

NEVADA STATE JOURNAL

PROOF OF PUBLICATION

STATE OF NEVADA }
COUNTY OF WASHOE } ss.

JOVITA ALLEN

being first duly sworn, deposes and says: That she is the legal clerk of THE NEVADA STATE JOURNAL, a daily newspaper published at Reno, in Washoe County, in the State of Nevada.

OF COUNTY ORDINANCE

That the notice.....

.....
of which a copy is hereto attached, was first published in said newspaper in its issue dated the

.23... day of Jan., 1974... and

..... Jan. 30,

the full period of ... 2 ... days, the last publication thereof being in the issue dated the .30... day of Jan., 19 74...

Signed *Jovita Allen*.....

Subscribed and sworn to before me this

30th day of January, 19 74

Hugh E. Robinson.....
Notary Public.

 HUGH E. ROBINSON
Notary Public — State of Nevada
Washoe County
My Commission Expires Dec. 1, 1976

NOTICE OF COUNTY ORDINANCE
Notice is hereby given that Bill No. 365, an Ordinance amending County Ordinance No. 213 entitled "An Ordinance establishing a merit personnel system for Washoe County employees; providing for a classification plan and compensation plan; requiring examinations of prospective employees; providing for eligible lists and certification of such prospective employees; specifying appointment procedures; providing for probationary periods and maintenance of personnel records; regulating attendance and leaves of absence; providing for employee-management relations; requiring evaluation of performance of employees; providing for training; specifying procedures for disciplinary and correctional actions, separation, and appeals and hearings; providing prohibitions and penalties; amending the titles of and amending Washoe County Ordinances Numbers 117 and 182, relating to vacation times for County Clerk's employees and for employees in the office of the Commissioner of Civil Marriages and Marriage License Bureau to conform to the provisions of this Ordinance; repealing County Ordinances Numbers 105 and 127, relating to County employees' benefits, Pay Plan and Position Classification Manual; and providing other matters properly relating thereto," was adopted on January 15, 1974 by Commissioners Ruak, Nelson, Pagni, Scott and Grow all voting aye. Typewritten copies of the Ordinance are available for inspection by all interested persons at the office of the County Clerk.
H. K. BROWN, County Clerk
34987 365 Jan. 23-30

SUMMARY: Clarifies provisions of Merit Personnel Ordinance concerning appeals and hearings.

BILL NO. 365

ORDINANCE NO. 213

AN ORDINANCE AMENDING COUNTY ORDINANCE NO. 213 ENTITLED "AN ORDINANCE ESTABLISHING A MERIT PERSONNEL SYSTEM FOR WASHOE COUNTY EMPLOYEES; PROVIDING FOR A CLASSIFICATION PLAN AND COMPENSATION PLAN; REQUIRING EXAMINATIONS OF PROSPECTIVE EMPLOYEES; PROVIDING FOR ELIGIBLE LISTS AND CERTIFICATION OF SUCH PROSPECTIVE EMPLOYEES; SPECIFYING APPOINTMENT PROCEDURES; PROVIDING FOR PROBATIONARY PERIODS AND MAINTENANCE OF PERSONNEL RECORDS; REGULATING ATTENDANCE AND LEAVES OF ABSENCE; PROVIDING FOR EMPLOYEE-MANAGEMENT RELATIONS; REQUIRING EVALUATION OF PERFORMANCE OF EMPLOYEES; PROVIDING FOR TRAINING; SPECIFYING PROCEDURES FOR DISCIPLINARY AND CORRECTIONAL ACTIONS, SEPARATIONS, AND APPEALS AND HEARINGS; PROVIDING PROHIBITIONS AND PENALTIES; AMENDING THE TITLES OF AND AMENDING WASHOE COUNTY ORDINANCES NUMBERS 117 AND 182, RELATING TO VACATION TIMES FOR COUNTY CLERK'S EMPLOYEES AND FOR EMPLOYEES IN THE OFFICE OF THE COMMISSIONER OF CIVIL MARRIAGES AND MARRIAGE LICENSE BUREAU TO CONFORM TO THE PROVISIONS OF THIS ORDINANCE; REPEALING COUNTY ORDINANCES NUMBERS 105 AND 127, RELATING TO COUNTY EMPLOYEES' BENEFITS, PAY PLAN AND POSITION CLASSIFICATION MANUAL; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO."

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THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

Section 1. Section 142 of the above-entitled ordinance is hereby amended to read as follows:

Section 142. Contents of action form; review, recommendations, appeal.

1. The action form on which an employee resigns shall contain a statement of all appeal rights of a classified employee and the fact that such an employee is relinquishing all appeal rights by resigning. The form shall also contain a statement that a classified employee may only appeal the resignation if he alleges that the resignation was obtained against his will. Such an appeal must be received by the Personnel Department within 5 working days of the date of the resignation.

2. After review of the facts presented by the classified employee and the employer, the Personnel Department may make appropriate recommendation. If such employee is not satisfied with the Personnel Department recommendation, he may appeal the matter to the Employee-Management Committee and finally to the Personnel Committee if he is still not satisfied.

