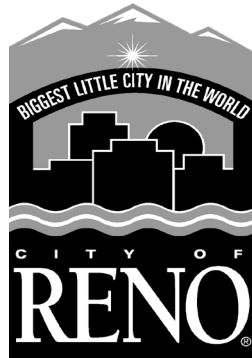


City of Reno



Civil Service Commission

Rules and Membership

June 2023

CIVIL SERVICE COMMISSION
Membership
2023

<u>Commissioners</u>	<u>Term Expires</u>
Tray Abney, Chairperson.....	July, 2023
YeVonne Allen, Vice-Chairperson.....	July, 2026
Ricardo Duarte, Commissioner.....	July, 2023
Charla Honey, Commissioner.....	July, 2026
Jay Kenny, Commissioner.....	July, 2024
Nichole Paul, Commissioner.....	July, 2025
Christopher Svendsen, Commissioner.....	July, 2027

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**RENO CIVIL SERVICE COMMISSION
RULES AND REGULATIONS**

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INTRODUCTION – SUMMARY OF CIVIL SERVICE

The Civil Service Commission (“Commission”) is mandated by the Nevada State Legislature in the Reno City Charter, Chapter 662, Statutes of Nevada 1971, as amended (“Charter”). A copy of the Charter is included in the back of this Rule Book. The Commission is an autonomous body of seven (7) residents of the City of Reno with no other connection with the City government who are appointed to five (5) year terms on succeeding years by the Mayor with approval of the City Council. It is their charge and authority to provide the City of Reno with an efficient work force, with equity to all persons concerned.

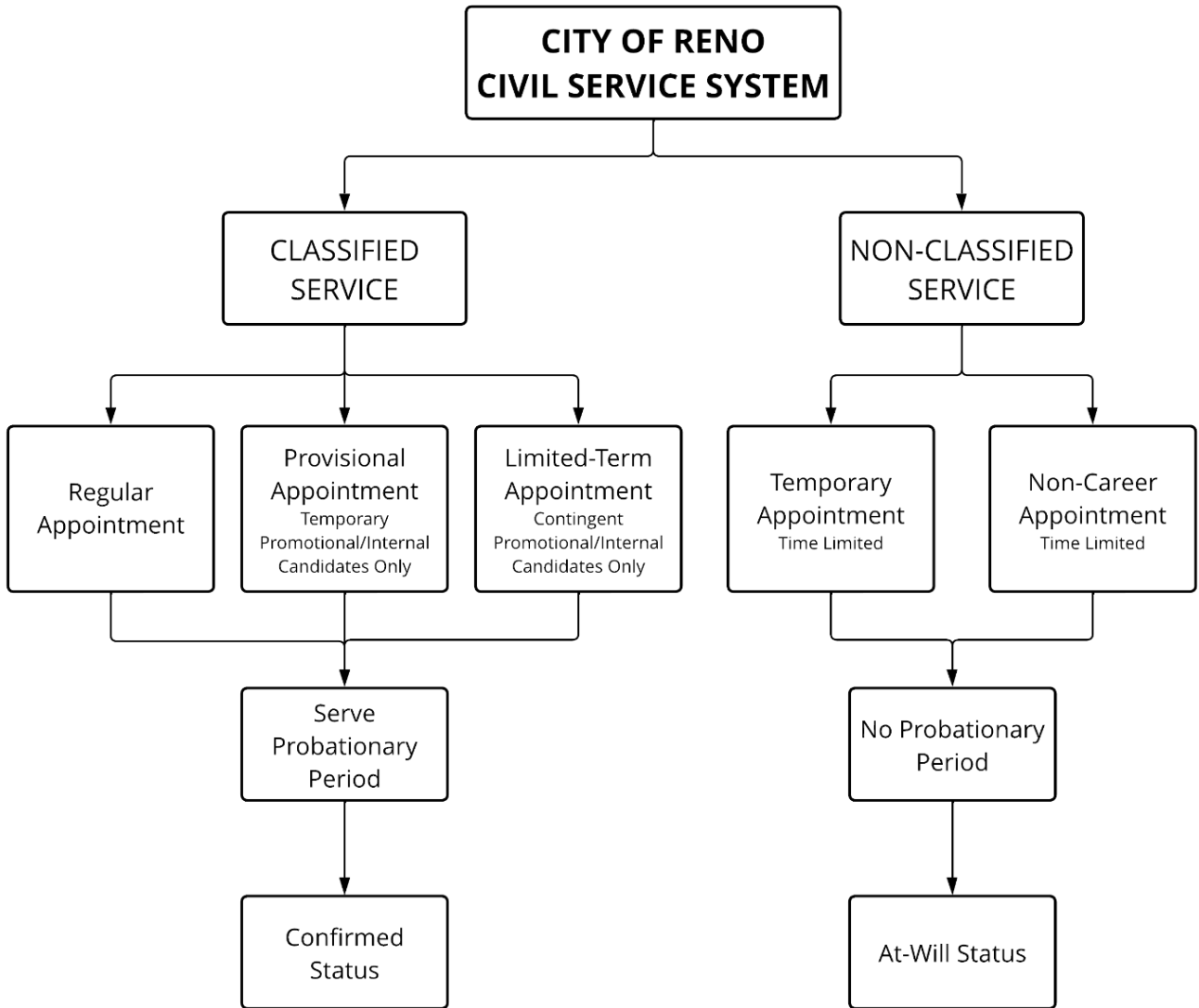
It is the Commission's task to supervise the merit system of competition and fitness in procedures for recruiting, evaluating, selecting, employing, promoting, and retaining all employees in Civil Service within the City. They receive and evaluate all applications for employment in the City's Civil Service, administer written and oral examinations, establish eligible lists, and certify eligibles for all Civil Service classifications. They function as an appeal tribunal for confirmed classified employees within Civil Service regarding adverse actions premised upon Prohibited Acts, classification, layoff, dismissal, demotion, suspension, and disciplinary actions. It is their duty to establish career paths on which classified employees within Civil Service may progress to mutual advantage. They are responsible for all Civil Service classified employee transfers. It is also their responsibility to assure equal employment opportunities to persons of all races, colors, sexes, sexual orientation, marital status, gender identity or expression, disability, ages, national origins, religious beliefs, and political or organizational affiliations.

Pursuant to Charter §9.020, the City of Reno Civil Service system covers all employees of the City except for those specifically exempted under this section of Charter.

For illustrative purposes only, an overview of the City of Reno Civil Service System is provided on the following page.

Pursuant to Charter §9.070, the Commission shall appoint a Chief Examiner who shall serve at the pleasure of the Commission. Pursuant to Charter §9.150, the City Council shall provide to the Commission such employees, facilities, and funds reasonably necessary and proper for the purpose of enabling the Commission to accomplish its functions and purposes set forth in Charter.

OVERVIEW OF CITY OF RENO CIVIL SERVICE SYSTEM



CIVIL SERVICE RULES AND REGULATIONS
for
THE CITY OF RENO, NEVADA

Pursuant to the provisions of Article IX of the Reno City Charter (“Charter”), the Civil Service Commission of the City of Reno, Nevada (“Commission”) hereby prescribes the following rules and regulations (“Rules”) relating to the employees of the City of Reno within the provisions of said Article IX. In all cases not governed by Constitutional provisions, the Nevada Revised Statutes, the Charter of the City of Reno, and these Rules, the latest edition of Robert’s Rules of Order, by Henry M. Robert, shall apply.

RULE I – PURPOSE AND APPLICATION

Section 1. Purpose.

The general purpose of these Rules is to establish uniform methods of practice and procedure for the administration of the Civil Service program as provided in the Charter. The intent of the Charter is interpreted to require that the City of Reno and its Civil Service employees shall have reasonable assurance that employment matters will be dealt with on a uniform, equitable basis so that the citizens of Reno may derive the benefits and advantages which can be expected to result from a competent staff of Civil Service employees. Merit principles of competition and fitness shall govern in the procedures for selection, employment, promotion, and retention.

Section 2. Application.

These Rules shall apply to all City of Reno Civil Service positions and offices.

Section 3. Meetings.

At least one (1) regular meeting of the Commission shall be held each calendar month at a time and place agreed upon by the Commission. All meetings shall be open to the public and notice of the meeting shall be published in accordance with the requirements of Nevada's Open Meeting Law. Additional or special meetings may be called by the Chairperson.

- (a) Regular attendance at Commission meetings by the members is expected by the Chairperson, the Mayor and the Reno City Council.
- (b) Three (3) consecutive unexcused absences by a Commission member from regular or special Commission meetings shall result in the “automatic resignation” of that member. Absence from a series of meetings pertaining to one (1) subject such as an appeal or otherwise shall be deemed an absence from one (1) meeting only for purposes of this rule. An unexcused absence is an absence that has not been noticed by a Commission member to the Chairperson or Chief Examiner prior to the next meeting.
- (c) An “automatic resignation” may be appealed to the Mayor and Reno City Council for reinstatement. The appeal shall be initiated by the Commission member and filed with the Reno City Council within thirty (30) calendar days following notification that the Commission member is subject to an “automatic resignation” from the Commission.

Section 4. Equal Employment Opportunity.

The City of Reno is an equal opportunity employer. As such:

- (a) All persons are entitled to apply for and participate in any recruitment opportunity within the City of Reno Civil Service, provided they are qualified and successfully complete the recruitment and examination process in a manner consistent with these Rules and the requirements published in the job announcement; and
- (b) Pursuant to Charter §9.010, all appointments and promotions to positions in Civil Service must be made on the sole basis of merit and fitness, without regard to non-job-related considerations.

Section 5. Prohibited Acts.

Appointments to and/or removal from a position in Civil Service shall not violate the provisions of Charter §9.160 or any other law of the State or the United States relating directly thereto (“Prohibited Acts”). Sections 9.050 and 9.270 of the Charter and Rule XIV governing appeal rights of Civil Service classified employees in regards to dismissal, demotion, suspension and disciplinary actions will be applicable to appeals of alleged improper adverse actions premised upon Prohibited Acts, in accordance with such provisions

Section 6. Severability.

If any section or part of any section of these Rules is held by any court to be invalid or unconstitutional, the same shall not invalidate or impair the validity, force or effect of any other section or part thereof.

RULE II – COMMISSION ORGANIZATION

Section 1. Commission Chairperson.

The Commission shall select one (1) of its members to serve as Chairperson and one (1) other member to serve as Vice-Chairperson for a period of two (2) years beginning with the first regular meeting in July of each odd-numbered year.

Section 2. Presiding Officer.

The Chairperson shall preside at all meetings of the Commission. In the absence of the Chairperson, the Vice-Chairperson will serve as Chairperson.

Section 3. Staff.

- (a) The staff of the Commission will consist of a Chief Examiner and such assistants and employees as may be required to administer the Civil Service system. The Chief Examiner, or their authorized designee, shall be empowered to act for and in the name of the Commission in the conduct of daily routine business and in other matters relating to the administration of these Rules as authorized by the Commission.
- (b) The Commission will establish the compensation, benefits, and terms of employment for the Chief Examiner, consistent with other City employee management groups.

Section 4. Rules.

All Civil Service rules shall be established in accordance with Article IX of the Charter.

