

## CHAPTER 5

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## County Seal; Flag

### 5.010 County seal: Adoption; description; seal of board of county commissioners.

1. A seal for Washoe County is hereby adopted. On the county seal shall appear:

(a) The words "Seal of Washoe County" on the upper part of the outer edge, preceded and followed by a star; and

(b) The words "State of Nevada" on the lower part of the outer edge, running from left to right; and

(c) In the center circle, the antique intertwined letters "WC."

2. The county seal described in subsection 1 is contained in facsimile in this subsection:

3. As provided in NRS 244.055, the county seal shall be the seal of the board of county commissioners.

[County commissioners' minutes, Book H, pp. 231-234, June 12, 1909]

5.013 County flag: Creation; design and colors. The official flag of Washoe County, designed by Dorothy Stafford in 1963, is hereby created. The official flag is composed of the following colors, with the following lettering and devices thereon:

1. The fringe and the words "State of Nevada" are of gold color.

2. The body of the flag excluding the county seal is of celadon green color.

3. The exterior ring of the county seal is of light green color.

4. The trim within the exterior ring of the county seal is of silver color.



5. The words and numbers "Washoe County November 1861" are of silver color.

6. The sky and water are of blue color.

7. The top of the mountain, the snow and the walls of Bowers Mansion are of white color.

8. The vegetation is of dark green color.

9. The roof of Bowers Mansion, the tepees and natural relief are of dark brown color.

[63-649; 63-657; 63-771; 63-822; 63-843; 64-68]

## Board of County Commissioners

### 5.015 County commissioner districts: Creation; election of county commissioners; filling of vacancy.

1. As used in subsection 2, "Block" and "Blocks" mean the smallest geographical unit whose boundaries were designated by the Bureau of the Census of the United States Department of Commerce in the 2010 pre-census version of its topographically integrated geographic encoding and referencing system.

2. In compliance with chapter 244 of NRS and in reliance upon the most recent decennial census data five county commissioner districts in Washoe County are re-created as follows:

(a) County commissioner district No. 1 is composed of:

(1) In Washoe County, all of census tracts 4, 10.9, 10.14, 11.01, 11.03, 11.04, 11.05, 12.01, 12.02, 13, 23.02, 24.06, 24.07, 24.08, 24.10, 24.11, 33.05, 33.06, 33.07, 33.08, 9803 and 9900

(2) In Washoe County, census tract 3, blocks 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025 and 4026

(3) In Washoe County, in census tract 10.05, blocks 1006, 1007 and 1008

(4) In Washoe County, in census tract 10.08, blocks 3000, 3001, 3002, 3003 and 3004

(5) In Washoe County, in census tract 10.13, blocks 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1066, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3033, 3034, 3045, 3046, 3047, 3048, 3052, 3053, 3054, 3055, 3057, 3058, 3066, 4004, 4006, 4007, 4009, 4032 and 4033

(6) In Washoe County, in census tract 10.15, blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033 and 4034

(7) In Washoe County, in census tract 24.01, blocks 1008, 1011,



1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024 and 2025

(8) In Washoe County, in census tract 24.12, blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 2004, 2005, 2006, 2007, 2009, 2010, 2011, 2012, 2013, 2015, 2016, 2017, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2035 and 2036

(9) In Washoe County, in census tract 25, blocks 1023, 1024, 1025, 1026, 1027, 1028, 1029 and 1030

(10) In Washoe County, in census tract 32.04, blocks 2001, 2002, 2003, 2004, 2005, 2009, 2010, 2011, 2021, 2022, 2023, 2028, 2029, 2031, 2034, 2035, 2039, 2041, 2086, 2087, 2088, 2098 and 2099

(11) In Washoe County, in census tract 33.09, blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3050, 3051, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030 and 4031;

(b) County commissioner district No. 2 is composed of

(1) In Washoe County, census all of census tracts 10.10, 10.11, 10.12, 21.04, 21.05, 22.04, 22.05, 22.06, 22.07, 22.08, 22.09, 22.10, 32.02 and 32.03

(2) In Washoe County, in census tract 10.05, blocks 1000, 1001, 1002, 1003, 1004, 1005, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026 and 2027

(3) In Washoe County, in census tract 10.08, blocks 1000, 1001, 1002, 1003, 1004, 1005, 2000, 2001, 2002, 2003 and 2004

(4) In Washoe County, in census tract 10.13, blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1065, 1067, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019,

2020, 2021, 2022, 2023, 2025, 2026, 2027, 2028, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 3029, 3030, 3031, 3032, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3049, 3050, 3051, 3056, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 3067, 3068, 3069, 3070, 4001, 4005, 4008, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4028, 4029, 4030, 4031 and 4034

(5) In Washoe County, in census tract 10.15, block 4000

(6) In Washoe County, in census tract 21.03, blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 2000, 2001, 2002, 2003, 2004, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037 and 2038

(7) In Washoe County, in census tract 21.06, blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1009, 1010, 1011, 1012, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011 and 3012

(8) In Washoe County, in census tract 22.11, blocks 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017 and 1018

(9) In Washoe County, in census tract 22.12, blocks 1000, 1001, 2000, 2001, 2002, 2003, 2004, 3000, 3001, 3002, 3003, 4008 and 4009

(10) In Washoe County, in census tract 31.01 block 3097

(11) In Washoe County, in census tract 32.04, blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 2000, 2006, 2007, 2008, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2024, 2025, 2026, 2027, 2030, 2032, 2033, 2036, 2037, 2038, 2040, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096 and 2097

(12) In Washoe County, in census tract 33.09, blocks 2037, 3031, 3047, 3048, 3049 and 3052

(13) In Washoe County, in census tract 35.01, block 3280

(14) In Washoe County, in census tract 9800, block 1043;

(c) County commissioner district No. 3 is composed of:

(1) In Washoe County, all of census tracts 1.01, 1.02, 2.01, 2.02, 7, 9, 14, 15.01, 15.02, 17.01, 18.01, 18.02, 19.01 and 19.02, 21.07 and 27.03

(2) In Washoe County, in census tract 3, blocks 1000, 4000, 4001 and 4002

(3) In Washoe County, in census tract 17.02, blocks 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1032, 1034, 1035, 1036, 1037, 1042, 1043, 1044, 1045, 1046, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021 and 3022

(4) In Washoe County, in census tract 21.06, block 1008

(5) In Washoe County, in census tract 22.11, blocks 1000, 1001, 1002, 1003, 1004, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2014, 2015 and 2016

(6) In Washoe County, in census tract 22.12, blocks 4000, 4001, 4002, 4003, 4004, 4005, 4006 and 4007

(7) In Washoe County, in census tract 24.01, blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1009, 1010 and 1028

(8) In Washoe County, in census tract 24.12, blocks 2014 and 2018

(9) In Washoe County, in census tract 25, blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017 and 3018

(10) In Washoe County, in census tract 26.17, blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3045, 3046, 3047, 3048, 3049, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3077 and 3078

(11) In Washoe County, in census tract 26.19, blocks 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031 and 4032

(12) In Washoe County, in census tract 27.04, blocks 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 2000, 2001, 2002, 2003, 2004, 2009, 2011, 2012, 2013, 2015, 2016, 3016, 3017, 3018, 3019, 3020, 3021, 3023, 3028, 3029, 3030, 3031, 3032, 3033 and 3037

(13) In Washoe County, in census tract 27.05, blocks 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031 and 3032

(14) In Washoe County, in census tract 27.07, blocks 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015 and 3016

(15) In Washoe County, in census tract 30, blocks 3015, 5010 and 6025

(16) In Washoe County, in census tract 31.01, blocks 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 5026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3098, 3099, 3100, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114, 3115, 3121, 3122 and 3123

(17) In Washoe County, in census tract 9800, blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058 and 1059

(18) In Washoe County, in census tract 9802, blocks 1000, 1001, 1002, 1003, 1004, 1005, 1022, 1023, 1024, 1025 and 1026;

(d) County commissioner district No. 4 is composed of:

(1) In Washoe County, in all of census tracts 29.02, 31.05, 31.06, 31.08, 31.09, 31.10, 35.07, 35.08, 35.09, 35.10, 35.11, 35.12, 35.13 and 35.14

(2) In Washoe County, in census tract 21.03, block 2005

(3) In Washoe County, in census tract 27.05, blocks 1001, 1002 and 1017

(4) In Washoe County, in census tract 29.01, blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3015, 3016, 3017, 3019, 3020, 3021 and 3022

(5) In Washoe County, in census tract 30, blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3016, 3017, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011,

4012, 5000, 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5008, 5009,  
6000, 6001, 6002, 6003, 6004, 6005, 6006, 6007, 6008, 6009, 6010,  
6011, 6012, 6013, 6014, 6015, 6016, 6017, 6018, 6019, 6020, 6021,  
6022, 6023 and 6024

(6) In Washoe County, in census tract 31.01, blocks 1000, 1001,  
1002, 1003, 1004, 1005, 1006, 1007, 2000, 2001, 2002, 2003, 2004,  
2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015,  
2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026,  
2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037,  
2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048,  
2049, 2050, 2051, 2052, 2053, 2054, 3000, 3001, 3002, 3003, 3004,  
3005, 3006, 3007, 3008, 3009k 3010, 3067, 3068, 3069, 3070, 3071,  
3072, 3073, 3074, 3075, 3076, 3078, 3079, 3080, 3081, 3082, 3083,  
3084, 3085, 3086, 3087, 3088, 3089, 3090, 3091, 3092, 3093, 3094,  
3095, 3116, 3117, 3118, 3119, 3120, 4000, 4001, 4002, 4003, 4004,  
4005, 4006, 4007, 4008, 4009, 4010 and 4011

(7) In Washoe County, in census tract 35.01, blocks 1968, 1969,  
1970, 1971, 1972, 1973, 1974, 3086, 3087, 3088, 3089, 3090, 3091,  
3092, 3093, 3094, 3095, 3096, 3097, 3098, 3099, 3101, 3104, 3105,  
3106, 3107, 3108, 3109, 3110, 3111, 3113, 3114, 3118, 3119, 3120,  
3121, 3122, 3123, 3124, 3125, 3126, 3127, 3128, 3129, 3130, 3131,  
3133, 3134, 3135, 3136, 3137, 3138, 3139, 3140, 3141, 3142, 3144,  
3145, 3146, 3147, 3148, 3139, 3150, 3151, 3152, 3153, 3154, 3155,  
3156, 3157, 3158, 3159, 3160, 3161, 3162, 3163, 3164, 3165, 3166,  
3167, 3168, 3169, 3170, 3171, 3172, 3173, 3174, 3175, 3176, 3177,  
3178, 3179, 3180, 3181, 3182, 3183, 3185, 3186, 3187, 3188, 3189,  
3190, 3191, 3193, 3194, 3195, 3196, 3197, 3198, 3199, 3200, 3201,  
3202, 3203, 3204, 3205, 3206, 3207, 3208, 3209, 3210, 3211, 3212,  
3213, 3214, 3215, 3216, 3218, 3219, 3220, 3221, 3222, 3226, 3227,  
3228, 3229, 3230, 3231, 3232, 3233, 3234, 3235, 3236, 3237, 3238,  
3239, 3240, 3241, 3242, 3243, 3244, 3245, 3246, 3247, 3248, 3239,  
3250, 3251, 3252, 3253, 3254, 3255, 3256, 3257, 3258, 3259, 3260,  
3261, 3262, 3263, 3264, 3265, 3266, 3267, 3268, 3269, 3270, 3271,  
3272, 3273, 3274, 3275, 3276, 3277, 3278, 3279, 3281, 3282, 3283,  
3284, 3286, 3287, 3289, 3291, 3292, 3293, 3294, 3295, 3296, 3297,  
3298, 3299, 3300, 3301, 3302, 3303, 3304, 3305, 3306, 3307, 3308,  
3309, 3310, 3311, 3312, 3313, 3314, 3315, 3316, 3317, 3318, 3319,  
3320, 3321, 3339, 3342, 3343, 3345, 3346, 3347, 3348, 3350, 3351,  
3354 and 3355

(8) In Washoe County, in census tract 35.03, blocks 1000, 1001,  
1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012,  
1013, 1014, 1015, 1016, 1017, 1022, 1023, 1024, 1025, 1027, 1028,  
1043, 1044, 1050, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007,  
2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018,  
2019, 2020, 2021, 2022, 2023, 2024, 3000, 3001, 3002, 3003, 3004,  
3005, 3006, 3007, 3008, 3009, 3010, 3011 and 3012

(9) In Washoe County, in census tract 35.04, blocks 1000, 1001,

1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016 and 4017

(10) In Washoe County, in census tract 35.15, blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 2001, 2002, 2003, 2004, 2005, 2006, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 4004, 4005, 4006, 4007, 4008, 4011, 4012, 4013, 4014, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4053, 4054, 4055, 4060, 4061, 4062, 4063, 4065, 4066, 4068, 4069, 4070 and 4071

(11) In Washoe County, in census tract 9402, blocks 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1253, 1254, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1275, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1413, 1414, 1415, 1416, 1417, 1419, 1430 and 1431;

(e) County commissioner district No. 5 is composed of:

(1) In Washoe County, all of census tracts 23.01, 23.02, 24.09 26.03, 26.10, 26.11, 26.12, 26.13, 26.14, 26.15, 26.16, 26.18, 27.06, 28.01, 28.02, 9801 and 9901

(2) In Washoe County, in census tract 17.02, blocks 1000, 1001, 1002, 1003, 1004, 1005, 1027, 1028, 1029, 1030, 1031, 1033, 1038, 1039, 1040 and 1041

(3) In Washoe County, in census tract 24.12, blocks 2000, 2001, 2002, 2003, 2008, 2033, 2034 and 2037

(4) In Washoe County, in census tract 26.17, blocks 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3044, 3050, 3051, 3052, 3053, 3061, 3062, 3063, 3064, 3065, 3066, 3067, 3068, 3069, 3070, 3071, 3072, 3073, 3074, 3075 and 3076

(5) In Washoe County, in census tract 26.19, blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3067, 3068, 3069, 3070, 3071, 3072, 3073, 4000, 4001, 4002, 4003 and 4004

(6) In Washoe County, in census tract 27.04, blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 2005, 2006, 2007, 2008, 2010, 2014, 2017, 2018, 2019, 2020, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3022, 3024, 3025, 3026, 3027, 3034, 3035 and 3036

(7) In Washoe County, in census tract 27.05, blocks 1000, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036 and 3009

(8) In Washoe County, in census tract 27.07, blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012,

1013, 1014, 1015, 1016, 1017 and 1018

(9) In Washoe County, in census tract 29.01, blocks 3014 and 3018

(10) In Washoe County, in census tract 35.01, blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474,



1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485,  
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1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507,  
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(11) In Washoe County, in census tract 35.03, blocks 1018, 1019,  
 1020, 1021, 1026, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036,  
 1037, 1038, 1039, 1040, 1041, 1042, 1045, 1046, 1047, 1048, 1049 and  
 1051

(12) In Washoe County, in census tract 35.04, blocks 3000 and  
 3022

(13) In Washoe County, in census tract 35.15, blocks 2000, 2007,  
 2008, 2009, 4000, 4001, 4002, 4003, 4009, 4010, 4015, 4016, 4037,  
 4038, 4039, 4040, 4041, 4042, 4043, 4044, 4045, 4046, 4047, 4048,  
 4049, 4050, 4051, 4052, 4056, 4057, 4058, 4059, 4064, 4067

(14) In Washoe County, in census tract 9402, blocks 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1249, 1250, 1251, 1252, 1410, 1411, 1412, 1418, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428 and 1429

(15) In Washoe County, in census tract 9802, blocks 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020 and 1021.

3. At the general election in 1976 and every 4 years thereafter, there shall be elected one county commissioner from county commissioner district No. 1 and one county commissioner from county commissioner district No. 4, for terms of 4 years.

4. At the general election in 1978 and every 4 years thereafter, there shall be elected one county commissioner from county commissioner district No. 2, one county commissioner from county commissioner district No. 3 and one county commissioner from county commissioner district No. 5, for terms of 4 years.

