



NEVADA STATE BOARD OF MASSAGE THERAPY
POLICY AND PROCEDURE

Subject: Compensation and Performance Reviews	Policy No. 3.1.1	
	Issued By: Board	Distribution: Nevada State Board of Massage Therapy Members and Employees
	Amends/Supersedes	
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I. PURPOSE

The Nevada State Board of Massage Therapy (NSBMT) may conduct an Employee Report on Performance after ninety (90) days on the job, then after one (1) year, and annually thereafter for each employee. New employees may be reviewed near the end of their introductory period. A review may be conducted in the event of a promotion or change in duties and responsibilities.

II. POLICY

The Board’s Compensation Reviews are given with annual Employee Reports on Performance. The Board may set a cost of living increase each year based on the change in the State of Nevada salary grades. Merit increases may be considered based on employee performance.

III. SCOPE

This policy applies to all employees working under the authority of or within the NSBMT.

IV. RESPONSIBILITY

- A. Employees are responsible for complying with the requirements of this policy.
- B. Supervisors are responsible for:
 - 1. Informing current incumbent employees periodically of the content and intent of this policy.
 - 2. Taking disciplinary action when an employee is in violation of this policy.
- C. The Executive Director shall be responsible for:
 - 1. Providing assistance to supervisors and employees in the interpretation and explanation of this policy.

2. Assisting management in determining action to be taken if an employee violates this policy.

V. PROCEDURES

A. During an Employee Report on Performance, supervisors may review the following:

1. Quality of work
2. Quantity of work
3. Work habits
4. Relationships with other persons
5. Taking action independently
6. Meeting work commitments
7. Analyzing situations and materials
8. Supervising the work of other persons (if applicable)
9. Additional areas may also be reviewed as related to specific job functions.
10. Goals and objectives may be set for the employee for the next performance period.

B. Compensation Reviews:

1. The Board's Compensation Reviews are given with the Employee Report on Performance. The Board may set a cost of living increase each year based on the change in the State of Nevada salary grades. Merit increases may be considered based on employee performance. All salary increases will depend on the Board's income and ability to pay all expenses. Any applicable compensation increase will appear in the pay period ending after the date granted. Compensation increases may be retroactive in the case of late reviews. Having compensation reviewed does not guarantee a pay increase due to individual and/or Board performance.
2. An individual's pay will depend on how consistently he/she performs over a given period of time. During the review, significant performance events that occurred throughout the year will be discussed.
3. Higher levels of performance, as documented at the time of an Employee Report on Performance, may earn a higher level of salary increase. In addition to individual job performance reviews, the Board periodically may conduct a review of job descriptions to ensure any changes in the duties and responsibilities of each position are recognized.

C. Benefits:

1. NSBMT is committed to sponsoring a comprehensive benefits program for all eligible employees. In addition to receiving an equitable salary and having an equal opportunity for professional development and advancement, employees may be eligible to enjoy other benefits that will enhance job satisfaction.

2. NSBMT will periodically review the benefits program and will make modifications as appropriate to the Board's condition. NSBMT reserves the right to modify, add or delete the benefits it offers.

D. Eligibility for Benefits:

1. Full-time employees are eligible for all benefits described in this Employee Manual as soon as eligibility requirements for each particular benefit are met. Coverage is available to employees and their dependents as defined in the Benefit Summary Plan descriptions.
2. Part-time employees are eligible only for benefits specifically required by law, provided they meet the minimum requirements set forth by law and in the benefit plan(s).
3. Temporary employees are not eligible for benefits.

