

State of Nevada Board of Occupational Therapy

PERSONNEL POLICIES AND PROCEDURES

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010 PURPOSE

The purpose of the Board of Occupational Therapy (Board) Personnel Policies and Procedures are:

- A. To provide a standardized system of position classification and corresponding rate of compensation based on the complexity and responsibilities of the principal tasks involved.
- B. To provide the Board with qualified and competent employees through the use of documented and standardized processes.
- C. To increase the efficiency and economy by the improvement of personnel methods.
- D. To provide equal employment opportunities to all applicants and employees, without discrimination because of gender, age, race, color, creed, religion, national origin, disability, sexual orientation or veteran's status, or on the basis of any other classification protected under state or federal law.

Individuals hired by the Board <u>are not</u> employees of the State of Nevada (State) for purposes of personnel administration and benefits. The State shall have no obligation with respect to: (1) participation in any group insurance plans available to employees of the State; (2) participation or contributions by either the employee or the State to the Public Employees Retirement System; or (3) any other rights or benefits provided by the State to their employees.

Employees of the Board will be governed solely by the Board pursuant to the authority of NRS 640A.100.

020 GENERAL POLICIES AND PROCEDURES

These Policies and Procedures are designed to provide an outline of the personnel policies and practices of the Board and shall be uniformly interpreted with the intention of obtaining and retaining the best-qualified personnel.

The language contained herein is not intended to create a covenant between employer and employee, contractual or implied, and may be subject to modification or change upon written notice. Employment and compensation are not guaranteed for a fixed term. If any provision contained herein should become inoperative by law or otherwise by decision of Federal, State, or local government agency, the remainder shall not be invalidated.

Copies of these Policies and Procedures will be issued to each Board employee. Each employee shall be given a copy of subsequent modifications, or augmentation information. The Executive Director will be responsible for their proper maintenance and control and shall ensure they are accessible and available to all employees.

The Board shall approve revisions, corrections, additions, or deletions prior to implementation.

The Executive Director of the Board shall be responsible for the administration and application of these policies and procedures.

Appeal of disputes relating to these policies shall be filed with the Board through the Executive Director pursuant to the procedures set forth herein.

Operating Provisions: The Board Office shall be kept open on all normal business days for the transaction of public business from 9:00 a.m. to 4:00 p.m. during a work week. The normal hours of work for Board employees shall be established by the Executive Director and may include full-time, part-time, and flexible scheduling. Onsite and remote work options, including hybrid schedules, may be available for employees in a qualifying position.

Employees shall be allowed a rest period of ten (10) minutes during each four (4) consecutive hours of work. A thirty (30) minute paid rest period/lunch break may be provided employees working six (6) or more hours per day.

Employees shall be in attendance during his or her scheduled hours of work. Any absence or deviation from an approved work schedule, without prior authorization, or not provided for in these Policies and Procedures, shall be the basis for disciplinary action.

030 DISCRIMINATION AND HARASSMENT PROHIBITED

The Board shall actively promote equal opportunity in all aspects of employment, including recruitment, hiring, training, compensation, benefits, working condition and all other matters of employment. Equality of opportunity shall be based solely on job related skills, knowledge, and performance.

The Board does not condone and will not tolerate any discriminatory action on the part of any employee and prohibits harassment of any individual because of gender, age, race, color, creed, religion, national origin, disability, sexual orientation or veteran's status, or on the basis of any other classification protected under state or federal law.

Harassment includes, but is not limited to epithets, derogatory comments, slurs, assault, derogatory posters, cartoons, or drawings, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, name calling, suggestive comments, or lewd talks or jokes.

If any employee believes that he or she is the victim of harassment, that employee shall immediately report the incident to the Executive Director. If the Executive Director is involved in the reported conduct or, if for some reason the employee feels uncomfortable about making a report to the Executive Director, the report shall be made to the Chair of the Board.

The Board will investigate any such report of harassment and take whatever corrective action is deemed necessary, including disciplining or discharging any individual who has violated this harassment policy

040 DEFINITIONS

The words and phrases as used in the policies and procedures shall have the following meaning respectively ascribed to them:

- ♦ ANNIVERSARY DATE means one (1) year from the date of hire.
- **APPOINTING AUTHORITY** is the Executive Director. The Board is the appointing authority for the Executive Director who serves solely at the discretion of the Board.
- CLASSIFICATION PLAN means all job positions that have been established for the Board.

- **CLASSIFIED POSITION** means a position that is not appointed by the Board. A classified position may be salaried or hourly and includes regular and temporary positions.
- **COMPENSATION PLAN** means the schedule of minimum and maximum rates of pay for each position.
- → DAY means calendar day unless otherwise specified.
- **◆ EMERGENCY APPOINTMENT** means the immediate appointment by the Board of any person deemed qualified in the case of emergencies involving the necessity to carry on the business of the Board, or to protect the Board's interests.
- **EMPLOYEE** means any person holding a position authorized by the Board.
- **◆ EXEMPT** means a position that is ineligible for overtime and holiday pay at time and one-half compensation. The Executive Director and Director of Licensing and Operations positions are exempt positions.
- FLSA means Federal Labor Standards Act.
- **♦ FULL-TIME EMPLOYEE** means an employee who works 35 hours or more on average per work week.
- ◆ GRATUITY means a gift such as money for a service. A gratuity is anything you cannot eat or drink in one setting by one employee or several employees. The Board does not allow the acceptance of money for any service by an employee, unless required by the job.
- **HANDICAPPED** means any physical disability, mental or emotional disorder.
- HIRE DATE means the date of employment. New hire date would occur if there is a break in service.
- **† IMMEDIATE FAMILY** means an employee's parents, spouse, children, brothers, sisters, grandparents, great grandparents, uncles, aunts, employee's parent-in-laws, sons-in-law, daughters-in-law, grandparents-in-law, nieces, nephews and others by third degree of consanguinity, including the in-laws, uncles and aunts-in-law, great-grandchildren-in-law, and step relatives through great-grandchildren.
- **♦ INCUMBENT** means a person currently occupying a specific position.
- ♦ INTRODUCTORY PERIOD means a minimum of 6 months after an employee's initial hire date during which the appointing authority evaluates his or her suitability for the position.
- ◆ **OVERTIME** means any time worked in excess of forty (40) hours in a week for hourly employees (per FLSA Guidelines).
- OVERTIME PAY means compensation for overtime worked.