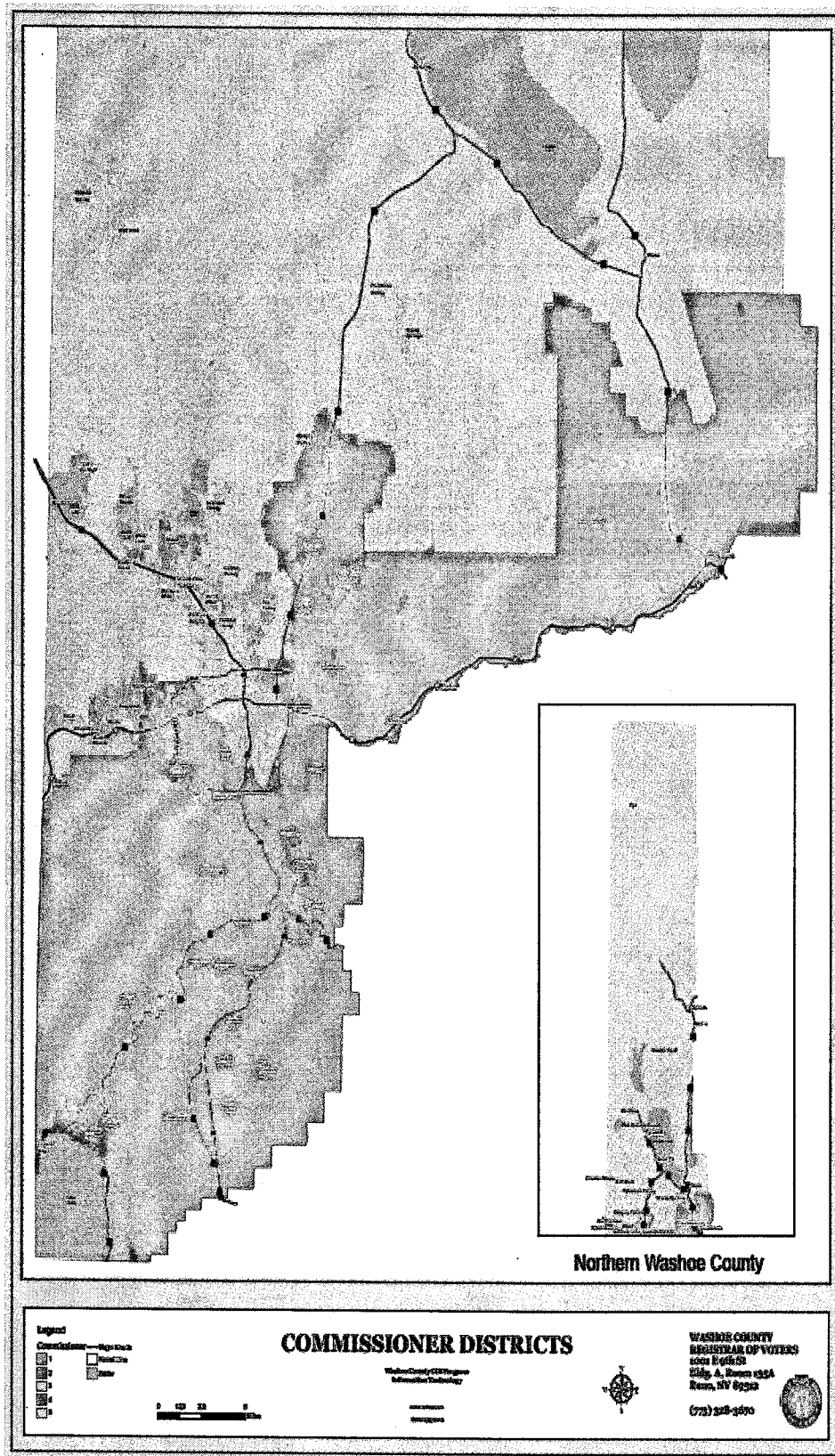
5. The county commissioner districts set forth in Ordinance No. 1132, adopted on October 9, 2001 are effective until 11:59 p.m. on December 31, 2011. On January 1, 2012, beginning at 12:00 a.m., and in compliance with NRS 244.014, the five county commissioner districts in Washoe County are re-created as set forth in subsection 1 above.

6. The members of the board of county commissioners of Washoe County as constituted on December 31, 2011, shall, pursuant to law, continue to hold office for the terms for which they were elected or appointed and as of January 1, 2012, shall represent the following county commissioner districts as such districts are established in accordance with subsection 1 above:

- (a) Commissioner John Breternitz shall be the commissioner representing county commissioner district No. 1.
- (b) Commissioner David Humke shall be the commissioner representing county commissioner district No. 2.
- (c) Commissioner Kitty Jung shall be the commissioner representing county commissioner district No. 3.
- (d) Commissioner Robert Larkin shall be the commissioner representing county commissioner district No. 4.
- (e) Commissioner Bonnie Weber shall be the commissioner representing county commissioner district No. 5.

7. If a vacancy occurs in the office of any county commissioner before the expiration of the term of that county commissioner, the vacancy shall be filled according to law by appointment of a qualified elector from the county commissioner district which that county commissioner represented in accordance with either subsection 1 or subsection 6 as of the date the appointment is made.

8. A map showing the new county commissioner districts which take effect January 1, 2012, as set forth in subsection 6 above, is set forth below. The map is intended to illustrate the new districts. In the event of a conflict between the map and the descriptions of the districts as contained in this ordinance, the descriptions and not the map shall control.



[§1, Ord. No. 276; A Ord. No. 506] + [§2, Ord. No. 276; A Ord. No. 506] + [§3, Ord. No. 276; A Ord. No. 506] + [§4, Ord. No. 276; A Ord. Nos. 506, 839, 1132] [A Ord. No. 1477]

5.017 Regular meetings of county commissioners: When held; cancellation; continuance.

1. Except as provided in subsections 2 and 3, regular meetings of the board of county commissioners will be held at Reno, Nevada, on the second, third and fourth Tuesdays in each calendar month, unless such day falls on a holiday or on any nonjudicial day, in which event the regular weekly meeting of the board of county commissioners shall be held on the immediately following judicial day.

2. The first meeting of the board of county commissioners in odd-numbered years must be held on the 1st Monday in January, but if the 1st Monday in January is a nonjudicial day, the meeting must be held on the next judicial day.

3. By giving the notice required by NRS 244.085(4), or any successor statute, the board of county commissioners may hold no more than one of its regular monthly meetings in any location in Washoe County so long as the requirements of NRS 244.085(6), or any successor statute, are met.

4. When, in the determination of the board of county commissioners, there is insufficient business to come before the board at a regularly scheduled meeting or for other good cause shown, such meeting may be canceled, subject to the following conditions:

(a) No regularly scheduled meeting may be canceled unless the board of county commissioners enters an order during a regularly scheduled meeting preceding the meeting to be canceled, finding there will be insufficient business to come before the board at such scheduled meeting or for other good cause shown and directing the county clerk to post an appropriate notice of cancellation of a regularly scheduled meeting in some conspicuous public place at or about the regular meeting place of the board of county commissioners.

(b) No regularly scheduled meeting shall be canceled in violation of the provisions of NRS 244.085, requiring at least one meeting each calendar month of the board of county commissioners.

5. Nothing contained in this section prohibits the board of county commissioners from recessing a regularly scheduled meeting and continuing such meeting to a later time and place certain, provided such time and place are indicated in an appropriate motion made during the regularly scheduled meeting.

[§1, Ord. No. 179; A Ord. Nos. 338, 484] + [§2, Ord. No. 179; A Ord. No. 338] + [§4, Ord. No. 179; A Ord. No. 338; Rev. Supp. No. 3]; [A Ord. No. 872]

5.019 Special meetings of county commissioners. Special meetings of the board of county commissioners may be called by the chairman or upon written request of a majority of the board in accordance with the provisions of NRS 244.090.

[§3, Ord. No. 179; A Ord. No. 338]

5.021 Official meeting place of county commissioners; control and supervision.

1. The county commissioners' chambers in the Washoe County administration building, 1001 E. Ninth Street, Reno, Nevada, are designated as the official meeting place of the board of county commissioners. Nothing in this section prohibits the board of county commissioners from meeting at another location in compliance with this chapter and NRS 244.085.

2. The use of the county commissioners' chambers shall be controlled pursuant to sections 80.450 to 80.560, inclusive.

[73-1626] + [73-1633] + [78-1272]; [A Ord. No. 872]

#### Office of the County Manager

5.022 Assistant county managers: Creation of positions; appointment; staff; salary.

1. Pursuant to NRS 244.135, the county manager must perform such administrative functions of the county government as may be required of the manager by the board of county commissioners. Further, the county manager, with approval of the board, may appoint such assistants and other employees as are necessary to the proper functioning of the manager's office. This section constitutes approval of the board for the county manager to appoint assistant county managers for Washoe County.

2. The position of assistant county manager is hereby created. The number of assistant county managers that may be appointed shall be determined by the board of county commissioners. The assistant county managers shall possess such qualifications as are determined by the county manager.

3. The county manager may appoint assistant county managers for Washoe County who serve at the pleasure of the county manager. Such appointments shall be into the unclassified service of the county.

4. The county manager may designate the duties and responsibilities of the assistant county managers, which duties and responsibilities may include, but are not limited to: reporting responsibility for various appointed department heads as authorized by the board, assignment for special projects and programs of the county manager, and such other duties and responsibilities as the county manager or the board of county commissioners may designate.

5. The assistant county managers may appoint, pursuant to the

provisions of chapter 5 of this code regulating county personnel and as authorized by the county manager, such professional, technical, clerical, and operating staff as the assistant county managers' duties and responsibilities may require.

6. Assistant county managers' salaries shall be fixed by the county manager within the range approved by the board of county commissioners.

[§2, Ord. No. 1055]

5.023 Community relations program: Creation; director of community relations; appointment, term; staff; salary.

1. There is hereby created a community relations program within the office of the county manager.

2. Pursuant to the provisions of NRS 244.135, the position of director of community relations is hereby created. The director shall be appointed by the county manager and shall serve at the pleasure of the county manager in the unclassified service of the county.

3. The director may appoint, pursuant to the provisions of chapter 5 of this code regulating county personnel and as authorized by the county manager, such professional, technical, clerical and operational staff as the execution of the director's duties and the operation of the community relations program may require.

4. The director's salary shall be fixed by the county manager within the range approved by the board of county commissioners.

[§2, Ord. No. 1056]

5.0231 Management services programs: Creation; director of management services; appointment, term, duties; staff; salary.

1. There is hereby created a management services program within the office of the county manager. Management services programs shall include legislative affairs, strategic planning, emergency management, grants administration, and other management services programs assigned by the county manager.

2. Pursuant to the provisions of NRS 244.135, the position of director of management services is hereby created. The director shall be appointed by the county manager and shall serve at the pleasure of the county manager in the unclassified service of the county.

3. The director shall be responsible for directing, organizing and supervising the functions and activities of various programs within the office of the county manager, including legislative affairs, strategic planning, emergency management, grants administration, and other management services programs assigned by the county manager.

4. The director may appoint, pursuant to the provisions of chapter 5 of this code regulating county personnel and as authorized by the



county manager, such professional, technical, clerical and operational staff as the execution of the director's duties and the operation of the management services program may require.

5. The director's salary shall be fixed by the county manager within the range approved by the board of county commissioners.

[§1, Ord. No. 1243]

5.0241 County manager: Administrative functions of county government.

Pursuant to NRS 244.135, the county manager must perform such administrative functions of the county government as may be required of the manager by the board of county commissioners. Further, the county manager, with approval of the board, may appoint such assistants and other employees as are necessary to the proper functioning of the manager's office. This section constitutes approval of the board for the county manager to operate other programs for the proper functioning of the manager's office.

[§4, Ord. No. 1056; A Ord. No. 1243]

5.0242 Internal auditor: Position created; appointment.

The office of the Washoe County internal auditor is hereby established. The internal auditor shall be appointed by and serve at the pleasure of the county manager and is in the unclassified service of the county.

[§3, Ord. No. 1071]

5.0243 Duties of auditor and scope of audits.

1. The internal auditor's work shall be performed in accordance with government auditing standards applicable to financial and performance audits.

2. The internal auditor has the authority to conduct performance and financial audits of all departments, offices, boards, activities, and agencies of Washoe County. These audits shall include but not be limited to determining the extent to which:

(a) Activities and programs being implemented have been authorized by the board of county commissioners, state law, or applicable federal law or regulations;

(b) Activities and programs are being conducted in a manner consistent with the intended objectives, the Washoe County Code, state law, or applicable federal law or regulations;

(c) Activities and programs efficiently and effectively serve the purpose intended by the board of county commissioners, the Washoe County Code, state law, or applicable federal law or regulations;

(d) Revenues are being properly collected, deposited, and accounted for;

(e) Resources; including funds, property and personnel, are adequately safeguarded, controlled and used in a faithful,

effective, and efficient manner;

(f) Financial and other reports are being provided that disclose fairly and fully all information that is required by law, that is necessary to ascertain the nature and scope of programs and activities and that is necessary to establish a proper basis for evaluating the programs and activities;

(g) There are adequate operating and administrative procedures and practices, systems or accounting internal control systems and internal management controls which have been established by management; or

(h) There are indications of fraud, abuse or illegal acts.

3. The internal auditor shall perform other duties as assigned by the county manager.

[§4, Ord. No. 1071]

5.0244 Expenditures for incidental food and entertainment expenses for certain activities.

1. As further provided below, the Board of County Commissioners hereby authorizes the County Manager to approve payment of incidental food and entertainment expenses in amounts less than \$2,500, finding that such expenses are reasonable and necessary business expenses of Washoe County.

2. Food expenses which are eligible for payment under this section include the following:

(a) Refreshments and meals served during meetings of county boards, commissions and committees.

(b) Tickets and tables at local events where county programs or employees are being honored.

(c) Tickets and tables at local events for which the county is an active sponsor.

(d) Refreshments and meals served to county employees and officials during county sponsored events such as blood drives, health fairs and employee and volunteer appreciation events.

3. Entertainment expenses which are eligible for payment under this section include the following:

(a) Fees for performers at employee and volunteer appreciation events.

(b) Fees for disc jockeys at employee and volunteer appreciation events.

4. Nothing in this section shall be construed to include payment for expenses incurred in conjunction with partisan political functions, events, or meals.

[§1, Ord. No. 1312 eff. 7-21-06]

## Merit Personnel System for County Employees

### General Provisions

5.025 Definitions. As used in the Merit Personnel Ordinance, the words and terms defined in sections 5.027 to 5.066, inclusive, have the meanings respectively ascribed to them in such sections.

[§10, Ord. No. 213; A Ord. No. 1143]

5.027 "Anniversary and merit salary increase date" defined.

1. Anniversary and merit salary increase date is interpreted as 1 year from the date of hire, rehire, promotion or merit salary adjustment. In the case of a demotion or equity salary adjustment within the same range, an anniversary date may change in order to prevent salary inequities for incumbents who occupy the same class, but who have more experience, education and/or time in the class than the incumbent receiving the demotion or equity adjustment.

2. A cost-of-living increase affecting all Washoe County employees authorized at any time by the board of county commissioners shall not affect the anniversary date of any county employee.

[§11, Ord. No. 213; A Ord. No. 828]

5.029 "Appointing authority" defined.

1. "Appointing authority" means each elected officer and each appointed head of a department having the authority legally to make appointments to positions in the county service. This authority may be delegated by such elected officer or the appointive department head.

2. "Appointing authority" does not include "employer" as defined in section 5.045.

[§12, Ord. No. 213]

5.031 "Break in service" defined. "Break in service," except as exempted by section 5.275, means an interruption of an employee's continuous county service requiring the removal of his name from payroll records.

[§13, Ord. No. 213]

5.033 "Class" defined. "Class" means a group of positions sufficiently similar with respect to their duties and responsibilities that the same title may reasonably and fairly be used to designate each position allocated to the class, that substantially the same criteria of fitness may be used, that substantially the same minimum qualifications may be required and that the same schedule of compensation may be made to apply with equity.