E. Insurance Coverage:

1. Group Insurance:

- a. The Board is dedicated to the health and well-being of both employees and their families. A comprehensive, quality insurance program is available through the Public Employees Benefit Program (PEBP). Employees become eligible for coverage on the first of the month following their hire date. In order to be covered an enrollment packet must be completed.
 - b. Upon enrolling, employees obtain summary plan descriptions describing benefits in detail.
 - c. Employees may enroll themselves and their dependents in one of the available PEBP plans. The Board provides a subsidy for each employee based on the plan and tier of coverage selected. The employee's share of the cost of insurance is made through monthly pre-tax payroll deductions.
 - d. Applicable employee contributions will be automatically deducted from the employee's paycheck.
 - e. According to the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985, in the event of termination of employment with the Board or loss of eligibility to remain covered under the PEBP program, employees and eligible dependents may have the right to continued coverage under the Board health insurance program for a limited period of time at the employees own expense. Consult PEBP directly.
2. Basic Life and Long-Term Disability Insurance:
- a. Effective July 1, 2014, State employees enrolled in a PEBP medical plan receive \$25,000 Basic Life and Long-Term Disability (LTD) Insurance.
 - b. The terms of such insurance are controlled by PEBP, and information regarding each is available upon request.
3. Short-Term Disability Insurance:
- a. Short-term disability insurance is available through a state sponsored plan.
 - b. For information regarding this plan visit the PEBP website.

F. Government Required Coverage:

1. Workers' Compensation:

- a. All employees are entitled to Workers' Compensation benefits. This coverage is automatic and immediate and protects you from an on-the-job injury. An on-the-job injury is defined as an accidental injury suffered in the course of your work, or an illness that is directly related to performing your assigned job duties.
- b. The Board pays for this job-injury insurance. If an employee cannot work due to a job-related injury or illness, Workers' Compensation Insurance pays employee's medical bills and provides a portion of his or her income until the employee can return to work.
- c. All injuries or illnesses arising out of the scope of employment must be reported to a supervisor immediately. Prompt reporting is the key to prompt benefits.
- d. Benefits are automatic, but nothing can happen until the employer is informed of the injury. Employees are required to report every injury, no matter how slight.
- e. Employees returning to work after being absent due to a work-related injury must report to their supervisor prior to beginning work and must bring a doctor's clearance for returning to work.

2. Unemployment Compensation:

- a. Employees may be eligible for Unemployment Compensation upon termination of employment with the Board. The Department of Employment, Training and Rehabilitation determines eligibility for unemployment compensation. The Board pays the entire cost of this insurance program.
- b. Unemployment compensation is designed to provide a temporary income when employees are out of work through no fault of their own.
- c. For a claim to be valid, employees must have a minimum amount of earnings determined by the State and must be willing and able to work.
- d. Apply for benefits through the local State Unemployment Office as soon as employee becomes unemployed.

G. Public Employee Retirement System (PERS):

1. Employee/Employer Pay Contribution Plan (EEs/ERs): The employee and employer share equally in the contribution to PERS, currently 17.5% each for regular members. Employee contributions are subject to withholding for Federal Income Taxes.

- a. The employee's share of the contribution is refundable upon termination. A refund of member contributions cancels membership in the system and any and all rights to a monthly benefit earned. If employees elect the employee/employer-pay plan, they may switch at any time to the employer-paid plan.

2. Employer Pay Contribution Plan (EPC):

- a. Employees may voluntarily choose to participate under the EPC Plan.
- b. Employees who elect this plan pay their portion of the contribution by way of a salary reduction equal to approximately ½ of the contribution rate on a pre-tax basis.
- c. The employer then pays the contribution to PERS, 33.5% for regular members.

- d. Contributions made by the employer under EPC are not deposited to an individual member's account and are not available for refund upon termination of employment.
- e. If the employee selects the EPC, he or she cannot later choose or go back to the EEs/ERs.

H. Paid Leaves:

Both paid and unpaid time off may be granted to eligible employees, according to the following leave policies. Please consult a supervisor for further information.

