

ORDINANCE NO. 1239

AN ORDINANCE TO AMEND TITLE I, CHAPTER 18 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, BY AMENDING THE CIVIL SERVICE RULES AND REGULATIONS OF THE CITY OF LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA, FOR THE EMPLOYEES OF SAID CITY; DEFINING TERMS; PROVIDING FOR EXAMINATIONS; ESTABLISHING ELIGIBILITY LISTS; PROVIDING FOR APPOINTMENT; PROMOTION; DISCIPLINARY ACTION; REPORTS AND RECORDS; CLASSIFICATION AND PAY PLANS; AND ALL MATTERS RELATING THERETO; 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. 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sections of the Civil Service Rules and Regulations of the City of Las Vegas are hereby deleted, modified, amended, repealed or added to, as follows, to-wit: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 020.3 is hereby deleted.

Section 020.5 is hereby amended to read as follows:

"020.5 Subject to the approval of the Director of Personnel, City Manager, and Civil Service Board, department heads may establish such rules as they deem necessary for the efficient and orderly administration and regulation of their department and for maintaining the proper discipline, conduct and behavior of their employees. All such rules shall be made available to all employees of the department and to the Civil Service Board upon final approval of the Board. Such rules may provide for disciplinary action and must be consistent with the provisions of the Charter of the City of Las Vegas and these rules."

Section 110.1 is hereby amended to read as follows:

"110.1 The Personnel Director shall prepare class specifications for each class of positions for approval by the City Manager and the Civil Service Board. Class specifications will be interpreted in their entirety and in relation to others in the classification plan. Class specifications shall be deemed only as

descriptive and explanatory of the kind of work required in positions in the several classes, but not necessarily inclusive of all duties to be performed."

Section 230.3 is hereby amended to read as follows:

"If an employee is promoted, or reduced in grade, his rate of pay in the new position shall be determined as follows:

"230.3(a) On promotion, the salary of the employee shall be at a step in the new grade which will provide an increase. The employee's service date (which is construed to mean the employee's date of hire) or on completion of one year in the grade to which promoted, whichever is closer to the promotional date, shall be used for computing his eligibility for his first within grade salary increase except as provided in 450(b). Any subsequent within grade increases shall be in accordance with Section 450.

"(b) On reduction in grade, in accordance with 480.1(c), the salary will normally be fixed at that step in the lower grade which corresponds to the current salary or at the step nearest below if there is no exact corresponding step.

"(c) If the reduction in grade is a result of failure to qualify by examination, or following a temporary promotion, or in accordance with 480.1(a) and (b), the salary shall be fixed at that step of the grade from which the staff member was promoted which he held or would have held if he had not been promoted in accordance with 450."

Section 320.2 is hereby amended to read as follows:

"320.2 The Personnel Director may also reject an application which is not written on the prescribed form, which is not completely filled out, which is not filed within the period specified in the public notice of the examination, or which indicates on its face that the applicant does not possess the minimum qualifications required for the position. A defective or incomplete application shall be returned to the applicant with notice to amend it and the application may be amended and refiled providing the application

is returned in sufficient time to be reviewed and determined to be acceptable. The Personnel Director may also reject the application of any applicant:

"(a) Who has been convicted of a felony, or of two misdemeanors other than minor traffic violations.

"(b) Who has been terminated for cause from a department of the city.

"(c) Who has made any false statement of any material facts, or practiced or attempted to practice any deception or fraud in his application.

"(d) Who is physically disabled to such an extent as to render him unfit for the performance of the duties of the position of which he seeks appointment.

"(e) Who has not been a resident of the State of Nevada for a period of six (6) months or of Clark County for 30 days immediately prior to date of application; provided, however, that the residence requirement may be waived upon recommendation of the Personnel Director and approval of the City Manager.

"(f) Who is addicted to the habitual use of intoxicating beverages or narcotic drugs.

"(g) Who has been dismissed or has resigned on account of delinquency or misconduct.

"(h) Who has been adjudged guilty of an offense involving moral turpitude or infamous or notoriously disgraceful conduct.