[§14, Ord. No. 213]

5.035 "Class specification" defined. "Class specification" means a written description of a class, consisting of a title, a definition, examples of duties and minimum qualifications required.  
[§15, Ord. No. 213]

5.037 "Classification" defined. "Classification" means the systematic process of analytically grouping and allocating positions to classes based on point factor comparison methodology unless a different method used to classify employees in a bargaining unit has been agreed to between the county and an employee organization.  
[§16, Ord. No. 213; A Ord. No. 1117]

5.039 "Classification plan" defined. "Classification plan" means all the classes which have been established, along with the rules for maintaining the plan and the class specifications.  
[§17, Ord. No. 213]

5.041 "Date of hire" ("hire date") defined. "Date of hire" (or "hire date") means the date of original employment by Washoe County.  
[§18, Ord. No. 213]

5.043 "Demotion" defined. "Demotion" means any movement of an employee to a position in a class having a lower maximum salary range than the position previously occupied, excluding general salary adjustments, or any downward movement, either in class, grade, or within grade, on the Washoe County classification plan and salary schedule adopted by the board of county commissioners.  
[§19, Ord. No. 213]

5.045 "Employee," "employer," "exempt employee" defined.  
1. Except as provided in subsection 2 of this section and subsection 5 of section 5.145, "employee" means:  
    (a) A public officer of Washoe County or one of its townships.  
    (b) Any person employed by Washoe County or its townships whose compensation is provided by the county and who is under the direction or control of officers of the county or its townships.  
2. "Employee" does not include:  
    (a) Independent contractors or persons rendering professional services to an employer on a fee, retainer or contract basis.  
    (b) Exempt employees.  
3. "Exempt employee" means:  
    (a) District judges and their employees, including but not limited to employees in the office of the clerk of the district court (but not including employees in the office of the county clerk), probation officers and employees of Wittenberg Hall appointed pursuant to the provisions of NRS 62.100, and secretaries and law clerks.

(b) Justices of the peace and their employees.

(c) Intermittent hourly employees.

4. The provisions of this chapter do not confer any right, privilege or benefit to an exempt employee.

5. "Employer" means Washoe County, and shall not be construed to mean "appointing authority."

[§20, Ord. No. 213; A 74-978; Ord. Nos. 259, 450, 765]

5.047 "Grade" defined. "Grade" is a term used to designate a salary level. All classes placed in the same salary grade have the same salary range or rate.

[§21, Ord. No. 213]

5.0475 "Intermittent hourly employee" defined. "Intermittent hourly employee" means a person who is not employed on a fixed schedule and is paid at an hourly rate.

[§2, Ord. No. 765]

5.048 "Legal professional employee" defined. "Legal professional employee" means a person who is licensed by the supreme court of the State of Nevada to practice law in Nevada and who is employed full time, or part-time, as an attorney in the office of the district attorney, the office of the public defender, the office of the alternate public defender or by the director of the senior citizens' center.

[§3, Ord. No. 765; A Ord. Nos. 809, 1143, 1322 eff. 12-22-06]

5.049 "Line personnel" defined.

1. "Line personnel" means deputies or officers of the sheriff's department who are deputized as peace officers according to the provisions of NRS 169.125, are authorized to execute police powers or are charged with law enforcement responsibilities, and who are contributing the full amount of peace officer retirement contributions. The term is applied without regard to sex, rank, division or duty.

2. "Line personnel" does not include any individual, whether or not a Washoe County employee, who is constituted a special deputy by appointment of the sheriff and who is not a full-time employee of the sheriff's department.

[§22, Ord. No. 213]

5.050 "Merit Personnel Ordinance" defined. "Merit Personnel Ordinance" refers to sections 5.025 to 5.349, inclusive, of the Washoe County Code.

5.053 "Overtime" defined. "Overtime" means any time worked in excess of 40 hours in a work week.

[§24, Ord. No. 213; A Ord. Nos. 637, 856]

5.054 "Part-time employee" defined. "Part-time employee" means a person who is employed on a fixed schedule of less than 2080 hours in a year.

[§4, Ord. No. 765]

5.055 "Permanent employee" defined. "Permanent employee" means an employee who has been lawfully retained in his position after completion of the probationary period.

[§25, Ord. No. 213]

5.057 "Department of human resources" defined. "Department of human resources" means the department of Washoe County created by section 5.067, and its staff.

[§26, Ord. No. 213; A Ord. Nos. 733, 1060]

5.059 "Position" defined. "Position" means a group of duties and responsibilities which have been assigned to a single employee on a full-time or part-time basis.

[§27, Ord. No. 213]

5.061 "Promotion" defined. "Promotion" means any movement of an employee into a class having a higher maximum salary range than the class previously occupied.

[§28, Ord. No. 213; A Ord. No. 828]

5.063 "Reclassification" defined. "Reclassification" means a reassignment or change in allocation of an individual position by raising it to a higher class, reducing it to a lower class, or moving it to another class at the same level on the basis of significant changes in kind, difficulty or responsibility of the work performed.

[§29, Ord. No. 213]

5.065 "Transfer" defined. "Transfer" means any movement of an employee from one position to another position in the same class or related class with the same salary grade; or the movement of the employee with his position to another location.

[§30, Ord. No. 213]

5.066 "Work week" defined.

1. "Work week" means the period commencing 12:01 a.m. Monday and ending 12:00 midnight the following Sunday.

2. For employees who have been approved to work an alternative work schedule, "work week" means a fixed and regularly recurring period of 168 hours, commencing on the day and at the time the employer designates as the start of the work week.

[§2, Ord. No. 637; A Ord. No. 1373 eff. 6-20-08]

5.067 County personnel system: Department of human resources; assistant county manager for personnel; director of human resources: Creation; qualifications, appointment; salary, duties, staff.

1. The department of human resources is hereby created. The department of human resources is responsible for the administration of the county personnel system.

2. The position of director of human resources is hereby created. The director of human resources shall be appointed by the county manager and shall serve at the pleasure of the county manager:

(a) Possess qualifications determined by the county manager .

(b) Be in the unclassified service of the county. The director's salary shall be fixed by the county manager within the range approved by the board of county commissioners.

(c) Direct and supervise all administrative, technical and operational activities of the department.

(d) Be in charge of the daily operations of the department.

(e) Administer the health benefits program and provide periodic reports as required by the director of finance.

(f) Perform such duties as are imposed by the Merit Personnel Ordinance, and the county manager.

3. The director of human resources may appoint such technical, clerical and operational staff as the execution of his duties and the operation of the department may require. All such appointments must be made pursuant to the provisions of the Merit Personnel Ordinance.

[§1, Ord. No. 213; A Ord. Nos. 733, 1055, 1060, 1374 eff. 6-20-08]

5.068 Health benefits program.

1. "Health benefits program" means a program to provide health benefits to eligible county officers and employees, including the maintenance of the appropriate funds, insurance, or combination thereof, to provide such benefits.

2. The health benefits program shall provide quality insurance plans covering eligible county officers and employees and their dependents, and to qualified retirees and their dependents.

3. The health benefits program shall assist enrollees and dependents in accessing the health care system and provide education to insure appropriate and prompt delivery of service.

4. The health benefits program shall establish and maintain eligibility, written plan documents and provider listings, and provide communications relating to health benefits and wellness to enrollees and family members.

[§2, Ord. No. 1374 eff. 6-20-08]

5.069 Administration of health benefits program.

1. The director of human resources shall preside over and make

recommendations for the health benefits program in negotiations with employee organizations.

2. The director of human resources shall oversee the preparation of the health benefits program and present it to the board of county commissioners for adoption. Once adopted, the director of human resources will administer the health benefits program.

3. The director of human resources shall prepare statistical information on claims associated with the county's self-funded plans to substantiate expenses and use in evaluation, plan development and claims forecasting.

4. The director of human resources shall review and approve all expenditures for claims and vendor contracts.

5. The director of human resources shall preside over the Insurance Appeals Committee established to review denied claims and benefits associated with the self-funded insurance plans.

[§2, Ord. No. 1374 eff. 6-20-08]

5.085 Establishment of merit personnel system. A merit personnel system for all employees of the county except those exempted under the provisions of section 5.045 is hereby established.

[§31, Ord. No. 213]

5.087 Rules and regulations.

1. The department of human resources, with the approval of the board of county commissioners, shall from time to time promulgate appropriate rules and regulations for the administration of the Merit Personnel Ordinance.

2. Nothing in this section shall be construed to:

(a) Prohibit elected officers and appointive department heads from promulgating office or department rules and regulations not in conflict with any provision of law, the Merit Personnel Ordinance, or the rules and regulations promulgated pursuant to the provisions of subsection 1.

(b) Limit the power and authority of elected officers to conduct and manage the affairs of their offices as they see fit.

[§32, Ord. No. 213; A Ord. Nos. 733, 1060]

5.089 Nepotism prohibited.

1. Except as provided in subsection 2, it is unlawful for an appointing authority as defined in section 5.029, including any county board or commission, elected or appointed, to employ in any capacity on behalf of the county any relative of such individual or of any member of such board or commission within the third degree of consanguinity or affinity.

2. Nothing in this section shall:

(a) Prevent any officer of this county, employed under a flat salary, from employing any suitable person to assist in any such



employment, when the payment for any such service is met out of the personal funds of such officer.

(b) Be deemed to disqualify any widow or widower with a dependent or dependents as an employee of any officer or board in this county.

3. No person employed contrary to the provisions of this section shall be compensated for such employment.

[§33, Ord. No. 213]

5.0891 Appointing authority prohibited from appointing related persons under certain circumstances; exceptions.

1. Except as otherwise provided in subsections 2 and 3 and NRS 281.210, an appointing authority shall not appoint a person to a position in the classified or unclassified service on or after December 30, 1999, if, upon his appointment, the person will be the immediate supervisor, or will be in the direct line of authority, of:

- (a) A spouse, child, parent or sibling of the person;
- (b) The spouse of a child, parent or sibling of the person;
- (c) The child, parent or sibling of the person's spouse; or
- (d) An aunt, uncle, niece, nephew, grandparent, grandchild or first cousin of the person.

2. If an appointing authority determines that, for a certain position(s) under consideration, the enforcement of the provisions of subsection 1 will be impracticable and cause an undue hardship to the appointing authority, the appointing authority may prepare a written justification seeking authorization for the appointment of person(s) to a position or class in violation of subsection 1. Factors which may be considered include, but are not limited to, difficulty in recruiting applicants for the positions.

3. After preparation of the written justification pursuant to subsection 2, the justification must:

- (a) Be approved by the board; and
- (b) Comply with the provisions of NRS 281.210.

4. If approved by the board, the appointing authority may make the appointment(s) and must provide a copy of the board's approval, including any special conditions imposed, to the affected employee(s).

[§2, Ord. No. 1083]

5.0892 Persons who become related after appointment: Appointing authority required to take corrective action; notification of appointing authority required.

1. If employees of an appointing authority become related in such a manner that, if the relationship existed when the employees were appointed, the appointing authority would have been prohibited from appointing one of those employees pursuant to section 5.0891, and the appointing authority has not received approval of the board

pursuant to section 5.0891, the appointing authority shall ensure that, as soon as practicable after the employees become related, the employees do not continue to hold positions in which one of the employees is the immediate supervisor, or is in the direct line of authority, of the other employee.

2. Employees who become related after they have been appointed to their positions as described in subsection 1 shall, within 10 working days after they become related:

- (a) Notify the appointing authority of the relationship; and
- (b) Submit to the appointing authority a recommendation for action to be taken by the appointing authority to ensure that the employees do not continue to hold positions in which one of the employees is the immediate supervisor, or is in the direct line of authority of the other employee.

3. In determining the manner in which to comply with the provisions of subsection 1, the appointing authority is not required to accept a recommendation submitted pursuant to subsection 2.

[§3, Ord. No. 1083]

#### 5.091 Classified service: Composition, appointments and discharge.

1. The classified service of Washoe County is comprised of all positions in the service of Washoe County now existing or hereafter created which are not included in the unclassified service or are specifically exempted from the unclassified service as set forth in section 5.045.

2. Appointments in the classified service must be made according to merit and fitness from eligible lists prepared upon the basis of examination, which must be open and competitive, except as otherwise provided in the Merit Personnel Ordinance.

3. A person shall not be appointed, transferred, promoted, demoted or discharged as an officer, clerk, employee or laborer in the classified service in any manner or by any means other than those prescribed in the Merit Personnel Ordinance.

4. A person shall not be discriminated against on account of his religious opinions or affiliations, his age, race, color, sex, physical or visual handicap or national origin.

5. Notwithstanding any provision of the Washoe County Code or any agreement, the county treasurer may remove his deputies at his pleasure pursuant to NRS 249.060.

[§34, Ord. No. 213; A Ord. Nos. 608, 611]

#### 5.093 Unclassified service: Composition, salaries set by county commissioners.

1. The unclassified service of Washoe County shall be comprised of positions held by county officers or employees, as follows:

- (a) Persons chosen by election or appointment to fill an elective

office.

(b) Members of appointed boards and commissions, and appointed heads of departments.

(c) The county manager, and those persons of the county manager's staff who are appointed into the unclassified service.

(d) At the discretion of the elective officer or head of each department, a number of employees in each department, excluding the elective officer or department head, as designated by the elective officer or department head, which shall not exceed 3 percent of the permanently established positions as authorized by the board of county commissioners. If 3 percent of such positions is less than one employee, the elective officer or department head is entitled to at least one such unclassified employee.

(e) Physicians employed as full-time employees.

(f) Persons holding temporary part-time or temporary full-time appointments the duration of which does not exceed 6 months.

(g) Part-time professional personnel who are paid for any form of medical, nursing or other professional service.

(h) Foreign exchange students working in county departments pursuant to a student foreign exchange work program agreement between the University of Nevada and other countries.

(i) Such other officers and employees as are authorized by law to be employed in the unclassified service.

2. An elective officer or head of each department who elects to exercise his discretion as permitted by paragraph (c) of subsection 1 shall immediately report to the personnel department the positions designated by him to be in the unclassified service. An established classified position may not be declassified, nor an established unclassified position classified, while that position is occupied.

3. Salaries of all persons in the unclassified service, whose salaries are set by the board of county commissioners and excluding county elective officers whose salaries are fixed by statute, shall be fixed by the board of county commissioners.

4. No person appointed to the unclassified service shall be entitled to the rights, privileges or provisions of the classified service relative to appointment, promotion, demotion, transfer or rehire. An unclassified employee shall serve at the pleasure of the appointing authority.

[§35, Ord. No. 213; A Ord. Nos. 389, 392, 733, 765, 1013]

5.094 Legal professional employee: Rights, privileges and benefits; inapplicability of certain code provisions.

1. A legal professional employee is entitled to the rights, privileges and benefits of an employee in the classified service pertaining to holidays, career incentive accrual and pay, vacation leave accrual and pay, sick leave accrual and pay, personal leave accrual and pay, leaves of absence, travel expenses and any other

benefits deemed appropriate by the board of county commissioners.

2. Except as provided in subsection 1, the provisions of this chapter do not apply to legal professional employees. The inapplicable provisions include, but are not limited to, those relating to appointment, promotion, demotion, salary adjustments, overtime, transfer, rehire, discipline and discharge.

3. Legal professional employees are not covered by the provisions of sections 5.247 and 5.267 with respect to recording absences of less than a day. Each appointing authority employing legal professional employees shall establish requirements for the recording of absences of less than a day.

4. In the event that the legal professional employees form a bargaining unit to bargain over benefits applicable to them in accordance with this provision, those legal professional employees not covered by the unit as confidential employees are entitled to the same benefits as those set forth in the collective bargaining agreement.

[§5, Ord. No. 765, A Ord. Nos. 774, 966, 1143]

#### Classification Plan

##### 5.095 Establishment of classification plan.

1. The classification plan shall be approved by the board of county commissioners upon the recommendation of the director of human resources.

2. The board of county commissioners declares that since uniform salary and wage rates and classifications are necessary for an effective and efficient personnel system, the compensation plan shall set the official rates applicable to all positions in the classified service, but the establishment of the compensation plan shall in no way limit the authority of the board of county commissioners relative to budgeted appropriations for salary and wage expenditures.

3. The Merit Personnel Ordinance shall not be construed to supersede or conflict with existing or future contracts of employment dealing with wages, hours and working conditions.

[§36, Ord. No. 213; A Ord. No. 1117]

##### 5.096 Job evaluation committee: Creation and purpose; composition; appointment; members; term.

1. The job evaluation committee is hereby created. The purpose of the committee is to perform an internal staff function of job evaluation based upon the point factor comparison methodology.

2. The committee shall be composed of seven members as follows:

(a) Three representatives of the Washoe County Employees Association appointed by that Association in accordance with its

bylaws and operating practices.

(b) One representative from the Nurses Association appointed by that Association in accordance with its bylaws and operating practices.

(c) The director of human resources or the director's designee.

(d) The director of finance or the director's designee.

(e) One individual representing the department of juvenile services appointed by the director of that department.

3. The director of human resources, or the director's designee, and the director of finance, or the director's designee, are perpetual members of the committee.

