

## **NOTICE OF PROPOSED CHANGES TO THE CIVIL SERVICE RULES**

To be considered for adoption by the Civil Service Commission on Thursday, June 8, 2023, 3:30 PM, 6<sup>th</sup> floor Conference Room, Reno City Hall, 1 East First Street, Reno, Nevada 89501.

Questions regarding the proposed rule changes by the Civil Service Commission can be addressed to the Chief Examiner by calling 775-334-2224 or presented as public comment during the meeting.

This notice and proposed rules changes have been provided to the City Council, the City Manager, each department head, and the president or secretary of each employee organization. Copies may also be obtained from the office of the Civil Service Commission at 5<sup>th</sup> Floor, Reno City Hall, 1 East First Street, Reno, Nevada 89501.

EXPLANATION: Matter in red and underlined (like this) is new; matter struck through (~~like this~~) is to be omitted.

### **AMENDMENT TO:**

#### **➤ RULE X – TRANSFER**

Addition of Section 5. Return to Civil Service from an Appointed Exempt Position.

## **RULE X – TRANSFER**

### **Section 1. General.**

Transfers of classified employees shall be subject to approval by the Commission. Classification seniority for promotional purposes shall not be affected and will be retained in Civil Service records for the particular classification carried.

Provided further: Involuntary transfers of classified employees due to consolidation or transfer of functions from one department to another department shall have no effect on the departmental seniority of the transferred employee.

### **Section 2. Transfers Permitted.**

- (a) Transfer, in lieu of layoff, may be made to a classified position in the same classification in a different department or division, providing the employee consents to such transfer and, further, that a confirmed or probationary employee is not displaced.
- (b) When a classified position held by an employee is reclassified which involves a change in grade and the employee elects to retain the original classification, the employee shall so notify the Chief Examiner in writing and will then be transferred to the first available classified vacancy in the original classification. When such transfer is to another department or division, departmental seniority shall be forfeited and the employee shall be placed in the junior position on the new departmental seniority list for that job classification.
- (c) In the event that classified employees, whether probationary or confirmed, are injured in the line of duty and are no longer able, as a result of the injury, to perform the duties for which originally hired, the Human Resources Department and the Chief Examiner, working with the State Industrial Insurance System, shall make every effort to find other meaningful classified assignments for those employees in the City's work force. Rehabilitation, training, waiving of minimum qualifications, and testing without opening up a classification will be allowed if the Commission deems it appropriate to do so, in order to accommodate such employees injured in the line of duty. Each case will be considered on an individual basis by the Commission. Under no circumstances would employees in this circumstance displace any probationary or confirmed employees.

### **Section 3. Employment by City of Reno of Employees of Agencies, Organizations, or Governmental Entities, whose functions have been assumed by the City of Reno or whose functions have been assumed laterally by Agency, Organization, or Government entities.**

- (a) If the City of Reno assumes in whole or in part the function of another agency, organization, or governmental entity, an employee who is performing that function for the other agency, organization or governmental entity at the time of the assumption and who will be performing a substantially similar function for the City of Reno immediately following the assumption may, upon recommendation of the City Manager or their delegate, and if approved by the Commission, be included within the City of Reno Civil Service without requirement for competitive examination.
- (b) All persons transferred under the provision of this section shall be placed in probationary status for a period of time established for similar classification within the classified service. Upon request made by the City Manager or their delegate, the Commission may consider and waive the probationary requirement provided that the person(s) has/have satisfactorily held a position

within the agency, organization, or governmental entity for a period of one (1) year or longer. Employment of persons by the agency, organization, or governmental entity shall be treated as the equivalent of City service. The transition from service with the agency, organization, or governmental entity to the City shall not be deemed as a break in continuous service for the purpose of administration under Civil Service Rules. However, the length of continuous service shall be adjusted based on criteria set out in these Rules.

**Section 4. Conversion from Non-Civil Service Appointment Status to Civil Service Appointment Status Within the City of Reno.**

- (a) The purpose of this Rule is to establish procedures for blanketing into Civil Service pursuant to the authority provided to the Commission by Charter §9.120.
- (b) Subject to the provisions set forth in this Rule, the following persons may be included in the classified service, upon request of the Appointing Authority and approval of the Commission:
  - i. A person holding a regularly funded City position which has not been within Civil Service, and which is declared by a change in state or federal law to be within the Civil Service, may be included in the classified service without requirement for open competitive recruitment and merit based examination, or
  - ii. A person appointed to and employed by the City in an exempt position under Charter §§1.090(3)(4) or 9.020(1)(f) and whose position is subsequently converted to coverage under Civil Service by a change in funding or as a result of a process and/or decision under the discretionary control of the City, may be included in the classified service, provided that such person's initial appointment to the position currently held was made from either: (1) an open competitive eligible list provided by the Civil Service Chief Examiner in anticipation of eventual transition to a position in the classified service, or (2) an eligible list created through an open competitive recruitment and merit based examination process approved in advance by the Chief Examiner as being compliant with the Uniform Guidelines for Employee Selection Procedures, issued by the Department of Labor, 29 CFR Part 1607 which are applicable to tests, and certified in accordance with the certification requirements set out in these Rules.
- (c) Employees blanketed into a classified position under the provisions of this Rule will be placed in probationary status for a period of time consistent with these Rules as designated by the Commission. Upon request of the Appointing Authority and a showing of good cause, the Commission may consider and waive this probationary requirement in instances where the person has satisfactorily held the position from which they are converting for a period of one (1) year or longer immediately prior to appointment under the Civil Service. As used in this section, good cause may include, but is not limited to, verification that the candidate has maintained required certifications and has demonstrated the ability to successfully perform the essential functions of the position in accordance with the required standards of work.
- (d) For purposes of administration under Civil Service Rules, including seniority in the classified service, such appointments shall be considered as original appointments to the classified service.
- (e) All other appointments to the classified service which occur as a result of conversion of a City of Reno position from non-Civil Service appointment status to Civil Service classified appointment status shall be made through the Civil Service open competitive recruitment, merit based examination and certification process as required by these Rules.

## **Section 5. Return to Civil Service from an Appointed Exempt Position**

- (a) The purpose of this Rule is to establish procedures for returning a previously confirmed Civil Service employee appointed to an exempt position back to the classified service pursuant to the authority provided the Commission by Charter §9.130.
- (b) Any confirmed classified employee who leaves the classified service to accept an appointive position shall not be deprived of any standing under the Civil Service Rules the employee may have had before accepting the appointive position.
  - i. A person with previous confirmed status in the classified service appointed to a regularly funded City position which has not been within the Civil Service, and which is subsequently converted to coverage under Civil Service, shall be retained in the classification without requirement for open competitive recruitment and merit based examination. An employee converted under the provisions of this rule will be placed in probationary status unless the person has satisfactorily held the position from which they are converting for a period of at least one (1) year immediately prior to the conversion. Seniority shall include cumulative time served in the classification.
  - ii. A person with previous confirmed status in the classified service appointed to a regularly funded exempt from Civil Service City position whose position has been eliminated shall be returned to the classified position held immediately prior to accepting the appointive position. Should no position exist, the employee shall either be placed in a vacant position in the next lower classification or be placed on the laid-off list. An employee reinstated to the classified service under the provisions of this rule shall be required to serve a new probationary period, unless upon request of the Appointing Authority and a showing of good cause, the Commission considers and waives this probationary requirement. The employee shall retain the seniority status they had when they left the classified service, but shall not have accrued any classified seniority during their time in the appointive position.