

PERSONNEL

Administrative Leave for Employee Association/Union Activities

POLICY: NAC 284.589 is the regulation that authorizes administrative leave with pay for classified employees. Subsection 2(a) of this regulation provides:

An appointing authority of the Department of Personnel may grant administrative leave with pay to an employee for his/her participation in, or attendance at, activities which are directly or indirectly related to the employee's job or his/her employment with the State but which do not require him/her to participate or attend in his/her official capacity as a State employee.

It is this provision that enables the use of administrative leave for employee association/union activities. It is also used for granting an employee time to attend group insurance meetings, job-related training, which is employee requested (non-management directed) and similar activities.

The following guidelines are limited to the use of administrative leave by classified employees for association/union activities. They do not preclude the continued use of administrative leave for other qualifying purposes or the appropriate use of unpaid leave (LWOP) by any employee.

PURPOSE: This policy has been established to provide for the consistent and fair treatment of employees, regardless of which union or association they are affiliated with, be flexible, and balance the interests of the employee, the State and the taxpayers.

PROCEDURE:

I. Employee Representatives

The organization representing classified State employees in the Department:

SNEA – State of Nevada Employees Association

II. Activities:

In keeping with the regulatory provision cited above, acceptable activities for granting administrative leave include, but are not limited to, employee association/union conferences and general council meetings that focus on Nevada State employee issues and concerns, and meetings with the Governor's Office or other State officials to discuss employee issues. Administrative leave is only appropriate when, and for the appropriate amount of time that, the qualifying activity conflicts with the employee's work schedule.

Examples of activities that are not appropriate for administrative leave include training that is union/association-related, funerals, ceremonies, and other requests that do not meet the criteria in the regulation or are specifically prohibited elsewhere, such as, assisting a co-worker in a grievance (NAC 284.662 (2)). It is also inappropriate to compensate an employee with administrative leave for having qualified for administrative leave had it been scheduled during his/her work time.

III. Eligibility

Eligibility for administrative leave is limited to State employees serving in an official capacity (i.e., board members, directors, officers and delegates who represent their organization at conferences and general council meetings).

IV. Amounts of Leave

1. Conferences/Council Meetings

The following guidelines are based on a three-day event that includes a weekend day. Pro-rate accordingly for shorter events and when the event's dates and time schedules do not conflict with the employee's work schedule.

- a. Officers: 20 hours plus travel time.
- b. Delegates (to conferences and general council meetings): 16 hours plus travel time.
- c. Travel time at the rate of eight hours for those traveling more than 250 miles one way, or four hours for those traveling more than 150 miles one way (but less than 250 miles).

2. Other Qualifying Activities

Up to ten hours a year be granted for other qualifying activities, such as meeting with State officials.

3. The maximum amount for any eligible person is 32 hours per calendar year. On special occasions, or at the request of Administrators of the Governor, more hours may be justified.

RULES:

1. For conferences and council meetings, written requests for administrative leave are to be sent by the association or union to the appointing authority 30 days prior to the event. For other activities for which there is less lead-time, written requests are to be sent 10 days prior to the date of the requested leave. When an original request is subject to changes, the request is to be made to the appointing authority of the affected Division.

2. Any request for administrative leave must specify the name(s) of eligible employees, their role(s), i.e., board member, officer, etc., and the number of hours needed.
3. It is the responsibility of each region to monitor and track the usage of administrative leave taken for employee association/union activities by its employees during the year.
4. Employee associations/unions will notify State Parks when an employee who has been approved for administrative leave does not attend the event for which was approved.
5. Administrative leave will be approved by the Park Supervisor and Regional Manager on ADM-25 and attached to the corresponding BTA. "Employee Association/Union Activities" written in the Comments section and certificate of eligibility attached to the ADM-25.
6. The Division of State Parks will provide an annual report of the total number of employees who have taken Administrative Leave for Association/Union activities to the Director of the Department of Conservation and Natural Resource.