4. The terms of the members will be recorded in writing by the director of human resources. When a person is removed or resigns, the association will be notified and that association will appoint a replacement.

5. Any member, except those listed in subsection 2 (c) and (d) above, who misses 3 consecutive meetings without a valid excuse may be removed by the committee. In such event, the director of human resources will contact the appointing association or individual and that association or individual will appoint a new member.

[§3, Ord. No. 1117; A Ord. No. 1321 eff. 12-8-06]

#### 5.097 Revision of classification plan.

1. When the board of county commissioners has authorized organizational or budgetary changes which require the creation, division, combination, alteration, or abolishment of classification(s), the department of human resources shall bring the classes affected to the job evaluation committee. The job evaluation committee will evaluate the job(s) using the point factor comparison methodology.

2. The department of human resources shall from time to time, as necessary, after consultation with appointing authorities, recommend changes in the Merit Personnel Ordinance and county personnel regulations.

3. Any changes in classifications for positions on the management salary schedule and division director positions or the equivalent thereof as determined by the director of human resources, but not including any such positions covered by a collective bargaining agreement, will be evaluated using the point factor system, but any changes in these classifications will be considered by the board of county commissioners and not by the job evaluation committee.

4. The job evaluation committee will also have authority to make changes in job titles to make them more reflective of job duties, to make minor changes to job descriptions so that the descriptions reflect job responsibilities, and to make other minor changes to classifications to carry out the purposes of sections of this

ordinance and the provisions of the Merit Personnel Ordinance.

[§37, Ord. No. 213; A Ord. Nos. 733, 1060, 1117]

5.098 Training of the committee members; rules and duties of the job evaluation committee.

1. The department of human resources shall train or provide for training of the members of the job evaluation committee in the point factor comparison methodology of job evaluation. The department shall be responsible for providing on-going training as necessary and training of all new job evaluation committee members.

2. Once all committee appointments have been made, the committee, with the assistance of the human resources department, will make rules and procedures for transacting its business and carrying out the provisions of sections 5.096 to 5.101, inclusive. A majority of the members of the committee constitutes a quorum for purposes of conducting a meeting and a majority of the quorum is necessary to act upon any item.

3. Once all members have received training in the point factor comparison methodology of job evaluation, the committee will meet as needed upon the call of the director of human resources to evaluate jobs using the point factor comparison methodology and slotting process making recommendations where appropriate regarding: the points to be assigned to a given job, the appropriate classification of jobs, consolidation of existing classifications, creation of new classifications, alteration of existing classifications, abolishment of existing classifications, and reclassification of positions. These issues will be brought before the committee by the director of human resources.

4. All recommendations made by the committee for the creation of a new classification, reclassification, abolishment of an existing classification, consolidation of classifications, alteration of existing classifications, or where there is a fiscal impact, must be forwarded to the board of county commissioners for final action.

5. Nothing herein alters a department head's responsibility for proper administration of that department's budget.

[§4, Ord. No. 1117]

5.099 Classification of positions. All positions in the classified service shall be allocated to an appropriate class in the classification plan. The allocation of positions to classes shall be governed by the duties and responsibilities of the positions in relation to the criteria established in sections 5.033

[§38, Ord. No. 213]

5.101 Reporting changes in positions; reclassification of positions.

1. Whenever an appointing authority proposes the establishment

of a new position or makes a significant change in the duties and responsibilities of an existing position, the facts shall be reported to the department of human resources in the manner and on the forms prescribed by the department, with the advice of the appointing authority.

2. Requests for reclassification which result from program changes, establishment of new positions, changes to organizational structure, changes in the level of service which require a new classification, or establishment of new classifications shall be submitted on the forms prescribed by the department of human resources by the appointing authority as part of the department's/division's annual budget process for approval by the board of county commissioners. The department of human resources shall be responsible for confirming the duties and responsibilities assigned to the position.

3. The job evaluation committee shall be responsible for providing the evaluation of the position and the appropriate classification with points assigned based upon the point factor comparison methodology and slotting process. The points assigned is the determining factor in establishing the pay range. The department of human resources shall be responsible for providing the pay analysis and recommendation for any program/ classification changes prior to submission to the board of county commissioners. In the event that a request for reclassification under this subsection cannot by necessity be made as part of the budget process, the appointing authority shall submit the request (on the appropriate forms and with the job evaluation committee's and human resources department's recommendations) directly to the board of county commissioners for approval.

[§39, Ord. No. 213; A Ord. Nos. 733, 1008, 1060, 1117]

5.103 Investigations. The department of human resources, upon the written request of an appointing authority or an employee, or upon its own initiative, may investigate the classification status of any existing position.

[§40, Ord. No. 213; A Ord. Nos. 733, 1060]

5.105 Status on reclassification.

1. An incumbent of a reclassified position may retain his appointment and move to the level of the reclassified position when he has performed the duties for 6 months and meets the minimum qualifications for the new class. When an employee has been performing the duties and responsibilities for 6 months prior to reclassification, he shall not be required to serve a new probationary period.

2. When a position is reclassified to a higher level salary grade and the incumbent retains his appointment status, or is appointed

from an appropriate eligible list, his salary shall be governed by the provisions relating to promotion.

3. The effective date of a position reclassified to a class having the same or higher salary grade shall be either the date the position was studied, or 90 days after the request to study the position was received in the human resources department, whichever occurs first; or another date as may be agreed to between an employees' association and the county. The effective date of a position reclassified to a class having a lower salary grade shall be the date the position was studied.

4. An incumbent of a position reclassified downward shall retain his status in the lower class. If the incumbent's current salary exceeds the top of the salary range for the lower classification, he shall have his salary frozen until the grade encompasses the frozen rate of pay.

[§41, Ord. No. 213; A Ord. Nos. 733, 828, 905, 1008, 1060, 1117, 1244]

#### 5.107 Interpretation of specifications.

1. The class specifications are intended to be descriptive and explanatory rather than restrictive. The use of a particular expression or illustration as to duties shall not be interpreted to exclude others not mentioned which are of similar kind or quantity.

2. In determining the class to which any position shall be allocated, the specification shall be considered as a whole and in relation to others in the classification plan. Consideration shall be given to the duties, responsibilities, qualifications, knowledge and abilities required in relation to those of other classes in determining the kinds of positions which a class is intended to include.

3. The statement of qualifications required for a particular class is intended as a standard for the evaluation of applicants. The department of human resources has the authority, after consultation with appointing authorities, to interpret these qualifications so that equivalent qualifications to those stated in the specifications may be accepted.

4. Qualifications expected of all incumbents of positions in county employment, such as a valid driver's license when the position requires driving, good physical and mental health, freedom from disabling defects, honesty, sobriety, courtesy and industry, shall be deemed to be implied in the qualification requirements of each class, even though not specifically mentioned in the class specifications.

[§42, Ord. No. 213; A Ord. Nos. 733, 1060]



## Compensation

5.109 Compensation plan. The compensation plan of Washoe County consists of the schedule of grades of pay as prepared by the department of human resources after consultation with appointing authorities and approved by the board of county commissioners. Each class in the classification plan shall be assigned to the appropriate grade in the compensation plan.

[§43, Ord. No. 213; A Ord. Nos. 733, 1060]

5.111 Establishing salary grades. In recommending to which grade classes shall be assigned, the department of human resources shall give appropriate consideration to the following factors:

1. Maintenance of equitable relationships between classes based on their relative duties and responsibilities;
2. The level of prevailing rates for comparable work in private and public employment; and
3. Available cost-of-living information.

[§44, Ord. No. 213; A Ord. Nos. 733, 1060]

5.113 Total compensation. The grade for each class represents the range of pay rates for full-time biweekly employment unless the compensation plan specifically states otherwise. Unless otherwise indicated in the compensation plan, the rates of pay set forth represent the total compensation in every form except for overtime compensation. Reimbursement of an employee for expenses incurred in operating his private motor vehicle for the convenience of the county shall not be deemed to be a part of total compensation.

[§45, Ord. No. 213]

5.115 Application of rates. Each employee in the classified service shall be paid within the salary range in the grade for the appropriate class.

[§46, Ord. No. 213; A Ord. Nos. 733, 828]

5.117 Part-time employment. An employee who works in a permanent position established for a portion of a regular work week or work year shall be paid for the actual hours worked. Part-time employment does not include temporary or seasonal employment. Combined positions with the county shall not exceed 8 hours per day total work time, or more than 40 hours per work week, except in the case of authorized overtime.

[§47, Ord. No. 213; A Ord. Nos. 828, 1373 eff. 6-20-08]

5.119 Rate on initial hire, rehire, promotion, demotion or transfer.

1. Initial hire for a position shall be made at the entrance rate

of the range for the class, except as provided in sections 5.123 and 5.203.

2. A former permanent employee, who, after a break in service, is reinstated to a position in the same or a related class, shall be compensated at a rate at or below his previous relative placement in the salary range for the former position, at the discretion of the appointing authority. Compensation at a higher rate may be allowed upon approval by the director of human resources.

3. When an employee is promoted, he is entitled to the entry salary for the higher grade or 10 percent above the employee's base salary, whichever is greater, provided there is at least a 10 percent differential between the top of the salary range for the lower grade and the top of the salary range for the higher grade. If the differential between the two grades is between 5 percent and 10 percent, the employee is entitled to the entry salary for the higher grade or the differential between the two grades, whichever is greater. If the differential between the two grades is less than 5 percent, the employee is entitled to the entry salary or 5 percent, whichever is greater, except as provided below. In all instances, the amount of the salary increase upon promotion must not exceed the top of the salary range for the higher grade. Any exception may be approved by the county manager upon written justification from the appointing authority and recommendation of the assistant county manager for personnel.

4. When a permanent employee is demoted, he shall be compensated within the range at a rate which reflects an approximate 5 percent salary decrease in the class to which he is demoted. The salary decrease may be waived upon approval by the appointing authority and the director of human resources.

5. When an employee transfers to a position in another class, he is entitled to the corresponding step in the same range. Any exception requires written justification of the appointing authority and approval by the director of human resources.

[§48, Ord. No. 213; A Ord. Nos. 608, 733, 828, 1055, 1060]

#### 5.121 Merit salary adjustment.

1. Except as provided in subsection 2, the amount of the merit salary adjustment which may be paid is 5 percent of an employee's base salary, excluding any overtime. A merit salary adjustment must be based upon satisfactory job performance.

2. A merit salary adjustment may be given only if the employee's total salary, after adding the adjustment, does not exceed the maximum amount of the employee's salary range. If giving the full merit salary adjustment would result in a total salary exceeding that maximum amount, the employee may be given a reduced adjustment which would result in a total salary equal to the maximum amount of the employee's salary range. However, if a merit increase brings an

employee within ½ percent of the top of the range, the employee shall be paid at the maximum salary for the range.

3. Earned merit salary adjustment shall be made on the employee's merit salary increase date.

4. An employee who is not given a merit salary increase on the annual merit review date is eligible to receive the merit salary increase at any later pay period during the annual review year. Granting a delayed merit salary increase in any succeeding pay period does not affect the employee's anniversary date.

5. An employee who has had his merit salary increase withheld is entitled to receive this increase only within the immediately succeeding merit review period. The appointing authority may reevaluate the employee at any time during this subsequent period.

6. When the merit salary adjustment is delayed solely through administrative or clerical error, the adjustment shall be made effective as of the date it was properly due.

[§49, Ord. No. 213; A Ord. Nos. 289, 408, 730, 828]

#### 5.122 Salary adjustment for less than 2 consecutive days off in work week.

1. It is the policy of Washoe County that every department and agency shall, when possible, schedule work days for its employees in a manner which provides each employee with at least 2 consecutive days off in a work week.

2. Except as provided in subsection 3, if an employee works a regularly assigned schedule that does not contain at least 2 consecutive days off in a work week, that employee is entitled to a 5 percent increase in his base pay for all hours worked in that work week.

3. The failure of an employee to receive at least 2 consecutive days off in a work week because he has worked overtime does not entitle an employee to any increase in his base pay.

4. Nothing in this section limits the power of Washoe County to schedule an employee's hours or compel an employee to work overtime.

[§3, Ord. No. 637; A Ord. No. 1373 eff. 6-20-08]

#### 5.123 Special salary adjustments.

1. An accelerated rate of pay may be made for new hires in order to meet difficult recruiting problems or to obtain a person with markedly superior qualifications under the following conditions:

(a) An appointing authority may appoint an individual into the salary range for a classification used exclusively by his department.

(b) Appointments above the entry rate for classifications found in more than one department must be approved by the director of human resources. Whenever a position is filled in this manner, the salary of the other incumbents occupying that same class shall be reviewed and may be recommended for adjustment by the director of human

resources.

2. A special salary adjustment, within the range, may be approved by the director of human resources in order to correct existing salary inequities.

3. A 5 percent pay increment may be approved by the director of human resources for an incumbent of a classification temporarily assigned duties and responsibilities beyond those required for the classification as a whole. In the event that the duties are assigned for longer than 6 months, a classification study shall be conducted and an appropriate classification assigned to the position.

[§50, Ord. No. 213; A Ord. Nos. 424, 733, 905, 1060]

5.125 Statement of overtime policy; authority to prescribe policy and procedures.

1. It is the policy of Washoe County that overtime should be kept to an absolute minimum consistent with the basic functions and purposes of the operating department and shall remain within the spending authority as provided in each department's budget.

2. Decisions concerning the need for overtime are fiscal and management functions. Therefore, policies, requirements, procedures and necessary records shall be prescribed by the county manager with the approval of the board of county commissioners.

[§51, Ord. No. 213]

5.126 Overtime; computation of time worked. For employees who are compensated for overtime at time and one-half or straight time, overtime shall only be based upon actual time worked. However, time paid, but not worked, including annual leave, compensatory time, holiday and personal leave, but excluding time paid while on sick leave, shall be considered as time worked for the purpose of computing overtime.

[§4, Ord. No. 637; A Ord. Nos. 856, 866, 977, 1018, 1143]

5.127 Rate of earning accrued overtime. For those employees who are covered by the overtime requirements of the Fair Labor Standards Act, overtime shall be earned at the rate of one and one-half times their regular hourly rate for each hour or major fraction thereof worked. For those employees who are exempt from the overtime requirements of the Act as provided for in section 5.137, overtime shall be at straight time unless otherwise provided by a collective bargaining agreement or resolution.

[§52, Ord. No. 213; A Ord. Nos. 733, 856, 866, 966]

5.129 Emergency overtime. Emergency overtime is a need to be determined by the elective officer or head of each department. Where the overtime is the result of predictable or extended increase in

workload, prior approval of the county manager is necessary.

[§53, Ord. No. 213]

5.131 Overtime to be authorized in advance. In all cases where overtime is necessary, it shall be authorized in advance by the responsible supervisor before being worked, approved or liquidated by the subordinate employee, unless emergency prevents prior approval.

[§54, Ord. No. 213]

5.133 Reports of overtime work required.

1. All overtime work within a department or office shall be reported on a biweekly basis to the department or elective officer.

2. Annually, or more often if deemed necessary, the county manager shall submit a report of the total hours of overtime worked in each department or office to the board of county commissioners.

[§55, Ord. No. 213; A Ord. No. 408]

5.135 Compensation for overtime; limit on overtime accrual.

Except as provided in subsection 4, an employee shall be compensated for overtime work at the applicable rates provided for in section 5.127 in the following manner:

1. Either cash payment or compensatory time off, which election must be made at the time earned.

2. Except for those employees described in subsection 3, an employee shall not accumulate more than 240 hours of compensatory time; any overtime in excess of 240 hours shall be provided in cash.

3. A public safety employee as defined under the Fair Labor Standards Act shall not accumulate more than 480 hours of compensatory time; any overtime in excess of 480 hours shall be provided in cash.

4. All employees on the unclassified management salary schedule and division directors at salary grade T and above on the confidential salary schedule are only eligible for compensatory time. For these employees, any overtime worked beyond 240 hours shall not be accumulated or recorded.

[§56, Ord. No. 213; A Ord. Nos. 361, 856, 866, 977, 1143]

5.137 Classes which are exempt from payment of overtime. The department of human resources shall maintain a listing of those positions which are exempt from the overtime requirements of the Fair Labor Standards Act based upon either the professional, executive or administrative standards set forth in the Act.