"(i) Who, because of his character, reputation or habits is deemed unfit for employment."

Section 320.8 is hereby amended to read as follows:

"320.8 Time spent under temporary or provisional appointment shall be credited to the probationary period upon appointment to the position only if the person has been serving in a higher position or

the same position ultimately filled by him."

Section 330.3 is hereby amended to read as follows:

"330.3 The expense of all physical examinations shall be borne by the city, and shall be taken during the employee's normal working hours. When an employee, because his normal working hours do not coincide with the physician's normal working hours, must take such physical examination on his off duty time, he shall be paid for two hours, at his straight time hourly rate."

Section 340.8 is hereby amended to read as follows:

"340.8 (a) Examinations given in accordance with the requirements of Civil Service Rule 340.2 will be graded on a basis of 100%. No rating higher than 100% shall be given. A minimum grade of 70% must be attained on each test in the examination process in the order given before an applicant is eligible to take any further tests which may be required. Every such eligible candidate who receives a final grade of not less than 70% for all tests given shall be considered to have passed the examination process, and shall be placed on the eligible list, unless the examination announcement indicates that a specific number of persons will be placed on the eligible list, in which event the number of candidates deemed to have passed the examination process shall be determined as provided in the examination announcement.

"(b) When, in a promotional examination, in the opinion of the candidate, and the concurrence of the department head, he could be placed at a disadvantage in being required to answer the written test in writing, such candidate may, upon the approval of the Director of Personnel and the Civil Service Board, be permitted to give verbal answers to the questions contained in such written test. If the department head withholds his concurrence of permission to give verbal answers to the questions contained in a written promotional test, the candidate may appeal to the Personnel Director and the Civil Service

Board, stating his reasons for such appeal. The decision of the Civil Service Board shall be final.

"A tape recorder will be used to record the proceedings. There shall be present in the examination room the examiner, the examinee and one impartial observer. The questions shall be read orally, as written only, and the answers given orally. At the conclusion of the test, the recording shall be typed verbatim and submitted as the written test."

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 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. If there are less than two 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 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 shall remain in effect for one year from date of certification and 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 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, subject to extension 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 eligible list as provided in Rule 350.1 (d) and (e) the name placed at the top of the new list shall be removed at the time the prior list expires."

Section 350.5 is hereby amended to read as follows:

"350.5 Regular employees separated from the service through a reduction in force shall be placed upon a re-employment list. In the event two or more employees in the same classification are separated on the same date, their names shall be placed on the re-employment list in seniority order.

"An employee who resigns for good and sufficient reasons may request in writing, within three (3) years after such resignation, that his name be placed upon a re-employment list subject to the approval of the department head, Director of Personnel, City Manager and the Civil Service Board; provided, however, that an employee who has been in the service of the city for a sufficient number of years to be eligible for retirement, but who has not yet reached the retirement age, may make such request at any time within six (6) years following such resignation."

Section 350.6 is hereby amended to read as follows:

"350.6 The eligibility of all persons on the re-employment list will expire three (3) years from the date upon which they are placed on the list. Continuation beyond the three (3) year period of eligibility as above provided may be granted at the discretion of the Civil Service Board upon application by the person concerned to the Personnel Director."

Section 360 is hereby amended to read as follows:

"360.1 Upon selection for appointment, the applicant shall

receive a copy of the appointment document indicating his service date (as defined in 360.2) status, classification, grade, step, salary and department."

"360.2 (a) The service date of all employees, except temporary, shall be the actual date they are placed on the payroll for the original probationary period except as provided in 320.8.

"(b) In the event of a reduction in force, an employee who is re-employed by the city (as provided in 350.5 and 350.6) shall be given credit for all time for which he was actually working for the city for the purpose of computing longevity pay.

"(c) An employee on a leave without pay in excess of one (1) full pay period shall receive credit for all time for which he was actively working for the city for the purpose of computing longevity pay but shall not, except in the case of military leave without pay, receive any credit for the time he was on leave on a non-pay status."