Sec. 2. Section 150 of the above-entitled ordinance is hereby amended to read as follows:

Section 150. Appeal from dismissal, demotion or suspension. A classified employee who has been employed by the county for 12 months or more and is dismissed from employment, demoted or suspended without pay may, within 15 days of dismissal, demotion or

suspension, request a written statement from his appointing authority specifically setting forth the reasons for such dismissal. Within 15 days of the date of such request he shall be furnished such a written statement. Within 30 days after receipt of such written statement, such dismissed, demoted or suspended employee may, in writing, request a public hearing before a grievance board appointed by the Board of County Commissioners, to consist of two persons other than the appointing authority or immediate supervisor of the employee, appointed from the department where the employee is employed, and three persons appointed from other departments in the county.

Sec. 3. Section 151 of the above-entitled ordinance is hereby amended to read as follows:

Section 151. Other appeals.

1. Any classified employee who feels aggrieved by the action of the Personnel Department or alleges that he has been dismissed because of religious opinions or affiliations, race, national origin, age or sex may request a hearing before a grievance board, constituted as provided in section 150, to determine the reasonableness of the action.

2. A classified employee may appeal a transfer for alleged purposes of harassment or discipline. Such appeals shall be filed in writing with the Personnel Department within 30 calendar days after receiving a notice of the action and shall contain specific details of the alleged discrimination or harassment. Such employee shall be heard at the earliest possible time by a grievance board constituted as provided in section 150. If the board finds that there was such discrimination, it shall order appropriate corrective action.

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Sec 4. Section 154 of the above-entitled ordinance is hereby amended to read as follows:

Section 154. Power to subpoena witnesses, administer oaths; reimbursement of witnesses.

1. The grievance board or any member thereof may, upon application of any party to a hearing on an appeal from a dismissal, demotion or suspension of a classified employee, issue a subpoena requiring the attendance and testimony of witnesses at such proceedings.

2. Any member of the board, or any agent or agency designated by the board for such purposes, may administer oaths and affirmations and examine witnesses.

3. Any subpoena issued shall extend to all parts of the county and shall be served in accordance with the provisions of N.R.C.P. 4(c).

4. All witnesses appearing pursuant to subpoena, other than parties or officers or employees of the county, shall receive fees and mileage in the same amounts and under the same circumstances as prescribed by law for witnesses and civil actions in the district court.

Sec. 5. Section 155 of the above-entitled ordinance is hereby amended to read as follows:

Section 155. Appeal to Board of County Commissioners.

1. The appointing authority or the classified employee may appeal the decisions of the grievance board to the Board of County Commissioners by filing a written request with the Board of County Commissioners within 15 days following receipt by the appointing authority and such employee of notice of the grievance board's decision.

2. All requests for hearings and other pertinent communications directed to the Board of County Commissioners shall be in writing and addressed to the County Manager.

Sec. 6. Section 157 of the above-entitled ordinance is hereby amended to read as follows:

Section 157. Order of hearing procedure.

1. The chairman of the Board of County Commissioners shall convene the board at the time and place specified for the purpose of the hearing. Written notice of the time and place of the hearing shall have been furnished the parties at least 10 days in advance.

2. The chairman of the Board of County Commissioners shall state the subject of the hearing and the names of the principals.

3. The chairman shall read the letter of dismissal, demotion or suspension and the classified employee's request for a hearing.

4. The parties may appear in person and may be represented by counsel. All testimony shall be under oath administered by the chairman. The matter shall then be heard in the following manner:

- (a) Opening statement for employee.
- (b) Opening statement for employer.
- (c) Presentation of employee's case, followed by cross-examination.
- (d) Responsive presentation by employer, followed by cross-examination.
- (e) The parties may then respectively offer rebutting testimony only, unless the Board of County Commissioners, in its discretion, permits additional evidence upon the original cause.
- (f) Argument for employee.
- (g) Argument for employer.
- (h) Closing argument for employee.
- (i) Submission of case.

5. At the conclusion of the hearing the Board of County Commissioners shall take the case under submission and shall notify the parties in writing within 30 days from the date of the hearing of the board's findings and recommendations in the matter. Immediately upon receipt of the board's recommendations the appointing authority shall execute the same.

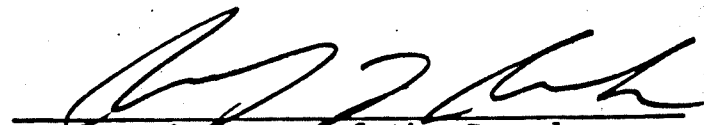
6. Within 45 days after receipt of the Board of County Commissioners' findings and recommendations, either party may request a rehearing, setting forth in full the reasons why a rehearing shall be granted, and furnishing a copy of the same to the adverse party. The board shall act upon the request within 30 days and upon at least 10 days' written notice to the parties, who shall be represented in person or by counsel when the board convenes to act upon the request. A request for a rehearing shall not operate to stay the execution of the recommendations of the Board of County Commissioners by an appointing authority.

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Sec. 7. This Ordinance shall be in full force and effect after its passage, approval and publication as prescribed by NRS 244.100.

Proposed on the 7th day of January, 1974.
Proposed by Commissioner Rusk, Nelson, Pagni, Scott and Grow.
Passed on the 15th day of January, 1974.

Vote:
Ayes: Commissioners: Rusk, Nelson, Pagni, Scott and Grow
Nays: Commissioners: None
Absent: Commissioners: None


Chairman of the Board

ATTEST: H. K. BROWN, CLERK
By: [Signature] Deputy
County Clerk

This Ordinance shall be in force and effect from and after the 30th day of January, 1974, except as otherwise specifically provided herein.

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