[§57, Ord. No. 213; A Ord. Nos. 733, 866, 966, 1060]

5.139 Payment of accrued overtime on transfer, termination; exception. Except as provided in subsection 3, an employee shall

be paid for accrued overtime upon transfer or termination as follows:

1. If an employee who has accumulated overtime credit transfers from a position under the jurisdiction of one appointing authority to a position under the jurisdiction of another appointing authority before the accumulated time has been taken or compensated for, all accumulated overtime shall be compensated for by the department or office he is leaving.

2. If an employee who has accumulated overtime credit terminates county employment before the accumulated time has been taken or compensated for, all accumulated overtime shall be compensated for by the employing office or department at the time of termination.

3. Employees on the unclassified management salary schedule shall not receive a cash payment for any accumulated compensatory time in any circumstance.

4. Division directors at salary grade T and above on the confidential salary schedule shall not receive a cash payment for any accumulated compensatory time in any circumstance. Provided however, that confidential division directors so employed as of December 31, 2001 shall be eligible to receive a cash payment for accumulated compensatory time upon termination or retirement, up to the amount accumulated as of December 31, 2001.

[§58, Ord. No. 213; A Ord. Nos. 977, 1143]

5.143 Appeals from salary decisions for unrepresented employees. Reasonable opportunity to be heard shall be provided by the department of human resources to any employee who is not covered by a collective bargaining agreement and is affected by a change in salary or classification. The employee shall direct his request to his appointing authority, who shall seek to arrive at a solution consistent with the classification and compensation plans and acceptable to the employee. If the appointing authority is unable to resolve such a request within a reasonable time, the matter shall be submitted to the human resources department. If the problem cannot be resolved at that level, it may be submitted to the personnel committee for decision.

[§60, Ord. No. 213; A Ord. Nos. 733, 1060]

5.145 Career incentive plan for employees; inapplicability to certain elected county officials and certain employees.

1. Except as provided in subsection 5, a career incentive plan is hereby instituted for county employees as follows:

(a) An employee who has 5 or more years of full-time county service and who, for the preceding review period, has been rated standard or better pursuant to sections 5.283 to 5.287, inclusive, is entitled to career incentive pay at the rate set forth in paragraph (c).

(b) A permanent part-time employee is entitled to career incentive pay in the manner provided for full-time employees in

paragraph (a), except that a part-time employee must work or be in a paid leave status the same number of hours as a full-time employee works in 1 year in order to receive a "year of full-time county service" within the meaning of paragraph (a). A part-time employee completing the number of "years of full-time county service" set forth in paragraph (a) is entitled to career incentive pay at the rate set forth in paragraph (c).

(c) An employee entitled to career incentive pay shall receive \$100 per year of service up to a maximum annual payment of \$3,000 for 30 years or more of service.

(d) For purposes of career incentive pay:

(1) The number of "years of full-time county service" does not include any period in excess of 31 calendar days per calendar year during which an employee is on leave without pay.

(2) The number of years an employee has been in the service of the county includes all periods of continuous service after the date the employee was last hired as a permanent employee, and includes former periods of service if each applicable period of separation may be bridged pursuant to subsection 2.

2. A period of separation may not be bridged to increase the number of years of service, except that:

(a) A period of separation which resulted from a layoff may be bridged to increase the number of years of service if the employee was subsequently rehired pursuant to section 5.311.

(b) A period of separation may be bridged if the employee was rehired within 1 year after the date of commencement of the separation and the employee has been in the continuous service of the county for 1 year after the date he was rehired.

3. An employee's eligibility for career incentive pay must be reviewed as of June 1 and December 1 of each year with payment to be effected in equal semiannual installments payable on the first pay day of June and December immediately following a determination of eligibility.

4. For qualified employees retiring or resigning before the due date of any semiannual increment, the amount of the payment shall be prorated.

5. The career incentive plan does not apply to elected county officers, the amount of whose annual salaries are governed by the provisions of NRS 245.043, and does not apply to any employee who is covered by a collective bargaining agreement entered into pursuant to chapter 288 of the Nevada Revised Statutes.

[§61, Ord. No. 213; A Ord. Nos. 259, 611, 637, 782, 1018]

#### 5.146 Career incentive plan for justices of the peace.

1. A justice of the peace who has served in office for more than 4 years is entitled to an additional salary of 2 percent of his base salary for each full calendar year he has served in his office. For

the purposes of this section a full calendar year includes the time from the first Monday in January until December 31<sup>st</sup> for a justice of the peace who was elected in the preceding regular election.

2. The additional salary provided in this section for an eligible justice of the peace:

(a) Is computed on July 1 of each year by multiplying 2 percent of the base salary for the appropriate fiscal year by the number of full calendar years the justice of the peace has served in his office;

(b) Must not exceed 20 percent of the base salary of the justice of the peace; and

(c) Is calculated and paid in the same manner as it is for every other county Washoe County elected official.

3. If the additional salary provided for in this section is modified, phased out, or terminated for all other county elected officials said modification, phase out, or termination shall apply to Washoe County Justices of the Peace at the same time, in the same manner, and on the same terms and conditions as it applies to all other Washoe County elected officials.

[§1, Ord. No. 702; A Ord. No. 1143; A Ord. No. 1454 eff. Date Jan. 1, 2010]

5.147 Parking allowance. The county shall provide \$15.00 per biweekly pay period parking allowance for employees working in downtown Reno who are not provided free parking. At such time as the county constructs a parking facility, employees receiving the allowance will be required to park in the county facility and pay the required fee to the county. The county's fee charged for the employee shall not exceed the parking allowance set-forth in this section. The county will pay the biweekly parking allowance to employees working in downtown Reno who are not provided free parking, if they utilize public transit, provided, the employee must document their continued purchase of RTC monthly transit pass.

[§1, Ord. No. 1143]

### Examinations

5.149 Types of examinations. Competitive examinations may be assembled, open or promotional, written, oral or in the form of a demonstration of skill, an evaluation of training and experience, or any combination of these. Investigations of character, personality, education and experience and any tests of intelligence, capacity, technical knowledge, manual skill or physical fitness which the department of human resources deems appropriate may be employed.

[§63, Ord. No. 213; A Ord. Nos. 733, 1060]



5.151 Investigations of applicants. In order to determine whether applicants meet the minimum qualifications established for examinations or for other purposes, the department of human resources may require such certificates of citizens, physicians, public officers or others having knowledge of the applicant as the good of the service may require. It may require, either before examination or before certification, that documentary evidence be submitted substantiating such facts as citizenship, honorable discharge from the Armed Forces of the United States, possession of valid licenses for various purposes or other evidence of identification, fitness and qualification.

[§64, Ord. No. 213; A Ord. Nos. 733, 1060]

5.153 Applications. Every applicant for examination must file an application in the office of the department of human resources by the close of business on the date contained in the examination announcement. A resume may be submitted in lieu of the employment history portion of the application where authorized by the department of human resources, however, no additional information will be accepted after the filing deadline. Such applications, when filed, and all other examination materials, including examination questions and booklets, are the property of the department.

[§66, Ord. No. 213; A Ord. Nos. 733, 917, 1060, 1244]

5.154 Application for flexibly staffed class series. A flexibly staffed class series is comprised of related classes through which an employee may progress without competition from entry level to journey level. When recruiting for all levels within a flexibly staffed class series, applicants shall be tested and placed on the eligible lists for the highest level for which they qualify, unless the applicant specifically requests to be tested and placed on a lower level eligible list in lieu of the higher level.

[§2, Ord. No. 905]

5.155 Eligibility to compete.

1. Competitive examinations for classified positions in the Washoe County service shall be open to all applicants who are authorized to work in the United States and who meet the qualifications established for the class or position for which application is being made.

2. Any applicant who has a conviction record (other than minor traffic violations involving a fine of less than \$25) shall so indicate on his application form. In addition, the application shall be accompanied by a complete explanation of the conviction.

3. In determining whether to accept the application, consideration shall be given by the department of human resources to the recency of the offense, age at time of the offense, conduct

during incarceration and parole or probation period, reports from parole or probation officer concerning the applicant's employment record while on parole or probation and related factors.

4. Since the appointment decision is the prerogative of the appointing authority, all related records shall be made known to the appointing authority before such appointment is made.

[§67, Ord. No. 213; A Ord. Nos. 733, 945, 1060]

5.157 Promotional examinations. Merit and fitness for promotion within the public service shall be ascertained through competitive examinations, except as provided in sections 5.105, 5.160, and 5.202. Promotional examinations may be restricted to qualified employees in one department if it is determined by the director of human resources that there is a sufficient number of qualified employees in a single department and all relevant county policies are complied with, or, a promotional examination may apply to all departments. Competition in promotional examinations shall be limited to employees who:

1. Have permanent or probationary status and have served at least 6 months in the organizational unit or units for which the examination is being held; and

2. Meet the minimum requirements for the class for which the examination is being held; and

3. Have demonstrated merit and fitness in their present positions as certified by their appointing authorities.

[§68, Ord. No. 213; A Ord. Nos. 882, 1054, 1143]

5.159 Time for examinations. Upon giving 3 days' notice to his immediate supervisor, a county employee, otherwise qualified, shall be permitted to take a reasonable amount of time to take any examination given by the department of human resources during working hours without loss of pay. Employees may schedule interviews using appropriate accrued leave and/or flexing their work hours upon supervisor approval.

[§69, Ord. No. 213; A Ord. No. 733, 1060, 1244]

5.160 Waiver of examination. The director of human resources may waive examination for those classes requiring practical or professional certification or licensure. Consideration shall be given to the anticipated size of the applicant pool and other experience requirements. All available applicants shall be placed on an unranked eligible list.

[§2, Ord. No. 882; A Ord. No. 1060]

5.161 Postponement of tests. If the department of human resources determines that a sufficient number of qualified candidates has not made application for an examination or for other

good reason, the department may postpone or cancel a test or an examination or extend the filing period by giving reasonable public notice thereof.

[§70, Ord. No. 213; A Ord. Nos. 733, 1060]

5.163 Continuous examinations. The department of human resources may conduct examinations and create countywide eligible lists continuously. The names of eligibles who took the same or a comparable examination on different dates may be ranked, for purposes of certification, in the order of final earned ratings, except as such order may be modified by the application of veterans' preference. Eligibility from a continuous examination may be deemed to be established as of the date of the examination.

[§71, Ord. No. 213; A Ord. Nos. 733, 1060]

5.165 Announcement of examinations. Public notice of each examination shall be given. Examination announcements shall be in such form as the department of human resources requires but shall include a listing of the subjects to be included and the relative weights to be assigned the various parts.

[§72, Ord. No. 213; A Ord. Nos. 733, 1060]

5.167 Minimum passing scores. The passing score for attaining a place on an eligible list shall be a rating of at least 70 percent. In examinations, the 70 percent need not be the arithmetic 70 percent of the total possible score, but may be an adjusted score based on consideration of the difficulty of the test, the quality of the competition, and the needs of the service. Any scores shall be established before the identification of the competitors' examination papers. The final earned rating of each candidate competing in an examination shall be determined by the weighted average of the earned ratings on all phases of the examination according to the weights for each test established by the department of human resources in advance of the examination and published as a part of the examination announcement. Competitors failing to achieve a passing score in any phase may be disqualified from further participation in the immediate examination.

[§73, Ord. No. 213; A Ord. Nos. 733, 1018, 1060, 1244]

5.169 Appeal of examinations. Appeal of results of examinations or findings of ineligibility to compete must be received in writing in the department of human resources within 5 working days after grade notification or notification of ineligibility to compete. In the case of an appeal, a candidate may review his examination rating with the appropriate scoring key. Test items and raters' comments are confidential and are not subject to inspection by the candidate.

1. Objections to written test items must be submitted at the time

the test is being administered on forms supplied by the department. The department will review items being questioned and revise or eliminate those items determined inappropriate.

2. Requests for review of training and/or experience evaluations are limited to evaluation and/or clarification of application materials previously submitted. No new information may be considered.

[§74, Ord. No. 213; A Ord. Nos. 733, 828, 945, 1060]

5.170 Joint appeal process for joint agency recruitments; appeals from joint agency examinations. In the event Washoe County is a party to a cooperative agreement with other local agencies for the purpose of conducting a joint recruitment for similar public employee positions, the county may agree to participate in a mutually agreed upon joint examination appeal process.

1. Appeals may only be taken from the joint examination. Appeals must be in writing and must be filed by the applicant within 10 days of notification of the element of the examination process which is being appealed.

2. A joint examination appeal process must involve an appeal panel consisting of an equal number of representatives from each participating jurisdiction. The appeal panel will convene as soon as practical for all members to hear the appeal. The decision of the appeal panel will be final and no further appeal will be considered by the county.

3. In a joint recruitment where a joint appeal process is established as provided herein, an applicant may only appeal pursuant to such joint appeal process and may not also appeal pursuant to the provisions of section 5.169.

4. In the event of a joint recruitment where there is no mutually agreed upon joint appeal process, the provisions of section 5.169 shall apply.

[§1, Ord. No. 929; A Ord. No. 1244]

5.171 Corrections of examination ratings. If, after examination of the appeal filed by any candidate, the department of human resources finds that any manifest error was made in rating, scoring or computation of the result, the department shall make the required correction and place the name of the person on the eligible list in its correct position by virtue of the correction. Such correction, however, shall not invalidate any appointment previously made from such eligible list.

[§75, Ord. No. 213; A Ord. Nos. 733, 1060]

5.173 Employment of disabled persons.

1. Full consideration shall be given for the employment of disabled persons in positions where they meet the minimum

requirements established for the class and are certified from the appropriate eligible list.

2. Examination requirements may be modified to accommodate the individual's disabilities without detriment to the county service. When examination requirements cannot be modified to accommodate the individual's disabilities, the Nevada rehabilitation division may certify the individual under the 700 hour program. Individuals so certified shall be placed on the appropriate eligible list for temporary appointment under the provisions of section 5.213 without examination.

3. For purposes of the Merit Personnel Ordinance, "disability" is defined as physical or mental impairment which substantially limits one or more major life activities.

[§76, Ord. No. 213; A Ord. No. 881]

5.174 Veterans' preference. All qualified open competitive candidates, who are honorably discharged veterans of the United States armed forces after having served at least 6 months on active duty, will be granted a one point preference which will be added to their passing score prior to placement on the eligible list.

[§2, Ord. No. 828]

5.175 Types of lists. The following are eligible lists from which persons may be selected by an appointing authority to fill a vacant position:

1. Reemployment lists, consisting of the names of employees who have been laid off.

2. Department promotional lists.

3. Countywide promotional lists.

4. Eligible lists from open examinations.

5. Transfer lists.

6. Inter-jurisdiction transfer lists.

7. Voluntary demotion lists.

8. Reinstatement lists.

9. A list created under section 5.160.

When using an inter-jurisdiction transfer list, an open competitive list must also be certified and candidates on the open competitive list given consideration in accordance with section 5.192. For all other lists, the county encourages consideration of candidates from open competitive lists.

[§77, Ord. No. 213; A Ord. Nos. 828, 1018, 1054]

5.177 Order of names. The names of eligibles on promotional and open eligible lists shall be ranked in the order of their total rating earned in the examination, including veterans' preference.

[§78, Ord. No. 213; A Ord. No. 1018]

## Eligible List and Certification

5.179 Duration of lists. An eligible list remains in effect for 1 year but may be extended by the director of human resources if the number of remaining interested eligibles on the list in relation to the labor market is sufficient to meet the needs of the county service. A list may not be extended for more than 2 additional years. Reasonable notice of a proposed abolishment shall be given to the remaining eligibles prior to holding a new examination.

[§79, Ord. No. 213; A Ord. Nos. 733, 828, 1060]

5.181 Merger of lists. Where there has been no material change in the qualification requirements, subject matter, scope or weights of various parts of the examinations, names on successive lists for the same class may be combined according to the final rating of the eligibles.

[§80, Ord. No. 213]

### 5.183 Removal of names from eligible lists.

1. The director of human resources may remove names of eligibles from active eligible lists for any of the following causes:

(a) Appointment after certification to fill a full-time permanent position in the class for which the examination was given.

(b) Expiration of the term of eligibility of the eligible list.

(c) Separation of a promotional eligible from the county service.

(d) Failure to respond within the required time to a notice of certification or availability survey or failure to appear for a scheduled interview, or where required, failure to submit requested forms or information.

(e) A statement by the eligible that he is not willing to accept any type of appointment from the eligible list.

(f) Three instances of voluntary withdrawal from consideration for appointment.

