

ORDINANCE NO. 1326

1326

AN ORDINANCE AMENDING TITLE I, CHAPTER 18 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, ADOPTING BY REFERENCE AMENDMENTS, CHANGES AND ADDITIONS TO THE CIVIL SERVICE RULES AND REGULATIONS OF THE CITY OF LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA, FOR THE EMPLOYEES OF SAID CITY; AMENDING SECTION 2 OF SAID TITLE AND CHAPTER TO PROVIDE FOR THIS ORDINANCE; AMENDING RULE 010 PROVIDING FOR THE PURPOSE OF SAID RULES; AMENDING RULE 250.3 CONCERNING ADDITIONAL SALARY; AMENDING RULE 310.3 CHANGING MINIMUM AGE REQUIREMENTS FOR PATROLMEN; AMENDING RULE 310.4 ELIMINATING MAXIMUM AGE REQUIREMENT; AMENDING RULES 330.1 AND 340.2 PROVIDING A DEFINITION OF EXAMINATIONS WHICH MAY BE REQUIRED; AMENDING AND ADDING TO RULES 350.1(e) AND 350.4 DEFINING APPOINTIVE PROCEDURES; AMENDING RULE 350.3 PROVIDING COMPETITIVE ELIGIBLE LISTS SHALL BE EFFECTIVE FOR A PERIOD OF SIX MONTHS; AMENDING RULES 440.1 AND 440.2 PROVIDING FOR PROBATIONARY PERIOD FOLLOWING TRANSFERS, CLASSIFICATION CHANGES AND PROMOTIONS; AMENDING RULE 450.4 PROVIDING FOR SALARY INCREASES BASED SOLELY ON MERIT; AMENDING RULE 470 PROVIDING SUBSECTIONS 1 THROUGH 6 DEFINING TRANSFER, RECLASSIFICATION, REASSIGNMENT AND APPEAL PROCEDURES; AMENDING AND ADDING TO RULE 490.1 PROVIDING FOR WRITTEN NOTIFICATION UPON REJECTION OF SALARY INCREASE; AMENDING RULES 530.5 AND 530.6 BY PROVIDING SUSPENSION FOR AN INDEFINITE PERIOD OF TIME; AMENDING RULE 920, SUBSECTIONS 1, 2 AND 3, CLARIFYING RETIREMENT POLICY; AMENDING RULE 1040.5 TO PROVIDE FOR POSTPONEMENT OF APPEALS; AMENDING RULE 1110.2 PROVIDING FOR CONTINUATION ON CITIZEN'S COMPLAINT; PROVIDING FOR ALL MATTERS PROPERLY RELATED THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH

THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS DOES ORDAIN AS FOLLOWS:

SECTION 1. CIVIL SERVICE RULES ADOPTED. Those certain Ordinances Nos. 1017, 1142, 1239 and 1285, each being adopted by reference and on file in the office of the City Clerk, Las Vegas, Nevada, and this Amendment are hereby adopted by reference and made a part of this Code, the same as if set out herein in full, hereby ratifying, approving and confirming all of said prior Ordinances.

SECTION 2. APPLICABILITY: The Board of Commissioners hereby declares that it would have adopted each separate provision of this Ordinance, regardless of the adoption of any other provision, and if any remedy provided for in this Ordinance be held unavailable or limited in effect, such limitation shall not affect the application of any other provision of this Ordinance.

SECTION 3. Any person, firm or corporation violating any of the provisions of this Ordinance shall, upon conviction thereof, be punished by a fine of not more than \$500.00 and/or imprisonment in the City Jail for not more than six (6) months, or any combination of such fine and imprisonment. Every day of such violation shall constitute a separate offense.

SECTION 4. All ordinances or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City

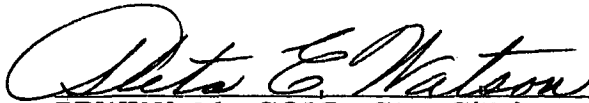
of Las Vegas, Nevada, 1960 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED AND APPROVED this 3rd day of April, 1968.

APPROVED:


ORAN K. GRAGSON, Mayor

ATTEST:


~~EDWINA M. COLE, City Clerk~~
Aleta E. Watson, Assistant City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 3rd day of April, 1968, and referred to the following committee composed of Commissioners Mirabelli and Howery for recommendation; thereafter the said committee reported favorably on said ordinance on the 3rd day of April, 1968, which was a regular meeting of said board; that at said regular meeting the proposed ordinance was ready by title to the Board of Commissioners as first introduced and adopted by the following vote:


VOTING "AYE": Commissioners Howery, Corey, Stewart, Mirabelli and Mayor Gragson

VOTING "NAY": None ABSENT: None

APPROVED:


ORAN K. GRAGSON, Mayor

ATTEST:


~~EDWINA M. COLE, City Clerk~~
Aleta E. Watson, Assistant City Clerk

A SUPPLEMENTAL DOCUMENT ADOPTED UNDER ORDINANCE NO. 1326 BY REFERENCE AND HEREBY DESIGNATED AS A PART OF THE CIVIL SERVICE RULES AND REGULATIONS OF THE CITY OF LAS VEGAS, NEVADA.