- PART-TIME EMPLOYEE means an employee who works less than 35 hours on average per work week.
- **POSITION SPECIFICATION** means a written description of a position consisting of a title, a definition, examples of duties and minimum qualifications required.
- **♦ REGULAR EMPLOYEE** means an employee who has satisfactorily completed the introductory period.
- REMOTE WORK means working off-site, from home or other remote location.
- **SALARY ADVANCEMENT** means a salary increase given to an employee within the limits of a salary range.
- **◆ SALARY RANGE** means a minimum rate and a maximum rate assigned to be the compensation for a position.
- **TEMPORARY EMPLOYEE** means an employee in a position established to accomplish a special purpose, project or objective. No commitment is implied or made as to the continuance of the position.
- ★ THIRD DEGREE OF CONSANGUINITY means relationship through and including child, grandparent, brother, sister, grandchild, great grandchild, uncle, aunt, nephew, niece, great grandparent, and step relatives through great grandchildren. (NRS 281.210)
- **↑ TIME-OFF** means authorized absence from work either with or without compensation.
- ◆ UNCLASSIFIED POSITION means an executive position appointed by the Board which may be filled by independent contract, employment contract or other means. The compensation level and terms of employment-are established by the Board. The Executive Director position is an unclassified position.
- **♦ WORK WEEK** means Monday through Friday, or any 5 consecutive days.

050 RECRUITMENT PROCESS

The Board will make efforts to reasonably accommodate candidates with disabilities in the employment process.

Board positions shall be filled through open, competitive announcement, whenever possible, with the exception of emergency appointments.

Announcements shall briefly specify the title of a position, the nature of the work to be performed, necessary qualifications, the date, time, place, and manner of submitting resumes and/or applications, and other pertinent information.

060 APPLICATION PROCESS

Screening of potential applicants may be conduced through solicitation of resumes submitted as a result of an announcement of a position opening. The resume review may be utilized to measure whether the individuals meet the minimum requirements for the position and are qualified to compete for the position opening.

Qualified applicants may be required to complete an Application for Employment. Applications may be submitted through electronic transmission, FAX or other means.

Resumes and applications may be used to develop a list of qualified candidates and used to refill a position, without additional recruitment, for up to one (1) year after the initial recruitment for the same position.

070 SELECTION PROCESS

Applicants who pass the initial screening standards regarding experience, education, skills, abilities, and fitness requirements may be included in additional selection procedures. Selection procedures may include more comprehensive application reviews, written tests, oral tests, and individual interviews to assess the degree to which an applicant meets employment standards.

Interviewing of applicants will be carried out in an organized, systematic, and non-discriminatory manner. The same general questions will be asked of all candidates. Questions will be related to the job and not infringe upon personal information. The results of interviews will be documented.

Screening devices may include reference checks and appropriate written or performance tests. An applicant's request not to contact his/her present employer will be honored.

Notification of employment selection will be made in person, in writing, e-mail or by telephone. Once an employment offer has been accepted, unsuccessful applicants will be notified in writing that the position has been filled.

All recruitment responses and documentation will be retained for one (1) year.

080 EMPLOYMENT REQUIREMENTS

An applicant who accepts employment shall provide documentation of eligibility to work in the United States and a valid Nevada motor vehicle driver's license.

090 INTRODUCTORY PERIOD

All employees who are initially appointed shall serve an introductory period of at least six (6) months.

Employees may be dismissed during the introductory period for any reason, at any time. The employee shall be advised in writing of the reason(s) for termination.

It shall be the duty of the appointing authority at any time during the introductory period to terminate an employee if his or her conduct or work performance is found to be unsatisfactory.

Upon successful completion of the designated introductory period, the introductory employee will attain the status of a regular employee. An employee will not be eligible for a salary increase until he or she assumes regular status with a satisfactory performance rating.

Service under an introductory period shall be credited for the purposes of personal leave computations.

100 PERFORMANCE EVALUATIONS

All Board staff shall receive performance evaluations for the purpose of determining progress toward better job performance and personal development. The intent of performance evaluations is to enhance the efficiency and quality of Board services.

Employees shall receive a performance evaluation at least once per year during the month prior to an employee's anniversary date.

The performance evaluation shall be provided in written and oral communication format. The intent of the performance evaluation is to further enhance work progress and performance.

Each employee shall be given a copy of his/her written performance evaluation and a copy shall be placed in the employee's personnel file.

An employee may appeal in writing a performance evaluation pursuant to the Appeal procedures contained herein.

110 CLASSIFICATION AND COMPENSATION PLAN

The Board classification and compensation plan shall consist of all positions which have been established to accomplish the business of the Board, the current specifications describing those positions and the schedule of compensation ranges, approved by the Board.

All positions shall be identified in the classification plan. The allocation of positions shall be governed by duties, responsibilities, and job requirements.

In establishing salary ranges the Board shall consider prevailing rates of pay for comparable positions in State employment, work in other public and private organizations, changes in costs of living, the Board's financial condition, and such other sources of information that the Board deems necessary.

Adoption of the Plan: The Classification and Compensation Plan shall be submitted to the Board for approval. No position shall be assigned a higher pay rate or a lower pay rate than designated by the compensation range assigned in the plan. The Board must approve any exceptions to the authorized salary ranges.

Revision of the Compensation Plan: When a position specification no longer adequately describes the job assignments and requirements, the Executive Director will prepare and submit updated information and documents for consideration by the Board. The information will include any recommended changes in salary range commensurate with the classification change. The Classification and Compensation plan will be modified as approved by the Board.

120 CLASSIFICATION OF EXISTING AND NEW POSITIONS

Whenever the Executive Director proposes the establishment of a new position or makes significant changes in the duties and responsibilities of an existing position, the facts shall be reported to the Board in a manner, format, and form adequate to make an appropriate determination of a proposed change or establishment of a new position.