2. Names of eligibles may be removed from the active eligible lists for any of the causes listed under subsection 3 of section 5.155 or section 5.185.

3. A person whose name has been removed from an eligible list may be reinstated on the list under the following conditions:

(a) A probationary employee who has resigned from county service in good standing may be reinstated to the eligible list;

(b) A promotional eligible who has resigned from county service in good standing may be reinstated to the open competitive list; or

(c) An employee who is no longer eligible as a promotional candidate on a list may be reinstated to the open competitive list.

Reinstatement may only occur upon request of the former eligible and is limited to placement on the eligible list with the score earned during the period of time that the eligibility list is valid.

(d) An eligible removed from the list pursuant to subsection 1(a) above who subsequently voluntarily demotes to a class in a lower grade may be reinstated to the list.

(e) An eligible who is removed from a list pursuant to subsection 1(d) above may be reinstated to the eligible list if the director of human resources finds sufficient reason to justify reinstatement.

[§81, Ord. No. 213; A Ord. Nos. 828, 882, 1060, 1244]

5.185 Director of human resources may refuse to examine or refuse to certify. The director of human resources may refuse to examine an applicant or, after examination, may refuse to certify an eligible person who comes under any of the following categories:

1. Lacks any of the preliminary requirements established for the examination for the position or employment for which he applies.

2. Is physically so disabled as to be rendered unfit for the proper performance of the duties of the position to which he seeks appointment.

3. Is addicted to the use of habit-forming drugs.

4. Is an habitual user of intoxicating liquors to excess.

5. Has been guilty of any crime involving moral turpitude or of infamous or notoriously disgraceful conduct.

6. Has been dismissed from the public service for delinquency or misconduct.

7. Has made a false statement of any material fact.

8. Has, directly or indirectly, given, rendered or paid, or promised to give, render or pay, any money, service or other valuable thing to any person for, or on account of, or in connection with, his examination, appointment or proposed appointment.

9. Has practiced, or attempted to practice, any deception or fraud in his application, in his certificate, in his examination, or in securing his eligibility or appointment.

[§82, Ord. No. 213; A Ord. Nos. 733, 1060]

5.187 Statement of director of human resources upon refusal to examine or certify; appeal to personnel committee.

1. When the director of human resources refuses to examine an applicant or, after an examination, refuses to certify an eligible person, the applicant or eligible person may appeal that decision and request that the director furnish to him a statement of the reasons for the refusal to examine or the refusal to certify, as the case may be. The director shall furnish the statement upon request.

2. If the director of human resources refuses to examine an applicant or, after an examination, refuses to certify an eligible person, that person may appeal to the personnel committee in accordance with rules and regulations adopted by the committee. If the committee finds that the director is in error in refusing to examine an applicant or in refusing to certify an eligible person,

the committee shall order the director to examine or certify, and the director shall comply.

[§83, Ord. No. 213; A Ord. Nos. 733, 828, 1060]

5.189 Certification of names.

1. In response to requests for certification from appointing authorities, the department of human resources shall certify the names, if any, of eligibles from current eligible lists for the class or flexibly staffed class series to be filled. The director of human resources may authorize certification as described in this section from each of the eligible lists within a flexibly staffed class series.

(a) For an initial vacancy, the appointing authority shall request a number of names to be certified, ranging from a minimum of three each from the promotional and open competitive portions of the eligible list, to a maximum of ten each from the promotional and open competitive portions of the eligible list. Certification must be made in the order of standing on the lists. If an insufficient number of either open competitive or promotional eligibles are available, additional names may be certified from the other portion of the eligible list to complete the certification. If there are fewer than the number of names requested by the appointing authority on a list, the list may be forwarded with the fewer number or certification from other lists may be determined to be appropriate by the human resources department. Names from other lists must follow those names, if any, certified from the original eligible list.

(b) For multiple vacancies within 45 days of original certification, one more name each from the promotional and open competitive portions of the eligible list may be certified for each additional vacancy.

(c) When, within the range of names to be certified, there are tied scores, the tie shall not be broken, and all eligibles with the tied score shall be certified.

2. For each initial vacancy for unskilled and semiskilled classes, the appointing authority shall request a number of names to be randomly certified from unranked eligible lists, from a minimum of six to a maximum of twenty names. For multiple vacancies within 45 days of original certification, one more name may be certified for each additional vacancy.

3. An appointing authority may request selective certification for a particular position if the standard certification described in subsection 1 does not provide candidates qualified to perform duties of the position satisfactorily. Where selective certification is necessary, the appointing authority shall furnish in writing those specialized requirements peculiar to the position and the reasons for such requirements.



(a) If the department of human resources determines that the facts and reasons justify selective certification, the department may certify the highest ranking eligibles who possess the special qualifications.

(b) Certification of eligibles of only one sex must not be made unless there is clear evidence that efficient performance of duties assigned could be performed only by the sex specified.

(c) Authorization for selective certification must be made on an individual basis.

4. If the number of eligibles requested by the appointing authority pursuant to section 1 or 2 is not available for appointment, the appointing authority may make an appointment from the remaining eligibles or make a provisional appointment upon approval by the department of human resources.

5. The name of an eligible may not be certified more than three times for permanent positions to the same appointing authority from the same eligible list, except at the request of the appointing authority. After initial certification, an appointing authority may, based upon job-related criteria, request that the department of human resources remove an eligible's name from the eligible list for future certifications to that department. The appointing authority must notify the eligible in writing of the reasons justifying their removal from the list.

6. An employee who is requesting a transfer from one department or class, or a probationary employee who is requesting a transfer from a part-time to full-time position, or vice versa, or an employee who is requesting a voluntary demotion, or a current or former employee who is requesting reinstatement, must so notify the department of human resources in writing, in order to be placed on the appropriate certification list, in addition to the names certified under the provisions of subsections 1 and 2.

7. Certification of eligibles from unranked lists established in accordance with section 5.160 shall include all available eligibles on such lists.

8. Duplicate names shall not be certified from more than one eligible list in a flexibly staffed class series. Eligible candidates who appear on more than one list in the series shall be certified from the highest level list within the class series, unless they specifically request certification on a list at a lower level in lieu of the higher level.

[§84, Ord. No. 213; A Ord. Nos. 360, 491, 611, 730, 733, 828, 882, 905, 945, 1054, 1060, 1244]

5.191 Duty of eligibles to respond. Every eligible shall respond within 7 calendar days after notice of certification.

[§85, Ord. No. 213; A Ord. No. 882]

5.192 Consideration of eligible candidates.

1. Once a list is certified, candidates on the list must be given consideration for appointment by the appointing authority.

2. An appointing authority may screen such candidates using any or all of the following job-related screening processes: interview, background investigation, reference check, pre-employment medical exam (where such exam meets the requirements of the ADA), and other appropriate job-related screening processes. If an appointing authority uses such screening processes, all eligible candidates must be screened with that process; however, an appointing authority may modify the process used for each list depending upon the list under consideration. For example, a background check for an open competitive candidate may be more extensive than a background check for an inter-jurisdiction transfer. All applicable screening processes must be followed for each certified list before an appointment is made.

[§3, Ord. No. 1054]

Appointments

5.193 Types of appointments. Vacancies in positions in the classified service may be filled by the appointing authority by rehire, transfer, demotion, appointment from an appropriate eligible list supplied by the department of human resources pursuant to sections 5.149 to 5.191, inclusive, or by appointment of a person under temporary or provisional appointment, in accordance with the provisions of the Merit Personnel Ordinance.

[§86, Ord. No. 213; A Ord. Nos. 733, 1060]

5.195 Reinstatement.

1. An employee who has attained permanent status in a class and who has:

- (a) Resigned from the county service in good standing;
- (b) Accepted an unclassified appointment; or
- (c) Accepted a voluntary demotion

may be reinstated under the following conditions:

(1) The position must be in the same or related class to that held by the employee at the time of:

- (i) Resignation;
- (ii) Change to unclassified status; or
- (iii) Voluntary demotion,

and such class shall have reasonably similar prerequisite knowledge, skills and abilities and the same or lower salary grade.

(2) Reinstatement must occur within 3 years from the date of resignation, change to unclassified status or voluntary demotion.

(3) Reinstatement must be upon approval by the director of human

resources.

2. Reinstatement of a permanent or unclassified employee shall not require the service of a new probationary period. Reinstatement of an employee who has resigned shall require the service of a new probationary period.

[§87, Ord. No. 213; A Ord. Nos. 733, 828, 917, 1060]

5.196 Voluntary demotion. An employee may request demotion to a position in a class with reasonably similar prerequisite knowledge, skills and abilities and a lower salary grade. Such demotion may be permitted upon approval of the appointing authority and after such investigation as the department of human resources deems necessary. Voluntary demotion of a permanent employee shall not require the service of a new probationary period. Employees serving an initial probationary period who voluntarily demote must serve the remaining portion of the probationary period in the new class.

[§1, Ord. No. 917; A Ord. No. 1060]

5.197 Transfers: Kinds of transfers; conditions.

1. An appointing authority may, after reasonable notice and upon the approval of the director of human resources, transfer any permanent or probationary employee under his jurisdiction from one position to another position in the same class, or from a position in one class to a position in a related class with the same grade and with reasonably similar prerequisite knowledge, skills and abilities.

2. An appointing authority may, after reasonable notice and upon approval of the department of human resources, transfer for the convenience of the county any employee with permanent status from a position in one class in one location to another permanent assignment in a position of the same or related class.

3. The position to which an employee is transferred may be in a location different from that from which he was transferred. When an employee transfers from a position under one appointing authority to a position under another appointing authority without a break in service, his vacation and sick leave balances shall become a charge upon the agency to which he transfers. All accumulated overtime shall be compensated for by the department he is leaving, if authorized in accordance with the provisions of the Merit Personnel Ordinance concerning payment of overtime.

[§88, Ord. No. 213; A Ord. Nos. 733, 828, 917, 1060]

5.199 Transfers: Probationary periods. Transfer of a permanent employee from one class to another or from one appointing authority to another shall not require the service of a new probationary period. Probationary employees so transferred shall

serve the remaining portion of the probationary period.

[§89, Ord. No. 213; A Ord. Nos. 408, 917]

5.201 Transfers: Protests.

1. If a transfer is protested by an employee as being made for the purpose of harassing or disciplining him, the employee may appeal such transfer in the manner provided in section 5.331. The appointing authority may require the employee to transfer pending disposition of the appeal.

2. If the transfer requires an employee to relocate his residence and the appointing authority requires the employee to transfer pending appeal, the county shall pay the employee's travel expenses or assist the employee to move in accordance with the provisions of subsections 1, 2 and 4 of section 5.395.

[§90, Ord. No. 213; A Ord. No. 408]

5.202 Inter-jurisdiction transfers; POST certified positions in law enforcement. An individual who at the time of making application for employment with the county is employed as a law enforcement employee holding a valid Peace Officer Standards and Training Certificate (P.O.S.T.) and is in good standing as either a permanent or probationary employee in the classified service of a Nevada public agency operating a personnel merit system and provided the individual meets the minimum qualifications for the position applied for (including holding the appropriate P.O.S.T. certificate), may be placed on an eligible list according to section 5.189(7) seeking appointment to a law enforcement position in a class with reasonably similar knowledge, skills and abilities. An eligible who is appointed under this section and in accordance with section 5.189(7), shall serve the required probationary period before attaining permanent status. Persons hired pursuant to the inter-jurisdiction transfer provisions of the code shall accrue sick leave, annual leave and overtime in the same manner and at the same rates and shall be entitled to the same benefits as those provided to new hires. Such persons shall not be entitled to transfer any leave balances as set forth in section 5.197 from the transferring jurisdiction.

[§4, Ord. No. 1054; A Ord. No. 1101]

5.203 Employment by Washoe County of employees of agencies or organizations whose functions have been assumed by Washoe County.

1. If Washoe County assumes in whole or in part a function of an agency or organization, an employee who is performing that function for the agency or organization at the time of the assumption and who will be performing a similar function for Washoe County immediately following the assumption may be included within the county's merit personnel system without examination.

2. The department of human resources shall determine the status

and benefits of each employee included within the county's merit personnel system pursuant to subsection 1. The employee's status must be equivalent to the status he would have had if he were employed by Washoe County during the term of his employment with the agency or organization. The employee's benefits may include those benefits which he had during the period of his employment by the agency or organization, but shall not exceed the benefits which would have been available to the employee under the Merit Personnel Ordinance during the same period.

3. If the agency or organization paid an employee described in subsection 1 a salary which is greater than the salary allowed under the employee's classification with Washoe County, the employee shall receive his former salary until it is equaled or exceeded by the salary for that classification.

[§1, Ord. No. 608; A Ord. Nos. 733, 1060]

5.205 Employment by Washoe County of former exempt employees; retention of earned leave; continuous employment of certain judicial employees.

1. An exempt employee, except for district judges and justices of the peace, who is hired in the classified or unclassified service by Washoe County immediately upon termination as an exempt employee, shall be credited for time served as an exempt employee for purposes of sick leave accrual, vacation eligibility and accrual, career incentive, and health insurance benefits.

2. Certain persons employed in the office of the Washoe County clerk as of July 1, 1973, were designated as judicial employees by the enactment of Washoe County Ordinance No. 230 (section 10.010). Service of those persons as judicial employees shall be treated as the equivalent of county service for the purposes of the Merit Personnel Ordinance and the transition from service as a judicial employee to a county employee shall not be deemed a break in continuous service.

[§92, Ord. No. 213; A Ord. Nos. 408, 526, 608, 828, 882]

5.207 Probationary appointments. A probationary appointment shall be made by the appointing authority from the list of names certified if the list contains at least the names of five eligibles who have indicated their availability for appointment to the position.

[§93, Ord. No. 213; A Ord. Nos. 360, 611]

5.209 Provisional appointments. In the absence of an appropriate eligible list, and upon specific approval of the department of human resources, a provisional appointment may be made of a person meeting the minimum qualifications for the class. The provisional appointment must be terminated within 30 days after the

establishment of an appropriate eligible list and not later than 6 months following the date of his original appointment. Service in a provisional status will not be credited for purposes of probation but will be credited towards sick and annual leave and the anniversary date, if immediately followed by a probationary appointment.

[§94, Ord. No. 213; A Ord. Nos. 733, 828, 1060]

#### 5.210 Overfill appointments.

1. If an appointing authority determines that a position within the department is:

- (a) Critical to the mission of the department;
  - (b) Has responsibility for a unique function; or
  - (c) Requires the possession of highly specialized knowledge, skills, and abilities;
- the appointing authority may request that an overfill appointment to the position be made.

2. An overfill appointment is limited to 6 weeks overlap between the employee who is resigning the position and the incoming employee. An overfill appointment does not increase the number of permanently established positions.

3. A request for an overfill appointment must be made in the form of a written justification based upon the criteria set forth herein, along with the appropriate requisition. Approval of the director of finance and the assistant county manager assigned that department, (or the county manager if there is no assigned assistant county manager), is required. The requisition, along with written justification and signed approvals of the director of finance and assistant county manager, or county manager, must be forwarded to the department of human resources.

4. No overfill appointment request may be made unless the employee occupying the position being vacated has provided a written resignation and the appointing authority has submitted the written resignation attached to the prescribed action form.

5. Upon expiration of the period of time of the overfill appointment or sooner if the resigning employee vacates the position, the overfill appointment expires and the incoming employee fills the position of the resigning employee.

[§1, Ord. No. 1085]

#### 5.211 Temporary and seasonal appointments.

1. When services to be performed are required for a limited term of not to exceed 6 months, the appointing authority shall indicate the probable duration of employment on his request for certification. Upon receipt of the request, the department of human resources shall certify the names of eligibles from the appropriate eligible list who have noted that they will accept employment for the duration of the employment indicated. If, before or after certification, it

appears that there are no eligibles who will accept such employment, the human resources department may authorize a provisional appointment not to exceed 6 months to fill the vacancy.

2. Service under temporary or seasonal appointment immediately preceding appointment to a permanent position in the same department shall be credited for purposes of sick and annual leave and merit salary increases, but shall not be counted as part of the probationary period applicable to the permanent position.

[§95, Ord. No. 213; A Ord. Nos. 733, 828, 1060]

#### 5.213 Temporary appointments of disabled persons.

1. In order to assist disabled persons, appointing authorities are encouraged to make temporary limited appointments of disabled persons not to exceed 700 hours.

2. Such appointments shall be made from appropriate eligible lists where the individuals are identified as 700 hour certified, pursuant to section 5.173.