SECTION 1. Title I, Chapter 18, Section 2 of the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is hereby amended to read as follows:

1-18-2: AMENDMENTS: Certain sections of the Civil Service Rules and Regulations of the City of Las Vegas are hereby deleted, modified, amended, repealed or added to, as follows, to wit:

Section 010 is hereby amended to read as follows:

010 - PURPOSE

It is the purpose of these rules to give effect to the provisions of the Charter of the City of Las Vegas, as amended. The rules shall be applied in accordance with the purpose of the City Charter of Las Vegas, which are interpreted and declared to be as follows: Personnel administration shall be based solely upon merit principles which shall contain the fundamental conditions of service and the basic rights, duties and obligations of employees.

Section 250.3 is hereby amended to read as follows:

250.3 Except as otherwise provided in these rules, no employee shall receive pay from the City in addition to the salary authorized under the schedule provided in the pay plan for services rendered by him either

- (a) in the discharge of his ordinary duties, or
- (b) any additional duties which he may perform in any one classification.

Section 310.3 is hereby amended to read as follows:

310.3 All applicants for positions in the Police and Fire Departments shall meet the following age requirements:

- (a) Age limit for patrolmen - 21 to 39 years - provided, however, that those who have passed their 36th birthday will be hired only with two (2) years previous police experience with an accredited law enforcement agency, upon the recommendation of the Chief of Police and the approval of the Personnel Director and City Manager.
- (b) Age limit for firemen - 21 to 35 years - provided, however, that those who have passed their 32nd birthday will be hired only with four (4) years previous experience with an organized fire department, upon the recommendation of the Fire Chief and the approval of the Personnel Director and City Manager.

Section 310.4 is hereby amended to read as follows:

310.4 Applicants under 18 shall not be considered for permanent appointment provided the City Manager may lower the minimum age limit to 16 for temporary posts when it is clearly in the interest of the City to do so and, with the recommendation of the Director of Personnel, may set specific age requirements which are greater than the minimum for specific classifications when appropriate, except where age requirements for a classification are indicated in these rules.

Section 330.1 is hereby amended to read as follows:

330.1 Notwithstanding Civil Service Rule 340.2, before entering on duty an approved and appropriate physical examination will be required of all persons entering the service of the City in other than elective posts. Examination must be completed within thirty (30) days from date employed in a probationary status. The examination shall be made by one of a panel of physicians designated by the City Manager and, if necessary, by any specialist designated by the physician. Temporary employees may be required to complete this examination.

Section 340.2 is hereby amended to read as follows:

340.2 All examinations shall be practical in their character and shall relate to those matters which shall fairly test the intelligence, competency, suitability and character of the applicant to discharge the duties of the position for which he is applying. When feasible, nationally recognized examinations shall be used. Examinations may be assembled (a test conducted at a specified time and place at which applicants are required to appear for competitive test under the supervision of an examiner) or unassembled (a test conducted at specified times and places where the candidates are not all assembled in the same place at the same time) and shall consist of any one or combination of the following at the recommendation of the Personnel Director with the approval of the Civil Service Board:

- (a) written test
- (b) oral test
- (c) performance test
- (d) physical agility test
- (e) medical certification (as provided in 330.1)
- (f) background investigation (only on open competitive exams).

Section 350.1 is hereby amended to read as follows:

350.1 At the conclusion of any examination an eligibility list consisting of the names of persons successfully passing the examination, arranged in order of final ratings received, from the highest passing score to the lowest, shall be prepared and kept available, provided that:

(a) Whenever identical ratings are received, names will be arranged in order of application dates.

(b) If one of the persons receiving such identical rating is a veteran or disabled veteran, such person shall receive the higher position.

(c) Neither priority in date of application nor of examination shall be given any other advantage.

(d) At the conclusion of an open competitive examination, the entire list shall be certified and, if one appointment is to be made, it shall be made from among the top three names; if two appointments are to be made, they shall be made from among the top four names, etc. If there are less than three names, selection need not be made from the list, in which case the department head shall request a new examination which shall be given. The names from the aforementioned eligibility list shall be placed at the top of the new list, provided, however, that, if the named personnel chooses to take the new examination, his name shall appear on the new eligibility list in final grade order.