Classification investigations may include any or all of the following factors:

- a. The nature and variety of the assigned duties;
- b. The complexity of the assigned duties;
- c. The variety and degree of knowledge, skills, education and experience required;
- d. The extent of responsibility for actions taken;
- e. Other factors which may be deemed important;

The Executive Director will evaluate the above factors by comparison with positions of similar duties, levels of responsibilities within the Board and agencies with similar levels of service and specifications for the position. The Executive Director will then assign the position an appropriate classification and compensation level.

Establishment of a new position or abolishment of an existing position must be approved by the Board.

130 INTERPRETATION OF POSITION SPECIFICATION

The position specifications are intended to describe the job. The list of duties is not restrictive to the job as there may be others not mentioned which are related to the job. The use of a particular expression or illustration of duties shall not be interpreted to exclude others not mentioned which are similar in kind or quantity.

The position specification shall be considered as a whole, and in relation to others, in the classification plan. Consideration shall be given to the duties, responsibilities, qualifications, knowledge and abilities required in relation to those of other classes.

The statement of qualifications required for a particular position is intended as a standard for the evaluation of applicants.

140 GENERAL SALARY ADJUSTMENT

The Board shall approve any general salary adjustment or change to the Compensation Plan.

A general salary adjustment for cost of living increases (COLA) approved by the Nevada State Legislature for classified employees of the State, classification schedule PP01, shall automatically be approved without further action of the Board.

150 COMPENSATION

<u>Executive Director:</u> Base compensation shall be established by the Board in an amount consistent with the qualifications and experience of the individual. The Board may approve additional compensation for specific employment related expenses which are in addition to those delineated in the personnel policies and

procedures. The Board shall review the performance of the Executive Director annually, and approve any increase in base salary or change in benefits.

<u>Classified Positions</u>: All new hires pay rates are established by the Executive Director. The Executive Director may authorize advancements within an established pay range. Salary advancement may be authorized up to and including the maximum rate.

The Board may approve award of individual bonus payments and will determine the amount and method of payment. Bonus payments are considered one-time payments and will not be carried into normal compensation for the next year.

Salary advancements shall not be automatic; it will be based on job performance, increased service value of the employee, and authority as provided in the budget.

Earning Overtime: The Board shall adhere to the current requirements of the Federal Fair Labor Standards Act. The Executive Director position is exempt from accruing overtime pay; all other positions shall earn overtime at the rate of time and one-half.

Overtime is to be kept to the absolute minimum consistent with the necessity to maintain the basic functions and purposes of the Board. Overtime work must be approved in advance. In any event, use of overtime shall remain within spending authority as provided in the budget.

Overtime Pay: Employees working overtime hours shall be paid for overtime hours on the next regular payroll check.

160 REGULAR EMPLOYMENT

All appointments are for the purpose of providing adequate staff support for the Board to accomplish its mission, and insure that the duties and responsibilities of the Board are performed. The appointments may be full-time or part-time.

170 TEMPORARY EMPLOYMENT

Temporary employment is a position established to accomplish a special purpose, project or objective. No commitment is implied or made as to the continuance of the position. Temporary employment positions are in addition to regular employment requirements and may be full time, part time or intermittent. Individuals in temporary employment are not eligible for benefits.

180 TRAINING

The appointing authority shall be responsible for the provision of job orientation, induction, on-the-job training and for the continuing development of the employees.

Training in New Processes: Whenever the duties of a position are to be materially changed by the introduction of new processing requiring different skills and knowledge, any employee affected by the change shall be given reasonable opportunity, at the expense of the Board, to learn and perform the new duties.

Specialized Training: In order to meet the needs for scientific, technical, professional and management skills

that cannot be provided through available in-service training, The Board may arrange for the administering of such training through recognized educational or training facilities.

190 PROHIBITION ON EMPLOYMENT OF RELATED PARTY

It is unlawful for an employing authority of any state or local board, agency or commission, elected or appointed to employ in any capacity any relative of such individual or of any member of such board, agency or commission, within the third degree of consanguinity or affinity.

The Executive Director or applicant for an unclassified position shall not be related to a Board member who holds or has held a Board member position within the previous three (3) years.

200 PROHIBITIONS, PENALTIES AND POLITICAL ACTIVITIES

Employees shall not accept gifts, tips, or other special consideration because of services rendered as a Board employee. Employees shall not use the influence or prestige of his or her positions for private or personal gain.

An employee shall not own or hold a financial interest in or be substantially involved with a business that contracts with the Board to sell products or provide direct services for financial gain. The Board will not enter into a contract with an employee for any purpose other than a normal employer-employee or administrative relationship.

Employees shall not engage in any employment, activity, or enterprise, which is inconsistent, incompatible, or in conflict with his or her duties as Board employees.

Employees shall have the right to vote as he or she choose and express political opinions on all subjects without retribution. Employees shall not solicit other Board employees for any political purpose.

Employees shall not place or receive excessive or lengthy personal telephone calls. Employees shall not use Board time, facilities, equipment, and supplies for private or personal gain or advantage.

The Board may determine and describe in writing additional specific activities, which will be considered to conflict with an employee's performance of duties.

210 BENEFITS

Education Assistance: It is the policy of the Board to assist employees wishing to improve job skills and knowledge in areas that will either improve the employee's ability to perform the responsibilities of his/her current position, or assist an employee in maintaining work proficiency due to technological or academic changes in his or her current area of work.

Education assistance will be available contingent upon budgetary authority and approval of the Executive Director. All employees will be provided equal opportunity to access education assistance.

Deferred Compensation: The Board offers employees the opportunity to participate in the Nevada Deferred Compensation Program, a qualified 457(b) plan program. Pre-tax contributions may be made by an employee through payroll deduction.

215 RETIREMENT BENEFITS

The Board does not currently participate in the Public Employees Retirement System (PERS); however, may elect to be a participating employer in the future. If the Board elects to be a participating employer in PERS, the Board will be required to participate for the life of the Board.

<u>Employer Contribution to Deferred Compensation</u>: The Board may provide employer paid contributions to the Nevada Deferred Compensation Program on behalf of an employee of the Board who has worked for twelve (12) consecutive months or more.