3. Disabled persons appointed in accordance with subsection 1 may be appointed to a permanent position on a probationary status without further examination upon successful completion of the 700 hours.

[§96, Ord. No. 213; A Ord. No. 881]

### Probationary Period

5.215 Length of probationary period. After considering the recommendations of appointing authorities, the director of human resources shall determine the length of the probationary period for each class in the classified service and shall identify the same in the county classification plan. The probationary period shall be either 6 months or 1 year. Classes shall be assigned to a 1-year probationary period if, in the judgment of the director of human resources, they meet one of the following criteria:

1. The class requires work in locations where visits by supervisors are necessarily infrequent, and a 6-month period would be inadequate to judge fairly the employee's work.

2. The tasks to be performed in the class occur on a seasonal or cyclical basis so that in a 6-month period the supervisor would not be able to observe the employee in the performance of all aspects of the work.

3. The tasks to be performed are professional skills or highly skilled such that it would take a 1-year period to meet the full performance level knowledge, skills and abilities.

[§97, Ord. No. 213; A Ord. Nos. 733, 1143, 1244]

#### 5.217 Interrupted probationary period.

1. If a probationer has not, during his prescribed probationary

period, worked the number of months set forth in the classification and compensation plan, his probationary period may, with prior approval of the department of human resources, be extended until he has worked the required months.

2. In calculating the required period, overtime work and other time beyond those variations as specified in section 5.275 shall not be counted. The appointing authority shall report in the prescribed manner to the human resources department and the employee when, because of inadequate time served, the probationary period is to be extended under this section.

3. When a probationary employee is injured on the job and is placed in a "light duty" assignment as certified by the risk management division, or is temporarily assigned to another position as certified by the appointing authority, his probationary period may, with prior approval of the department of human resources, be extended until he has worked the required months performing his regular assignment.

4. When a probationary employee is incapacitated and in a paid leave status in excess of 30 consecutive days, his probationary period may, with prior approval of the department of human resources, be extended until he has worked the required number of months.

[§98, Ord. No. 213; A Ord. Nos. 733, 828, 1060, 1143]

#### 5.219 Reports of performance of probationers.

1. The appointing authority shall file with the department of human resources a report of performance at the end of the 3rd and 5th month for each employee serving a 6-month probationary period. For those employees serving a 12-month period, the appointing authority shall file a performance report at the end of the 3rd, 8th and 11th month of employment.

2. Copies of all performance reports shall be given to the employee, and the appointing authority shall provide for the training of and assistance to the employee to meet the standards of performance for the position to which he has been appointed.

[§99, Ord. No. 213; A Ord. Nos. 733, 1060]

#### 5.221 Rejection of probationary employees.

1. Probationary employees serve at the pleasure of the appointing authority, and the appointing authority may, at any time during the probationary period, terminate a probationer.

2. Rejection of an employee during the probationary period shall be accomplished by the filing by the appointing authority with the department of human resources of all performance reports due and a report of separation for the probationary employee affected. The appointing authority shall advise the probationary employee, in writing, of the reason or reasons for the termination.

3. If a report of separation for the employee is not received in the department of human resources or postmarked by the close of



business on the last day of the probationary period, the employee will be considered satisfactorily to have completed the probationary period and acquired permanent status.

4. Any promotional appointee who fails to attain permanent status in the position to which he was promoted, or who is dismissed for cause other than misconduct or delinquency on his part from the position to which he was promoted, either during the probationary period or at the conclusion thereof, shall be restored to the position from which he was promoted. For purposes of this section, a promotional appointee is any person who was hired from a promotional list.

5. When an incumbent does not satisfactorily complete his probationary period upon promotion, he shall return to his former position and pay status as if the promotion had not occurred.

[§100, Ord. No. 213; A Ord. Nos. 392, 733, 828, 1060, 1143]

#### 5.223 Reports of personnel actions.

1. Each appointing authority shall report promptly to the department of human resources such information as is required in connection with each appointment, separation from service or other change in position or salary or other matters affecting the status of positions or the performance of duties of county employees. All such reports shall be prepared in the manner and on the forms prescribed by the human resources department. The department of human resources shall establish procedures for sending copies of reports and notices to the county comptroller and the department of technology services without delay of any new positions, new employees, changes in pay or status, and attendance and absence of employees and of its approval or disapproval of such actions for use in auditing and approval of payment of any salaries or wages to county employees. The department of human resources shall, if so requested by the county comptroller, make available the official roster for the purpose of making such audits.

2. Whenever the department of human resources determines that employment or proposed employment or payment of any person as an employee in the classified or unclassified service is in any way contrary to law or the Merit Personnel Ordinance, it shall so notify the county comptroller, after review with the division concerned. Upon such notice neither the county comptroller nor the department of technology services shall approve any payment to such person.

3. Any personnel document effecting a change in an employee's salary rate and having the identical effective date shall be processed in the following order:

- (a) Merit salary increase.
- (b) Reclassification or overall compensation plan adjustment.
- (c) Promotion or demotion.

The combined salary increase which an employee shall receive under

paragraphs (a) and (c) is 10 percent or the bottom of the salary range of the class to which the person is being promoted, whichever is greater.

[§101, Ord. No. 213; A Ord. Nos. 408, 675, 733, 828, 1060, 1077, 1316 eff. 10-20-06]

5.225 Roster. The official roster of county employees maintained by the department of human resources is a public record and is open to inspection in the offices of the department under reasonable conditions during business hours.

[§102, Ord. No. 213; A Ord. Nos. 733, 1060]

5.227 Confidential records.

1. The following records are confidential and not open to the public or admissible as evidence in any action or proceeding except proceedings and appeals before the personnel committee, a grievance board appointed pursuant to the provisions of section 5.319 et seq., and appeals to the courts therefrom:

(a) Any material to be used in the development and administration of examinations.

(b) Names and identities of applicants, eligibles and special examiners.

(c) Test scores, individual rating sheets, and evaluations. However, applicants will receive notification of their own test results.

(d) Employee personnel files, except as provided in section 5.287.

(e) Reports of employers and appointing authorities regarding applicants or eligibles.

(f) Salary data furnished on the condition that the sources remain confidential.

[§103, Ord. No. 213; A Ord. Nos. 733, 882]

Attendance and Leaves

5.229 Normal work week.

1. The normal work week for county employees shall be 40 hours, except that work weeks of a different number of hours may be established in order to meet the varying needs of different county departments. Appointing authorities shall report all deviations from the normal work schedule to the personnel division.

2. Except as otherwise provided in subsection 3, subsection 4 or by statute, pursuant to the provisions of NRS 245.040, the offices of all elected and appointed officers shall be kept open on all days except Saturdays and Sundays and nonjudicial days from 8 a.m. to 5 p.m. for the transaction of public business.

3. The hours during which the Washoe County library and its branches are open to the public shall be as determined by the county library trustees.

4. The office of commissioner of civil marriages will operate by appointment only as determined by the County Clerk.

[§104, Ord. No. 213; A Ord. Nos. 733, 887, 1031, 1060, 1262, 1373, 1409 eff. 07-01-2009]

#### 5.231 Holidays.

1. Legal holidays for officers and employees of Washoe County are declared to be those set forth in NRS 236.015 as amended from time to time.

2. Except for employees working in an alternative work schedule, if January 1, July 4, or December 25 falls upon a:

(a) Sunday, the Monday following shall be observed as a legal holiday.

(b) Saturday, the Friday preceding shall be observed as a legal holiday.

3. Employees working in an alternative work schedule are entitled to the same number of holidays as employees working a standard Monday through Friday work week. If, pursuant to subsection 2, the day on which the relevant holiday is to be observed lands on an employee who is working in an alternative work schedule's regular day off, the employee shall be allowed to take either the day preceding or following the day described in subsection 2, as determined by the employee's supervisor.

4. When a holiday of less than a full day is appointed, permanent part-time employees are entitled to the fractional equivalent time off; that is, an employee who regularly works 4 hours per day will be given 2 hours off for a 4-hour holiday. Temporary and temporary part-time employees are not eligible for holiday pay for time not worked.

[§105, Ord. No. 213; A Ord. Nos. 275, 302, 1143, 1373 eff. 6-20-08]

#### 5.233 Compensation for holidays worked; limit on accrual.

1. An employee who is compensated for overtime at time and one-half and who is required by order of the employee's department head to work on any of the holidays identified in section 5.231, shall receive in addition to the employee's holiday pay, one and one-half (1 1/2) times the employee's hourly rate of pay for each hour or major fraction worked, up to a maximum of eight (8) hours. For time worked beyond eight (8) hours on a holiday, an employee shall receive two and one-half (2-1/2) times the employee's hourly rate of pay for each hour or major fraction worked beyond eight (8) hours. An employee who is required by order of the employee's department head to work on both the observed and the traditional holiday shall be entitled to the following compensation: eight (8) hours of pay for the

observed holiday and for pay at the rate of one and one-half (1-1/2) times the employee's hourly rate of pay for each hour or major fraction worked on each such day, up to a maximum of eight (8) hours, and for time worked beyond eight (8) hours on either such day, an employee shall receive two and one-half (2-1/2) times the employee's hourly rate of pay for each hour or major fraction worked beyond eight (8) hours. The decision as to whether compensation for a holiday worked shall be in case or compensatory time, shall be made at the time it is worked and shall be solely the decision of the employee.

2. An employee who is compensated for overtime at straight time and who is required by order of the employee's department head to work on any of the holidays identified in section 5.231, shall receive in addition to the employee's holiday pay, one (1) hour of compensatory time for each hour or major fraction worked, up to a maximum of eight (8) hours.

3. The equivalent holiday or cash payment shall be allowed within a reasonable time after the officially designated holiday. Employees must be either in a paid leave status or work the entire working day before and the entire working day after a holiday in order to receive payment for that holiday.

[§106, Ord. No. 213; A Ord. No. 1143]

5.235 Temporary and temporary part-time employees not compensated for holidays on which they do not work. Temporary and temporary part-time employees shall not be compensated for holidays on which they do not work. Such employees, however, who are required to work on holidays shall be compensated at their straight-time hourly rate unless otherwise provided by law.

[§107, Ord. No. 213]

5.237 Vacation: Full-time employees.

1. On the first day of the pay period following the completion of 6 months' continuous county service, each employee who is employed full time is entitled to 48 hours of vacation leave credit.

2. After the end of the pay period following the completion of 6 months' continuous county service, each employee who is employed full-time is entitled to vacation credit at the biweekly equivalent of the following hourly rates:

- (a) Less than 3 years of continuous service, 96 hours.
- (b) Three, but less than 5, years of continuous service, 136 hours.
- (c) Five, but less than 10, years of continuous service, 152 hours.
- (d) Ten, but less than 15, years of continuous service, 176 hours.
- (e) Fifteen, but less than 20, years of continuous service, 192 hours.
- (f) Twenty or more years of continuous service, 200 hours.

3. For the purpose of computing credit for vacation, each employee is considered to work not more than 40 hours each week.

4. For purposes of vacation credits, the number of years an employee has been in the continuous service of the county includes all periods of continuous service after the date the employee was last hired as a permanent employee and includes former periods of service if each applicable period of separation may be bridged pursuant to subsection 5.

5. A period of separation may not be bridged to increase the number of years of service, except that:

(a) A period of separation which resulted from a layoff may be bridged to increase the number of years of service if the employee was subsequently rehired pursuant to section 5.311.

(b) A period of separation may be bridged if the employee was rehired within 1 year after the date of commencement of the separation and the employee has been in the continuous service of the county for 1 year after the date he was rehired.

6. Service under temporary or seasonal appointment immediately preceding appointment to a permanent position in the same department shall be credited for purposes of annual leave at the biweekly equivalent of the above-listed annual hourly rates.

7. Vacation credit accrues only while an employee is in a paid status.

[§108, Ord. No. 213; A Ord. Nos. 611, 828, 1018]

5.239 Vacation: Part-time employees. On the first day of the pay period following completion of 6 months of continuous county service, and thereafter, each part-time employee is entitled to vacation credit prorated on the basis of the rates established in section 5.237 for full-time employees. If an employee who is paid by the hour works more than 40 hours per week, the hours which exceed 40 are not included in computing vacation with pay.

[§109, Ord. No. 213; A Ord. No. 611]

5.243 Time when vacation shall be taken; limit on accrual. The time when vacation leave may be taken shall be determined by the appointing authority after considering the needs of the service and the seniority and wishes of the employees. Vacation leave shall be charged on an hour for hour basis or major fraction thereof, if an employee has worked less than 40 hours in a work week. Vacation credit may be accumulated from year to year, but may not exceed 240 hours. Amounts in excess of 240 hours as of the end of the biweekly pay period encompassing December 31st, must be forfeited as of that pay period. An employee who, on or before October 15, requests permission to take annual leave and the request is denied for any reason, is entitled to payment for any annual leave in excess of 240 hours which the employee requested to take and which the employee

would otherwise forfeit as the result of the denial of the employee's request. The payment for the employee's unused annual leave pursuant to this section must be made to the employee not later than January 31. Vacation leave must not be granted if it exceeds the vacation credit earned. Vacation leave taken during a biweekly pay period must be deducted from the employee's vacation credit before vacation credit earned during that pay period is added to the employee's vacation credit.

[§111, Ord. No. 213; A Ord. Nos. 611, 882, 1018, 1143]

5.245 Cash payment for accrued vacation; death of employee entitled to unused, accumulated vacation.

1. Except as otherwise provided in this section, upon separation from service for any cause, an employee shall be paid a lump sum payment for any unused or accumulated vacation earned through the last day worked. If this date is earlier than the last day of the month, the vacation shall be prorated.

2. Except as provided in section 5.243, under no circumstances shall cash payment be made for accrued vacation while an employee is in regular employment status.

3. No elected county officer shall be paid for accumulated annual leave upon termination of his service.

4. If an appointed officer or employee dies and was entitled to accumulated annual leave under the provisions of the Merit Personnel Ordinance, the heirs of such deceased officer or employee who are given priority to succeed to his assets under the laws of intestate succession of this state, or the executor or administrator of his estate, upon submitting satisfactory proof to the board of county commissioners of their entitlement, shall be paid an amount of money equal to the number of days earned or accrued annual leave multiplied by the daily salary or wages of such deceased officer or employee.

[§112, Ord. No. 213; A Ord. No. 1143]

5.247 Vacation; records and reports. Each appointing authority shall keep accurate records of earned and used vacation. Such records shall be kept as prescribed by the department of human resources and reports shall be made to the department as it may from time to time require. Employees who are compensated for overtime at the rate of time and one-half under section 5.127, shall be charged vacation on an hour-for-hour basis or major fraction thereof. Employees who are compensated for overtime at the rate of straight time under section 5.127, shall be charged vacation on an hour-for-hour basis or major fraction thereof only if they have worked less than forty hours in a workweek.

[§113, Ord. No. 213; A Ord. Nos. 408, 733, 856, 866, 977, 1060]

5.251 Sick leave.

1. Except as provided in subsection 7, each employee in the continuous service of the county for less than 10 years is entitled to sick leave credit at the rate of 1 1/4 days for each month of full-time service.

2. Each employee in the service of the county for 10 or more continuous years of service is entitled to sick leave credit at the rate of 1 1/2 days for each month of full-time service.

3. Part-time employees shall be allowed prorated sick leave on the basis of 1 1/4 days of credit for each equivalent month of full-time service.

4. For purposes of sick leave, the number of years an employee has been in the continuous service of the county includes all periods of continuous service after the date the employee was last hired in a permanent position and includes former periods of service if each applicable period of separation may be bridged pursuant to subsection 5.

5. A period of separation may not be bridged to increase the number of years of service, except that:

(a) A period of separation which resulted from a layoff may be bridged to increase the number of years of service if the employee was subsequently rehired pursuant to section 5.311.

(b) A period of separation may be bridged if the employee was rehired within 1 year after the date of commencement of the separation and the employee has been in the continuous service of the county for 1 year after the date he was rehired.

6. Sick leave credit earned pursuant to this section is cumulative from year to year.

7. Seasonal and temporary employees are not eligible for sick leave. However, time served as a seasonal and temporary employee may be credited for sick leave purposes when immediately followed by a probationary appointment within the same department.

[§115, Ord. No. 213; A Ord. Nos. 611, 828]

5.255 Sick leave accrual and payment on death, separation, disability or termination.

1. An employee separated from service earns sick leave only through the last working day for which he is entitled to pay. If that last working day is prior to the last day of the pay period, the amount of sick leave accrued during that pay period shall be prorated.