1. Annual Leave:

- a. A new employee working a full-time schedule, earns ten (10) hours (1¼ working days) of annual (vacation) leave for each month of continuous full-time service. Employees accrue seven and one half (7½) working days of annual leave after six (6) months of full-time service and will be eligible to use leave at this time. A direct supervisor or the Executive Director must pre-approve annual leave.
- b. A part-time employee earns a prorated amount of annual leave based on full-time equivalent service.
- c. After ten (10) years of continuous service, an employee earns up to a maximum of twelve (12) hours (1½ working days) of annual leave per month and, with fifteen (15) years of service, up to fourteen (14) hours (1¾ working days) per month.
- d. An employee who separates from State service and has worked at least six (6) months, will be paid for any accumulated, unused annual leave.

2. Notification Requirement for Annual Leave:

- a. Advance Notice – When foreseeable, employees shall give at least thirty (30) calendar days advance request to use annual leave.
- b. Advance Notice Not Possible – When advance notice is not possible, notice by the employee should be provided as soon as practicable.
- c. Written Notice – All vacation requests to use annual leave must be submitted on the “Leave Request Form” and approved by the supervisor and Executive Director.

3. Sick Leave:

- a. A full-time employee earns ten (10) hours (1¼ working days) of sick leave for each month of full-time service.
- b. Part-time employees earn a prorated amount based on full-time equivalent service. Sick leave can be used as soon as it is accrued.
- c. Sick leave may be used only for authorized reasons. Sick leave can be used if unable to work because of illness or injury, incapacity due to pregnancy or childbirth, for medical and dental appointments, family illness (subject to some limitations) and a death (typically up to five (5) working days) in the employee's immediate family.
- d. Nonexempt employees must report any sick leave taken, even if it is for an appointment or part of the day.

I. Recognized Holidays:

The holiday schedule for Massage Board employees is as follows for regular full-time employees:

January 1	New Year's Day
Third Monday in January	Martin Luther King Jr.'s Birthday
Third Monday in February	Presidents Day
Last Monday in May	Memorial Day
June 19	Juneteenth
July 4	Independence Day
First Monday in September	Labor Day
Last Friday in October	Nevada Day
November 11	Veterans' Day
Fourth Thursday in November	Thanksgiving Day
Friday following the fourth Thursday in November	Family Day
December 25	Christmas Day

1. Holiday Policy:

- a. All national holidays are scheduled on the day designated by common business practice at the rate of eight (8) hours per day.
- b. In order to qualify for holiday pay, employees must work the scheduled workday immediately before and after the holiday unless prior written approval has been granted.
- c. Employees are not eligible to receive holiday pay when on an unpaid leave of absence.

J. Jury Duty:

1. If an employee is called for jury duty, he or she must notify their supervisor within forty-eight (48) hours of receipt of the jury summons and present a copy of the jury summons.
2. A full-time employee who has completed ninety (90) days of work, the Board will pay the difference between jury duty compensation received and regular wages.
3. Whenever possible, employees are expected to report to work before or after jury duty sessions, according to normally scheduled working hours.
4. Once employees have received a pay voucher for any time served, the original voucher must be presented to the Board in order to receive regular pay.
5. The Board will pay the difference between regular wages and the jury duty pay received.
6. The Board will reimburse up to eight (8) hours of wages per day for employees serving on active jury duty. Documentation from court clerk must be provided confirming dates of service.
7. This policy shall not apply to persons whose appearance in court is the result of their status as defendants in a criminal proceeding or to persons called or appearing as a party in a civil proceeding where they are the charging party or plaintiff.

K. Voter Leave:

1. Employees who do not have sufficient time to vote may take between one (1) and three (3) hours leave, depending on the distance between the workplace and polling place, to vote.
2. Employees must apply for leave before Election Day on a “Leave Request Form.”
3. Supervisor may specify the time during the day that leave can be taken and the employee must submit a copy of his or her voters receipt the following business day.

