

CHAPTER.....

AN ACT relating to public employment; requiring an appointing authority to recognize relevant employment experience obtained in the Federal Government as equivalent to employment experience obtained in the government of this State for certain purposes; prohibiting, with certain exceptions, an appointing authority from requiring an applicant for a position of employment in the classified or unclassified service of the State to have obtained a bachelor’s degree as a condition precedent to employment; requiring the Administrator of the Division of Human Resource Management of the Department of Administration to take certain actions with respect to the master classification plan for all positions in the classified service of the State; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law sets forth various requirements and procedures governing the employment of persons in the classified and unclassified service of this State. (Chapter 284 of NRS) Existing law requires the Administrator of the Division of Human Resource Management of the Department of Administration to prepare, maintain and revise a master classification plan for all positions in the classified service, based on similarity of duties and responsibilities, so that the same qualifications may reasonably be required for, and the same schedule of pay may be equitably applied to, all positions in the same class. (NRS 284.160) **Section 4** of this bill requires the Administrator, in determining the qualifications that may be reasonably required for all positions in the same class, to allow a person to substitute equivalent employment experience obtained in the Federal Government for any employment experience required to be obtained in the government of this State.

Existing law requires an appointing authority, with respect to positions in the classified service of the State, to recruit, evaluate, select, manage and promote employees through open competition on the basis of knowledge, skills and ability and without regard to certain characteristics of an applicant or employee. (NRS 284.210) **Section 5** of this bill specifies that the requirement applies, without limitation, to the recruitment, evaluation, selection, management and promotion of an employee through the making of any determination that affects the pay of an employee. **Sections 2 and 5** of this bill additionally require an appointing authority, with respect to positions in the classified and unclassified service, to recruit, evaluate, select, manage and promote employees, including, without limitation, through the making of any determination that affects the pay of an employee, in a manner which recognizes relevant employment experience obtained by an applicant or employee in the Federal Government as equivalent to employment experience obtained in the government of this State.

**Section 3** of this bill prohibits, with certain exceptions, an appointing authority from requiring an applicant for a position in the classified or unclassified service to have obtained a bachelor’s degree as a condition precedent to employment.



**Section 3** provides an exception from that prohibition if the appointing authority makes certain determinations. Because **section 3** prohibits an appointing authority from requiring an applicant to have obtained a bachelor's degree except under certain limited circumstances, **section 4** eliminates provisions of existing law which require the Administrator to conduct certain periodic reviews of classes of positions in the classified service which require a person to hold a bachelor's degree. (NRS 284.160)

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

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

**Section 1.** Chapter 284 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

**Sec. 2.** *In relation to positions in the unclassified service, each appointing authority shall recruit, evaluate, select, manage and promote employees, including, without limitation, through the making of any determination that affects the pay of an employee, in a manner which recognizes relevant employment experience obtained by an applicant or employee in the Federal Government as equivalent to employment experience obtained in the government of this State.*

**Sec. 3. 1.** *Except as otherwise provided in subsection 2, an appointing authority shall not require an applicant for a position of employment in the classified or unclassified service of the State to have obtained a bachelor's degree as a condition precedent to employment.*

*2. The provisions of subsection 1 do not apply if the appointing authority determines that the knowledge, skills or abilities required for the position for which the applicant is applying may only be obtained through a course of study in pursuit of and that culminates in the award of a bachelor's degree.*

**Sec. 4.** NRS 284.160 is hereby amended to read as follows:

284.160 1. The Administrator shall prepare, maintain and revise as necessary a master classification plan for all positions in the classified service, based upon similarity of duties and responsibilities, so that the same qualifications may reasonably be required for, and the same schedule of pay may be equitably applied to, all positions in the same class.

2. In determining the qualifications that may be reasonably required for all positions in the same class pursuant to subsection 1, the Administrator shall ~~periodically review each class of positions in the classified service which require a person to hold a bachelor's~~



~~degree and, whenever the Administrator deems it necessary for the efficiency of the public service, revise the qualifications to~~ allow a person to substitute equivalent **employment** experience ~~for skills in lieu of a bachelor's degree.~~ **obtained in the Federal Government for any employment experience required to be obtained in the government of this State.**

3. The Administrator shall review annually the classification plan of each appointing authority using the audit function developed and implemented pursuant to NRS 284.107.

4. Subject to the provisions of subsection 5, with the approval of the Administrator, an appointing authority may make changes in the classification of positions within its agency whenever the appointing authority deems it necessary for the efficiency of the public service.

5. The classification plan and changes therein are subject to approval by the Commission, except that the Administrator, at the request of an appointing authority, may make a change in the classification plan without the prior approval of the Commission if:

(a) The Administrator deems it necessary for the efficiency of the public service;

(b) The change is not proposed in conjunction with an occupational study; and

(c) The Administrator, at least 20 working days before acting upon the proposed change:

(1) Provides written notice of the proposal to each member of the Commission, to all departments and to any head of an employees' organization who requests notice of such proposals; and

(2) Posts a written notice of the proposal in each of the principal offices of the Division.

↳ Any occupational study conducted by the Division in connection with the preparation, maintenance or revision of the classification plan must be approved by the Commission.

6. If no written objection to the proposed change to the classification plan is received by the Administrator before the date it is scheduled to be acted upon, the Administrator may effect the change. The Administrator shall report to the Commission any change in the classification plan made without its approval at the Commission's next succeeding regular meeting.

7. If a written objection is received before the date the proposed change is scheduled to be acted upon, the Administrator shall place the matter on the agenda of the Commission for consideration at its next succeeding regular meeting.



**Sec. 5.** NRS 284.210 is hereby amended to read as follows:

284.210 In relation to positions in the classified service, each appointing authority shall, consistent with the regulations adopted by the Commission pursuant to NRS 284.205, recruit, evaluate, select, manage and promote employees , *including, without limitation, through the making of any determination that affects the pay of an employee:*

1. *Through* open competition on the basis of knowledge, skills and ability and without regard to an applicant's or employee's religious or political opinions or affiliations, race, sex, sexual orientation, gender identity or expression, age or disability.

2. *In a manner which recognizes relevant employment experience obtained by an applicant or employee in the Federal Government as equivalent to employment experience obtained in the government of this State.*

**Sec. 6.** This act becomes effective upon passage and approval.

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