The employer contribution may be:

- (a) equivalent to the percent of wage required of participating employers under the employee/employer paid contribution schedule for PERS, as may be adjusted periodically by PERS, less 6.2% social security equivalent; or
- (b) a fixed amount as determined by the Board.

Employer contributions shall be based upon the base salary or wage rate, exclusive of any bonus payments, if any, or payments of accrued but unused personal time off (PTO) paid upon termination of employment.

220 HOLIDAYS

Regular employees are eligible for paid Holiday leave if the holiday falls upon a regularly scheduled work day. Holiday pay will be pro-rated for Part- time employees.

The Board currently recognizes the following days as paid holidays:

- ♦ New Year's Day (January 1st)
- ★ Martin Luther King's Birthday (Third Monday in January)
- Presidents Day (Third Monday in February)
- Memorial Day (Last Monday in May)
- → Juneteenth Day (June 19th)
- ♦ Independence Day (July 4th)
- ★ Labor Day (First Monday in September)
- ♦ Nevada Day (Last Friday in October)
- ♦ Veteran's Day (November 11th)
- ★ Thanksgiving Day (Fourth Thursday in November)
- ★ Family Day (Friday Following Thanksgiving Day)
- Christmas Day (December 25th)
- Any day specially designated as a public holiday by the President of the United States or the Governor of Nevada.
- ♠ Any day, or part of a day, designated by the Board.

If the January 1, June 19, July 4, November 11, or December 25 holiday falls upon a Sunday, the immediately following Monday shall be observed as a legal holiday.

If the January 1, June 19, July 4, November 11, or December 25 holiday falls upon a Saturday, the immediately preceding Friday shall be observed as a legal holiday.

230 PERSONAL LEAVE

Employees earn personal leave time from date of hire while in paid employment status.

Personal leave may be used for any purpose, including vacation, sick time and family time.

<u>Leave Accrual:</u> Personal leave will be pro-rated for a work week of less than 35 hours, and will be accrued and credited as follows:

	Employment	Accrual		Bi-Weekly	
•	Year 1 - 5	210 hours annually	(6 weeks)	8.08 hours	
•	Year 6 - 9	245 hours annually	(7 weeks)	9.42 hours	
•	Year 10 and over	280 hours annually	(8 weeks <i>)</i>	10.77 hours	

Up to 225 hours of personal leave time may be carried over each fiscal year beginning July 1st. Unused personal leave in excess of 225 hours will be forfeited. Cash out of unused personal leave is not authorized. Scheduled personal leave time off must be requested in advance by an hourly employee and approved by the Executive Director.

Cash payment of accrued personal leave will be paid upon termination of employment up to the following limits:

- 225 Hours with less than 10 years of service
- 280 hours with greater than 10 years of service

Personal Leave When Receiving Industrial Insurance or Occupational Disease Benefits: If an employee is eligible for benefits under Chapter 616 or 617 of Nevada Industrial Insurance and Occupational Disease Acts (NRS), the employee shall <u>not</u> be required to use personal leave for the period during which NRS benefits are being received.

240 OTHER LEAVE BENEFITS

Administrative Leave: The Executive Director may authorize Administrative Leave, with or without pay, and maintain an employee's usual employment status during the stipulated time period of the administrative leave.

Family Medical Leave: The Board will grant family medical leave in accordance with the Family and Medical Leave Act of 1993 (FMLA). The Board policy will remain flexible in support of staff needs to meet overall program requirements and the effect of such leave on other staff.

Jury Duty and Court Witness: An administrative leave of absence with pay up to five (5) days may be granted to an employee who is called for jury duty or employment related court duty as a witness for the Federal Government, State of Nevada, or a political subdivision thereof. If jury or court duty exceeds five (5) days, additional administrative leave without pay may be granted.

Administrative leave without pay may be granted upon request to an employee who has received a summons and/or subpoena for court duty for personal business not directly related to employment with the Board if the employee has exhausted his/her available personal leave.

Employees shall retain any compensation or reimbursements for travel and per diem while on approved leave status.

Military Leave: Any employee who is an active member of the United States Army Reserve, the United States Air Force Reserve, the United States Navy Reserve, the United States Marine Corps Reserve, the United States Coast Guard Reserve, the United States Public Health Service Reserve, or the Nevada National Guard shall be relieved from his/her duties to serve under orders on active or training duty without loss of his her regular compensation for a period not to exceed fifteen (15) days per calendar year. Any such absence shall not be deemed to be the employee's personal leave.

If an employee is called to active duty for more than (15) days, compensation shall cease upon the sixteenth (16th) day.

Voting Time Off: Reasonable leave of absence with pay may be granted by the Board to allow employees time-off to vote, pursuant to NRS 293.463.

250 LEAVE RECORD KEEPING

The Executive Director shall provide for the accurate maintenance of employee leave records.

260 ABSENCE AND BOARD SERVICE CREDIT

The following absences shall be the equivalent of Board service for the purposes of personal leave computation:

- ★ Authorized use of personal leave
- ★ Authorized administrative leave, with pay
- ◆ Up to twelve (12) weeks of military leave for active service due to an involuntary induction or call-up. An employee must resume employment with the Board within ninety (90) days of release from active military duty.
- ♦ Authorized military leave for training duties, not to exceed fifteen (15) working days in any calendar year.

Authorized leave without pay shall not be considered in computation of personal leave time earned.

270 DISCIPLINARY ACTIONS

Disciplinary action is corrective action taken by management toward an employee who violates basic employment principles established by the Board. Examples of misconduct warranting disciplinary action include, but are not limited to:

- → Deliberate destruction or theft of property;
- ★ Falsification, misrepresentation, or unauthorized release of material information;
- ♦ Personal conduct, which violates or interferes with the rights of others;
- Personal conduct, which can be, construed as impairing productivity and the quality of work;
- ★ Less than satisfactory attendance, punctuality, or attentiveness to the job;
- ★ Failure to follow reasonable instructions, insubordination, or general disregard for reasonable authority;
- ♦ Violation of common sense, safety, health, or sanitation practices;

Unlawful discrimination, including harassment, on the basis of race, color, national origin, sex, religion, age, disability, or political affiliation or belief, directed against the public, clients, or other Board employees.