(e) At the conclusion of a promotional examination, the entire list shall be certified and, if one appointment is to be made, it shall be made from among the top two names; if two appointments are to be made, they shall be made from among the top three names, etc. After a person has been passed over for an appointment twice, he shall be selected to fill the next vacancy which occurs prior to expiration of the list unless, upon approval by the City Manager, following the recommendation of the Department Head and Director of Personnel, the promotion of this employee would not be in the best interests of the City. If there is only one name which has not been passed over for an appointment twice, selection need not be made from the list, in which case the Department Head shall request a new examination which shall be given.

The name from the aforementioned eligibility list shall be placed at the top of the new list provided, however, that, if the named personnel chooses to take the new examination, his name shall appear on the new eligibility list in final grade order.

(f) Upon approval of the City Manager, on the recommendation of the Director of Personnel, where it is clearly in the best interests of the City to have only males or females on a specific job, appointment to a given position can be made from among the top three male or female names as appropriate.

(g) An open competitive examination and a promotional examination for the same classification may be given concurrently and in such event the eligibility list established from the promotional examination shall take precedence over the eligibility list established from the open competitive examination.

Section 350.3 is hereby amended to read as follows:

350.3 Eligible lists resulting from a promotional examination shall remain in effect for one year from date of certification. Eligible lists resulting from an open competitive examination shall remain in effect for six months from date of certification, provided, however, that in cases in which both an open competitive examination and a promotional examination have been given for the same classification, as provided in Rule 350.1 (g), the eligible list established as the result of open competitive examination shall remain in effect for ninety (90) days from date of certification.

Any eligible list may be extended by the Civil Service Board at the request of the Personnel Director and approval of the City Manager for an additional period, not to exceed six (6) months, provided, however, that, when a new examination is given before expiration of an existing list as provided in Rule 350.1 (d) and (e), the name or names placed at the top of the new list shall be removed at the time the prior list expires.

Section 350.4 is hereby amended to read as follows:

350.4 The name of any person appearing on an eligible list as a result of an open competitive examination may be removed if he fails to respond to notice to report for employment interview within ten days from the date of mailing of the notice, or if he has been certified for appointment three

times and has not been appointed, or if such person for any reason has become incapacitated for appointment, or if it has been determined that there were sufficient grounds to disqualify the applicant under Rule 320.2. The person affected shall be notified of the removal of his name by a notice mailed by registered or certified mail with a return receipt requested, postage prepaid, to his last known address.

Section 440.1 is hereby amended to read as follows:

440.1 All initial appointments to, transfers, classification changes and promotions in the competitive service shall be subject to a probationary period of six (6) months except as provided in Rule 320.8.

Section 440.2 is hereby amended to read as follows:

440.2 On the basis of the performance report made at the end of the probationary period and any medical certification required, a decision shall be taken by the City Manager and notification given to the employee that his:

- (a) Appointment is confirmed.
- (b) Probationary period is extended for a specified period and may be confirmed at any time during the extension but not to exceed a total of one year, except as provided in 440.2 (c).
- (c) In extenuating circumstances, the probationary period may be extended an additional six (6) months not to exceed a total of eighteen (18) months; however, the Department Head must appear in person before the Civil Service Board to request approval for this extension. The decision of the Board shall be final.
- (d) Appointment is not confirmed and is to be terminated.

In case of either (b), (c) or (d), the employee shall be notified of the reasons. If the probation is extended, a further report and decision are required at the end of this additional period. Any employee not approved during the probationary period following a transfer, classification change or promotion shall be reinstated to the position held immediately preceding any of the aforementioned actions.

Section 450 is hereby amended to read as follows:

450 - WITHIN GRADE INCREASE

450.1 An employee who meets all requirements of his position is eligible for a one salary range step increase, through Step V, upon completion of each year's service in grade in his existing salary range step, except as provided in 230.3 (a).

450.2 An employee who exceeds the requirements of his position is eligible to advance to the Step VI rate after having completed one year's service in grade in Step V.

450.3 An employee who is considered to be "outstanding" is eligible to advance one salary range step after having completed at least six months' service in grade in his existing salary range step.

450.4 Salary increases as provided in 450.1, .2, and .3 are based solely on merit and must be recommended by the Department Head and approved by the Personnel Director and the City Manager.

Section 470 is hereby amended to read as follows:

470 - ASSIGNMENT TO DUTY AND TRANSFER

470.1 All employees are subject to assignment by the City Manager or an authorized representative. Initial recruitment for a specific assignment does not, therefore, relieve the employee of the obligation to serve in any other designated assignment. Consideration shall always be given to the employee's particular interest and abilities.

470.2 A "transfer" is any formal movement of an employee from a position in one department to a position in the same classification in another department.