- (a) Any proposed addition or amendment to these Rules shall be processed by the Chief Examiner. The Commission will meet and hear objections to the adoption of such proposed amendments or modifications. A copy of the meeting notice and each proposed rule shall be given in writing to the Mayor and members of the City Council, the City Manager, the head of each department, and the president or secretary of each employee organization formally recognized by the City, and shall be posted on the bulletin board and in conspicuous places accessible to employees affected by such proposed amendment or modification and the City's website not less than ten (10) calendar days prior to the date of said meeting.
- (b) At the meeting, the Commission will permit a representative of the City Council or the City Manager, or both, as well as employees, their representatives, and members of the public, to comment on any proposed rule. A copy of all rules adopted and all changes in them shall be filed in the Office of the City Clerk, posted on the City's website, and may be distributed in such other format as the Commission deems appropriate.
- (c) Pursuant to Charter §9.060(1), any amendment of the rule governing the number of qualified persons certified to the appointing authority on the Civil Service eligibility list shall not become effective until that amendment is approved by the City Council.
- (d) Pursuant to Charter §9.060(4), the head of each department may adopt procedures for the governance of their department not inconsistent with the provisions of the Charter and the Rules of the Commission adopted thereunder.

RULE III – DEFINITIONS

1. Advanced Qualification: Commission-approved minimum qualifications that exceed those usually required in order to select and hire candidates that have successfully completed an occupationally required training academy or an approved performance standard.
2. Applicant: A person who completes and files an employment application for a position within Civil Service.
3. Appointee: A person who has been employed in a Civil Service position.
4. Appointing Authority: The City Manager or their delegate.
5. At-Will Employee: A person whose employment by the City may be terminated at any time, with or without advance notice, and with or without reason, by the City.
6. Candidate: A person who is verified as meeting the minimum qualifications for the classified service position they are seeking and who is in the process of selection but has not attained status as an eligible certified candidate.
7. Certification: The official release of names of applicants who have successfully completed the Civil Service competitive recruitment and examination process and are placed on the eligible list for appointment consideration.
8. Charter: The Reno City Charter, Chapter 662, Statutes of Nevada 1971, as amended.
9. City Manager: The duly appointed City Manager of the City of Reno, County of Washoe, State of Nevada.
10. Civil Service Employees: All employees of the City of Reno who are now or shall hereafter be included under the provisions of Article IX of the Charter.
11. Civil Service: All positions now existing or hereafter created by the City of Reno, not specifically exempted by the Charter, which have been determined to be covered under the rules and regulations of the Commission, including but not limited to positions in the classified, temporary, and non-career service.
12. Civilian Public Safety Eligible: Administrative support positions for Public Safety and Emergency Communications Departments including, but not limited to, Police Assistant, Community Service Officer, Police Services, and designated positions in the Clerical Classification Series.
13. Classification:
 - (a) A single position; or
 - (b) A group of positions sufficiently similar in respect to their duties and responsibilities that: (i) the same title may be used to designate each position allocated to the classification; (ii) the same minimum requirements for work may be required for all incumbents; (iii) the same selection and examination process may be applied; and (iv) the same schedule of compensation may be applied with equity under the same or substantially the same working conditions.
14. Classification Plan: A listing of all the class specifications which have been established by the City and whose minimum qualifications have been reviewed and approved by the Commission.

15. Class Specification: A written description of a class, consisting of a title, a definition, examples of duties, and the minimum qualifications required and which may serve to consolidate all job descriptions which are the same or similar in degree of responsibility or complexity or require the same skill, knowledge or experience to perform, and from which is determined the basic levels required to perform satisfactorily the work of any one of such positions.
16. Classified Employee: An employee who has been hired to fill a position in the classified service.
17. Classified Position: A position in the classified service which performs work of a continuing nature, the expected duration of which is longer than six (6) calendar months.
18. Classified Service: All regular positions now existing or hereafter created by the City of Reno, not specifically exempted by the Charter, which have been determined to be covered under the rules and regulations of the Commission, which the Commission has determined must be filled according to merit principles of competition and fitness from eligible lists, and under which employees are eligible to receive or have received confirmed employee status.
19. Commission: The duly appointed Civil Service Commission of the City of Reno, County of Washoe, State of Nevada.
20. Confirmation: Action taken by the Commission affirming that an employee has successfully completed the probationary period in a classified position and attained confirmed employee status.
21. Confirmed Employee: An employee who has successfully completed the applicable probationary period for the classification held, has received confirmation, and is entitled to the rights and privileges provided to confirmed employees in the classified service under these Rules.
22. Demotion: The reduction of a classified employee, through Civil Service procedures, from one classification to another having a lower pay grade than the classification held prior to demotion.
23. Department Head: The duly appointed managing director of any department.
24. Disciplinary Action: A personnel action taken against a Civil Service employee who has violated the policies, rules, or authority governing work. Discipline may include, but is not limited to suspension, demotion, or dismissal.
25. Discrimination: Making employment decisions on an employee's protected class status, such as sex, race, color, religion, national origin, age, marital status, sexual orientation, gender identity or expression, or disability, instead of their qualifications, except when based upon a bona fide occupational qualification or as otherwise authorized by law.
26. Eligible Certified Candidate: A person who has successfully completed an examination consisting of one or more tests as determined by the Chief Examiner, and is available to be appointed to a vacant position in the classified service for which they have qualified.
27. Eligible List or Eligibility List: A list of names of applicants who have passed the prescribed entrance or promotional examinations for positions in Civil Service, in the order of final ratings earned.

28. Emergency: An occurrence or threatened occurrence which is defined by the laws of the State of Nevada as and is declared to be an emergency for which it is determined that the assistance of state or federal agencies is needed to supplement the efforts and capabilities of the City of Reno, which may include a disaster or local emergency, such as a riot, military action, flood, fire, storm, earthquake, epidemic, sudden and severe energy shortage, civil disorder, or other similar conditions, which poses a substantial immediate or imminent threat to the life, health and/or safety of the public, City infrastructure, and/or community property.
29. Examination: A method of evaluating the fitness of an applicant to hold a position under the provisions of the Charter and these Rules.
30. Full-time Employee: A person whose standard work schedule is one hundred percent (100%) of the full-time equivalent hourly work schedule established for the position. Full-time refers to the schedule of hours worked, not the type of position to which the employee has been appointed. Full-time employees can therefore be employed in the classified, temporary, or non-career service.
31. Harassment, Illegal Act(s) and Other Prohibited Acts: The act of subjecting an individual to unlawful forms of harassment, treating an individual differently because of that person's membership in a protected class, or otherwise taking action based on reasons which are prohibited by law.
32. Incumbent: A person who currently holds a position in the classified service.
33. Job Description: A detailed listing of the representative duties, tasks, operations, and responsibilities undertaken and performed in the execution of the job.
34. Job-Related Criteria: Factors essential to critical job performance as validated by a hiring selection job analysis.
35. Laid-Off-List: A list of names of classified employees who have been removed from City service because of a reduction in staff as determined by the City Council pursuant to Charter §9.140.
36. Leave of Absence: A period of excused absence with or without pay from a position in the classified service which has been approved and granted in the manner set forth in these Rules.
37. Limited Term Appointment: Limited term appointments are promotional appointments to positions in the classified service from a Civil Service eligible list for a period of time which may be in excess of six (6) calendar months and may be for a definite or indefinite period of time contingent upon an anticipated event occurring.
38. Line of Progression: Career fields within the City's classification plan with the same or shared job-related knowledge, abilities, and skills.
39. Minutes: The official record of meetings of the Reno Civil Service Commission.
40. Non-career appointment: A limited work hours appointment of a qualified person to a position in the non-career service.
41. Non-career employee: A qualified person who has been hired to fill a position in the non-career service.

42. Non-career service: All non-classified positions now existing and hereafter created by the City of Reno, not specifically exempted by the Charter, which are covered by Civil Service Rules and are filled under a limited work hours appointment (not to exceed 1,039 work hours in any fiscal year) to perform seasonal or intermittent work that may be ongoing or recur from year-to-year, as more specifically defined in these Rules.
43. Part-time Employee: A person whose standard work schedule is less than one hundred percent (100%) of the full-time equivalent hourly work schedule established for the position. Part-time refers to the schedule of hours worked, not the type of position to which the employee has been appointed. Part-time employees can therefore be employed in the classified, temporary, or non-career service.
44. Personnel: All employees of the City of Reno who are now or shall hereafter be included under the provisions of Article IX of the Charter.
45. Probationary Employee: An employee appointed to a position in the classified service who has probationary status and has not been confirmed in the classification.
46. Probationary Period: That period between appointment of an applicant to a position in the classified service and their confirmation to such position in the manner set forth in these Rules.
47. Promotion: Progression of a classified employee, through Civil Service procedures, to a position in a classification which has a higher pay grade than the classification held.
48. Provisional Appointment: A non-status, short-term appointment of a qualified classified employee to a position in the classified service when no approved eligible list exists or no applicants on an eligible list are available for appointment.
49. Provisional Employee: A classified employee who has been appointed to temporarily fill a position in the classified service for the period necessary to complete competitive examination and establish an eligible list.
50. Public Safety Eligible: Badged Public Safety Department and Emergency Communications such as Fire Suppression/Prevention and Police Sworn Classification Series.
51. Rating: An evaluation, appraisal, score, or grade given in any selection process.
52. Reclassification: The reassignment of a position on the classification plan.
53. Re-employment List: A list of names of applicants who have resigned or taken a voluntary demotion in good standing from a position in the classified service, or whose time on a laid-off list is due to expire, who notify the Chief Examiner of their request to be placed on a re-employment list.
54. Reinstatement List: A list of names of classified employees who have been laid off and have precedence or priority over all others in certification for recall for appointment as more specifically provided in these Rules.
55. Resignation: The voluntary separation of an employee from Civil Service.
56. Retirement: The separation of an employee from Civil Service within the provisions of the Public Employees Retirement System of the State of Nevada, or any retirement system which shall hereafter be adopted by or imposed upon the City of Reno.

57. Selective Certification: The certification of a person for inclusion on a Civil Service eligibility list for a position based upon specialized knowledge, skills, or abilities of the person, in addition to those required to meet the minimum qualifications for the position, that are required to perform the duties of the position successfully.
58. Seniority Credit: The numerical credit allowed for years of continuous service in a position in the classified service in any department or division.
59. Suspension: The disciplinary removal of an employee from a classified position for a specified period of time with loss of pay.
60. Temporary Appointment: A time-limited, short-term appointment of a qualified person to a position in the temporary service.
61. Temporary Employee: An employee who has been hired to fill a position in the temporary service.
62. Temporary Service: All positions now existing and hereafter created by the City of Reno, not specifically exempted by the Charter, which are covered by Civil Service Rules and which are filled on a temporary appointment basis for a finite period of time as more specifically defined in these Rules.
63. Termination: The involuntary removal of an employee from Civil Service.
64. Test: One (1) section of an examination series.
65. Transfer: A noncompetitive appointment in which a classified employee moves from one classified position to another in the same classification or a related classification with the same pay grade.

RULE IV – APPLICATIONS AND APPLICANTS

Section 1. General Provisions.