Disciplinary Action: If the seriousness of an employee's initial misconduct warrants, a Written Reprimand will be issued to an employee. The Written Reprimand will specifically describe the conduct or deficiency warranting disciplinary action and the action necessary to remedy the deficiency.

Discharge: The Executive Director may discharge an employee if the seriousness of a work deficiency or inappropriate conduct raises substantially doubts about the employee's ability to continue his/her employment with the Board.

Employee Right Of Appeal to Disciplinary Action And Discharge: Upon receipt of proper notice of a disciplinary action or discharge from employment, an employee may refute the charge, or attempt to dissuade the Board from taking action, or both, provided that the employee responds within seven (7) calendar days, in writing, requesting an Appeal.

280 SEPARATION FROM EMPLOYMENT

Voluntary Separations: When an employee announces intention to resign, steps will be taken to determine the reason, and when desirable, retain the employee. A letter of resignation will be requested.

Involuntary Separations: The Board and the Executive Director have the authority to terminate the employment of any employee without cause. The continuance of any position is contingent upon budgetary authority.

If an employee is terminated for cause, a termination report shall be prepared documenting the reasons for termination of employment, to include any disciplinary actions taken during the term of employment.

Termination Pay: Termination pay shall be calculated to include all hours worked. It shall be reduced by any required legal deductions and outstanding travel advances, if any, and shall be issued on the next regularly scheduled payday.

At the time of termination, and before payment is disbursed, all Board property in the possession of an employee must be returned.

290 APPEALS, COMPLAINTS AND GRIEVANCES

It is the policy of the Board to resolve appeals, complaints, and grievances as quickly as possible and seek solutions, which meet the requirements of all concerned parties. Preferably, appeals, complaints, and grievances will be resolved informally. Employees and others will not be discriminated against for exercising his or her rights to Appeal or Grievance procedures.

300 EMPLOYEE APPEAL OF PERSONNEL ACTIONS

Upon receipt of proper notice of a disciplinary action or discharge from employment, an employee may file an Appeal provided that the employee responds within seven (7) calendar days, in writing.

Appeals shall be submitted in writing to the Executive Director and Board Chair. The written request shall

include a history of previous efforts to resolve the issues, a specific description of the issues, and a clear description of the type of relief or solution being sought.

The Board Chair and Executive Director will review the employee appeal. The Board Chair shall render a final decision on the matter.

310 GRIEVANCES/COMPLAINTS BASED ON DISCRIMINATION

The Board expressly prohibits discrimination on the basis of gender, age, race, color, creed, religion, national origin, disability, sexual orientation, veteran's status, or on the basis of any other classification protected under state or federal law. No person filing a grievance/complaint shall be the victim of harassment, reprisal, coercion, or any form of discrimination. Any grievance/complaint alleging discrimination must be filed within one hundred eighty (180) days of the date of the alleged discrimination. It shall be filed directly with the United States Directorate of Civil Rights (DCR).

320 SAFETY

It is the policy of the Board to promote a safe work environment and safe work practices by Board employees. Commitment to "Safety First" may be a factor in determining work performance, eligibility for pay bonus, and wage advancement.

Safety and Work Injury Claims: Board employees must not have knowingly violated sound work safety procedures and practices in order to receive compensation for work related injuries. Any filing for work related injury compensation must include certification that the claimant was following prescribed safety procedures and practices. Work related injuries must be reported to the Board as soon as possible.

330 DRUG AND ALCOHOL ABUSE

The Board has an obligation to its members, employees and the public to take reasonable steps to provide an alcohol and drug free work place and to conduct business in a safe manner. The following acts are strictly prohibited and shall constitute cause for disciplinary action up to and including termination. Discipline may be imposed regardless of whether an employee is charged with and/or convicted of any criminal act relating to any violation of this policy.

- ★ Reporting or working under the influence of alcohol or illegal drugs;
- The use or attempted use, possession, transfer, purchase or sale, of alcohol or drugs in any manner during working hours, including rest breaks, or while on Board premises;
- Using Board property or premises to manufacture alcohol or drugs.

Alcohol: Any beverage that has an alcoholic content in excess of (0.5%) by volume.

Illegal Drug: Any drug which is illegal under Federal, State, or local law to use, sell, transfer, possess, manufacture, or consume.

Board Premises: All buildings, parking lots, lunch rooms, break areas, rest rooms, work sites, or any other sites where employees perform services for the Board regardless of ownership or control of the property.

Prescribed Drug: Any drug or medication lawfully prescribed for use by an employee by a licensed medical

practitioner.

Under The Influence: Behavior modified by alcohol or drugs, resulting in substandard or modified job performance; diminished motor reflexes, impairment of coordination, speech, or mental concentration; or other conduct that poses a safety hazard to the employee, co-worker, or others.

Pre-Employment Tests: Applicants for employment may be required to take a pre-employment physical examination which may include alcohol and/or drug tests.

Inspections to Administer and Enforce Policy: The Board expressly reserves the right to inspect Board owned or controlled desks, vehicles, packages, containers, and other articles within a work area. If the Executive Director has reason to believe that alcohol or drugs are present in a work area in violation of this policy, the appropriate law enforcement agency may be contacted and asked to conduct a search of the work area.

Reporting Drug and Alcohol Convictions: Employees as a condition of employment must report any conviction under a criminal drug statute for violations occurring on or off Board premises while working for the Board. A report of conviction must be made within five days after the conviction.

340 PAYROLL CYCLE

<u>Hourly and classified employees'</u> payroll cycle is bi-weekly, payable on the Thursday following the end of the payroll period. If a payroll date falls on a holiday, the payroll check will be issued the first business day prior to the holiday. Payroll advances are not authorized.

<u>The Executive Director's</u> payroll cycle shall be bi-weekly or, upon request, monthly, payable on the 5st of the following month.

Payroll Periods: Begin on a Saturday and end on the second Friday following.

Employees' payroll checks are issued through direct deposit to an employee's bank of choice.

