



STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
Division of Human Resource Management
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To: Bruce K. Snyder, Commissioner
Employee-Management Relations Board

From: Peter Long, Administrator
Division of Human Resource Management

Subject: Position groupings pursuant to Senate Bill 135

Attached are DHRM's recommendations for the establishment of bargaining units as required by Sec. 53 of Senate Bill 135 (2019). The recommendations are based on our in-depth knowledge of the job classes, a review of each class concept (job description), and our interpretation of SB 135. We have made our best effort to appropriately establish bargaining units by occupational groups.

Unit A was designated as labor, maintenance, custodial and institutional employees, including, without limitation, employees of penal and correctional institutions who are not responsible for security at those institutions. From this, positions such as Custodial Workers, Laundry Workers, and Highway Maintenance Workers were included. Although the Department of Corrections has several job classes specific to them, such as Correctional Casework Specialist and Institutional Chaplain, these titles were not included as the positions do have responsibilities involving security functions.

Unit B was designated as administrative and clerical employees, including, without limitation, legal support staff and employees whose work involves general office work, or keeping or examining records and accounts. From this, positions such as Administrative Assistants, Accounting Assistants, and Legal Secretaries were included.

Unit C was designated as technical aides to professional employees, including, without limitation, computer programmers, tax examiners, conservation employees and regulatory inspectors. From this, positions such as Accountant Technicians, Tax Examiners, and IT Technicians were included. As the State does not have a specific position called "Computer Programmer" the decision was made to place the IT Professional positions into another category as IT Professionals perform a variety of functions including, but not limited to, computer programming, database administration, IT security, network administration, etc. Several positions specific to the Department of Conservation were also not included such as

Conservation Staff Specialists as the positions perform professional level duties and require specific training and experience.

Unit D was designated as professional employees, who do not provide health care, including, without limitation, engineers, scientists and accountants. From this, positions such as Environmental Scientists, Budget Analysts, and Program Officers were included. Three job classes including Workforce Services Representatives, Parole and Probation Specialists, and Unemployment Insurance Representatives include both professional and paraprofessional level positions. As most positions in these classes are designated as professional level positions and as to not split the series into two bargaining units, all positions within these classes were assigned to the same group. Other positions such as Health Program Specialists, while health related, but ultimately do not provide health care, were also included in this group.

Unit E was designated as professional employees who provide health care, including, without limitation, physical therapists and other employees in medical and other professions related to health. From this, positions such as Psychiatric Nurses, Mental Health Counselors, and Registered Dietitians were included.

Unit F was designated as employees, other than professional employees, who provide health care and personal care, including, without limitation, employees who provide care for children. From this, positions such as Child Care Workers, Mental Health Technicians, and Dental Assistants were included.

Unit G was designated as Category I peace officers. From this, positions such as DPS Officers, Game Wardens, and Commissioned Park Rangers were included. Please note that some positions which are designated as Category I peace officers such as DPS Sergeants, DPS Lieutenants, DPS Majors, DPS Lieutenants, Game Warden 4, Staff Game Warden, Park Supervisor-Commissioned, and University Police Sergeant were not included as they fell under supervisory or managerial categories.

Unit H was designated as Category II peace officers. From this, positions such as Criminal Investigators, Compliance/Enforcement Investigators, and Youth Parole Counselors were included. Please note that some positions which are designated as Category II peace officers such as Supervisory Criminal Investigators, Supervisory Compliance/Enforcement Investigators, Agricultural Enforcement Officers, AG Criminal Investigator, Supervisor, Unit Manager, Youth Parole, and AG Deputy Chief Investigator were not included as they fell under supervisory or managerial categories.

Unit I was designated as Category III peace officers. From this, positions including Correctional Officers and Forensic Specialists were included. Please note that some positions which are designated as Category III peace officers such as Correctional Sergeant, Correctional Lieutenant, Correctional Captain, Inspector General and Forensic Specialist 4 were not included as they fell under supervisory or managerial categories.

Unit J was designated as supervisory employees from all occupational groups. From this, positions such as Fish Hatchery Supervisors, Park Supervisors, and Tax Program Supervisors were included. Only those job classes that specifically require supervisory responsibilities were included. Supervisory employees are those employees who perform duties including hiring, disciplinary action, work assignment and training, and reports on performance to include formal evaluations.

Unit K was designated as firefighters. From this, positions such as Firefighters, Seasonal Firefighters, and Crew Chief were included. Please note that some positions which have firefighting responsibilities such as Battalion Chief, Fire Captain, and Fire Management Officer were not included as they fell under supervisory or managerial categories.

Finally, SB 135 excludes both Confidential and Managerial employees from collective bargaining. We have identified, based on our analysis and the definitions found in SB 135, which job classes fall within these groups.

Confidential employees are designated as employees who provide administrative support to an employee who assists in the formulation, determination and effectuation of personnel policies or managerial policies concerning collective bargaining or supplemental bargaining. From this, all HR positions including Personnel Technicians, Personnel Analysts, and Personnel Officers were included. Additionally, the Board may wish to consider placing Executive Branch Budget Officers 1 and 2 into this category as well.

Managerial employees are designated as those positions whose primary function, as determined by the Board, is to administer and control the business of any agency, board, bureau, commission, department, division, elected officer or any other unit of the Executive Department and who is vested with discretion and independent judgement with regard to the general conduct and control of that agency, board, bureau, commission, department, division, elected officer or unit. From this, positions such as Forestry Program Manager, Administrative Services Officers, Museum Directors, Deputy Division Administrator, State Lands, and IT Managers were included.