- (a) All applications shall be addressed to the Commission. Such application must be completed and certified by the applicant or as directed upon the application and must be made on a form provided by the Office of the Civil Service Commission.
- (b) The Chief Examiner shall reject the application of any person which is not written on the prescribed form and filed within the period specified in the job announcement or which indicates on its face that the applicant:
 - (1) Does not possess the minimum qualifications required for the position.
 - (2) Has made any false statements of any material facts or practices, or attempted to practice any deception or fraud in their application.
- (c) If an application has been accepted by the Chief Examiner, and the applicant is later found to lack the requirements, or to violate the Rules prescribed herein, the Chief Examiner shall reject the application; or after examination, shall disqualify a successful candidate and remove that candidate's name from any eligible list upon assent by the Commission.
- (d) Whenever an applicant is rejected, notice of such rejection shall be sent to the applicant within fifteen (15) calendar days by the Chief Examiner or their designee. Defective applications may be returned to the applicant with notice to amend the same, and the application may be amended and re-filed. To be considered, re-filed applications must be received before close of the filing deadline established in the job announcement.
- (e) No individual employed by the City of Reno as an elected official, the City Manager, a department head or assistant or deputy department head, or any member of the City of Reno board, agency, or commission established by Nevada Revised Statutes, elected or appointed, shall hire or appoint to any Civil Service position on behalf of the City of Reno any relative of such elected official, City Manager, department head or assistant or deputy department head or any member of a City of Reno board, agency or commission established by Nevada Revised Statutes, elected or appointed, within the third degree of consanguinity or affinity.

Section 2. Compliance with Federal Records Keeping Regulations.

All applicants shall be encouraged to voluntarily complete a Background Survey Questionnaire, which will give statistical information required by Federal Guidelines regarding applicant and candidate age, sex, race, ethnicity, and disability status. Such Questionnaire will be disassociated from the Application for Employment immediately upon receipt and shall not be considered at any time for employment decisions.

RULE V – CLASSIFICATIONS

Section 1. General.

- (a) Pursuant to Charter §9.180, the City Manager shall prepare, maintain and, as necessary, revise a classification plan for all positions in the Civil Service and shall allocate each position in the Civil Service to a class set forth in the classification plan. A copy of the classification plan shall be made available to the Chief Examiner.
- (b) Under this Charter provision, each class specification must include, without limitation, a title, a definition or statement of the characteristics of the class, a list of typical tasks or examples of the duties of the class, a list of the knowledge, skills, and abilities required for employees in the class, a statement that describes the minimum qualifications of employees in the class, and any other information that the City Manager determines is necessary for the proper classification and supervision of positions in the Civil Service.
- (c) Pursuant to Charter §9.180 (2), the Commission is charged with responsibility for reviewing and approving the minimum qualifications of each Civil Service classification, prior to implementation thereof, as part of its responsibility for recruiting and selecting employees.
- (d) Pursuant to Charter §9.180 (3), the City Manager shall allocate positions into each class by grouping positions that have similar qualifications and levels of difficulty and responsibility such that the similarities justify similar treatment. Each Civil Service position covered under the classification plan shall be designated by a classification specification number. No appointment to any classification within Civil Service shall be made except as provided by these Rules.
- (e) Pursuant to Charter §9.180 (4), any employee in the Civil Service who is adversely affected by a classification decision made pursuant to paragraph (a) above may request to have the classification decision reviewed by the Commission and shall be given an opportunity for a hearing as provided in Rule XIV.
- (f) A request for such a review must be submitted to the Commission not more than 30 calendar days from the date the employee receives written notification of the City Manager's decision.
 - i. An appeal made under this provision must be in writing and must be addressed to the Civil Service Chief Examiner.
 - ii. The appeal must:
 - (1) Indicate the appellant's name and provide a telephone number where the appellant may be contacted during business hours;
 - (2) Include the name of the department in which the appellant works, together with the name and telephone number of the appellant's immediate supervisor and division manager;
 - (3) Specify the classification title and job classification number currently assigned to the appellant's position, together with an explanation of the inaccuracies and an explanation of the efforts made to correct the classification assignment;

- (4) Address the points outlined in the City Manager's decision regarding the proper classification for the position in question, indicate the points with which the appellant disagrees and express the reasons for the disagreement.
 - (5) Provide such additional information about the position and/or its classification assignment as the appellant may deem necessary in helping the Commission to understand the issue, e.g., job description, organizational charts, and work samples that are not available electronically.
- iii. An employee appealing a classification decision may have a representative help in the preparation, submission, and/or presentation of their appeal.
 - iv. The Commission's determination shall be based on the information supplied by the City, the appellant, and/or as may be compiled at the request of the Commission by the Chief Examiner or their designee.

Section 2. Job Surveys.

The Chief Examiner may conduct surveys for job requirements, classification relationships, and lines of progression for each position within Civil Service, as appropriate.

Section 3. Classification Titles.

Classification titles for each position in Civil Service shall be, as nearly as possible, descriptive of the general duties attached thereto, and shall be the same for all offices and places requiring the same service. Such classification titles and specification numbers shall be used to designate employees' positions or jobs in all official communications, reports, and Civil Service records.

Section 4. New and Revised Class Specifications.

Class specifications for new and/or revised positions will be prepared by the City Manager or their delegate and presented to the Commission for review and approval of the minimum qualifications.

Section 5. Reclassification.

Whenever duties or responsibilities of a classified position change to the extent that they are no longer representative of the assigned classification, the position may be reclassified by the City Manager.

- (a) Whenever a classified position is reclassified which involves a promotion, the incumbent shall be required to take and pass the current Civil Service examination for the new classification before the promotion may take effect.
- (b) Whenever the qualifications of a classification are adjusted upward, all incumbents holding that classification shall be deemed to possess such qualifications; such adjustment shall not affect their present status provided any requirement imposed by local, state, or federal law is met, as required by the local, state or federal law.
- (c) Should the reclassification result in downgrading, the affected employees may retain the reclassified position at the lower level or may request a transfer to another classified position in their present classification as provided in Rule X. Section 2(b). Upon a request for transfer, the affected employee shall accept transfer to the first available classified position at which time the reclassification shall be implemented. Failure to accept transfer to the first available classified position shall result in reclassification to the lower position.

RULE VI – RECRUITMENTS AND EXAMINATIONS

Section 1. General.

- (a) Section 9.010 of the Charter states that all appointments and promotions to positions in Civil Service must be made on the sole basis of merit and fitness, without regard to non-job related considerations. In keeping with this mandate, the Commission shall provide for a competitive recruitment and examination process for all positions within the classified service in accordance with the requirements of these Rules.
- (b) The Commission may refuse to examine applicants or, after an examination, to certify candidates and remove names from the eligible list for any of the following reasons: 1) Dismissal from City of Reno employment, for cause; 2) Intentionally false statement of any material fact in securing examination, certification or appointment; and 3) Any other willful violation of these Rules.

Section 2. Recruitment.

The Chief Examiner shall determine the type of recruitment to be used based on consideration of the number of current or anticipated vacancies and anticipated number of applicants. Such recruitments may be held on an open competitive or promotional basis or a combination of the two. In making this determination, the Chief Examiner shall consider the potential size of the applicant pool and evaluate the need to provide a fair and equal opportunity for public service, the composition of the existing workforce in relation to the community served, the needs of the department, and opportunity for promotion. If practical, such recruitments may be initiated prior to expiration of an eligible list.

Section 3. Examination Series.

An examination series for appointment within the classified service, whether for original or promotional appointment, may consist of written, oral, performance, or physical tests, or any combination thereof, to include use of assessment center techniques as determined by the Chief Examiner. All examinations shall be based on the job description and shall relate to those matters, which shall fairly test the knowledge, skills, and abilities of the applicant to successfully discharge the essential duties of the position to which appointment is sought. If an applicant shall fail one of the prescribed tests in an examination series, that applicant will not be eligible to complete the series, unless otherwise ordered by the Commission for the good of the service.

Section 4. Job Announcement.

- (a) The Chief Examiner shall be responsible for the creation and posting of job announcements for all positions in the classified service. These job announcements will be based on, but shall not be limited to, information provided by the City, its employees, existing records and class specifications, including the use of job surveys and analysis, which may provide more current information than the available class specification.
- (b) Notice of job announcements shall be posted in the office of the Commission as well as forwarded to departments and divisions, and given such other publicity as deemed necessary by the Chief Examiner, after consultation with the department. Such notice shall describe the position vacancy, the character of the examination(s) to be used, and the qualifications required of applicants (including a minimum age, if applicable), together with such other information and/or direction as the Chief Examiner may deem appropriate. Job announcements shall fix the period in which applications will be received.

Section 5. Filing of Applications, Corrections, and Notifications of Testing.

- (a) No person shall be admitted to any examination for a position in the classified service who has not completed and submitted an application upon a form provided by the Office of the Civil Service Commission which shows the applicant has met the requirements stipulated by these Rules. No information shall be requested, or accepted, on the application form which reveals religion, religious belief, religious, organizational, or political affiliations, membership or non-membership in an employee organization, race, color, age, sex, sexual orientation, disability, national origin, marital status, or gender identity or expression of the applicant, except when based upon a bona fide occupational qualification or as otherwise authorized by law.
- (b) Applications found to be incomplete or incorrect may be returned to be corrected and re-filed, provided re-filed applications, to be considered, must be received before close of the filing deadline established in the job announcement.
- (c) Upon determination by the Chief Examiner or their designee that an applicant is qualified to take the required examination(s), a written notification designating the time and place of examination shall be sent to the applicant. A photo ID will be required to enter the place for examination.

Section 6. Waiver of Qualifications.

- (a) In order to expedite an examination process or the development of eligible lists, the Chief Examiner may, upon a showing of good cause, change or modify the adopted minimum qualifications, subject to subsequent review and approval by the Commission.
- (b) The Commission by action may waive for justifiable cause any qualification in an effort to obtain qualified applicants for Civil Service positions so long as such waiver is applied equally to all affected applicants.

Section 7. Conduct of Examinations.

- (a) All assembled examinations shall be conducted and managed so that no examination paper will disclose the name of any applicant until all the examination papers have been graded. This Rule will not apply during continuous testing. Examiners are forbidden to explain the meaning of any question. All conversation or communication during the examination is strictly prohibited. Applicants must receive permission to leave the room during any examination. An applicant who withdraws from an examination, after filling out the identification sheet and receiving a copy of the questions, shall be considered as having failed.
- (b) No assistance of any kind will be allowed during examination unless specifically authorized by the Chief Examiner. Any written or printed matter that might be of aid in the examination, unless approved by the Chief Examiner, must be handed in before the examination commences. Any attempt to cheat or copy from another applicant will render the violator ineligible for the position.

Section 8. Rating.

Each examination shall consist of one (1) or more tests to which the Chief Examiner shall assign weights, prior to the examination series, representing the relative value of each test to the whole. The Chief Examiner shall establish the minimum passing point for each test in an examination series, for each test in an examination, and for procedures for the computation of scores. All applicants for

the same examination shall be accorded uniform and equal treatment in all phases of the examination and rating procedure.

Section 9. Retention of Materials and Notification of Scores.

All examination materials remain the property of the Commission and shall be retained in its files according to the Commission's retention schedule. Such retention schedule shall require, at a minimum, that the Commission's records be retained for such length of time as required by Nevada Revised Statutes. Within fifteen (15) calendar days, or as soon as practical, applicants will be notified whether they passed or failed and their position on the eligible list.

Section 10. Postponement of Examination.

Whenever it may appear to the Chief Examiner, by reason of the small number of applicants for any examination, either open competitive, or promotional, that such examination has not been given sufficient publicity, or for other good and sufficient cause, the Chief Examiner may postpone said examination to a later date. All persons having applications on file for the particular examination shall be notified of the postponement and shall be further notified of the new date and time at which they are to appear for such examination.

Section 11. Continuous Examination.

Examinations for classifications in which the need continually exceeds the availability of appointees, may be administered as applications are received with results merged into one eligible list as eligibility is established.

RULE VII – CERTIFICATION OF ELIGIBLES, APPOINTMENTS, AND PROBATION

Section 1. General.