350 REMOTE WORK

The Executive Director shall determine whether a position and/or employee will be eligibility for the remote work option. Work remote authorization will be based upon the needs of the Board, availability of on-site staffing and the position requirements.

Equipment: The Board will provide equipment for remote working staff to perform their current duties. This may include laptop computer & associated hardware, computer software, connectivity to cloud applications and other applicable equipment as deemed necessary.

The use of equipment, software and supplies provided by the Board for use at a remote work location is limited to the designated Board staff and for purposes relating to Board business. Remote work shall be conducted through Board authorized Office 365 accounts and may not be conducted through use of personally owned computers for Board business unless authorized by the Executive Director. Remote work products shall not be stored in files on personally owned computers.

Employees are responsible for furnishings, equipping, and maintaining their home/remote offices so that they have a safe, secure, healthful and comfortable work environment and can accomplish their work in an efficient and expeditious manner.

Any equipment, software and supplies provided by the Board to staff for remote work must be returned upon request. It is the employee's responsibility to protect the Board's equipment while in the employee's care. The employee has an obligation to protect the data of the Board from unauthorized access or loss.

Workspace & Materials: Remote staff must adhere to the following conditions:

- Workspace must be maintained in a safe condition, free from hazards, noise and other dangers to the employee or equipment.
- Materials, files, etc., removed from the Board office shall be kept in the designated work area at the remote location and not be made accessible to others.
- Office supplies will be provided by the Board as needed. Out-of-pocket expenses for other supplies will not be reimbursed without prior approval of the Executive Director.
- Remote employees are responsible for all other costs of equipping and maintaining a remote / home office including but not limited to furnishings, internet service, cell phone or other telephone service and any other costs not directly attributable to Board business.

Business Related Meetings: Business related meetings may be conducted through remote communications through Board approved software applications such as ZOOM, Teams, or other communication technologies.

When attending business meetings conducted remotely, employees must ensure actual or virtual backgrounds are maintained in a professional manner and do not appear cluttered, dirty or show inappropriate materials.

When participating in remote business meetings, all efforts must be taken to eliminate distractions that may interfere with visual or audio communications.

Communications: Employees must be available by phone, email, Zoom or other communication technology during regular work hours. Meetings with management should be frequent to discuss progress and results of work assignments.



State of Nevada

BOARD OF OCCUPATIONAL THERAPY

CLASSIFICATION AND COMPENSATION PLAN

Position	Classification Title	Grade Equivalent	Wage Range	Full Time Annual		
1	Executive Director	41	Unclassified	\$ 83,666.16 - \$ 125,760.24		
Classified Positions						
2	Director Licensing & Operations	38	Salaried	\$ 73,309.68 - \$ 109,640.88		
3	Licensing Assistant	25	\$ 20.42 – \$ 29.56	\$ 42,636.96 - \$ 61,721.28		
4	Investigator – Temp PT		TBD			

^{**} As of 7/1/2024

Nevada Employee/Employer PP01

ACKNOWLEDGEMENT OF RECEIPT

I acknowledge that I received the Board of Occupational Therapy Personnel Policies and Procedures
I understand that it is my responsibility to read/review and request clarification if necessary.
Date:
Print Name:
Signature:



State of Nevada **Board of Occupational Therapy**

Unclassified Position Specification

EXECUTIVE DIRECTOR

DESCRIPTION: The Executive Director is the chief executive officer for the Board of Occupational Therapy. The Executive Director is appointed by, reports directly to and serves at the discretion of the Board.

DUTIES AND RESPONSIBILITIES: The position is responsible for the management of all Board activities and functions including, but not limited to, strategic planning, Board training, continuous improvement, liaison with agencies and organizations, board and committee meetings, budgeting and financial management, disciplinary action and complaint process, law and regulatory compliance, legislative and lobbying activities, professional licensing, general operational, personnel and administrative requirements for State regulatory Boards.

The Executive Director's responsibilities include, but are not limited to:

• Coordinating and implementing the Board strategic plan and planning process

- Implements directives
- Conducts research, prepares publications and reports
- o Facilitates on-going review of strategic direction
- Plans and coordinates biennial strategic planning sessions

• Facilitating and/or conducting Board Member Training

- o Presents educational sessions at Board Meetings
- Conducts annual Board Member Training for new appointees
- o Provides Board member manuals, resource documents and information

Developing concepts and innovations for Board consideration that will improve the Board's effectiveness and efficiency

- o Continually evaluates internal and external processes and procedures
- o Communicates with outside and internal resources
- o Researches, prepares and presents concepts and information to the Board

Promoting the Board's activities and functions

- Communicates In person, through written communications, electronic media and website presence
- o Presents at outside organizations, associations, and other settings
- o Conducts surveys, prepares reports and presents information
- Oversees website maintenance, updates information, develops content

Serving as Board liaison with individuals and other agencies

- Coordinates with the Governor's office on Board appointments, and implements Governor's directives
- Communicates with State Department of Administrative Services; Governor's Finance Office; Department of Administration: Purchasing, Risk Management, Leasing Services; Department of Business and Industry: Office of Boards, Commissions and Council Standards; and other state agencies as required
- Collaborates with State and National professional organizations
 - Nevada Occupational Therapy Association (NOTA)
 - American Occupational Therapy Association (AOTA)
 - National Board for Certification in Occupational Therapy (NBCOT)
- Facilitates Communications and Collaborates with Regulatory Licensing Boards
 - o Professional and Occupational Licensing Boards Administrative Collaborative
 - Co-Locating State Regulatory Boards
- Responds to the public; interested parties, licensees; recipients of services and employers

Facilitating Board and Committee meetings and activities in compliance with the Nevada Open Meeting law NRS 241

- o Communicates with Board members, works closely with Board Chair and legal counsel
- Prepares agendas and supporting documents
- Responds to Board requests, directives and facilitates communications with the Board, the public and interested parties