470.3 An employee may be transferred or re-assigned at any time whenever it is in the interest of the City to do so. An employee may at any time request a transfer, re-assignment or reclassification in his own interest. In a transfer or reclassification, both department heads (if applicable) must consent thereto. The City Manager may order a transfer if it is in the interest of the City to do so.

470.4 Re-assignments, transfers and reclassifications shall be reviewed by the Civil Service Board at the employee's request and the Board shall make such report or recommendation to the City Manager as it deems proper.

470.5 A reclassification is any formal movement of an employee from one classification to another on the same salary grade. An examination may be required for a reclassification, at the recommendation of the Personnel Director with the approval of the Civil Service Board.

470.6 A re-assignment is a formal movement of an employee from one position to another in the same classification and the same department.

Section 490 is hereby amended to read as follows:

490 - NOTIFICATION AND EFFECTIVE DATE

490.1 An employee shall be notified by letter by the Department Head stating the reasons for such action in advance of any involuntary reduction in grade or salary or withholding of a within-grade increase. The amount of notice for a reduction in grade or salary shall not be less than fourteen calendar days. The amount of notice for withholding of a within-grade increase shall be not less than three working days prior to the effective date.

490.2 All changes in status shall be effected by a formal notification to the employee.

Section 530 is hereby amended to read as follows:

530 - SUSPENSION

530.1 An employee may be suspended or given extra duty as a disciplinary measure.

530.2 Any suspension or extra duty shall be without pay. In cases where the charge is not sustained, salary withheld shall be paid.

530.3 Authority to suspend or give extra duty to employees is vested in the City Manager. He may delegate this authority to any Department Head in respect of subordinates only to the extent of suspensions or extra duty for a period of five working days or less.

530.4 There shall be no right of appeal from suspensions or extra duty of five (5) working days or less; provided, however, that an employee suspended or given extra duty for five (5) working days or less shall have the right to review his suspension or extra duty with the City Manager, at which time he may present witnesses on his behalf. Such review must be

requested in writing, directed to the City Manager, within ten (10) working days following the suspension or extra duty. Any determination made by the City Manager following such review shall be final and conclusive as to all parties.

530.5 Except as provided in Rule 530.6, all suspensions or extra duty shall be for a specified number of working days, and may not exceed ninety (90) working days for any one offense.

530.6 An employee may be suspended for an indefinite period of time as a result of a criminal complaint in a court of law, in which case the suspension may be until the matter is adjudicated by a court of competent jurisdiction.

Section 920 is hereby amended to read as follows:

920 - RETIREMENT

920.1 Subject to final approval by the City Commission, the general retirement age for employees shall be 65. The City Manager may extend the retirement age, provided that not more than a one (1) year extension shall be granted at any one time.

920.2 Notwithstanding Rule 920.1, all commissioned members of the Police and Fire Departments shall retire at the age of 60.

920.3 All employees may retire at an earlier age, if applicable State retirement provisions permit.

Section 1040.5 is hereby amended to read as follows:

1040.5 The following provisions shall govern the conditions of appeal:

(a) No employee shall bring an appeal before the Board until the action complained of has become final. An action is considered to be final when it has been taken by the City Manager or his duly authorized representative and the employee has received written notification of the action.

(b) An employee wishing to appeal against such an action must file with the Secretary of the Civil Service Board within ten days after receipt of such notification a written statement of his intention to appeal, specifying the action against which appeal is made and

the subsection or sections of Civil Service Rule 1040.1 under which the appeal is filed. The statement must also include a sufficiently detailed statement which justifies the appeal submission under the reference subsection(s).

(c) Following notice of appeal, the Secretary of the Civil Service Board shall immediately notify the Chairman of the Civil Service Board. The Board shall, within fifteen calendar days of such filing, meet to set a date to consider the application for appeal. If the appeal is considered to be receivable under these rules, a hearing shall be set for a date not more than thirty days from the date of the filing of the appeal, unless the employee requests a later date.

If the subject matter of the appeal, or any matter related to the appeal, is filed in a court of competent jurisdiction, the Civil Service Board shall have discretionary power to postpone any action on said appeal until the matter has been adjudicated in such court of law.

Section 1110.2 is hereby amended to read as follows:

1110.2 Unless such complaint is signed by the complainant and verified, the complaint shall not be accepted by the Civil Service Board and shall not be included in the employee's record. The Civil Service Board shall investigate the complaint or cause the complaint to be investigated and may require the complainant to appear in person at an inquiry to be conducted by them. The investigation and/or inquiry shall be completed within fifteen calendar days after the filing of the complaint and the Civil Service Board shall determine whether or not to conduct a hearing into the charges. If the Board determines there is probable cause for disciplinary action, it shall so declare and set a date for a hearing which shall proceed as otherwise provided in these rules. If the Board determines there is not probable cause for disciplinary action, it shall so declare, order the complaint dismissed and a copy of the order of dismissal entered in the employee's personnel file.