- (a) No appointing authority shall select or appoint any person for, or to, any position within Civil Service except as provided within these Rules; nor shall the Commission approve the appointment of any person except as provided by these Rules.
- (b) Civil Service shall consist of all City of Reno employee positions, now existing or hereafter created by the City of Reno, not otherwise specifically exempted by Section 9.020 of the Charter. Within Civil Service, employment shall be categorized as within the classified, temporary, or non-career service.
- (c) Classified service shall be comprised of all Classified Positions within Civil Service. Classified Positions shall include all Civil Service positions which are assigned work of a continuing nature the expected duration of which is longer than six (6) calendar months, together with such other Civil Service positions as may be deemed appropriate by the Commission.
- (d) Temporary service shall be comprised of all non-classified positions covered by Civil Service Rules and which are filled on a short-term basis for a finite period of time. Appointments under the temporary service may not exceed the maximum finite period of time authorized by these Rules.
- (e) Non-career service shall be comprised of all non-classified positions covered by Civil Service Rules and which are filled under a limited work hours appointment (not to exceed 1,039 work hours within any fiscal year) to perform seasonal or intermittent work that may be ongoing or recur from year-to-year.

Section 2. Request for Certification and Pre-certification Background Check.

Vacancies in the classified service, if not filled by transfer, shall be filled by request for certification as provided herein.

- (a) Request for Certification. Whenever a vacancy is to be filled in the classified service, the appointing authority shall make request for certification to the Chief Examiner upon the City's approved personnel requisition form, setting forth, at a minimum, the Class Specification Title, Class Specification Number, and position control number for the position, and any other information deemed appropriate by the Chief Examiner.
- (b) Pre-certification Background Check. In order to streamline the comprehensive background check process utilized by the appointing authority, a pre-certification background check process may be conducted by the Reno Police Department on particular classifications selected and approved by the Commission.

The classification approved for the pre-certification background check process is Police Recruit. If the appointing authority determines a comprehensive background check should be utilized for any other classification, release of information requires the prior approval of the Commission and compliance with all applicable Civil Service rules, practices, and applicable law.

The only information which may be released to designated personnel responsible for completing background investigations on behalf of the Reno Police Department to conduct

the pre-certification background check shall be information pertaining to a candidate's identity and rank order as designated on the list of eligible candidates. Until such time as an eligible candidate is certified to the appointing authority pursuant to this Rule, the following applies:

- (1) The released information and the related pre-certification background check findings shall remain confidential and shall not be distributed to the appointing authority by the designated personnel responsible for completing background investigations on behalf of Reno Police Department; and
- (2) The appointing authority shall not conduct an interview of the eligible candidate.

If this Rule is not complied with or a breach of the confidentiality of this process occurs for any reason, the Commission shall be immediately notified and is entitled to review the matter and shall have the authority to take action appropriate to enforce its Rules and any remedial action needed to protect the integrity of the Civil Service process, including, but not limited to, immediate suspension of releasing information for the pre-certification background check process. The above confidentiality requirements are to be applied in conformity with all other employee confidentiality requirements provided by law.

Section 3. Certification.

Upon receipt of a request for certification, the Commission shall ascertain the availability for employment of persons from the appropriate list and shall then certify:

FIRST: From the laid-off list, the same numbers of names as there are vacancies, in the inverse order of their layoff, for positions to which they are eligible.

SECOND: From a promotional list as follows:

- (a) Fire Department: If the list contains fifteen (15) names or less, the ten (10) highest available eligibles; if the list contains more than fifteen (15) names, the eleven (11) highest available eligibles; If the list contains fewer than ten (10) eligibles, all names shall be submitted. If there is more than one vacancy, one additional name shall be submitted for each vacancy.
- (b) Remainder of the City: Certification of the ten highest scoring available eligibles for the first vacancy and one additional name for every additional vacancy.

If the last score in rank order is a tie score and there are two or greater eligible candidates, all available eligible candidates with the same tie score are to be certified.

THIRD: From an original eligible list for appointment to the classification in which the vacancy occurs, the names, addresses, and telephone numbers of the highest available eligibles, as follows:

- (a) Certification of eligible candidates for the Firefighter classification: the ten highest scoring available eligibles for the first vacancy and an additional four names for every additional vacancy.
- (b) Certification of eligible candidates for the Police Officer Recruit classification: the ten highest scoring available for the first vacancy and an additional four names for every additional vacancy.
- (c) Certification of eligible candidates for the remainder of City classifications: the ten highest scoring eligibles for the first vacancy and one additional name for every additional vacancy.

If the last score in rank order is a tie score and there are two or greater eligible candidates, all available eligible candidates with the same tie score are to be certified.

Section 4. Action by Appointing Authority.

Upon receipt of an eligible list, the appointing authority shall interview and consider each certified eligible, and every fourteen (14) calendar days after receipt of an eligible list, shall notify the Chief Examiner in writing providing an update of the hiring selection interview process. Upon receipt of an eligible list, the interview process shall be completed within sixty (60) working days. The appointing authority, within ten (10) working days following the hiring selection interview process, shall select one (1) of the eligibles and so notify the Chief Examiner on the form provided.

If any eligibles are passed over on a promotion eligible list, the appointing authority shall confer with the passed over candidate and explain, in writing, the reasons for rejection in order that the passed over candidate might better prepare for further consideration during the viability of the promotion eligible list or for possible future promotion. The appointing authority, after selecting one (1) or more of the eligibles for which vacancies are to be filled, shall notify the eligible(s) passed over of the hiring selection decision within three (3) working days of notification to the selected eligible(s).

If fewer than three (3) names appear on the approved eligible list, such name or names may be certified, but the appointing authority may reject such eligible list, in which case the Chief Examiner shall declare the list exhausted. Another examination then will be held and the appropriate number of names certified.

Section 5. Notice of Appointment.

The department is responsible to notify the Chief Examiner, in writing, of the candidate selected within five (5) working days of such selection as set forth above in Section 4.

Section 6. Waiver of Certification.

Eligibles may request, in writing, that they not be considered for selection. Providing the reasons presented are satisfactory to the Chief Examiner, such waiver must be requested in writing within twenty (20) working days of the certification of the list to a department. An eligible may waive only two (2) times before being stricken from the eligible list.

Eligibles on a promotional list may request waiver of consideration only for positions which are not within their own department or division.

Section 7. Veteran or Employee Preference and Tie Scores.

- (a) Candidates who attain a minimal passing score on the examination shall be enrolled upon the eligible lists in order of their final rating. When two (2) or more eligibles have received the same score, including seniority points, the ranking shall be determined by a random assignment by computer unless one (1) of the eligibles has submitted proof of honorable discharge from the military service. Said eligible shall be awarded veteran's preference. In cases where two (2) or more of the eligibles who have received the same score and have been awarded veteran's preference, the ranking shall be determined by a random assignment by computer. In this instance, all eligibles receiving veteran's preference shall be ranked above all other eligibles receiving the same average score on both open competitive, as provided in subsection (b) below, and promotional examinations. The first appointed to the position from which promotion is sought, shall have priority. There shall be no limit to the number of eligible

lists on which an individual's name may appear at any given time. A candidate who desires to claim veteran's preference must at time of application submit documentation of honorable discharge from the United States Armed Forces.

- (b) In the event of tie scores resulting from an open competitive examination, classified employees will be provided a rank preference in the following order: employees with veteran status established pursuant to subsection (a) above shall be given first preference, non-veteran employees second preference, and non-employee veterans third preference.

Section 8. Selective Certification.

An appointing authority may inform the Commission in writing that a vacant position requires, in addition to the classification minimum qualifications, special skills, knowledge, or abilities unique to performing the essential functions of the vacant position. The Commission, at its discretion, may authorize the Chief Examiner to certify only the names of those on the eligible list who possess the particular skill, knowledge, or ability. Authorization for certification shall be granted if the Commission considers the written justification provided by the appointing authority to be satisfactory.

Section 9. Eligible List Extension.

Eligible lists shall be effective from the date of their approval by the Commission and shall continue in force for a period of one (1) year unless extended by the Commission for a period not to exceed one (1) additional year. The Commission may in a noticed public meeting, declare any list void at any time for good cause, in the sole discretion of the Commission. No rights are provided to applicants to require a list be maintained by the Commission.

Section 10. Advanced Qualification Lists.

In the absence of an open-competitive list and pending establishment of the same, a department may request the Commission to authorize the creation of an Advanced Qualification List.

If the Commission elects to authorize an Advanced Qualification List, it shall establish the necessary advanced qualifications for an individual to be eligible to compete for placement on the Advanced Qualification List.

The Advanced Qualification List shall be comprised of the names of individuals who have successfully passed the Civil Service examination process and met the advance qualification requirements established by the Commission. Individuals will be ranked on the Advanced Qualification List based on score and placement obtained in the Civil Service examination process, highest placement first.

Section 11. Removal from Eligible List.

- (a) The Chief Examiner shall remove the names of an Eligible from the eligibility list in the following cases:
- (1) If an eligible for entry level appointment has been certified, interviewed, and passed over at least (2) two times by at least two (2) different hiring authorities for appointment. In open entry classes, limited to one (1) hiring authority, the eligible has been passed over two (2) times and interviewed at least one (1) time. However, the hiring authority may request an eligible remain on the list if the eligible has been interviewed and passed over two (2) times provided the hiring authority has interviewed and selected an eligible from the list.

- (2) If an eligible for entry level appointment has been certified, interviewed, and passed over after one (1) time for appointment, provided the hiring manager has interviewed and selected an eligible from the list. The request must be based on Job-Related Criteria and written justification must be provided to the Chief Examiner by the hiring manager prior to removing the eligible's name from the eligible list. The information provided by the hiring manager is confidential in conformity with the requirements of law.
- (3) If a Civilian Public Safety Eligible for entry level appointment has been certified, interviewed, and passed over after one (1) time for appointment, provided the hiring manager has interviewed and selected an eligible from the list. The request must be based on Job-Related Criteria and written justification must be provided to the Chief Examiner by the hiring manager. The eligible will remain on the master list for consideration by other hiring managers. The information provided by the hiring manager is confidential in conformity with the requirements of law.
- (4) If a Public Safety Eligible for entry level appointment has been certified, interviewed, and passed over after one (1) time for appointment, provided the hiring manager has interviewed and selected an eligible from the list. The request must be based on Job-Related Criteria and written justification must be provided to the Chief Examiner by the hiring manager. The information provided by the hiring manager is confidential in conformity with the requirements of law.
- (5) For background disqualifying criteria as established by federal and/or state laws. Written justification must be provided to the Chief Examiner by the hiring manager prior to the removal of the eligible's name from the eligibility list. The information provided by the hiring manager is confidential in conformity with the requirements of law.
- (6) Failure to respond to a written offer of employment or notice to report to duty within five (5) working days. However, the eligible may petition the Chief Examiner to be reinstated on the list for failure to respond because of:
 - i. military leave/deployment within fifteen (15) working days from completion of military service/deployment; or
 - ii. medical matters within fifteen (15) working days from the date of the written offer or notice to report.

The reinstatement of the name on the eligible list is in the proper rank order as originally constituted.
- (7) Declined appointment.
- (8) Failure to respond within five (5) working days to a hiring selection interview established by an appointing authority, and, upon confirmation by the Chief Examiner that the eligible is not responding to an interview request by an appointing authority.
- (9) Failure to appear at the time set for the hiring selection interview unless the eligible provided a written request within one (1) working day to reschedule, which has been approved by the appointing authority.
- (10) If the candidate requests removal from the eligible list in writing to the appointing authority and the Chief Examiner.