• Managing the Board's financial management system

- Prepares the annual budget and analyzes reserve funding
- Manages bank operating and investment accounts
- o Reviews and approves revenue and deferred revenue allocations
- Coordinates agency financial reporting and financial audits
- Ensures compliance with Board financial reviews and internal controls
- o Reviews and approves, expenses, financial data and Board financial statements
- Coordinates single audit of Board financial statements
- Calculates account receivables for allocated co-location assessments/costs
- Conducts procurement activities, performs contract management
- Negotiates office lease, contracts, office equipment and software agreements

Managing the Board complaint and disciplinary action process

- Receives, reviews and/or issues initial complaints,
- Conducts initial determination of merit, and notification pursuant to NRS 233B
- o Performs informal investigation, and assignment of complaints for formal investigations
- o Coordinates, in consultation with legal counsel, settlement agreements
- Coordinates formal disciplinary hearings with legal counsel
- Testifies at formal disciplinary hearings
- o Prepares correspondence, notices, Board orders and settlement agreements
- Maintains disciplinary action and complaint records

Coordinating and managing regulatory activities

- Identifies, drafts language and presents recommendations for revision of NAC 640A
- o Conducts outreach to stakeholders and solicits public comments on proposed changes
- Conducts public workshops and hearings,
- o Coordinates reviews with Legislative Counsel Bureau;
- Prepares and submits forms and documents required by Legislative Commission
- Testifies at legislative committees, as necessary

Performing Legislative and Lobbying activities on behalf of the Board

- Identifies, drafts language and presents recommendations for revision of NRS 640A
- Conducts outreach to stakeholders and solicits public comments on proposed changes
- Works closely with Board Lobbyist to obtain Bill Sponsor and legislators' support
- Prepares, submits and testifies during the Legislative Session on Board bills
- Works closely with Board Lobbyist in identifying and addressing potential actions
- Monitors, reviews and responds to Legislative actions and requests
- Monitors Bill Draft Requests
- o Responds to requests for information
- o Prepares and submits fiscal notes on BDR's and Bills as required
- Represents the Board at legislative sessions, committee meetings, legislative hearings and interim session meetings as directed by the Board

• Overseeing Licensing, Personnel and Agency Operations

- Conducts licensing, personnel and operational reviews for consistency and compliance with policies and procedures
- Reviews affirmative criminal history disclosures; approves applications or schedules applications for consideration by the Board pursuant to Board policy
- Receives requests for pre-determination of eligibility due to criminal history; makes determination or refers for consideration by the Board pursuant to Board policy
- Responds to scope of practice and law/regulatory questions from licensees, employers and stakeholders
- Monitors licensing activity, application processing and renewal of licenses
- Issues administrative notices or complaints for non-compliance with licensee reporting,
 CE audit compliance or maintenance of documentation requirements
- o Develops and maintains jurisprudence examination content
- Maintains knowledge of licensing data system operations, reporting and website maintenance

• Managing personnel administration

- Conducts personnel recruitment and makes hiring decisions
- Approves personnel actions and payroll transactions
- o Supervises personnel, conducts performance evaluations
- o Maintains personnel records, documentation and forms
- o Reviews, prepares and/or approves personnel and payroll reports

Ensuring adherence to general administrative requirements for State Regulatory Boards

- Serves as Board contact with State and Legislative entities
- Responds to inquiries on Board operations and administration
- Maintains State required credentials, attends trainings and distributes information
- o Develops, reviews and revises manuals, policies, procedures and resource documents
- Reviews and/or prepares and submits Legislative, State and Board required reports and documentation

EDUCATION AND EXPERIENCE: Bachelor's degree or higher and a minimum of four years management experience; or six (6) years equivalent combination of education and relevant professional experience. Experience and knowledge of public administration, budgeting, financial management and occupational licensing preferred.

KNOWLEDGE, SKILLS AND ABILITIES:

- Knowledge of the Nevada Open Meeting Law (NRS Chapter 241)
- Strong written and verbal communication skills
- Knowledge of governmental processes and available technology
- Ability to read, analyze and interpret governmental regulations and statutes
- Ability to write reports, business correspondence, policies, procedures and manuals
- Ability to effectively communicate ideas, principles, and information to groups, agencies and various governmental entities
- Ability to form and maintain professional and positive working relationships

WORK ENVIRONMENT: Work is performed in a typical office setting at the Board Administrative Office located in Reno, Nevada. Work may be performed through a combination of on-site and remote work settings. Travel and use of personal vehicle may be required.

State Pay Grade - Unclassified



State of Nevada **Board of Occupational Therapy**

Position Specification DIRECTOR OF LICENSING AND OPERATIONS

DESCRIPTION: The Director of Licensing and Operations provides support to the Executive Director, performs regulatory licensing functions of the Board, and manages the daily activities of the Board's administrative office. The position is a classified, salaried position reporting to the Executive Director.

DUTIES AND RESPONSIBILITIES: The position is responsible for supporting the activities of the Executive Director, performing comprehensive licensing functions, managing office operations, assisting in personnel administration and conducting internal accounting functions. The Director of Licensing and Operations reports to the Executive Director.

The Director of Licensing and Operations responsibilities include, but are not limited to:

Providing professional administrative support to the Executive Director

- Assists with projects and assignments, compiles and summarize information, composes reports and transmits correspondence
- Makes logistical arrangements, and participates in board meetings and board functions
- Performs public posting of meetings, workshops and hearings
- Transcribes minutes of Board meetings and functions
- Transmits meeting materials and documents to Board members and interested parties
- Responds to public information and records requests
- Assists in compiling and files legislative, state and Board required reports

Performing technical and comprehensive licensing activities

- Maintains the licensing database system, creating and updating licensee records, processing supporting documentation as received, preparing correspondence, and answering licensing questions
- Provides technical assistance for licensees in using and accessing the licensing system
- o Performs troubleshooting of database and/or website issues
- Works with Contractor to resolve licensing system issues and creation of new elements
- Reviews applications and documentation for compliance with Board laws and regulations
- Approves and issues initial licenses, reinstatement of licenses and license renewals in accordance with established Board policies
- Transmits licensee notices and follows up on outstanding application elements
- Conducts audits of continuing education, supervision requirements and other required reporting elements
- Prepares and transmits license verifications, and processes mailing list requests
- Monitors probationary licensees for compliance with Board orders