If the subject matter of the complaint, or any matter related to the complaint, is filed in a court of competent jurisdiction, the Civil Service Board shall have discretionary power to postpone action on said complaint until the matter has been adjudicated in such court.

In all cases, the complainant shall be notified in writing of the action taken by the Board.

If a hearing is held and the Civil Service Board determines that the charges contained in such complaint have been sustained, the Board shall recommend to the City Manager such disciplinary action as it deems proper under the circumstances.

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }
COUNTY OF CLARK } ss.

ROBERT E. HUNTER, being first duly sworn,

deposes and says: That he is FOREMAN of the
LAS VEGAS SUN, a daily newspaper of general circulation, printed and published
at Las Vegas, in the County of Clark, State of Nevada, and that the attached was
continuously published in said newspaper for a period of

TWO PUBLICATIONS

from **APRIL 6, 1968** to **APRIL 13, 1968**

inclusive, being the issues of said newspaper for the following dates, to-wit:

APRIL 6, 13, 1968

That said newspaper was regularly issued and circulated on each of the dates
above named.

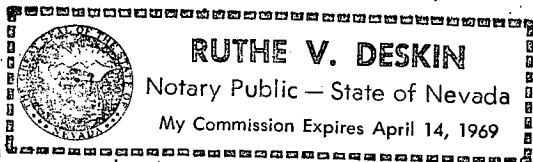
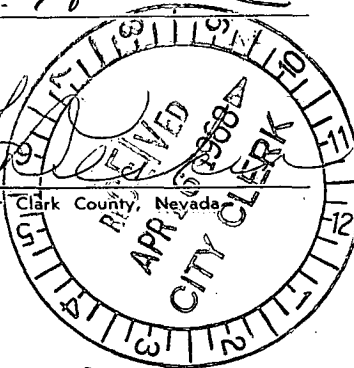
Signed

Robert E. Hunter

Subscribed and sworn to before me this **13th**
day of **APRIL, 1968**

Ruthe V. Deskin

Notary Public in and for Clark County, Nevada



ORDINANCE NO. 1326
AN ORDINANCE AMENDING TITLE 1, CHAPTER 18 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, ADOPTING BY REFERENCE AMENDMENTS, CHANGES AND ADDITIONS TO THE CIVIL SERVICE RULES, AND REGULATIONS OF THE CITY OF LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA, FOR THE EMPLOYEES OF SAID CITY; AMENDING SECTION 2 OF SAID TITLE AND CHAPTER TO PROVIDE FOR THIS ORDINANCE; AMENDING RULE 010 PROVIDING FOR THE PURPOSE OF SAID RULES; AMENDING RULE 250.3 CONCERNING ADDITIONAL SALARY; AMENDING RULE 310.3 CHANGING MINIMUM AGE REQUIREMENTS FOR PATROLMEN; AMENDING RULE 310.4 ELIMINATING MAXIMUM AGE REQUIREMENT; AMENDING RULES 330.1 AND 340.2 PROVIDING A DEFINITION OF EXAMINATIONS WHICH MAY BE REQUIRED; AMENDING AND ADDING TO RULES 350.1 (c) AND 350.4 DEFINING APPOINTIVE PROCEDURES; AMENDING RULE 350.3 PROVIDING COMPETITIVE ELIGIBLE LISTS SHALL BE EFFECTIVE FOR A PERIOD OF SIX MONTHS; AMENDING RULES 400.1 AND 440.2 PROVIDING FOR PROBATIONARY PERIOD FOLLOWING TRANSFERS, CLASSIFICATION CHANGES AND PROMOTIONS; AMENDING RULE 450.4 PROVIDING FOR SALARY INCREASES BASED SOLELY ON MERIT; AMENDING RULE 470 PROVIDING SUBSECTIONS 1 THROUGH 6 DEFINING TRANSFER, RECLASSIFICATION, REASSIGNMENT AND APPEAL PROCEDURES; AMENDING AND ADDING TO RULE 490.1 PROVIDING FOR WRITTEN NOTIFICATION UPON REJECTION OF SALARY INCREASE; AMENDING RULES 530.5 AND 530.6 BY PROVIDING SUSPENSION FOR AN INDEFINITE PERIOD OF TIME; AMENDING RULE 920, SUBSECTIONS 1, 2, AND 3, CLARIFYING RETIREMENT POLICY; AMENDING RULE 1040.5 TO PROVIDE FOR POSTPONEMENT OF APPEALS; AMENDING RULE 110.2 PROVIDING FOR CONTINUATION OF CITIZEN'S COMPLAINT; PROVIDING FOR ALL MATTERS PROPERLY RELATED THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS DOES ORDAIN AS FOLLOWS:
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SECTION 2. APPLICABILITY: The Board of Commissioners hereby declares that it would have adopted each separate provision of this Ordinance, regardless of adoption of any other provision, and if any remedy provided for in this Ordinance be held unavailable or limited in effect, such limitation shall not affect the application of any other provision of this Ordinance.