Section 440.1 is hereby amended to read as follows:

"440.1 All initial appointments to 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 promotion shall be reinstated to the position from which he was promoted."

Section 450 is hereby amended to read as follows:

"450 - WITHIN GRADE INCREASE. Upon approval by the City Manager, following the recommendation of the department head and Director of Personnel, salary increases shall be effected as follows:

"(a) 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).

"(b) 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.

"(c) 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."

Section 470.1 is hereby amended to read as follows:

"470.1 All employees are subject to assignment by the City Manager or an authorized representative to any activity or office. 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."

Section 470.3 is hereby amended to read as follows:

"470.3 An employee may be transferred at any time from one position to another whenever it is in the interest of the city to do so. An employee may at any time request a transfer in his own interest. In a transfer which involves a change from the jurisdiction of one department to another, both department heads must consent thereto unless the City Manager orders the transfer in the interest of the city."

Section 520 is hereby amended to read as follows:

"520 - DISCIPLINARY MEASURES. An employee whose conduct is unsatisfactory shall be subject to disciplinary action. According to the gravity of the offense this may take the form of any one or combination of the following:

- (a) Oral Warning
- (b) Written Reprimand
- (c) Transfer to a less responsible post
- (d) Extra duty (See Rule 530)
- (e) Suspension (See Rule 530)
- (f) Termination"

Section 530.1 is hereby amended to read as follows:

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

Section 530.2 is hereby amended to read as follows:

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

Section 530.3 is hereby amended to read as follows:

"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."

Section 530.4 is hereby amended to read as follows:

"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."

Section 530.5 is hereby amended to read as follows:

"530.5 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."

Section 630.2 is hereby amended to read as follows:

"630.2 Employees shall be eligible to take annual leave after completion of one year of continuous full-time service. Annual leave shall accrue from the date of entry on duty to all employees, except those employed on a temporary appointment basis, in an amount equal to the employee's normal weekly working hours multiplied by two for the first year. For each year thereafter, annual leave shall accrue in an amount equal to the employee's normal weekly working hours multiplied by three. Part time employees working on a regular appointment are eligible for annual leave on a prorated basis in accordance with these rules."

Section 630.3 is hereby amended to read as follows:

"630.3 Annual leave may be accumulated up to a maximum of the employee's regular work week times six. During the calendar year, any annual leave which exceeds the allowed maximum shall

be forfeited on December 31st of each year."

Section 630.4 is hereby amended to read as follows:

"630.4 Employees with more than one year's service who are terminated are entitled to payment for unused annual leave up to the maximum of the employee's regular work week times six. Any unused annual leave in excess of the maximum will not be paid, upon termination, but will be forfeited. Employees with more than one year of service who are terminated by a reduction in force will not forfeit unused annual leave in excess of the maximum."

Section 650.1 is hereby amended to read as follows:

"650.1 For the purpose of these rules, legal holidays shall be considered to be: New Year's Day, Memorial Day, Independence Day, Labor Day, Nevada Day, Veteran's Day, Thanksgiving Day, Christmas Day, and any other day that may be declared a holiday by the Governor or the Mayor. If any of the above holidays fall on Sunday, the following Monday shall be considered as the legal holiday. If any of the above holidays fall on Saturday, the preceding Friday shall be considered as the legal holiday."

Section 650.2 is hereby amended to read as follows:

"650.2 All full-time employees shall be entitled to time off for legal holidays as designated in Section 650.1 as follows:

"(a) All such employees who are employed on a 40 hour per week, Monday through Friday basis, shall be entitled to time off on such legal holidays.

"(b) Employees in departments which operate on a 24 hour per day basis, who work on a legal holiday as a part of their regular work schedule shall be credited with (i) 8 hours annual leave, if they are on a 40-hour per week work schedule, or

(ii) 12 hours annual leave, if they are on a 56 hour per week work schedule.