(11) If an applicable state or federal law requires removal.

Section 12. Probationary Period.

(a) All original, promotional, reclassified, transferred, and voluntarily demoted employees who hold positions in the classified service shall be appointed tentatively and be subject to a probationary period as prescribed by the Commission, with the exception of employees who voluntarily demote directly back to the position from which they promoted within a twenty-four (24) month period. Such probationary periods shall be for a fixed period of six (6) calendar months, except that a twelve (12) calendar month probationary period may be established by the Commission for classes of positions in which the complexity of the work, length of required training, and/or cyclical nature of essential functions requires a longer period within which to properly evaluate the employee's performance.

In the case of sworn public safety positions, the probationary period shall be twelve (12) months.

(b) In the event a six (6) or twelve (12) month probationary employee suffers injury, illness, other disability, or for other reasons has been in approved leave status in excess of thirty (30) consecutive days and is unable to perform all of the essential functions of the job, the Commission may, at the request of the appointing authority, extend the probationary period. The extension may not exceed the period of injury, illness, other disability, or absence which prevented the employee from performing all of the essential functions of the position and will be approved only in cases where the employer requires the full six (6) or twelve (12) month period to properly evaluate the employee's job performance.

(c) The probationary period shall be regarded as an integral part of the examination process and shall be used for closely observing the employee's work, for securing the most effective adjustment of the employee to the position, and for eliminating any probationary employees whose performance does not meet the required standards of work.

(d) During the probationary period, the employee's immediate supervisor will counsel the probationary employee at least once a month to assess the adjustment of the employee to the position. A written record of such meeting will be placed in the employee's file.

(e) Upon completion of the probationary period, the appointing authority shall be responsible for notifying to the Commission in a timely manner that the employee has successfully completed the probationary period and requesting confirmation. Confirmation of a probationary employee shall be granted by the Commission or its designee in writing confirming that the probationary employee has satisfactorily completed the probation period and is confirmed into the classified service.

(f) The department head, or the City Manager, may terminate any classified employee serving under an original appointment at any time during the probationary period without rights of appeal, and may reject a confirmed employee serving a probationary period following promotion, reclassification, transfer, or voluntary demotion at any time during the probationary period without rights of appeal, except in cases in which the employee claims that the termination occurred as a result of unlawful discrimination or any other illegal act. To be effective, written notice of such action must be issued by the appointing authority and given to the employee and the employee organization prior to the established completion date of the probationary period and a copy must be forwarded to the Commission by the date

of the meeting of the Commission immediately following the effective termination date. If written notice of termination or rejection is not received by the probationary employee and the employee organization prior to the established completion date of the probationary period, the employee shall be considered to have satisfactorily completed the probationary period.

- (g) A probationary employee whose probationary status results from promotion or reclassification, who is rejected during the probationary period, shall be returned to the classification held immediately prior to the promotion, provided the employee does not displace any employee with greater classification seniority. Should no position exist, the employee shall either be appointed to a vacant position in the next lower classification or be placed on the laid-off list.
- (h) A probationary employee whose probationary status results from transfer or voluntary demotion, who is rejected during the probationary period, shall be returned to the classification held immediately prior to the transfer or voluntary demotion, provided the employee does not displace any employee. Should no position exist, the employee shall be placed on the laid-off list.
- (i) The Chief Examiner may reinstate a probationary employee terminated from an original appointment to the eligible list from which initially hired upon showing of good cause. This individual must notify the Chief Examiner within ten (10) working days in writing for consideration to remain on the eligible list.
- (j) A probationary employee serving an original appointment to a position in the classified service who is subject to lay off because of a reduction in staff will be reinstated on the active eligible list from which initially hired. All Civil Service Rules including those related to hiring, selection, and interviewing will apply. If such employee is re-hired from the active eligible list, the probationary period will resume from the time served prior to layoff. Such laid off probationary employee will have no Civil Service rights, including but not limited to, rights of seniority, displacement, reinstatement to an active eligible list, resumption of employment, and appeal.
- (k) A confirmed employee serving under appointment to a position in the classified service who is subject to lay off because of a reduction in staff, whose name appears on a reinstatement list, and who is re-hired from that reinstatement list shall not be required to serve an additional probationary period. However, if such employee is re-hired from a re-employment list, rather than a reinstatement list, the employee shall be required to serve a new probationary period, unless otherwise requested by the City Manager or their delegate, at which time the Commission may, upon a showing of good cause, consider and waive the probationary period requirement. 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.

Section 13. Temporary, Provisional, and Non-Career Appointments.

Pursuant to Charter §9.060 (1)(f), the Commission is empowered to adopt rules that provide for matters relating to procedures for temporary, provisional, and such other types of appointments as the Commission deems desirable to facilitate the business of the City. In keeping with this Charter

obligation, vacancies in the temporary, provisional, and non-career service shall be filled as provided below:

- (a) Temporary Appointments. The department head or City Manager may employ qualified applicants to fill positions in the temporary service. The department head or City Manager may request the names of persons who are available on a current appropriate Civil Service eligible list from which to fill such temporary positions.

Appointment to temporary positions shall not exceed six (6) calendar months unless first extended by the Commission. The Commission, upon a showing of good cause, may approve a one (1) time only extension for up to three (3) calendar months provided the extension is requested and approved prior to expiration of the initial six (6) calendar month appointment period. Persons hired under a temporary appointment, upon separation, may not be re-employed in a temporary position for a period of no less than three (3) calendar months.

Temporary appointments under this Rule may not be used in conjunction with City employment under a non-Civil Service appointment made pursuant to Section 9.020 (1)(d) [A person employed by the City for less than 18 hours per week or 234 hours per fiscal quarter] of the Charter without first completing the requisite three (3) month break in service.

- (b) Emergency Appointments: In the event of an emergency, as defined in Rule III, Civil Service Rules relating to the appointments of temporary personnel are suspended and the City may as permitted by law and without the approval of the Commission temporarily assign and/or reassign existing personnel and/or appoint such additional emergency personnel as it deems necessary to manage its operations and carry out its responsibilities. Such emergency appointments shall not exceed ninety (90) calendar days after commencement of the emergency, unless first extended by the Commission. As it deems appropriate, the Commission, upon a showing of good cause, may approve extensions for use of emergency appointments for up to three (3) calendar months per request provided that factual circumstances demonstrate that the emergency both requires the utilization of emergency appointments and is continuing in duration.
- (c) Temporary Appointment Tracking: The requesting department is responsible for tracking temporary appointments (which include emergency appointments) and taking timely action to end such temporary appointments on or before completion of the appointment window authorized by these Rules.
- (d) Provisional Appointments. When vacancies occur within the classified service, and when an approved list is not available, the department head or City Manager may, with notification to the Chief Examiner, select qualified classified employees as provisional appointees to fill the vacancies. Provisional appointments shall not exceed a period of six (6) calendar months unless first extended by the Commission.
- (e) Records. The department head shall forward notice of appointment of provisional appointees to the Chief Examiner for purposes of record. The City Manager or their designee shall, not later than forty-five (45) calendar days after the end of each fiscal year quarter, also provide the Commission with a roster of all employees appointed under this Section within the temporary service or holding provisional appointments within the classified service. The roster shall include the employee's name, department, classification title, job title (if different from classification title), date of hire, date of projected separation (if known), and such other

information related to compliance with these Rules as may be specifically requested by the Chief Examiner or the Commission.

- (f) Non-Career Appointments. When the use of non-career appointments is necessary to facilitate coverage for seasonal or intermittent work which may be ongoing or recur from year-to-year (such as in Parks/Recreation programs), the Commission authorizes the appointing authority to directly hire workers in approved classifications under non-career limited work hour appointments.

Such appointments may not exceed a total of 1,039 work hours during any given fiscal year and may not be used to supplant regularly funded classification positions. Individuals hired under these non-career appointments must meet minimum qualifications for the classification held, and are not guaranteed a minimum number of hours of work but may be called to work based on the needs of the program/department.

Section 14. Status of Employees.

The following shall govern the status of employees:

- (a) Classified Positions. Appointees to classified positions must serve an initial probationary period as provided in these Rules and, upon successful conclusion of that probationary period, shall be eligible for confirmation. Upon confirmation, the employee shall be entitled to the rights and privileges accruing to Civil Service employees with confirmed status as more fully provided in these Rules.
- (b) Provisional Appointments. Appointments to positions on a provisional basis shall confer neither Civil Service probationary or confirmed status in the provisional classification nor any privilege of promotion or transfer to any other classified position in Civil Service as a result of the provisional appointment. A provisional appointee shall not have the right to appeal discharge from the provisional appointment. Notwithstanding the foregoing, an employee holding a provisional appointment may exercise a right of return to the classification held previous to the provisional appointment; provided the provisional employee does not displace any employee with greater classification seniority. Should no position exist, the provisional employee shall either be appointed to a vacant position in the next lower classification or, in the absence of such, be laid off and placed on the reinstatement list. Time spent under provisional appointment shall not be credited to the probationary period, and no seniority credit shall be allowed in the giving of any examination or the establishment of any employment or promotional list for service rendered under provisional appointment, except as herein provided. The time spent under provisional appointment may be credited in computing total service of any employee.
- (c) Temporary and Non-Career Appointments. Appointment to a position in the temporary service (which includes emergency appointments) or the non-career service shall be "at-will" and confer neither Civil Service probationary or confirmed status, nor any privilege of promotion or transfer to any other position in Civil Service. Temporary, emergency, and non-career appointees shall not have the right of appeal from discharge or disciplinary action under Rule XI of these Rules.

RULE VIII – PROMOTION

Section 1. Career Fields.

The Commission shall establish broad career fields and lines of progression from lower to higher grades of service in all cases where the duties and responsibilities of the lower classified position tend to qualify for service in the higher.

Section 2. Method.

Whenever a vacancy in the classified service exists, it may be filled by promotion from classified positions in a lower classification or pay grade in the same classification of service when such lower classification or grade contains any eligibles who have taken a promotional examination. Promotion shall be accomplished by means of a competitive examination and, except for special training and knowledge gained within a department as a prerequisite to the proper filling of a vacancy, shall be open to all classified employees regardless of department. The Chief Examiner, at their discretion, may provide for simultaneous open and promotional examinations with provision for certifying promotional candidates first.

Section 3. Notice.

Notice of promotional examination shall be posted in the office of the Commission as well as forwarded to departments and divisions. Such notice shall give the character of the examination and provide such other information as the Chief Examiner may deem appropriate. Notices shall fix the period in which applications will be received.

Section 4. Filing.

Applications for promotional examinations shall be made upon a form provided and furnished by the Commission, and shall be filed in the office of the Commission before expiration of the filing period.

Section 5. Eligibility.

To be eligible to enter a promotional examination, or receive promotion, an employee must have completed the necessary service requirement, as stated in the examination announcement.

Section 6. Examinations.

The rules governing promotional examinations shall, except as herein provided, be the same as for original entrance examinations. Where positions require special physical fitness, the Commission may cause a special investigation of eligibles to be made to determine whether they continue to meet the required physical standards.

