

**NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION**

340

(Temporary)

EMPLOYEE COMPLAINT REPORTING AND INVESTIGATION

Supersedes: AR 340 (09/01/06) (11/18/04)

Effective date: 09/01/07

AUTHORITY: NRS 119.325

RESPONSIBILITY

Any employee of the Department who becomes aware of an alleged act of employee misconduct is responsible to immediately report it.

Any employee of the Department who becomes aware of a complaint of employee misconduct from another source is responsible to notify a supervisor. If no supervisor is available to accept the information, the employee should use the appropriate reporting medium for subsequent transmittal to a supervisor.

All Department employees, regardless of rank or position, who become aware of an alleged act of employee misconduct, are responsible to take immediate and appropriate action to prevent aggravation of the incident and to notify their chain of command regarding the allegation.

The primary responsibility for ensuring that complaint allegations are properly investigated rests with each Warden/Division Head who becomes aware of the complaint or allegation of employee misconduct.

The Inspector General is responsible to oversee investigative activities within the Nevada Department of Corrections and to publish and maintain investigation guidelines to be used in the implementation of this regulation.

Any Department employee assigned to investigate allegations of employee misconduct is responsible to complete the investigation pursuant to established investigative guidelines and procedures within prescribed time limits.

Wardens/Division Heads have the overall responsibility for ensuring compliance with the provisions set forth in this Administrative Regulation and corresponding Operational Procedures.

The Training Manager is responsible to develop and deliver training on this Administrative Regulation and the related Personnel Operational Procedure 340.

340.01 EMPLOYEE MISCONDUCT COMPLAINT REPORTING

1. The Department accepts all complaints and performs thorough and impartial administrative, and when necessary, criminal investigations into allegations of employee misconduct.
2. Complaints of employee misconduct should be accepted from any source, on any medium, at any Department institution or facility, and by any employee using the appropriate reporting medium.
3. Complaints concerning policy or procedure should be referred to the appropriate division having jurisdiction over the subject in dispute for explanation and resolution.
4. Inmate generated complaints of employee misconduct should be initiated using the inmate grievance procedure outlined in AR 740.

340.02 EMPLOYEE MISCONDUCT COMPLAINT INVESTIGATIONS

1. All complaints regarding allegations of employee misconduct should be reviewed by the Office of the Inspector General, designated with an appropriate Complaint Category Classification, and assigned to the appropriate investigative body for formal investigation.
2. Formal investigations should be completed and reported upon in accordance with established and published Inspector General investigative guidelines and Personnel OP's.
3. Employees should be afforded all rights and protections provided by law, and Department regulations and directives during any formal investigation of employee misconduct.
4. When it becomes necessary to conduct parallel Administrative and Criminal investigations regarding a complaint of employee misconduct, the Inspector General should ensure that the investigations are bifurcated and pursued independently and separately.

340.03 APPLICABILITY

1. This regulation applies to all classified and unclassified Department employees.
2. This regulation requires an OP for the Department Personnel Division.

3. This regulation requires an OP for the Office of the Inspector General.
4. This regulation does not require an audit.

REFERENCES: None

Howard Skolnik, Director

Date