"(c) Employees whose regularly scheduled day off falls on a legal holiday shall be credited with (i) 8 hours annual leave, if they are on a 40 hour per week work schedule, or (ii) 12 hours annual leave, if they are on a 56 hour per week work schedule; provided, however, in the event they are required by the department head or designated representative, pursuant to Section 610.2 or Section 610.3 of these rules, to work on such holiday, they shall be compensated in accordance with Section 610.3, in addition to such annual leave."

Section 650.3 is hereby added to read as follows:

"650.3 All full time employees, in order to be entitled to a legal holiday as provided in 650.1 and 650.2 shall be on pay status on their scheduled work day immediately preceding and immediately following such holiday."

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.

"(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 without pay 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 pre-induction 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 670.2(e) is hereby added to read as follows:

"670.2(e) Time off from work for the purpose of keeping an appointment with a doctor may be charged to sick leave up to a

maximum of 4 hours for any one appointment. A request for additional time must be approved by the department head, Director of Personnel and the City Manager."

Section 670.3 is hereby amended to read as follows:

"670.3 Sick leave will accrue monthly at the rate of the employee's normal weekly working hours divided by five (5). There shall be no limit to the amount of sick leave that can be accumulated."

Section 720.2 is hereby amended to read as follows:

"720.2 In those instances where the employee's present gross salary, excluding overtime, is not entirely protected under the provisions of Rule 720.1, the city will pay to the employee an amount equal to the difference between the insurance compensation received and the employee's present gross salary, excluding overtime, for a period of one calendar month from the first day of absence due to illness or injury. The city may pay an amount of monies for a longer period of time in a manner determined equitable by the City Manager based on the conditions surrounding each individual case."

Section 720.3 is hereby added to read as follows:

"720.3 Employees who have ten years, or more, of continuous full time employment may have their present gross salary, excluding overtime, protected under the provisions of Rule 720.2 for a period not to exceed two (2) additional calendar months. Upon the recommendation of the department head and the Personnel Director, the City Manager may approve such payments based on conditions surrounding each individual case."

Section 910 is hereby amended to read as follows:

"910 A full-time employee who resigns shall submit his resignation in writing to his department head and give at least two weeks' notice. With the concurrence of the employee, the

department head and the Personnel Director may recommend to the City Manager that the notice of resignation be shortened or completely waived."

Section 920.1 is amended to read as follows:

"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 and for not more than a total of five (5) years, without the approval of the City Commission."

Section 1030 is hereby amended to read as follows:

"1030 - SUSPENSION OR EXTRA DUTY

"A decision to suspend an employee, or assess extra duty may be appealed only if it is for a period of more than five (5) working days."

Section 1210.1 is hereby amended to read as follows:

"1210.1 The Civil Service Board shall, at its first meeting in July of each year, select a Chairman and a Vice-Chairman."

Section 1210.2 is hereby amended to read as follows:

"1210.2 The Chairman shall preside at all meetings of the Civil Service Board. Three members shall constitute a quorum for the transaction of business. When the Chairman is not present, the Vice-Chairman or the designated temporary Chairman shall be empowered to perform all acts prescribed for the Chairman."

SECTION 2. All ordinances or parts of ordinances, sections, subsections, phrases, 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 16th day of March,
1966.

Oran K. Gragson
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 2nd day of March, 1966, and referred to the following committee composed of Mayor Gragson, Commissioners Fountain, Whipple, Mirabelli and Stewart for recommendation; thereafter the said committee reported favorably on said ordinance on the 16th day of March, 1966, 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 Stewart, Fountain, Whipple and Mayor Gragson

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

APPROVED:

Oran K. Gragson
ORAN K. GRAGSON, MAYOR

ATTEST:

Edwina M. Cole
City Clerk

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA, }
COUNTY OF CLARK } ss.

Charles M. Blair

, 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

2 times in 1 Week

from March 19, 1966

to March 26, 1966

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

{ March 19, 26, 1966

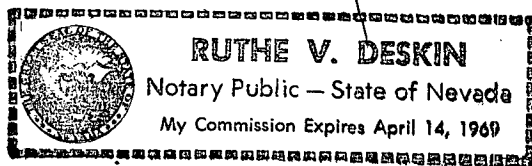
That said newspaper was regularly issued and circulated on each of the dates
above named.