- (a) Assessment Procedure Counseling Review. A classified employee may request opportunity for review of and/or counseling on their performance on an examination. A request for review shall be directed to the Chief Examiner and shall be permissible any time during the one (1) month period following the date of the official notice of results of the examination.
- (b) Protest of Examinations. Upon conclusion of an examination and prior to leaving the exam site, candidates may file a written protest of exam content or procedures believed not to be related to the job, that are not clear, or includes questions where more than one (1) or none of the answers to choose from is correct. Upon receipt of the written protest, the Chief Examiner shall review the protested content or procedures in concert with the subject matter

experts and make such corrections as may be required. The candidate shall be notified of the result of this investigation.

Section 7. Eligible Lists.

The rules governing the establishment of promotional eligible lists shall be the same as provided for original entrance lists; except, when two (2) or more applicants have the same rating, then preference on the eligible list shall be determined by their classification seniority.

Section 8. Promotion Evaluation.

An evaluation of an employee’s job performance may be a subject in promotion examinations if the performance evaluation model is approved by the Commission.

Section 9. Seniority Credit.

- (a) Credit shall be given to allow seniority credit to be given on examination scores for length of continuous employment for those employees hired from an eligible list. Lines of progression shall be determined by Civil Service employment progression charts. Credit shall be computed by adding to a passing score as follows:

For each full year of continuous service completed up to a maximum of ten (10) years 0.2 points per year.

- (b) Reno Fire Department uniformed employees with the Fire Emergency Operations and Fire Community Risk Reduction programs shall receive seniority credit computed by adding to a passing score as follows:

For each full year of continuous service completed after current minimum qualifications eligibility, up to a maximum of fifteen (15) years..... 0.2 points per year.

The Reno Fire Department employee classifications to be given credit for up to a maximum of fifteen (15) years of continuous service are: Firefighter, Fire Equipment Operator, Fire Captain-Suppression, Fire Captain-Training, Fire Battalion/District Chief, Fire Prevention Officer, Fire Prevention Inspector, Water Supply Inspector, Fire Captain-Prevention, Fire Protection Plans Examiner, Fire Protection Engineer, Fire Equipment Mechanic, Fire Equipment Superintendent.

Section 10. Request for Certification.

The rules governing request for certifications, and certifications for promotion, shall be the same as provided in Rule VII.

Section 11. Action by Appointing Authority.

The procedure for selection shall be the same as that provided in Rule VII Sections 3 and 4 and in addition the appointing authority shall fill each vacancy in the following order of preference:

- FIRST: From the highest available eligibles from within their own department or division.
- SECOND: From the highest available eligibles from the promotion list as a whole when no appointment is made from eligibles from the department in which the vacancy exists.

Section 12. Notice of Appointment.

The rules governing notices, waivers, and declinations for promotion shall be the same as provided in Rule VII, Sections 4, 5, and 6.

Section 13. Limited Term Promotional Appointments.

(a) Upon approval by the Chief Examiner, limited term promotional appointments may occur to fill vacancies in the classified service which are anticipated to have durations longer than six (6) calendar months, but may not be permanent. In those cases, a promotional appointment may be made on a "limited term" basis. Classified employees appointed to limited term vacancies will remain in the classification consistent with Civil Service Rules, contingent upon an event which may or may not occur. Contingent events may include, but are not limited to, the following situations:

- (1) A promotional vacancy occurs when a classified employee is placed on long term leave for illness, injury, or pending final disposition of criminal charges.
- (2) A promotional vacancy occurs when a classified position is temporarily authorized and funded and is anticipated to last in excess of six (6) calendar months.
- (3) A promotional vacancy occurs when a classified employee challenges a termination or demotion, such challenge is anticipated to last more than six (6) calendar months, and may result in reinstatement to the position.

A request by the appointing authority for certification of the list of eligibles for a limited term promotional vacancy must indicate in writing that the vacancy is limited term. The contingent event and the reason for requesting a limited term appointment must be provided with the request for the list of eligibles. Limited term appointments must be based on specific reasonable circumstances which prevent a regular appointment.

(b) If a contingent event occurs, a classified employee in a limited term appointment, whether probationary or confirmed, may displace another classified employee in that classification who has less seniority in the classification. If no other employee in that classification has less classification seniority, the employee shall be returned to the previous classification held, provided the employee does not displace any classified employee with greater classification seniority. In addition, the employee shall be placed on the laid-off list for the classification from which removed. Should no position exist in the classified service in the classification previously held, the employee shall be appointed to a vacant classified position in the next lower classification and be placed on the laid-off lists until a vacancy occurs in either the classification to which the employee received a limited term appointment or the next lower classification previously held.

RULE IX – DEMOTION

Section 1. Cause.

Upon a showing of inefficiency, incapacity, or misconduct, the City Manager may for cause demote a classified employee by filing with the Chief Examiner a notice of such demotion together with a statement detailing the causes. A copy of this shall be given to the employee. The demoted classified employee shall have right of appeal and shall be given an opportunity for a hearing as provided in Rule XIV. An employee so demoted shall lose all prior rights to the higher Civil Service class. If previous Civil Service confirmed status in the lower classification has not been attained, such demotion shall not displace any other confirmed or probationary classified employee, and the demoted employee shall be returned to the last classification in which status was attained.

Section 2. Demotion during Probation.

Upon a showing of unsatisfactory performance during a promotional probationary period, the appointing authority shall return a probationary classified employee to a former classification as prescribed in Rule VII, Section 12(h), provided no classified employee with greater classification seniority shall be displaced. Should no position exist, the employee shall then, at their option, either be appointed to a vacant classified position in the next lower classification or laid off and placed on the reinstatement list.

Section 3. Demotion through Reduction in Staff.

When it becomes necessary to effect a reduction in staff because of lack of work or funds, the appointing authority shall accomplish such reduction in the order prescribed in Rule XII, Section 5.

Section 4. Voluntary Demotion.

A classified employee, upon their own initiative, may request reduction to a vacancy in a previously held classification or any lower classification for which the employee may be qualified within the classified service. Such reduction shall be without prejudice to the employee's future status and the employee shall be entitled to credit for previous service in the lower classification and the higher classification, only when the higher classification is in the direct line of progression. PROVIDED: Such reduction shall not displace any confirmed or probationary classified employee.

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 rating 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.

RULE XI – SUSPENSION, DISCIPLINE AND DISCHARGE

Section 1. General.

An employee in the classified service may be suspended, disciplined, demoted, or discharged only by the City Manager or the City Manager's delegate, or the Commission. Such action shall result in termination unless a hearing is requested as set forth in these Rules.

No employee who is classified as an exempt employee for purposes of the overtime provisions of the Fair Labor Standards Act, may be suspended without pay in such a manner, or for such a period of time as would cause the loss of exempt status for that employee.

PROVIDED: No employee may be disciplined twice for the same act. If an employee pursues resolution through a collective bargaining unit, no appeal of the same act sanctions will be allowed.

Notice of the action, together with a full statement of the reasons, shall be served upon the employee with a copy to the Chief Examiner of the Commission. The employee may within ten (10) calendar days from the date of service of notice of the action appeal such action to the Commission.

Section 2. Appeal.

Except as may otherwise be specifically provided in these Rules, any classified employee who is the subject of an action by the City Manager, or the City Manager's delegate, which would result in a suspension or discipline of greater than three (3) working days, a reduction in rank, or discharge may appeal such action to the Commission.

Section 3. Hearing.

The Commission shall conduct hearings as provided in Rule XIV. The action taken by the City Manager or City Manager's delegate shall stand unless modified or revoked by the Commission.

Section 4. Causes.

Merit principles of employment shall be the primary consideration in any disciplinary action. Classified employees may be disciplined only for actions which would affect their ability or fitness to satisfactorily perform their assigned duties. Non-merit factors such as sex, race, color, religion, national origin, age, marital status, sexual orientation, gender identity or expression, or disability may not be considered. The following conditions are compatible to the principles of merit and may be considered as cause for any classified employee to be suspended, discharged, or otherwise disciplined.

- (a) Has been absent from duty without approved official leave contrary to Civil Service Rules or the City personnel regulations, or has failed to report after any such leave has been officially disapproved or revoked.
- (b) Has willfully or corruptly, singly or in cooperation with one (1) or more persons, defeated, deceived, or obstructed any person with respect to the right of examination; or has willfully or corruptly furnished to any person so examined any special or secret information for the purposes of either improving or injuring the prospects or chances of persons so examined, or to be examined, being examined, employed or promoted in the operation of the Civil Service and Human Resources program of the City.

- (c) Is inefficient in the performance of the duties and responsibilities of a position held in the classified service.
- (d) Is careless or negligent in the use of the property of the City; and such carelessness is documented and proven.
- (e) Any willful violation of the Charter, these Rules, any written departmental rules or procedures, or of any reasonable and lawful order of direction made and given by a supervisor, where such violation or failure to obey amounts to an act of insubordination or a serious breach of proper discipline, or resulted or might reasonably be expected to result in loss or injury to the City, or the public, or to the prisoners or wards of the City.
- (f) Has committed an act or acts that would tend to embarrass or discredit the City, whether such acts were committed while on or off duty.
- (g) While on duty, if an officer or an employee has aided in any manner in soliciting or collecting money from an officer or employee of the City for any purpose prohibited by the Charter or these Rules; providing, contributions solicited for approved purposes by the Charter must be voluntary and no discrimination shall be permitted against an employee engaged in such acts.
- (h) Has engaged, while in uniform or on duty, in the solicitation of funds or sale of tickets for any purpose except as provided in (g) above.
- (i) Has used or threatened to use or attempted to use political influence in securing promotion, leave of absence, transfer, change of grade, pay or character work.
- (j) Has taken an active part in political management or in political campaigns for elective office during working hours; provided, however, nothing herein shall be construed to affect the right of any employee to vote and to express privately opinions on all political subjects.
- (k) Has been convicted of a felony or a gross misdemeanor.
- (l) Excessive absenteeism or habitual pattern of failure to report for duty on time without good and sufficient reason.
- (m) Has committed, or has induced or has attempted to induce an officer or employee of the City, to commit an unlawful act or to act in violation of any reasonable and lawful departmental or official regulation or order, or has taken any fee, gift or other valuable thing in the course of work or in the connection with it, for personal use from any citizen, when such gift or other valuable thing is given in the hope or expectation of receiving a favor or better treatment than that accorded other citizens.
- (n) The employee has violated any standard governing the conduct of employees as set forth in the Code of Ethics, Reno Municipal Code, Section 2.20.
- (o) Has been guilty of maligning any other employee of the City, or making any false or unwarranted statements against such employees, provided that this clause does not apply where such employee in good faith prefers such charges in writing against another employee with a view of having said employee brought up for hearing before the Commission on such charges.

Section 5. Administrative Leave without pay.

Any classified employee who has been formally charged with a felony or gross misdemeanor may be placed on administrative leave without pay pending court trial determination. If the employee is found not guilty of the charge, that employee may be restored to duty and, if restored, shall then be entitled to all back salary, allowances and benefits due.

RULE XII – REDUCTION IN STAFF

Section 1. General.