SECTION 3. Any person, firm or corporation violating any of the provisions of this Ordinance shall, upon conviction thereof, be punished by a fine or not more than \$500.00 and/or imprisonment in the City Jail for not more than six (6) months, or any combination of such fine and imprisonment. Every day of such violation shall constitute a separate offense.

SECTION 4. All ordinances or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED AND APPROVED: this 3rd day of April, 1968:

APPROVED:
/s/ Oran K. Gragson
ORAN K. GRAGSON, Mayor

/s/ Alea E. Watson
Alea E. Watson, Assistant City Clerk
The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 3rd day of April, 1968, and referred to the following committee composed of Commissioners Mirabelli and Hawery for recommendation; thereafter the said committee reported favorably an said ordinance on the 3rd day of April, 1968, which was a regular meeting of said board; that at said regular meeting the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote:

VOTING "AYE": Commissioners Hawery, Corey, Stewart, Mirabelli and Gragson.

VOTING "NAY": None. ABSENT: None.

APPROVED:
/s/ Oran K. Gragson
ORAN K. GRAGSON, Mayor

ATTEST:
/s/ Alea E. Watson
Alea E. Watson, Assistant City Clerk
A SUPPLEMENTAL DOCUMENT ADOPTED UNDER ORDINANCE NO. 1326 BY REFERENCE AND HEREBY DESIGNATED AS A PART OF THE CIVIL SERVICE RULES AND REGULATIONS OF THE CITY OF LAS VEGAS, NEVADA.

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It is the purpose of these rules to give effect to the provisions of the Charter of the City of Las Vegas, as amended. The rules shall be applied in accordance with the purpose of the City Charter of Las Vegas, which are interpreted and declared to be as follows: Personnel administration shall be based solely upon merit principles which shall contain the fundamental conditions of service and the basic rights, duties and obligations of employees.

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- (b) Age limit for firemen - 21 to 35 years - provided, however, that those

who have passed their 32nd birthday will be hired only with four (4) years previous experience with an organized fire department, upon the recommendation of the Fire Chief and the approval of the Personnel Director and City Manager.

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310.4 Applicants under 18 shall not be considered for permanent appointment provided the City Manager may lower the minimum age limit to 16 for temporary posts, when it is clearly in the interest of the City to do so and, with the recommendation of the Director of Personnel, may set specific age requirements which are greater than the minimum for specific classifications when appropriate, except where age requirements for a classification are indicated in these rules.

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- (a) written test
- (b) oral test
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- (e) medical certification (as provided in 330.1)
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- (a) Whenever identical ratings are received, names will be arranged in order of application dates.
- (b) If one of the persons receiving such identical rating is a veteran or disabled veteran, such person shall receive the higher position.
- (c) Neither priority in date of application nor of examination shall be given any other advantage.
- (d) At the conclusion of an open competitive examination, the entire list shall be certified and, if one appointment is to be made, it shall be made from among the top three names; if two appointments are to be made, they shall be made from among the top four names, etc. If there are less than three names, selection need not be made from the list, in which case the department head shall request a new examination which shall be given. The names from the aforementioned eligibility list shall be placed at the top of the new list, provided, however, that; if the named personnel chooses to take the new examination, his name shall appear on the new eligibility list in final grade order.

(e) At the conclusion of a promotional examination, the entire list shall be certified and, if one appointment is to be made, it shall be made from among the top two names; if two appointments are to be made, they shall be made from among the top three names, etc. After a person has been passed over for an appointment twice, he shall be selected to fill the next vacancy which occurs prior to expiration of the list unless, upon approval of the City Manager, following the recommendation of the Department Head and Director of Personnel, the promotion of this employee would not be in the best interests of the City. If there is only one name which has not been passed over for an appointment twice, selections need not be made from the list, in which case the Department Head shall request a new examination which shall be given. The name from the aforementioned eligibility list shall be placed at the top of the new list provided, however, that; if the named personnel chooses to take the new examination, his name shall appear on the new eligibility list in final grade order.

(f) Upon approval of the City Manager, on the recommendation of the Director of Personnel, where it is clearly in the best interests of the City to have only males or females on a specific job, appointment to a given position can be made from among the top three male or female names as appropriate.