• Managing office operations

- Maintains official records and documents, including licensing and administrative records in accordance with established records retention schedules
- Coordinates with property owner on facility issues, maintenance and repairs
- Maintains office equipment, requests repairs, maintenance and supplies
- Inventories office supplies
- Answers telephones, and processes mail
- Communicates with bookkeeper and vendor contacts
- Posts to Board website and performs website maintenance and updates
- Coordinates scheduling of office staff coverage and conference room use
- Works closely with co-located Boards, transmits messages, forwards mail and addresses issues related to board operations

Assisting in personnel administration

- Processes leave requests, transmits leave documents for payroll processing
- o Compiles payroll and leave information for reporting purposes
- Coordinates payroll audits
- Prepares employer personnel payroll and benefits reports
- Assists in personnel recruitment, reviews employment applications, participates in interviews, and makes recommendations for hire
- Performs staff training and supervision
- Schedules and assigns work tasks
- Conducts staff evaluations

Conducting Board internal accounting functions

- Processes payables and receivables, enters bills, and manual deposits into accounting software, uploads support documentation
- Reconciles monthly merchant services and credit card processing accounts
- o Prepares monthly credit card receipt detail and current licensee listing
- o Compiles and distributes financial documents to bookkeeper and Board financial reviewer
- Maintains monthly Board financial review records and attestations
- Maintains electronic vendor files and records

EDUCATION AND EXPERIENCE: Bachelor's Degree from an accredited college or university, or four (4) years equivalent combination of education and experience in a management or supervisory position, professional licensing, public agency or regulatory setting.

KNOWLEDGE, SKILLS AND ABILITIES: Working knowledge of advanced administrative support functions; personal computer systems and software programs. Ability to work independently, apply agency regulations and policies to specific situations; receive, review and process a variety of documents according to established guidelines, policies, regulations and timelines.

WORK ENVIRONMENT: Work is performed in a typical office setting. Work may be performed through a combination of on-site and remote work settings Use of personal vehicle may be required.

State Pay Grade: Grade 38



State of Nevada Board of Occupational Therapy

Position Specification ADMINISTRATIVE ASSISTANT

DESCRIPTION: The Administrative Assistant provides general administrative support to professional staff and reports directly to the Director of Licensing and Operations.

This is a part-time, classified hourly position and is not eligible for benefits. Hours may be flexible, dependent upon the needs of the Board.

DUTIES AND RESPONSIBILITIES: General administrative duties include, but are not limited to, answering telephones, processing mail, filing, preparing general correspondence, conducting data entry and other duties as directed by the Deputy Director.

EDUCATION AND EXPERIENCE: Graduation from high school or equivalent education. Preferred experience in data entry and administrative support in one or more of the following areas: reviewing files, documents and other written materials, maintaining records and files, conducting data entry using a personal computer, answering telephones, providing customer service and performing duties in support of professional staff.

KNOWLEDGE, SKILLS AND ABILITIES: Working knowledge of administrative support functions; personal computer systems and software programs. Ability to apply agency regulations, requirements and policies to specific situations; receive, review and process a variety of documents according to established guidelines, policies, regulations and timelines.

WORK ENVIRONMENT: Work is performed in a typical office setting. Use of personal vehicle may be required.

State Pay Grade: Grade 25



State of Nevada Board of Occupational Therapy

Position Specification INVESTIGATOR

DESCRIPTION: The Investigator supports the complaint and regulatory compliance functions of the Board and reports directly to the Executive Director. The Investigator position is a temporary part-time, intermittent position dependent upon caseload and is not eligible for benefits.

DUTIES AND RESPONSIBILITIES: The position is responsible for the informal and formal investigation of complaint allegations filed with or on behalf of the Board. The investigative process is initiated following a formal complaint or suspected violation utilizing standard investigative techniques.

Incumbents are not sworn peace officers, and enforcement actions are limited to specific regulatory areas and involve recommendations for administrative sanctions or penalties which are imposed by the Board.

Upon assignment of a complaint case by the Executive Director, investigative duties include:

Gather and analyze licensing history, background information and facts pertaining to the case.

Conduct interviews with complainants, witnesses, employers, State and local governmental agencies and other sources to obtain information regarding violations or noncompliance; develop leads and facts pertaining to the case to substantiate violation.

Prepare required forms and/or notices regarding complaint and alleged violations; review responses and discuss with complainant and respondent.

Gather evidence such as records, reports, billings, receipts, transaction verifications, personnel files and historical data pertaining to the initial violation to support the complaint; conduct surveillance activities and serve subpoenas to obtain evidence and expedite the case as required.

Develop case files and maintain case logs and reports; file evidence along with chronological documentation regarding investigative steps taken and all contact made with complainant, respondent, witnesses and other sources; utilize information to develop final case report for further litigation as appropriate.

Prepare recommendation for case disposition and submit to Executive Director for determination of further action, as appropriate.

Investigator Page 2

Appear before the Board at formal Hearings or in a court of law to provide testimony as required.

EDUCATION AND EXPERIENCE: Bachelor's degree from an accredited college or university with major course work in Criminal Justice, Political Science, Business Administration, Health Science or closely related field and four years of investigative, law enforcement, and/or compliance experience.

Experience must be in settings where standard investigative and enforcement techniques were utilized to make program compliance determinations, enforcement of state and federal law, and preparation of detailed reports for the purpose of justifying administrative actions, penalties or criminal prosecution.

Experience may be obtained in law enforcement, investigations, regulatory agencies, government program or comparable setting. An equivalent combination of education and experience may be considered (applicants without a bachelor's degree must have six years of related experience.).

KNOWLEDGE, SKILLS AND ABILITIES: Skills necessary to make determinations based on evidence collected, apply laws, rules or regulations and complete thorough analysis and verification of data. Must be familiar with Rules of Evidence, rights of citizens, general law enforcement, state and federal laws that pertain to investigative, compliance and enforcement activities. Must be familiar with Microsoft Word, Excel, Outlook, and general office technology.

WORK ENVIRONMENT: Work is performed in both field and office settings and requires ability to travel statewide. Use of personal vehicle may be required, and a valid Nevada driver's license must be held at all times.