 provides proof of the date of deposit and delivery of the notice as an additional
- 6 method for providing such notification.

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

- 1 **Section 1.** NRS 284.385 is hereby amended to read as follows:
- 2 284.385 1. An appointing authority may:
- 3 (a) Dismiss or demote any permanent classified employee when
- 4 he considers that the good of the public service will be served
- 5 thereby.



(b) Except as otherwise provided in NRS 284.148, suspend without pay, for disciplinary purposes, a permanent employee for a period not to exceed 30 days.

2. A dismissal, involuntary demotion or suspension does not become effective until the employee is notified in writing of the dismissal, involuntary demotion or suspension and the reasons therefor. The notice may be ~~delivered~~ :

(a) *Delivered* personally to the employee ~~for mailed~~ ; or

(b) *Sent* to him at his last known address by registered or certified mail, return receipt requested ~~H~~ , *or by use of a third-party commercial carrier that provides proof of the date of deposit and delivery of the notice.*

3. If the notice is ~~mailed,~~ *sent by registered or certified mail*, the effective date of the dismissal, involuntary demotion or suspension shall be deemed to be ~~the~~ :

(a) *The* date of delivery ~~for if~~ *set forth on the return receipt; or*

(b) *If* the ~~letter~~ *notice* is returned to the sender ~~H~~ *as undeliverable*, 3 days after *the date of* mailing ~~f~~ *—3— set forth on the postmark.*

4. *If a third-party commercial carrier is used to send the notice, the effective date of the dismissal, involuntary demotion or suspension shall be deemed to be:*

(a) *The date of delivery set forth on the proof of delivery; or*

(b) *If the notice is returned to the sender as undeliverable, 3 days after the date on which the notice was deposited with the commercial carrier for delivery.*

5. No employee in the classified service may be dismissed for religious or racial reasons.

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