Signed

Charles M. Blair

Subscribed and sworn to before me this 28th
day of March, 1966.

Ruthe V. Deskin
Notary Public in and for Clark County, Nevada



OF LAS VEGAS, NEVADA, 1960 EDITION, BY AMENDING THE CIVIL SERVICE RULES AND REGULATIONS OF THE CITY OF LAS VEGAS, COUNTY OF CLARK, STATE OF NEVADA, FOR THE EMPLOYEES OF SAID CITY; DEFINING TERMS; PROVIDING FOR EXAMINATIONS; ESTABLISHING ELIGIBILITY LISTS; PROVIDING FOR APPOINTMENT; PROMOTION; AND RECORDS; CLASSIFICATION DISCIPLINARY ACTION; REPORTS AND PAY PLANS; AND ALL MATTERS RELATING THERETO; 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. 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 020.3 is hereby deleted. Section 020.5 is hereby amended to read as follows:

"020.5 Subject to the approval of the Director of Personnel, City Manager, and Civil Service Board, department heads may establish such rules as they deem necessary for the efficient and orderly administration and regulation of their department and for maintaining the proper discipline, conduct and behavior of their employees. All such rules shall be made available to all employees of the department and to the Civil Service Board upon final approval of the Board. Such rules may provide

for disciplinary action and must be consistent with the provisions of the Charter of the City of Las Vegas and these rules."

Section 110.1 is hereby amended to read as follows:

"110.1 The Personnel Director shall prepare class specifications for each class of positions for approval by the City Manager and the Civil Service Board. Class specifications will be interpreted in their entirety and in relation to others in the classification plan. Class specifications shall be deemed only as descriptive and explanatory of the kind of work required in positions in the several classes, but not necessarily inclusive of all duties to be performed."

Section 230.3 is hereby amended to read as follows:

"If an employee is promoted, or reduced in grade, his rate of pay in the new position shall be determined as follows:

230.3(a) On promotion, the salary of the employee shall be at a step in the new grade which will provide an increase. The employee's service date (which is construed to mean the employee's date of hire) or on completion of one year in the grade to which promoted, whichever is closer to the promotional date, shall be used for computing his eligibility for his first within grade salary increase except as provided in 450(b). Any subsequent within grade increases shall be in accordance with Section 450.

"(b) On reduction in grade, in accordance with 480.1(c), the salary will normally be fixed at that step in the lower grade which corresponds to the current salary or at the step nearest below if there is no exact corresponding step.

"(c) If the reduction in grade is a result of failure to qualify by ex-

amination, or following a temporary promotion, or in accordance with 480.1(a) and (b), the salary shall be fixed at that step of the grade from which the staff member was promoted which he held or would have held if he had not been promoted in accordance with 450."

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"320.2 The Personnel Director may also reject an application which is not written on the prescribed form, which is not completely filled out, which is not filed within the period specified in the public notice of the examination, or which indicates on its face that the applicant does not possess the minimum qualifications required for the position. A defective or incomplete application shall be returned to the applicant with notice to amend it and the application may be amended and refiled providing the application is returned in sufficient time to be reviewed and determined to be acceptable. The Personnel Director may also reject the application of any applicant:

"(a) Who has been convicted of a felony, or of two misdemeanors other than minor traffic violations.

"(b) Who has been terminated for cause from a department of the city.

"(c) Who has made any false statement of any material facts, or practiced or attempted to practice any deception or fraud in his application.

"(d) Who is physically disabled to such an extent as to render him unfit for the performance of the duties of the position of which he seeks appointment.

"(e) Who has not been a resident of the State of Nevada for a period of six (6) months or of Clark County for 30 days immediately prior to date of application; provided, however, that the residence requirement may be waived upon recommendation of the Personnel Director and approval of the City Manager.

"(f) Who is addicted to the habitual use of intoxicating beverages or narcotic drugs.

"(g) Who has been dismissed or has resigned on account of delinquency or misconduct.

"(h) Who has been adjudged guilty of an offense involving moral turpitude or infamous or notoriously disgraceful conduct.

