

ORDINANCE NO. 1338

AN ORDINANCE TO AMEND 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 350.1 FURTHER DEFINING APPOINTIVE PROCEDURES; REPEALING RULE 350.9; ADDING RULE 360.3 DEFINING SENIORITY FOR EMPLOYEES IN COMPETITIVE SERVICE; AMENDING RULE 660 PROVIDING FOR MILITARY LEAVE WITHOUT PAY; ADDING RULE 670.6 PROVIDING FOR PAYMENT OF UNUSED SICK LEAVE; PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH. /338

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

SECTION 1. CIVIL SERVICE RULES ADOPTED. Those certain Ordinances No. 1017, 1142, 1239, 1285 and 1326, 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.

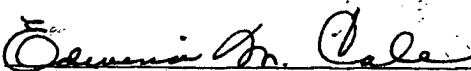
SECTION 4. All ordinances or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED AND APPROVED this 19th day of June, 1968.

APPROVED:


ORAN K. GRAGSON, Mayor

ATTEST:


Edwina M. Cole, City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 5th day of June, 1968, and referred to the following committee composed of Commissioners Corey and Stewart for recommendation; thereafter the said committee reported favorably on said ordinance on the 19th day of June, 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 amended, and adopted by the following vote:

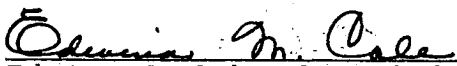
VOTING 'AYE': Commissioners Stewart, Corey, Howery and Mayor Gragson

VOTING "NAY": none ABSENT: Commissioner Mirabelli (excused)

APPROVED:


ORAN K. GRAGSON, Mayor

ATTEST:


Edwina M. Cole, City Clerk

A SUPPLEMENTAL DOCUMENT ADOPTED UNDER ORDINANCE NO. 1338 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 350.1 is hereby amended to read as follows:

350.1 At the conclusion of any examination, an eligible 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) In the case of an open competitive exam, whenever identical ratings are received, names will be arranged in order of application dates, except as provided in 350.1(b). In the case of a promotional exam, whenever identical ratings are received, names will be arranged in order of length of time spent in the classification from which promoted.

(b) If one of the persons receiving such identical ratings on an open competitive exam is a veteran or a disabled veteran, such person shall receive the higher position on the eligible list.

(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 350.9 is hereby repealed.

Section 360.3 is hereby added to read as follows:

360.3 Seniority for employees in the competitive service shall be

defined as follows: For classifications consistently filled through open competitive examinations seniority shall be based on:

1. Date of employment.
2. Examination grade.
3. Date of original application.

For classifications consistently filled through promotional examinations, seniority shall be based on:

1. Date of promotion to the classification.
2. Promotional examination grade.

In the event two or more employees are promoted on the same date to the same classification from two or more separate eligible lists, the employees promoted from the earliest eligible list shall have seniority.

3. Time spent in the classification from which promoted.

In the event factor one in both instances described above is not conclusive, factor two shall govern; and if factor two is not conclusive, factor three shall govern.

Section 660 is hereby amended to read as follows:

660 MILITARY LEAVE

Whenever an employee in the competitive service enters the Armed Forces of the United States, whether by enlistment or by Selective Service, the following rules shall apply:

(a) The employee shall be given military leave without pay for a period not to exceed four (4) years, unless on an involuntary basis.

(b) During the period of military service the employee shall retain all rights to which he is entitled under the provisions of the Charter of the City and under the provisions of these rules, provided that during a period of military leave in excess of thirty (30) days, annual or sick leave credit shall not accrue. His salary upon his return shall be the same as he was receiving at the time he went on leave, plus any economic adjustments accruing during the period of such leave, and he shall be credited with all seniority for past services.

(c) After the completion of service, the employee may be restored to his former position if it appears to the satisfaction of the City Manager, after such examination as may appear necessary, that the employee is able to perform his former service to the City, provided that the employee makes written application for immediate reinstatement within ninety (90) calendar days after receiving an honorable discharge or release from active duty. The provisions of this subsection shall not apply to any employee receiving other than an honorable discharge.

(d) Persons employed to fill positions becoming vacant under this rule shall hold such positions subject to being assigned to another post, if available, or terminated upon the reinstatement of the returning employee to his former position in accordance with paragraph (c) of this rule.

(e) An employee in the competitive service having a reserve status in any of the regular branches of the Armed Forces of the United States or the Nevada National Guard, upon request to serve under orders on training duty shall be granted leave for a period not to exceed fifteen (15) calendar days in any one calendar year. Compensation during such leave shall be the differential between prevailing rates that they receive from the City and their Armed Services pay, provided their Armed Services pay does not exceed their pay from the City.

(f) When an employee is ordered to report for preinduction physical by his draft board, time spent up to three (3) days shall be considered an emergency military leave and shall be granted with pay upon presentation of such orders to his immediate supervisor.

Section 670.6 is hereby added to read as follows:

670.6 An employee shall receive payment for one-half the amount of unused sick leave which he has accrued, provided that, upon separation:

(a) He has completed ten years or more of service and has reached the minimum age for retirement as indicated in applicable state retirement provisions; or

(b) He has completed a sufficient number of years to have vested rights as indicated in applicable status retirement provisions, but has not yet reached retirement age.