L. Unpaid Leaves:

1. It is the policy of the Board to allow its eligible employees to apply for and be considered for certain specific leaves of absence.
2. Failure to return to work as scheduled from an approved leave of absence or to inform a supervisor of an acceptable reason for not returning as scheduled will be considered a voluntary resignation of employment.
3. All requests for leaves of absence shall be submitted in writing to a supervisor.
4. Each request shall provide sufficient detail such as the reason for the leave, the expected duration of the leave, and the relationship of family members, if applicable.

There are several types of unpaid leaves employees may be eligible for:

1. Disability Leave of Absence (Illness, Family Illness):
 - a. The Board may grant an unpaid leave of absence for illness, disability or pregnancy. To request a disability leave of absence employees must submit, or have someone submit, a statement of ill health or disability from a doctor to his or her supervisor. An approved disability leave without pay may be granted for up to one hundred and ninety (190) days. Whenever possible, employees are required to give as much notice as possible for a disability leave of absence.
 - b. At the time the disability leave begins, any annual leave and sick leave will be used. These benefits do not continue to accrue during a leave that exceeds leave balances. This policy applies to all employees. The group insurance booklet should be reviewed to determine insurance coverage during a leave of absence.
 - c. Employees who qualify for long-term disability after 180 days must apply for benefits through PEBP. Employees who qualify for this benefit shall not be terminated prior to their qualification as long as the leave meets the requirements.
 - d. Employees who must remain away from work for more than the period of time allowed above will be considered terminated from employment. They are welcome to re-apply subject to the Board’s usual hiring policies.
 - e. Employees who develop an illness or physical condition which requires medical treatment or restrictions and precautions are required to submit a physician's statement. This statement must give approval that continued full-time employment in his/her present position would not jeopardize his/her health or the safety of others, in the event she/he continues to work. A similar statement is required upon return from a disability leave.

- f. Should attendance or job performance suffer during the period preceding and/or following a disability leave, the Board will accommodate employees to the extent provided by law.
2. Maternity Leave:
 - a. Maternity leave is not a special type of leave, but may consist of a combination of sick leave, annual leave, compensatory time, and leave without pay.
 - b. Employees eligible for the protections under the Family and Medical Leave Act (FMLA), will be required to use FMLA entitlement concurrently with applicable leave types, unless the employee is receiving Short-Term Disability Benefits (available at the employee's expense through PEBP).
 - c. For more information regarding the FMLA as it applies to state employees, FMLA Overview document is available by request from the Department of Administration Division of Human Resource Management.
 3. Family Illness:
 - a. If there is an illness or a medical, optometric or dental service or examination in the employee's immediate family requiring his or her attendance, they may use their accumulated sick leave.
 - b. The Executive Director may approve leave for illness within an employee's immediate family. Immediate family (with regard to family illness) is defined as an employee's parents, spouse, children (regardless of age), brothers, sisters, grandparents, great-grandparents, uncles, aunts, nephews, nieces, grandchildren, great-grandchildren and stepparents; and, if they are living in the employee's household, the employee's father-in-law, mother-in-law, son-in-law, daughter-in-law, grandfather-in-law, grandmother-in-law, great-grandfather-in-law, great-grandmother-in-law, uncle-in-law, aunt-in-law, brother-in-law, sister-in-law, grandson-in-law, granddaughter-in-law, nephew-in-law, niece-in-law, great-grandson-in-law, and great-granddaughter-in-law.
 4. Death in the Family:
 - a. If a member of an employee's immediate family dies, he or she may use accumulated sick leave not to exceed ten (10) working days for each death.
 - b. The Executive Director may approve additional time in instances where extended travel is involved. Immediate family (with regard to a death in the family) is defined as an employee's parents, spouse, children, brothers, sisters, grandparents, great-grandparents, uncles, aunts, nephews, nieces, grandchildren, great-grandchildren, father-in-law, mother-in-law, son-in-law, daughter-in-law, grandfather-in-law, grandmother-in-law, great-grandfather-in-law, great-grandmother-in-law, uncle-in-law, aunt-in-law, brother-in-law, sister in-law, grandson-in-law, granddaughter-in-law, nephew-in-law, niece-in-law, great-grandson-in-law, great-granddaughter-in-law, step-parents and step-children.
 5. Military Leave of Absence:
 - a. A full-time employee inducted into the U.S. Armed Forces will be eligible for reemployment after completing military service, provided the employee:
 - i. Submits orders to a supervisor as soon they are received,
 - ii. Satisfactorily completes active-duty service,