"(i) Who, because of his character, reputation or habits is deemed unfit for employment."

Section 320.8 is hereby amended to read as follows:

"320.8 Time spent under temporary or provisional appointment shall be credited to the probationary period upon appointment to the position only if the person has been serving in a higher position or the same position ultimately filled by him."

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"330.3 The expense of all physical examinations shall be borne by the city, and shall be taken during the employee's normal working hours. When an employee, because his normal working hours do not coincide with the physician's normal working hours, must take such physical examination on his off duty time, he shall be paid for two hours at his straight time hourly rate."

Section 340.8 is hereby amended to read as follows:

"340.8(a) Examinations given in accordance with the requirements of Civil Service Rule 340.2 will be graded on a basis of 100%. No rating higher than 100% shall be given. A minimum grade of 70% must be attained on each test in the examination process in the order given before an applicant is eligible to take any further tests which may be required. Every such eligible candidate who receives a final grade of not less than 70% for all tests given shall be considered to have passed the examination process, and shall be placed on the eligible list, unless the examination announcement indicates that a specific number of persons will be placed on the eligible list, in which event the number of candidates deemed to have passed the examination process shall be determined as provided in the examination announcement.

"(b) When, in a promotional examination, in the opinion of the candidate, and the concurrence of the department head, he could be placed at a disadvantage in being required to answer the written test in writing, such candidate may, upon approval of the Director of Personnel and the Civil Service Board, be permitted to give verbal answers to the questions contained in such written test. If the department head withholds his concurrence of permission to give verbal answers to the questions contained in a written promotional test, the candidate may appeal to the Personnel Director and the Civil Service Board, stating his reasons for such appeal. The decision of the Civil Service Board shall be final.

"A tape recorder will be used to record the proceedings. There shall be present in the examination room the examiner, the examinee and one impartial observer. The questions shall be read orally, as written only, and the answers given orally. At the conclusion of the test, the recording shall be typed verbatim and submitted as the written test."

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 given any other advantage.

"(d) At the conclusion of an open competitive examination, the entire list shall be certified and if an 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 an 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. If there are less than two 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 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 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 shall remain in effect for one year from date of certification and 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 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, subject to extension 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 eligible list as provided in Rule 350.1(d) and (e) the name placed at the top of the new list shall be removed at the time the prior list expires."

Section 350.5 is hereby amended to read as follows:

"350.5 Regular employees separated from the service through a reduction in force shall be placed upon a re-employment list. In the event two or more employees in the same classification are separated on the same date, their names shall be placed on the re-employment list in seniority order."

"An employee who resigns for good and sufficient reasons may request in writing, within three (3) years after such resignation, that his name be placed upon a re-employment list subject to the approval of the department head, Director of Personnel, City Manager, and the Civil Service Board; provided, however, that an employee who has been in the service of the city for a sufficient number of years to be eligible for retirement, but who has not yet reached the retirement age, may make such request at any time within six (6) years following such resignation."

Section 350.6 is hereby amended to read as follows:

"350.6 The eligibility of all persons on the re-employment list will expire three (3) years from the date upon which they are placed on the list. Continuation beyond the three (3) year period of eligibility as above provided may be granted at the discretion of the Civil Service Board upon application by the person concerned to the Personnel Director."

Section 350.7 is hereby amended to read as follows:

"360.1 Upon selection for appointment, the applicant shall receive a copy of the appointment document indicating his service date (as defined in 360.2) status, classification, grade, step, salary and department."

"360.2(a) The service date of all employees, except temporary, shall be the actual date they are placed on the payroll for the original probationary period except as provided in 320.8."

"(b) In the event of a reduction in force, an employee who is re-employed by the city (as provided in 350.5 and 350.6) shall be given credit for all time for which he was actually working for the city for the purpose of computing longevity pay."

"(c) An employee on a leave without pay in excess of one (1) full pay period shall receive credit for all time for which he was actively working for the city for the purpose of computing longevity pay but shall not, except in the case of military leave without pay, receive any credit for the time he was on leave on a non-pay status."