Whenever in the judgment of the City Council it becomes necessary to reduce the staff of any City department, such reduction of staff shall be accomplished pursuant to the Rules adopted by the Commission designed to encourage interdepartmental transfers and other procedures tending to minimize the impact of layoffs. In other words, for reasons of economy or due to a lack of work or funds, the City Council may through the budgetary process, or otherwise, abolish certain positions and/or reduce the number of City employees. When any such action causes a layoff of a classified employee, the selection of those to be laid off shall be made under the following parameters:

- (1) To decrease the work force in any department, the appointing authority shall specify to the Chief Examiner the number and classification of employees to be laid off, together with the department in which the layoff is to be made. The Commission shall then determine, under this Rule, the particular employee(s) to be laid off, and advise the appointing authority of its findings.
- (2) For purposes of this Rule, the term “layoff” shall include removal from City employment, re-assignment to a former classification or assignment to a substantially similar classification, and reduction in the employee's hourly work schedule from full-time to part-time.
- (3) For purposes of this Rule, the term “probationary employee” includes an employee who is not confirmed in a position within the classified service, with the single exception that a probationary employee that is not confirmed in the classification currently assigned, but was confirmed in another Civil Service classification immediately prior thereto may be eligible to seek a transfer pursuant to Rule X in lieu of layoff. If the transfer is approved, then the probationary employee shall be treated as a confirmed classified employee holding the classification transferred into.
- (4) For purposes of this Rule, the term “confirmed employee” is an employee that has been confirmed in a position within the classified service and is not a probationary employee as that term is defined in the preceding paragraph and includes a classified employee serving under a “provisional appointment” and a “promotional probationary employee.” A confirmed employee serving under a “provisional appointment” shall be returned to their official classification, the length of service seniority calculation in the provisional position shall be determined per Rule VII, Section 14(c).
- (5) Any interruption of employment not in excess of thirty (30) calendar days because of adverse weather conditions, shortage of materials or equipment, or for other unexpected or unusual reasons during which the employee receives no pay, wages or salary shall not be considered a layoff, provided that such interruption of employment is approved by appointing authority and the Commission.

Section 2. Order of Layoffs.

Layoffs in each classification shall be made in the following order: first, probationary employees, and second, confirmed employees.

- (1) Probationary employees (as defined in Section 1 of this Rule) shall be laid off prior to layoff of a confirmed employee (as defined in Section 1 of this Rule). Such probationary employees are

“at-will” employees and have no Civil Service rights including, but not limited to, rights of seniority, displacement, reinstatement, and appeal.

- (2) Confirmed employees shall be laid off after probationary employees. When one or more confirmed employee(s) must be laid off, those who are laid off shall be those with the lowest seniority under these Rules. However, the Commission may, upon the recommendation of the appointing authority, order the layoff to be effective City-wide or confined to one or more departments if, in its judgment, the best interests of the City will be served.
- (3) A confirmed employee who has a right to displace another classified employee pursuant to Section 5, below, will be transferred to fill the position made vacant by the layoff of the employee with the lowest seniority. Displacement rights do not preclude lay off of the transferred employee if the classification transferred to is affected by a layoff.

Section 3. Seniority in Layoffs.

Seniority in layoffs will be determined as follows:

- (1) Classification seniority shall be the primary factor in determining a reduction in staff. The term “classification seniority” shall refer to total length of service in a particular classification, including the probationary period. Classification seniority in layoffs shall be calculated by adding together all time served by the employee in the classification after confirmation of such employee in the classification by the Commission. Classification seniority shall not include time under a disciplinary suspension.
- (2) In the event two or more classified employees have the same classification seniority, department seniority shall be the next determining factor. The term “department seniority” shall refer to the total length of service in the department assigned to at the time of the layoff. The person who has the least time spent in the department shall be laid off first.
- (3) In the event two or more classified employees have the same classification and department seniority, city seniority shall be the next determining factor. The term “city seniority” shall refer to the total length of service served for the appointing authority. The person who has the least time employed (this means time spent in a department in accordance with Civil Service calculations) by the appointing authority shall be laid off first.
- (4) Lastly, in the event two or more classified employees have the same seniority in classification, department and city seniority, a random number, that is electronically generated, will be assigned to each employee, and the employee receiving the highest electronically generated number will be laid off first, and then the order of lay off shall continue in descending order of assigned random numbers.

The person with the least seniority under this Rule shall be laid off first except that this provision shall not apply in the event layoff action is taken in connection with an administrative leave of absence in accordance with Rule XIII, Section 4(e).

Section 4. Notice of Layoff.

Notice of any layoff shall be made by the appointing authority by delivering a letter to the employee to be laid off providing a minimum of ten (10) working days notice prior to the effective date of the layoff. The letter shall be copied to the Commission. The letter is to inform the employee of the City's decision to lay off the employee. Although personal delivery is preferred, it is not required for notice

to be effective. If any employee affected by the layoff cannot be located for personal delivery, the letter containing the layoff notice may be mailed by certified mail to that employee's last known address as shown in the employee's records in the payroll files of the appointing authority. If the layoff notice is mailed as provided in this section, the ten (10) working day notice period shall commence upon the date of mailing of the notice, not the date of receipt of the notice.

Section 5. Reduction in Grade and Displacement of Another Employee.

At the time of the layoff, a classified employee shall at their option be reduced to the next lower classification within the department or they may be transferred as provided in Rule X. Notwithstanding the foregoing, this reduction or transfer shall not displace another classified employee with greater seniority, as defined in Section 3 of this Rule. Further, the reduction or transfer must be to a classification in which the employee previously held confirmed status or a classification in which a vacancy exists and for which the knowledge, skills, and abilities are similarly related to those required in the employee's present classification. The analysis of whether the knowledge, skills, and abilities are related to those required in the employee's present classification is within the authority and discretion of the Commission or its designee. A request for this analysis must be filed with the Chief Examiner prior to the effective date of layoff. The Chief Examiner will review the request and make a determination if the knowledge, skills, and abilities are similar or related. This decision will be made within ten (10) calendar days following the filing of the request. Review of the decision of the Chief Examiner by the Commission may be conducted as set forth in Section 8 of this Rule.

Section 6. Placement of Names on the Reinstatement List.

On the date a layoff becomes effective, the Chief Examiner shall cause the names of laid-off classified employees to be placed, in inverse order of layoff (that is the last person laid off shall be the first person on the reinstatement list) on the reinstatement list established by the Chief Examiner for all classifications from which they were laid off. When a reduction in the work force results in the layoff of an employee who had acquired confirmed status in a former classification and such employee is on the top of the reinstatement list, they shall be recalled to their former classification and shall have precedence or priority over all others in certification for recall for appointment to the department from which laid off; however, a person may be transferred to another department if recommended by the appointing authority and approved by the Commission. If no reinstatement list exists, the names of such employees shall constitute the reinstatement list. A name shall be dropped from the reinstatement list(s) after three (3) years from the date it is placed thereon. The Commission shall notify the employee via certified mail at the address of record that they are being dropped from the list.

Section 7. Reinstatement Procedure.

Upon receipt of a request for certification from a department or division, the same number of names will be certified from the laid-off register of that department or division as the number of vacancies to be filled. The appointing authority shall have no choice in the appointment and shall appoint the persons so certified within ten (10) calendar days of the certification. If for good and sufficient reason the appointment is not made within ten (10) calendar days, the appointing authority shall so notify the Commission in writing through the City Manager with reasons therefore. Upon acceptance of such notice, the Commission shall withdraw the certification and the position shall be declared vacant and not to be filled until such time as the appointing authority again requests certification.

Section 8. Objection to and Appeal of Layoff.

Any classified employee subject to layoff from a position in which they have held confirmed status may object to their layoff on the following grounds:

- (1) the seniority calculation was incorrect,
- (2) the layoff action was the result of an improper or illegal employment practice, and/or
- (3) the determination of the knowledge, skills, and abilities similarity conducted by the Chief Examiner was incorrect.

The classified employee objecting to the layoff may only do so by filing an appeal with the Commission within ten (10) calendar days after being served with a notice of layoff pursuant to Section 4 of this Rule. The Commission shall then hear the appeal and proceed in the same procedural manner it would for a hearing under Rule XIV. After such hearing, the Commission shall make a final determination on the merits of the objection(s) raised by the employee pursuant to this section. If such employee fails to timely file an appeal with the Commission objecting to their layoff, all appeal rights are extinguished and the layoff shall be effective as of the date specified in the notice of layoff. Notwithstanding the foregoing, the Commission may use its discretion to correct an error in seniority calculations at any time and may make appropriate adjustments in an order of layoff or a priority list ranking due to such correction.

Section 9. Out of Order Layoff.

After receiving a written request from the appointing authority, the Commission may grant permission for layoff out of the regular order by evaluating the rationale for an out of order layoff and upon showing by the appointing authority or department of a necessity therefore in the interest of efficient operation of the department or City and after giving the affected employee an opportunity for a hearing.

RULE XIII – RESIGNATION, RETIREMENT, LEAVE OF ABSENCE

Section 1. Resignation and Re-employment.

- (a) Resignation. An employee in the classified service who wishes to leave City employment in good standing shall file with the appointing authority, at least two (2) weeks before leaving, a written resignation which shall contain the reason for leaving and the effective date. Failure to comply with this procedure may be considered cause for denial of future employment with the City. The appointing authority shall forward notice of such resignation to the Commission through the City Manager on the prescribed form prior to the effective date thereof.
- (b) Re-employment. An individual hired from a Civil Service eligible list who has resigned or taken a voluntary demotion in good standing from a position in the classified service of the City of Reno and who desires placement on a re-employment list may, within three (3) years of the resignation or demotion, submit a written request to the Commission for re-employment in any classification(s) previously held in which the individual had obtained confirmed status. An individual seeking re-employment must provide a new application and meet the current minimum qualifications for the classification for which re-employment is sought. Further, prior to employment, an individual must satisfy any pre-employment screening criteria established for the subject classification. Upon approval of the request by the Commission, the name of the applicant will be placed on the re-employment list for such classification, subject to the following conditions. Placement on the re-employment list will be for an eligibility period of one (1) year from the date of Commission approval. Eligibility may be extended for up to an additional three (3) years provided the individual re-applies each year before the expiration date of the individual's last eligibility period. A re-employment list may be certified to the Department or Division only when the open competitive list is also requested by the Department or Division, except that in instances where an open competitive list has not been established, the Department or Division may request the re-employment list in the absence of an open competitive list. Individuals who are appointed from the re-employment list under this rule shall serve a new probationary period pursuant to these Rules. A former City employee whose name is on a laid-off list under Rule XII, Section 7, may, prior to the expiration of the three (3) year period on the laid-off list, request to be placed on the re-employment list, pursuant to the provisions of this Rule.

Section 2. Retirement.

Retirement of Civil Service employees shall be as provided by state and federal law and City ordinances.

Section 3. Re-employment after Disability Retirement.

A former classified employee retired for disability will be restored to duty in the same or similar classification held at time of disability retirement providing certification in writing is made to the Commission by the board of the appropriate pension or retirement system, and in accordance with the applicable law or ordinance, that the employee is capable of performing the duties of that classification. Reemployment shall be in the same department or division from which retired. Should no vacancy exist, the person with least seniority in that classification in that same department or division shall be reduced to the next lower classification, or transferred, and placed on the layoff list as provided in Rule XII. Should the pension or retirement board certify the employee as capable of

performing the duties of a lower classification, appointment shall be made to the first available vacancy in said lower classification.

Section 4. Leave of Absence.