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 times (consecutive Saturdays)

from June 22, 1968 to June 29, 1968

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

June 22, 29, 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 29th
day of June 1968

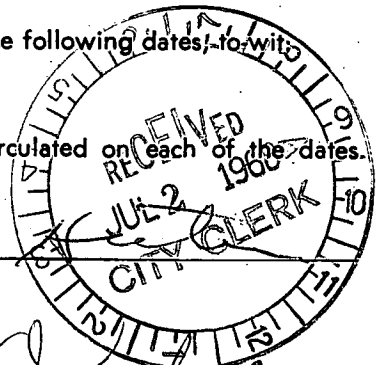
RUTHE V. DESKIN

Notary Public — State of Nevada

My Commission Expires April 14, 1969

Notary Public in and for Clark County, Nevada

My Commission Expires



ORDINANCE NO. 1338

1st Amendment

AN ORDINANCE TO AMEND 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 2 TO PROVIDE FOR THIS ORDINANCE; AMENDING RULE 350.1 FURTHER DEFINING APPOINTIVE PROCEDURES; REPEALING RULE 350.9; ADDING RULE 360.3 DEFINING SENIORITY FOR EMPLOYEES IN COMPETITIVE SERVICE; AMENDING RULE 660 PROVIDING FOR MILITARY LEAVE WITHOUT PAY; ADDING RULE 670.6 PROVIDING FOR PAYMENT OF UNUSED SICK LEAVE; PROVIDING FOR OTHER 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 No. 1017, 1142, 1239, 1285 and 1326, 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 19th day of June, 1968.

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

ATTEST: /s/ Edwina M. Cole
Edwina M. Cole, City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 5th day of June, 1968, and referred to the following committee composed of Commissioners Carey and Stewart for recommendation; thereafter the said committee reported favorably on said ordinance on the meeting of said Board; that at said regular meeting the proposed ordinance was read by title to the Board of Commissioners, as amended, and adopted by the following vote:

VOTING "AYE": Commissioners Stewart, Carey, Howery and Mayor Gragson

VOTING "NAY": none
ABSENT: Commissioner Mirabelli (excused)

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

ATTEST: /s/ Edwina M. Cole
Edwina M. Cole, City Clerk

A SUPPLEMENTAL DOCUMENT ADOPTED UNDER ORDINANCE NO. 1338 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 1, 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 350.1 is hereby amended to read as follows: 350.1 At the conclusion of any examination, an eligible 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) In the case of an open competitive exam, whenever identical ratings are received, names will be arranged in order of application dates, except as provided in 350.1 (b). In the case of a promotional exam, whenever identical ratings are received, names will be arranged in order of length of time spent in the classification from which promoted.

(b) If one of the persons receiving such identical ratings on an open competitive exam is a veteran or a disabled veteran, such person shall receive the higher position on the eligible list.

(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 even the eligibility list established from the promotional examination shall take precedence over the eligibility list established from the open competitive examination.

Section 350.9 is hereby repealed
Section 360.3 is hereby added to read as follows: 360.3 Seniority to

employees in the competitive service shall be defined as follows: For classifications consistently filled through open competitive examinations seniority shall be based on:

1. Date of employment.
2. Examination grade.
3. Date of original application.

For classifications consistently filled through promotional examinations, seniority shall be based on:

1. Date of promotion to the classification.
2. Promotional examination grade.

In the event two or more employees are promoted on the same date to the same classification from two or more separate eligible lists, the employees promoted from the earliest eligible list shall have seniority.

3. Time spent in the classification from which promoted. In the event factor one in both instances described above is not conclusive, factor two shall govern; and if factor two is not conclusive, factor three shall govern.

Section 660 is hereby amended to read as follows: 660 MILITARY LEAVE

Whenever an employee in the competitive service enters the Armed Forces of the United States, whether by enlistment or by Selective Service, the following rules shall apply:

(a) The employee shall be given military leave without pay for a period not to exceed four (4) years, unless on an involuntary basis.

(b) During the period of military service the employee shall retain all rights to which he is entitled under the provisions of the Charter of the City and under the provisions of these rules, provided that during a period of military leave in excess of thirty (30) days, annual or sick leave credit shall not accrue. His salary upon his return shall be the same as he was receiving at the time he went on leave, plus any economic adjustments accruing during the period of such leave, and he shall be credited with all seniority for past services.

(c) After the completion of service, the employee may be restored to his former position if it appears to the satisfaction of the City Manager, after such examination as may appear necessary, that the employee is able to perform his former service to the City, provided that the employee makes written application for immediate reinstatement within ninety (90) calendar days after receiving an honorable discharge or release from active duty. The provisions of this subsection shall not apply to any employee receiving other than an honorable discharge.

(d) Persons employed to fill positions becoming vacant under this rule shall hold such positions subject to being assigned to another post, if available, or terminated upon the reinstatement of the returning employee to his former position in accordance with paragraph (c) of this rule.

(e) An employee in the competitive service having a reserve status in any of the regular branches of the Armed Forces of the United States, or the Nevada National Guard, upon request to serve under orders on training duty shall be granted leave for a period not to exceed fifteen (15) calendar days in any one calendar year. Compensation during such leave shall be the differential between prevailing rates that they receive from the City and their Armed Services pay, provided their Armed Services pay does not exceed their pay from the City.

(f) When an employee is ordered to report for preinduction physical by his draft board, time spent up to three (3) days shall be considered an emergency military leave and shall be granted with pay upon presentation of such orders to his immediate supervisor.

Section 670.6 is hereby added to read as follows: 670.6 An employee shall receive payment for one-half the amount of unused sick leave which he has accrued, provided that, upon separation:

(a) He has completed ten years or more of service and has reached the minimum age for retirement as indicated in applicable state retirement provisions; or

(b) He has completed a sufficient number of years to have vested rights as indicated in applicable status retirement provisions, but has not yet reached retirement age.

Pub: June 22, 29