(g) An open competitive examination and a promotional examination for the same classification may be given concurrently and in such event the eligibility list established from the promotional examination shall take precedence over the eligibility list established from the open competitive examination.

Section 350.4 is hereby amended to read as follows:

350.4 The name of any person appearing on an eligible list as a result of an open competitive examination may be removed if he fails to respond in notice to report for employment interview within ten days from the date of mailing of the notice, or if he has been notified for appointment three times and has not been appointed, or if such person for any reason has become incapacitated for appointment, or if it has been determined that there were sufficient grounds to disqualify the applicant under Rule 320.2. The person affected shall be notified of the removal of his name by a notice mailed by registered or certified mail with a return receipt requested, postage prepaid, to his last known address.

Section 440.1 is hereby amended to read as follows:

440.1 All initial appointments, transfers, classification changes and promotions in the competitive service shall be subject to a probationary period of six (6) months except as provided in Rule 320.8.

Section 440.2 is hereby amended to read as follows:

440.2 On the basis of the performance report made at the end of the probationary period and any medical certification required, a decision shall be taken by the City Manager and notification of a specific job, appointment to a given position can be made from among the top three male or female names as appropriate.

(g) An open competitive examination and a promotional examination for the same classification may be given concurrently and in such event the eligibility list established from the promotional examination shall take precedence over the eligibility list established from the open competitive examination.

Section 350.3 is hereby amended to read as follows:

350.3 Eligible lists resulting from a promotional examination shall remain in effect for one year from date of certification. Eligible lists resulting from an open competitive examination shall remain in effect for six months from date of that in cases in which both an open and a promotional examination have been given for the same classification, as provided in Rule 350.1 (g), the eligible list established as the result of open competitive examination shall remain

in effect for ninety (90) days from date of certification.

Any eligible list may be extended by the Civil Service Board at the request of the Personnel Director and approval of the City Manager for an additional period, not to exceed six (6) months, provided, however, that, when a new examination is given before expiration of an existing list as provided in Rule 350.1 (d) and (e), the name or names placed at the top of the new list shall be removed at the time the prior list given to the employee that his:

(a) Appointment is confirmed.
(b) Probationary period is extended for a specified period and may be confirmed at any time during the extension but not to exceed a total of one year, except as provided in 40.2 (c).

(c) In extenuating circumstances, the probationary period may be extended an additional six (6) months not to exceed a total of eighteen (18) months; however, the Department Head must appear in person before the Civil Service Board to request approval for this extension. The decision of the Board shall be final.

(d) Appointment is not confirmed and is to be terminated. In case of either (b), (c) or (d), the employee shall be notified of the reasons. If the probation is extended, a further report and decision are required at the end of his additional period. Any employee not approved during the probationary period following a transfer, classification change or promotion shall be reinstated to the position held immediately preceding any of the aforementioned actions.

Section 450 is hereby amended to read as follows:

450-WITHIN GRADE INCREASE

450.1 An employee who meets all requirements of his position is eligible for a one salary range step increase, through Step V, upon completion of each year's service in grade in his existing salary range step, except as provided in 230.3 (a).

450.2 An employee who exceeds the requirements of his position is eligible to advance to the Step VI rate after having completed one year's service in grade in Step V.

450.3 An employee who is considered to be "outstanding" is eligible to advance one salary range step after having completed at least six months' service in grade in his existing salary range step.

450.4 Salary increases as provided in 450.1, 2, and 3 are based solely on merit and must be recommended by the Department Head and approved by the Personnel Director and the City Manager.

Section 470 is hereby amended to read as follows:

470-ASSIGNMENT TO DUTY AND TRANSFER

470.1 All employees are subject to assignment by the City Manager or an authorized representative. Initial recruitment for a specific assignment does not, therefore, relieve the employee of the obligation to serve in any other designated assignment. Consideration shall always be given to the employee's particular interest and abilities.

470.2 A "transfer" is any formal movement of an employee from a position in one department to a position in the same classification in another department.

470.3 An employee may be transferred or re-assigned at any time whenever it is in the interest of the City to do so. An employee may at any time request a transfer, re-assignment or reclassification in his own interest. In a transfer or reclassification, both department heads (if applicable) must consent thereto. The City Manager may order a transfer, if it is in the interest of the City to do so.

470.4 Re-assignments, transfers and reclassifications shall be reviewed by the Civil Service Board at the employee's request and the Board shall make such report or recommendation to the City Manager as it deems proper.
470.5 A reclassification is any formal movement of an employee from one classification to another on the same salary grade. An examination may be required for a reclassification; at the recommendation of the Personnel Director with the approval of the Civil Service Board.
470.6 A re-assignment is a formal movement of an employee from one position to another in

the same classification and the same department.