Section 440.1 is hereby amended to read as follows:

"440.1 All initial appointments to 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 specific 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 promotion, shall be reinstated to the position from which he was promoted."

Section 450 is hereby amended to read as follows:

"450 WITHIN GRADE INCREASE. Upon approval by the City Manager, following the recommendation of the department head and Director of Personnel, salary increases shall be effected as follows:

"(a) 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 220.3(a).

"(b) 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."

"(c) 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."

Section 470.1 is hereby amended to read as follows:

"470.1 All employees are subject to assignment by the City Manager or an authorized representative to any activity or office. 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."

Section 470.3 is hereby amended to read as follows:

"470.3 An employee may be transferred at any time from one position to another whenever it is in the interest of the city to do so. An employee may at any time request a transfer in his own interest. In a transfer which involves a change from the jurisdiction of one department to another, both department heads must consent thereto unless the City Manager orders the transfer in the interest of the city."

Section 520 is hereby amended to read as follows:

"520 DISCIPLINARY MEASURES. An employee whose conduct is unsatisfactory shall be subject to disciplinary action. According to the gravity of the offense this may take the form of any one or combination of the following:

- (a) Oral Warning
- (b) Written Reprimand
- (c) Transfer to a less responsible post
- (d) Extra duty (See Rule 530)
- (e) Suspension (See Rule 530)
- (f) Termination"

Section 530.1 is hereby amended to read as follows:

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

Section 530.2 is hereby amended to read as follows:

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

Section 530.3 is hereby amended to read as follows:

"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."

Section 530.4 is hereby amended to read as follows:

"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."

Section 530.5 is hereby amended to read as follows:

"530.5 All suspensions or extra duty shall be for a specific number of working days and may not exceed ninety (90) working days for any one offense."

Section 630.2 is hereby amended to read as follows:

"630.2 Employees shall be eligible to take annual leave after completion of one year of continuous full-time service. Annual leave shall accrue from the date of entry on duty to all employees, except those employed on a temporary appointment basis, in an amount equal to the employee's normal weekly working hours multiplied by two for the first year. For each year thereafter, annual leave shall accrue in an amount equal to the employee's normal weekly working hours multiplied by three. Part time employees working on a regular appointment are eligible for annual leave on a prorated basis in accordance with these rules."

Section 630.3 is hereby amended to read as follows:

"630.3. Annual leave may be accumulated up to a maximum of the employee's regular work week times six. During the calendar year, any annual leave which exceeds the allowed maximum shall be forfeited on December 31st of each year."

Section 630.4 is hereby amended to read as follows:

"650.4 Employees with more than one year's service who are terminated are entitled to payment for unused annual leave up to the maximum of the employee's regular work week times six. Any unused annual leave in excess of the maximum will not be paid, upon termination, but will be forfeited. Employees with more than one year of service who are terminated by a reduction in force will not forfeit unused annual leave in excess of the maximum." Section 650.1 is hereby amended to read as follows:

"650.1 For the purpose of these rules, legal holidays shall be considered to be: New Year's Day, Memorial Day, Independence Day, Labor Day, Nevada Day, Veterans' Day, Thanksgiving Day, Christmas Day, and any other day that may be declared a holiday by the Governor or the Mayor. If any of the above holidays fall on Sunday, the following Monday shall be considered as the legal holiday. If any of the above holidays fall on Saturday, the preceding Friday shall be considered as the legal holiday." Section 650.2 is hereby amended to read as follows:

"650.2 All full-time employees shall be entitled to time off for legal holidays as designated in Section 650.1 as follows:

"(a) All such employees who are employed on a 40 hour per week, Monday through Friday basis, shall be entitled to time off on such legal holidays.

"(b) Employees in departments which operate on a 24-hour per day basis, who work on a legal holiday as part of their regular work schedule shall be credited with (i) 8 hours annual leave, if they are on a 40 hour per week work schedule, or (ii) 12 hours annual leave, if they are on a 56 hour per week work schedule.