- (a) This section does not apply to leaves of absence requested for active duty or for military training by National Guard members or military reservists. Such leaves shall be governed by the City Manager's policy as approved by the Commission, and the granting of such leave shall not affect accrual of seniority or other Civil Service rights.
- (b) It shall be the responsibility of the City Manager to advise the Commission on all leave matters which may affect the Civil Service status of any classified employee.
- (c) Ordinary vacation and sick leave shall be accrued and granted in accordance with the provisions of the applicable ordinances and the City personnel program and regulations. The granting of such leave shall not affect an employee's Civil Service rights.
- (d) Special leave of absence may be granted in accordance with applicable ordinances and the City personnel program to classified employees with over one (1) year continuous service immediately preceding date of leave; provided, this limitation shall not apply in case of on-the-job injury or urgent necessity; however, substantiating proof must accompany any such request for leave. Leave of absence in excess of fifteen (15) consecutive calendar days shall be without accrual of classification seniority and the total number of days leave taken shall be deducted from the employee's seniority date. Leave of absence shall not be recognized by the Commission as becoming effective until approved by the employee's appointing authority and by the City Manager. Any employee who departs on leave of absence prior to receiving approval of the appointing authority and the City Manager may be considered to be absent without leave and subject to immediate discharge.
- (e) Leave of absence extending beyond a period of ninety (90) calendar days may be considered cause to place the employee on the laid-off list; provided, this provision shall not apply to those on educational leave or who accept an appointive position in the City, or as otherwise approved by the Commission. At the expiration of the ninety (90) calendar day period, the appointing authority shall determine whether the employee should be placed on layoff status and shall so notify the Commission through the City Manager. In the event of layoff, the provisions of Rule XII pertaining to reinstatement shall apply.
- (f) Leave of absence shall be granted only for that period of time which is necessary to accomplish the purpose of the request and the employee must report for duty immediately upon expiration of such leave. Failures to report for duty at the expiration of leave, or if a leave has been disapproved or revoked, may be considered cause for separation from the service. Upon expiration of leave of absence the employee shall, if still qualified, resume the former position or if promoted, the position to which promoted under the conditions set forth in these Rules.
- (g) The Commission does not wish to discourage classified employees from political activities on their own time. However, for the best interests of the City, certain conditions must be met when employees wish to file for a paid, political office. Potential candidates must, before filing, notify the City Manager of their intention to run for political office. Employees shall request a leave of absence without pay, use annual leave or compensatory time for furthering their candidacies, but under no circumstances may they campaign or solicit support during on-duty working hours, nor may they use their positions with the City to advance their

candidacies. Off-duty political activities must not impair the employee's performance of duties for the City. Sick leave shall not be used in conjunction with the employee's political activities.

Should employees be elected to a paid, public political office, they shall request a leave of absence, use annual leave or compensatory time to fulfill their responsibilities in office during the entire term of office, or for whatever specific time or times their presence is required in office. Under no circumstances may employees elected to such an office perform the duties of that office while on duty for the City.

RULE XIV – APPEALS, CLAIMS, COMPLAINTS

Section 1. Authority of Commission.

The Commission shall have the authority over and be responsible for all phases of the selection, appointment and promotion of all employees in Civil Service; for the appeal rights of classified employees in regard to Prohibited Practices, classification decisions made by the City Manager, actions by the City Manager or the appointed delegate to dismiss, demote, suspend or discipline for a period of greater than three (3) working days, except as may otherwise be provided in these Rules, and for the transfer of classified employees; together with all responsibilities assigned to the Commission by Article IX of the Charter.

- (a) Verified charges may be filed with the Commission setting forth cause for disciplinary action against Civil Service employees by any resident of the City. The Commission may conduct investigations and hold such hearings as it deems appropriate to determine the facts. If the Commission finds the charges true, it may order the suspension, dismissal or discipline of the employee.
- (b) The Commission on its own initiative may conduct investigations and hearings with respect to violations of Article IX or Civil Service Rule XI and impose such sanctions as it deems appropriate.

Section 2. Investigation.

All claims or complaints shall be in writing. The Commission, if it deems advisable, shall cause a preliminary investigation of any complaint or claim so presented. During the course of such investigation, the duly appointed officer of the Commission shall have authority to administer oaths, require the production of relevant books or records, and the attendance of any officer, employee, or other person. In the event such investigation does not resolve the matter satisfactorily, a written report shall be rendered as guidance to the Commission in the conduct of a formal hearing. In case the Commission orders such a hearing, it shall set a time and place for the same and notify the parties involved and the City Manager.

Section 3. Claims.

The claim of any classified employee whose name appears on an eligible list, or who has been deprived of, or separated from, a position to which entitled, or the complaint of any employee or a representative regarding conditions of Civil Service employment, may be presented to the Commission for investigation. Except as may otherwise be provided in these Rules, a claim must be filed with the Chief Examiner not later than ten (10) calendar days following the effective date of the action. Should the investigation, as provided by Section 2, above, result in a hearing, then the procedure as set forth in Section 7, following, shall prevail.

Section 4. Administrative Complaints.

Any employee in the classified service who desires to challenge the contents or procedures of an examination may present such complaint directly to the Commission. All such complaints must be in writing and filed with the Chief Examiner within ten (10) calendar days of notification of the outcome of a request for review under Rule VIII, Section 6(b). Failure to file within the prescribed time shall be considered as acceptance of the action and the action shall be deemed complete. Such complaints shall not be subject to the formal appeals procedure. Should the Commission grant review of a complaint, it shall do so in any manner it deems most appropriate.

Section 5. Appeals.

- (a) Any employee in the classified service who has been suspended for a period of greater than three (3) working days, reduced in rank, or discharged may appeal such action to the Commission by serving the Chief Examiner of the Commission, or their designee, with a written notice of appeal within ten (10) calendar days from written notice by the City of the action. The Commission shall provide a copy to the City Manager of any appeal so filed. Failure to file within the prescribed time shall be considered as acceptance of the action and the action shall be deemed complete.
- (b) If the day an action on an appeal is due falls on a weekend or a holiday, the appeal is due the next business day.

Section 6. Appeals Procedure.

Upon receipt of an appeal, the Commission shall set a date of hearing to be held not less than five (5) calendar days nor more than fifteen (15) calendar days after filing of the appeal; except in those cases of the administrative leave without pay involving court charges (see Rule XI, Section 5), in which event the Commission shall, upon its own volition or at the request of the City Manager, delay such hearing pending disposition of the charge or charges. The hearings must be reported and may be transcribed if a transcript is necessary for a deliberation of the Commission or for an appeal to the district court. The Commission shall transmit its decision in writing to both parties within seven (7) calendar days after the hearing. No member of the Commission shall permit any person to discuss the merits of an appeal prior to the hearing.

Section 7. Hearings.

Hearings by the Commission shall be open to the public unless permitted to be closed under Nevada's Open Meeting Law. Hearings shall be informal with technical rules of evidence not applying except the rules of privilege recognized by law. In all appeals to the Commission, the office of the City Attorney or, if applicable, special counsel retained pursuant to Section 3.070 of the Charter, shall represent the interest of the City. All parties to the hearing shall be notified in advance of such hearing, and may at their own expense select an attorney or representatives of their choosing, present and cross-examine witnesses and give evidence before the Commission. The Commission may, and shall at the request of either party, secure by subpoena the attendance of witnesses residing within fifty (50) miles of the City of Reno and to subpoena the production of books, records, and other evidence necessary and relevant to the hearing. The Commission may punish for contempt in the same manner provided by law for governing of trials before Justices of the Peace. However, any fees or expense of any kind for the appearance of such witnesses shall be in accordance with NRS 50.225, as amended or as may be amended. All testimony shall be under oath administered by the Commission or its agent. Hearings on appeal must be recorded as required under Nevada's Open Meeting law and may be reported or transcribed if a transcript is necessary for a deliberation of the Commission or for an appeal to the district court. No charges other than those furnished in writing shall be heard against the person so charged.

Section 8. Commission Action.

- (a) The action of the City Manager or the Manager's delegate to remove an employee in the classified service from employment shall become final unless appeal is filed and thereupon the action of the City Manager is affirmed, modified, or revoked by the Commission. If the

appeal results in tie vote of the Commission, which does not affirm, modify or revoke the action of the City Manager, the action of the City Manager shall be final.

- (b) In reviewing an appeal which has been brought before the Commission pursuant to Rule V, the Commission shall review the duties, responsibilities, and qualifications of the position. Pursuant to Charter §9.180(5), if the Commission finds that a position is not classified correctly, the Commission shall notify the City Council and City Manager of its findings. Upon receiving such notification, the City Council shall review the findings of the Commission and, if approved by the City Council, the City Manager shall allocate or reallocate the position to a class pursuant to the findings of the Commission.
- (c) No employee shall be deprived of wages and benefits during the period of time the Commission, upon timely application by the employee, reviews the action of the City Manager or the Manager's delegate unless extraordinary and exigent circumstances exist which, in the best interests of the City, require immediate suspension, discipline, discharge or layoff of the employee by the City Manager.
- (d) In no event shall the employee be deprived of any salary or wages for the period of time in which the Commission reviews the action of the City Manager through the appeal process delineated in this Rule unless the employee requests an additional period of time other than provided in these Rules. If such a request for additional time is made by the employee, the Commission shall not grant such a request unless the employee waives the right to wages and benefits for the additional time requested.
- (e) The correction of an examination, rating, or place on an eligible list shall not affect an eligible that has been certified from the register and interviewed and appointed. All challenges to the Commission regarding examination content or procedure shall be handled in accordance with Section 4, preceding.
- (f) Within one hundred eighty (180) calendar days after service of the decision, any person who is aggrieved by a final decision of the Commission may petition the district court in Washoe County for relief in the form of a writ of certiorari, mandamus or prohibition where such relief is otherwise authorized by Chapter 34 of NRS or other applicable law.

RULE XV – RECORDS AND REPORTS

Section 1. Personnel Records.

- (a) The City Manager shall set up procedures for and supervise the maintenance of personnel records applicable to Civil Service employees as such records are necessary for the City and for Civil Service to assure proper adherence to these Rules, the City personnel program, and applicable ordinances and laws. Such records shall be open to inspection by the Chief Examiner.
- (b) The Commission through its Chief Examiner shall have access to personnel records for Civil Service employees to obtain the personnel status record of each employee in Civil Service which shall contain, in addition to necessary personal history data, name, current address, and telephone number, department and sub-unit to which assigned, classification of any position occupied with inclusive dates, appointing officer, salary received, length of service, results of examinations taken, any changes in status, and other pertinent information as deemed necessary to provide a complete history of city service. The Commission shall be the central repository for all classified personnel records, which shall include complete application forms, examination records, and any reports or correspondence which affect the history of the employee's employment with the City.
- (c) All personnel records for employees in Civil Service shall be handled and administered as confidential records. These files shall contain a copy of action forms submitted by the appointing authority or by Civil Service.

Section 2. Reports.

- (a) Applicant and Eligible. It shall be the sole responsibility of each applicant for examination and each person on an eligible list for appointment to promptly report to the Commission the following information:
 - (1) Any change in name, address, and telephone number.
 - (2) Any failure or refusal to accept appointment or promotion with the reasons herefore.
 - (3) Any request for waiver of consideration for appointment or promotion with the reasons therefore.Failure to do so shall constitute cause for rejection of application or removal from the eligible list, as appropriate.
- (b) Personnel. The Human Resources Department and the appointing authority shall report promptly to the Commission on the forms established by the Commission through its Chief Examiner, the following information in regard to Civil Service personnel and departmental organization:
 - (1) Every appointment, transfer, promotion, demotion, reduction, layoff, suspension, reinstatement, leave of absence without pay, and return to duty from leave of absence without pay.
 - (2) Every termination from the service with the reasons therefore.

- (3) Every refusal or neglect to accept appointment by a person whose name has been certified.
- (4) Every rejection of an eligible certified from a promotion eligible list with reason therefore.
- (5) The creation or abolition of any position and the cause of such action.
- (6) Any other reports requiring the action or sanction of the Commission.