Section 490 is hereby amended to read as follows:

490-NOTIFICATION AND EFFECTIVE DATE

490.1 An employee shall be notified by letter by the Department Head, stating the reasons for such action, in advance of any involuntary reduction in grade or salary or withholding of a within-grade increase. The amount of notice for a reduction in grade or salary shall not be less than fourteen (14) calendar days. The amount of notice for withholding of a within-grade increase shall be not less than three working days prior to the effective date.
490.2 All changes in status shall be effected by a formal notification to the employee.

Section 530 is hereby amended to read as follows:

530-SUSPENSION

530.1 An employee may be suspended or given extra duty as a disciplinary measure.

530.2 Any suspension or extra duty shall be without pay. In cases where the charge is not sustained, salary withheld shall be paid.

530.3 Authority to suspend or give extra duty to employees is vested in the City Manager. He may delegate this authority to any Department Head in respect of subordinates only to the extent of suspensions or extra duty for a period of five working days or less.

530.4 There shall be no right of appeal from suspensions or extra duty of five (5) working days or less; provided, however, that an employee suspended or given extra duty for five (5) working days or less shall have the right to review his suspension or extra duty with the City Manager, at which time he may present witnesses on his behalf. Such review must be requested in writing, directed to the City Manager, within ten (10) working days following the suspension or extra duty. Any determination made by the City Manager following such review shall be final and conclusive as to all parties.

530.5 Except as provided in Rule 530.6, all suspensions or extra duty shall be for a specified number of working days, and may not exceed ninety (90) working days for any one offense.

530.6 An employee may be suspended for an indefinite period of time as a result of a criminal complaint in a court of law, in which case the suspension may be until the matter is adjudicated by a court of competent jurisdiction.

Section 920 is hereby amended to read as follows:

920-RETIREMENT

920.1 Subject to final approval by the City Commission, the general retirement age for employees shall be 65. The City Manager may extend the retirement age, provided that not more than a one (1) year extension shall be granted of any one time.

920.2 Notwithstanding Rule 920.1, all commissioned members of the Police and Fire Department shall retire at the age of 60.

920.3 All employees may retire at an earlier age, if applicable. State retirement provisions permit.

Section 1040.5 is hereby amended to read as follows:
1040.5 The following provisions shall govern the conditions of appeal:

(a) No employee shall bring an appeal before the Board until the action complained of has become final. An action is considered to be final when it has been taken by the City Manager or his duly authorized representative and the employee has received written notification of the action.

(b) An employee wishing to appeal against such an action must file with the Secretary of the Civil Service Board within ten days after receipt of such notification a written statement of his intention to appeal, specifying the action against which appeal is made and the subsections of Civil Service Rule 1040.1 under which the appeal is filed. The statement must also include a sufficiently detailed statement which justifies the appeal submission under the reference subsection(s).

(c) Following notice of appeal, the Secretary of the Civil Service Board shall immediately notify the Chairman of the Civil Service Board. The Board shall, within fifteen calendar days of such filing, meet to set a date to consider the application for appeal. If the appeal is considered to be receivable under these rules, a hearing shall be

set for a date not more than thirty days from the date of the filing of the appeal, unless the employee requests a later date.

If the subject matter of the appeal, or any matter related to the appeal, is filed in a court of competent jurisdiction, the Civil Service Board shall have discretionary power to postpone any action on said appeal until the matter has been adjudicated in such court of law.

Section 1110.2 is hereby amended to read as follows:

1110.2 Unless such complaint is signed by the complainant and verified, the complaint shall not be accepted by the Civil Service Board and shall not be included in the employee's record. The Civil Service Board shall investigate the complaint or cause the complaint to be investigated and may require the complainant to appear in person at an inquiry to be conducted by them. The investigation and/or inquiry shall be completed within fifteen calendar days after the filing of the complaint and the Civil Service Board shall determine whether or not to conduct a hearing into the charges. If the Board determines there is probable cause for disciplinary action, it shall so declare and set a date for a hearing which shall proceed as otherwise provided in these rules. If the Board determines there is not probable cause for disciplinary action, it shall so declare, order the complaint dismissed and a copy of the order of dismissal entered in the employee's personnel file.

If the subject matter of the complaint, or any matter related to the complaint, is filed in a court of competent jurisdiction, the Civil Service Board shall have discretionary power to postpone action on said complaint until the matter has been adjudicated in such court.

In all cases, the complainant shall be notified in writing of the action taken by the Board.

If a hearing is held and the Civil Service Board determines that the charges contained in such complaint have been sustained, the Board shall recommend to the City Manager such disciplinary action as it deems proper under the circumstances.

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