"(c) Employees whose regularly scheduled day off falls on a legal holiday shall be credited with (i) 8 hours annual leave, if they are on a 40 hour per week work schedule, or (ii) 12 hours annual leave, if they are on a 56 hour per week schedule; provided, however, in the event they are required by the department head or designated representative, pursuant to Section 610.2 or Section 610.3 of these rules, to work on such holiday, they shall be compensated in accordance with Section 610.3, in addition to such annual leave."

Section 650.3 is hereby added to read as follows:

"650.3 All full time employees, in order to be entitled to a legal holiday, as provided in 650.1 and 650.2 shall be on pay status on their scheduled work day immediately preceding and immediately following such holiday."

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.

"(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 without pay 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 pre-induction 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 670.2(e) is hereby added to read as follows:

"670.2(e) Time off from work for the purpose of keeping an appointment with a doctor may be charged to sick leave up to a maximum of 4 hours for any one appointment. A request for additional time must be approved by the department head, Director of Personnel and the City Manager."

Section 670.3 is hereby amended to read as follows:

"670.3 Sick leave will accrue monthly at the rate of the employee's normal weekly working hours divided by five (5). There shall be no limit to the amount of sick leave that can be accumulated."

Section 720.2 is hereby amended to read as follows:

"720.2 In those instances where the employee's present gross salary, excluding overtime, is not entirely protected under the provisions of Rule 720.1, the city will pay to the employee an amount equal to the difference between the insurance compensation received and the employee's present gross salary, excluding overtime, for a period of one calendar month from the first day of absence due to illness or injury. The city may pay an amount of monies for a longer period of time in a manner determined equitable by the City Manager based on the conditions surrounding each individual case."

Section 720.3 is hereby added to read as follows:

"720.3 Employees, who have ten years, or more, of continuous full time employment may have their present gross salary, excluding overtime, protected under the provisions of Rule 720.2 for a period not to exceed two (2) additional calendar months. Upon the recommendation of the department head and the Personnel Director, the City Manager may approve such payments based on conditions surrounding each individual case."

Section 910 is hereby amended to read as follows:

"910 A full-time employee who resigns shall submit his resignation in writing to his department head and give at least two weeks' notice. With the concurrence of the employee, the department head and the Personnel Director may recommend to the City Manager that the notice of resignation be shortened or completely waived."

Section 920.1 is amended to read as follows:

"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 and for not more than a total of five (5) years, without the approval of the City Commission."

Section 1030 is hereby amended to read as follows:

"1030 — SUSPENSION OR EXTRA DUTY

"A decision to suspend an employee, or assess extra duty may be appealed only if it is for a period of more than five (5) working days."

Section 1210.1 is hereby amended to read as follows:

"1210.1 The Civil Service Board shall, at its first meeting in July of each year, select a Chairman and a Vice-Chairman."

Section 1210.2 is hereby amended to read as follows:

"1210.2 The Chairman shall preside at all meetings of the Civil Service Board. Three members shall constitute a quorum for the transaction not present, the Vice-Chairman or not present, the Vice-Chairman of the designated temporary Chairman shall be empowered to perform all acts prescribed for the Chairman."

SECTION 2. All ordinances or parts of ordinances, sections, subsections, phrases, 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 16th day of March, 1966.

/s/ Oran K. Gragson

ORAN K. GRAGSON, MAYOR

ATTEST:

/s/ Edwina M. Cole, City Clerk

(SEAL)

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 2nd day of March, 1966, and referred to the following committee composed of Mayor Gragson, Commissioners Fountain, Whipple, Mirabelli and Stewart for recommendation; thereafter the said committee reported favorably on said ordinance on the 16th day of March, 1966, 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 Stewart, Fountain, Whipple and Mayor Gragson

VOTING "NAY": None

ABSENT: Commissioner Mirabelli (excused)

APPROVED:

/s/ Oran K. Gragson

ORAN K. GRAGSON, MAYOR

ATTEST:

/s/ Edwina M. Cole, City Clerk

(SEAL)

Pub. Mar. 19, 26, 1966