- iii. Enters the military service directly from employment with the Board,
 - iv. Applies for and is available for re-employment within ninety (90) days after discharge from active duty. If returning from up to six (6) months of active duty for training, employee must apply within thirty (30) days after discharge.
 - b. Military Reserves or National Guard Leave of Absence:
 - i. Employees who serve in U.S. military organizations or state militia groups may take the necessary time off without pay to fulfill this obligation and will retain all of their legal rights for continued employment under existing laws. These employees may apply annual leave to the leave if they wish; however, they are not obliged to do so.
 - ii. Employees are expected to notify their supervisor as soon as they are aware of the dates he or she will be on duty so that arrangements can be made for replacement during this absence.
- 6. Personal Leave of Absence:
 - a. In special circumstances, the Board may grant a leave for a personal reason, but never for taking employment elsewhere or going into business. Employees should request an unpaid personal leave of absence from their supervisor.
 - b. A personal leave of absence must not interfere with the operations of the Board. A supervisor will submit your request to the Executive Director for final approval.
 - c. A personal leave of absence may be granted for up to thirty (30) days at the option of the Board and at its discretion. Consult the group insurance booklet to determine insurance coverage during a leave of absence. Failure to return from a leave at the time agreed will result in termination of employment.
- 7. Accepting Other Employment or Establishing/Entering into Business While on Leave of Absence:

If employees accept any employment or enter into a business venture while on a leave of absence from the Board, he or she will be considered to have voluntarily resigned from employment with the Board as of the day on which the leave of absence began.
- 8. Insurance Premium Payment During Leaves of Absence:
 - a. The Board will continue to pay its share of insurance premiums for employee coverage for as long as leave balances are available.
 - b. While on any type of unpaid leave of absence in excess of 30 days from the Board, employees will be responsible for paying the total premiums for personal and dependent coverage. Failure to do so may result in loss of coverage and possible refusal by the insurance carrier to allow coverage to be reinstated. Please consult with the Executive Director to set up a payment schedule.
- 9. Per Diem and Travel:
 - a. Employees traveling on official business will receive an allowance for meals and lodging.
 - b. Travel should be made by the least expensive method available.
- 10. Use of Private Automobile:

- a. If, in the course of official duties, employees are directed by the Board to use their personal vehicles, reimbursement will be made at the current rate authorized by the State Department of Administration and published in the *State Administrative Manual*. This rate is adjusted periodically to reflect the allowable Federal rate. If employees prefer to use their private automobile for personal convenience when conducting Board business, employees may receive one-half of the authorized rate.
- b. It is the policy of the State that employees use Fleet Services vehicles rather than private automobiles whenever possible. Only State employees are authorized to drive state-owned vehicles and only persons traveling on state business are authorized to ride in these vehicles. Drivers of state vehicles must hold a valid driver's license and complete a driver's safety course sponsored by the Division of Risk Management. Fleet Services also requires a completed Vehicle Requisition Form. Fleet Services is available to all agencies in Carson City, Reno, and Las Vegas.

VI. POLICY EXCEPTION

On occasion there are special circumstances that may require an exception to this policy be granted. Exceptions, while not common, require the approval of the Executive Director.

VII. POLICY COMMUNICATION

All supervisors and managers of the NSBMT will provide their employees with a copy of this policy. Employees needing clarification should contact the Executive Director for assistance.

This policy is not a substitute for relevant law or regulation nor does it establish additional rights beyond those provided in law and regulation. This policy is intended to be used in conjunction with federal regulations and State law.