2. Upon death, retirement or permanent disability of an employee, or upon termination of an employee after 10 years of full-time employment (or its equivalent if the employee has not served as a full-time employee) for other than just cause, an employee shall be compensated for total accrued sick leave in excess of 300 hours at the rate of 1 hour's pay at the employee's regular hourly rate for

every 2 hours of such excess. The maximum payment for accrued sick leave shall not exceed 600 hours at the employee's regular hourly rate. No payment shall be made for accrued sick leave of 300 hours or less.

3. Upon recommendation of the county manager, the board of county commissioners may, in its sole discretion, increase the amount of sick leave payoff described in subsection 2 to any individual employee who has been employed for any length of time by altering the formula used to calculate the sick leave payoff provided for in subsection 2, or the minimum or maximum payoff provided for in subsection 2.

4. An employee who is laid off and is subsequently rehired pursuant to section 5.311 shall, on the date he returns to work, be restored with all uncompensated sick leave which had accrued on the date of the layoff.

[§117, Ord. No. 213; A Ord. Nos. 417, 611, 730, 782, 1375 eff. 6-20-08]

#### 5.257 Use of sick leave.

1. An employee is entitled to use accrued sick leave:

(a) When incapacitated to perform the duties of the employee's position due to sickness, injury, pregnancy or childbirth;

(b) When quarantined;

(c) When receiving required medical or dental service or examination;

(d) For adoption of a child, only as follows:

(1) A male or female employee seeking to become an adoptive parent may use sick leave for time required to pursue the specific legal process necessary to obtain an adoption; and

(2) If a newborn infant is the subject of an adoption, a female employee may use up to a total of 6 weeks of sick leave, inclusive of the amount of sick leave used in subparagraph (1). It is the intent of this section to allow a 6-week leave period to an adoptive mother which approximates the length of time a mother is normally incapacitated before and after giving birth to a child.

(e) In the event of an illness in the employee's immediate family where such illness requires the employee's attendance. For purposes of this paragraph, "immediate family" means the employee's spouse, parents (including step and foster), children (including step and foster), and corresponding relations by affinity to the above, brothers and sisters, and if living in the employee's household, includes grandchildren.

(f) In the event of a death in the employee's immediate family, the employee may use accrued sick leave in the amount of 5 days for attending the funeral and travel to and from, and attending to any family-related business matters. For purposes of this paragraph, "immediate family" means the employee's spouse, parents (including



step and foster), children (including step and foster), brothers, sisters, grandparents, grandchildren, aunts, uncles, nieces, nephews and corresponding relations by affinity.

(g) Employees shall be allowed to voluntarily transfer up to a maximum of eighty (80) hours of their accumulated vacation leave during any calendar year to another employee who has no accumulated sick leave hours, but who is otherwise eligible to take paid sick leave in accordance with the provisions of this section. Donated vacation must be converted into money at the hourly rate of salary of the donor and the money must be converted into sick leave at the hourly rate of salary of the recipient. Such time shall be transferred to the recipient employee in blocks of eighty (80) hours to cover a biweekly pay period in the order in which the donated time is received. In the event that the recipient employee no longer requires the use of any donated vacation leave, the vacation leave that has not been transferred to the recipient employee shall be returned to the donor employee. The maximum number of hours that may be transferred to a recipient employee is 480 hours in any calendar year.

[§118, Ord. No. 213; A Ord. Nos. 421, 611, 782, 882, 1018, 1143]

5.259 Sick leave when receiving industrial insurance or occupational disease benefits.

1. When a county employee is eligible at the same time for benefits under chapter 616 or 617 of NRS (Nevada Industrial Insurance and Occupational Disease Acts) and for sick leave benefits, he shall not be required to use accrued sick leave for the period during which Nevada industrial insurance or Nevada Occupational Disease Act benefits are being received.

2. Any employee who suffers a job-connected injury or illness in the course of his employment with Washoe County for which benefits are paid under chapter 616 or 617 of NRS may, at the option of the employee, apply for and receive accrued sick leave during the course of such disability. The amount of sick leave benefit paid to such employee for any pay period shall not exceed the difference between his normal salary and the amount of any benefit received, exclusive of reimbursement or payment of hospital or medical expenses.

3. Any time that is charged to an employee's sick leave on the first day of a job-connected injury or illness which qualifies for disability benefits under chapter 616 or 617 of NRS shall be credited back to the employee's sick leave.

[§119, Ord. No. 213; A Ord. Nos. 730, 882]

5.261 Approval and substantiating evidence for sick leave. The appointing authority shall approve sick leave only after having ascertained that the absence was for an authorized reason. For absences in excess of 3 days, or cases of apparent abuse, he may

require the employee to submit substantiating evidence, including but not limited to, a physician's certificate.

[§120, Ord. No. 213]

5.263 Earning of sick or annual leave while on leave. As long as an employee is on pay status, he shall earn sick and annual leave while on leave. If he is on leave without pay, he shall not earn sick or annual leave during the time he is on such leave. Upon termination, an employee shall be paid for accrued annual leave in a lump sum, and shall not earn additional leave of any kind.

[§121, Ord. No. 213]

5.267 Sick leave; records and reports. Each appointing authority shall keep accurate records of earned and used sick leave. Such records shall be kept as prescribed by the department of human resources and reports shall be made to the department as it may from time to time require. Employees who are compensated for overtime at the rate of time and one-half under section 5.127, shall be charged sick leave on an hour-for-hour basis or major fraction thereof. Employees who are compensated for overtime at straight time under section 5.127, shall be charged sick leave on an hour-for-hour basis or major fraction thereof only if they have worked less than forty hours in a workweek.

[§122, Ord. No. 213; A Ord. Nos. 856, 866, 977, 1060]

5.268 Personal leave.

1. A full-time employee who uses no more than 32 hours of sick leave in the period commencing with the first pay period of a calendar year and ending with the last full pay period of that calendar year shall be credited with 24 hours of personal leave in the first full pay period in January of the following year. A full-time employee who uses more than 32 hours but no more than 40 hours of sick leave in that period shall be credited with 8 hours of personal leave in the first full pay period in January of the following year.

2. A permanent part-time employee shall be credited with a prorated number of hours of personal leave if he uses no more than a prorated number of hours of sick leave based upon the hours set forth in subsection 1. The prorations required by this subsection are to be calculated by using the same ratio as the employee's number of regular work hours bears to a 40-hour work schedule.

3. To be eligible for credit for personal leave under this section, an employee must be in a pay status (either working or on paid leave) during the entire calendar year.

4. All personal leave must be used before the end of pay period number 26, or in the event of a 27th payroll paid in a calendar year, pay period number 27, and, if not so used, is forfeited.

5. Under no circumstances shall cash be paid for unused personal leave.

[§5, Ord. No. 637; A Ord. Nos. 782, 882, 1143]

5.269 Leaves of absence. A leave of absence, except for family and medical leave as described in section 5.270, may be granted as follows:

1. A leave of absence may be granted to any employee occupying a permanent position. A leave of absence shall be granted only to an employee who desires to return therefrom to the county service and who at the time the leave is granted has a satisfactory service record.

2. Leaves of absence for 30 working days or less in any calendar year may be granted upon the approval of the appointing authority. Leaves for a longer period and up to 1 year may be granted upon the recommendation of the appointing authority and the approval of the county manager or his designee.

3. Upon the request of the appointing authority and approval of the county manager or his designee, a leave of absence may be granted to an employee who desires to attend school or college or to enter training to improve the quality of his service, who is temporarily incapacitated by illness or is pregnant, who is loaned to another governmental agency for the performance of a specific assignment, or for some other reason equally satisfactory. A leave of absence shall not be granted to an employee who is accepting another position in the classified service or who is leaving the county service to accept other employment, except as provided in this subsection.

4. A leave of absence with pay must be granted to any employee who is required by law to appear or serve as a witness or juror in a case before a grand jury or tribunal of the United States Government, the State of Nevada or a political subdivision thereof, or when subpoenaed to give a deposition that is related to his employment. The employee must be paid his regular salary while on leave of absence, but must remit to his department head, for deposit in the county general fund, all fees which he receives as a witness, juror or when subpoenaed to give a deposition on job-related matters. The employee may retain amounts received as reimbursement for mileage and per diem. Court leave must not be charged against the employee's vacation credit.

5. The board of county commissioners, upon the recommendation of the county manager, may grant leaves of absence without pay in excess of 1 year for the purpose of attending extended courses of training at a recognized college or university, accepting a position in the unclassified service, and for other purposes deemed beneficial to the public service.

6. Employees taking authorized educational leaves may elect to use accumulated annual leave at their option.

7. Leaves of absence with pay may be granted by the appointing authority to allow employees time off to vote, pursuant to the provisions of NRS 293.463.

8. Leaves of absence with pay shall be granted to an employee, whether in the classified or unclassified service, to act as a volunteer fireman of any regular organized and recognized fire department for the protection of life or property during working hours or fractions thereof which should otherwise have been devoted to county employment.

9. Any employee who is an active member of the United States Army Reserve, the United States Air Force Reserve, the United States Naval Reserve, the United States Marine Corps Reserve, the United States Coast Guard Reserve, the United States Public Health Service Reserve or the Nevada National Guard shall be relieved from his duties, upon request to his appointing authority, to serve under orders on training duty without loss of his regular compensation for a period not to exceed 15 working days in any 1 calendar year. Any such absence shall not be deemed to be such employee's annual leave provided for by the Merit Personnel Ordinance.

10. In cases of childbirth, or the adoption of an infant, less than 12 months of age, the county shall make a reasonable effort to grant up to 6 weeks of unpaid leave for bonding purposes with the infant in addition to any sick leave which is specifically provided for in section 5.257.

[§124, Ord. No. 213; A Ord. Nos. 675, 730, 882, 1018]

5.270 Leave of absence under the Family and Medical Leave Act.

1. Pursuant to the provisions of the Family and Medical Leave Act (FMLA), an eligible employee may take up to 12 weeks of unpaid, job-protected leave during any 12 month period for certain family or medical reasons as provided herein. An employee is eligible if he or she has worked for the county for at least 1 year, and for 1,250 hours over the previous 12 months.

2. Unpaid leave may be granted to an eligible employee for any of the following reasons:

(a) For birth and to care for the employee's child after birth, or placement with the employee of a child for adoption for foster care. Leave must occur within the first year after the event. If both husband and wife are employed by the county, leave is limited to a combined total of 12 work weeks in any 12 month period. Leave may be granted on a continual basis, or if the department head agrees, intermittently or on a reduced leave schedule;

(b) To care for the employee's spouse, child, or parent, who has a serious health condition. Serious health condition means an illness, injury, impairment, or physical or mental condition as defined by the FMLA. The county requires an employee to provide medical certification of the serious health condition from the

health care provider. Leave may be granted on a continual basis, or intermittent basis if medically necessary. For purposes of this paragraph:

(1) Child includes biological, adopted, stepchild, foster child, legal ward, or child of a person standing in loco parentis.

(2) Parent includes biological parent or a person who stood in loco parentis when the employee was a child. The term parent does not include parents-in-law. Persons in loco parentis include those with day-to-day responsibilities to care for and provide financial support to a child, and need not have a biological or legal relationship.

(c) Where an employee's serious health condition as defined by the FMLA, makes the employee unable to perform his or her essential job functions. The county requires an employee to provide medical certification of the serious health condition from the employee's health care provider.

3. An employee's health coverage under the appropriate group health plan will be maintained by the county for the duration of the unpaid leave provided in subsection 2 above on the same terms as if the employee was at work. The employee is responsible for the appropriate dependent premium for the maintenance of dependent coverage.

4. An employee returning from unpaid leave as provided in subsection 2 above will be restored to his or her original or an equivalent position with equivalent pay, benefits, and other employment terms upon return from FMLA leave.

5. Leave taken pursuant to this section will be reported and charged against an employee's annual FMLA leave entitlement. Appropriate forms must be completed by an employee and health care provider, and submitted to the department head and the department of human resources for review and approval.

6. This section shall be effective on January, 1, 2006.

7. This section shall be construed in accordance with the provisions of the Family and Medical Leave Act and the regulations promulgated thereunder.

[§3, Ord. No. 882; A Ord. Nos. 1060, 1280 eff. 12-23-05]

5.271 Reporting of absences. An officer or employee who is absent from duty shall report the reason therefor to his supervisor immediately on the day of absence where possible and, except in exceptional circumstances, no later than noon on the following day.

[§125, Ord. No. 213]

5.273 Absence without leave. All unauthorized and unreported absences shall be considered absence without leave, and deduction of pay shall be made for each period of such absence. Such absence is grounds for disciplinary action or discharge, and will serve to

interrupt continuous service as defined in the Merit Personnel Ordinance.

[§126, Ord. No. 213; A Ord. No. 408]

5.275 Adjustments in anniversary dates: Continuous service.

1. The following shall be the equivalent of county service for purposes of career incentive pay, leave accrual, rate of leave accrual, longevity and merit increase:

(a) Military leave for active service pursuant to an involuntary call-up, for the duration of the call-up, provided that the employee resumes active service with the county within 90 days following honorable discharge from military service.

(b) Authorized military leave for training duties, not to exceed 15 working days in any 1 calendar year.

2. Authorized leave without pay shall not be deemed a break in continuous qualifying service. However, the period during which the employee is on leave without pay status shall not be considered as the equivalent of county service for a purpose of qualifying time for career incentive and leave accrual.

3. Authorized leave without pay for 30 working days or less shall not result in a new anniversary date. Authorized leave without pay in excess of 30 working days shall establish a new anniversary date commencing with the employee's return to active service.

[§127, Ord. No. 213; A Ord. No. 385, 1018]

Employees' Right to Organize

5.281 Rights of organization.

1. Unless otherwise prohibited by the provisions of chapter 288 of NRS (Local Government Employee-Management Relations Act), employees have the right to join an employee organization of their choice and shall be free from coercion in exercising this right. Employees who feel this right has been diminished by management have, in addition to any other rights provided by law, the right of an administrative review by the department of human resources and then may appeal the matter to the personnel committee if the employee is aggrieved by the action which the department takes.

2. The provisions of sections 5.295 to 5.333, inclusive, relating to disciplinary and correctional actions, separations, and appeals and hearings shall not be applicable to employees covered by a collective bargaining agreement which contains a grievance procedure for discharge and disciplinary actions.

[§130, Ord. No. 213; A 73-1879, Ord. No. 307; A Ord. No. 1060]

## Evaluation of Performance

5.283 Performance evaluation: Timing and method. Each appointing authority shall provide for an annual evaluation of all employees, other than those in temporary appointments or positions in his department, in achieving the standard of work performance established. The evaluation shall be made at least annually during the month prior to the anniversary date but effective as of the anniversary date, and will be effective in accordance with section 5.121. Probationary employees shall be further evaluated in accordance with section 5.219. All evaluations shall include a discussion between the employee and his immediate supervisor for the purpose of determining goals and methods and evaluating progress toward better performance and personal development. After discussion, the evaluation report shall be forwarded to the appointing authority by the supervisor on forms and in the manner prescribed by the department of human resources.

[§131, Ord. No. 213; A Ord. Nos. 733, 1060]

5.285 Standard performance. Wherever reference is made in the Merit Personnel Ordinance to satisfactory service or standard performance, this shall be determined by the appointing authority, based upon the completed evaluation forms submitted to him by the supervisor.

[§132, Ord. No. 213]

5.287 Copies of performance evaluation reports. Each employee shall be given a copy of the evaluation form prepared by his supervisor regarding his progress. Copies of the evaluations may only be made available to that current supervisor, the appointing authority, the department of human resources or an appointing authority (or designee) who is considering the employee for a vacant position.

[§133, Ord. No. 213; A Ord. Nos. 733, 828, 1060]

## Training

5.289 Training: Responsibility of appointing authority. The appointing authority shall be responsible for the provision of orientation, induction and on-the-job training and for the continuing development of the employees in his department. The department of human resources shall cooperate with and assist appointing authorities in carrying out this responsibility and in meeting any special training needs of the departments.

[§134, Ord. No. 213; A Ord. Nos. 733, 1060]

5.291 Training in new processes. Whenever the duties of a position are to be materially changed by the introduction of new machinery or processes requiring different skills and knowledge, any permanent or probationary employee affected by the change shall be given reasonable opportunity at the expense of the county to learn to perform the new duties and to qualify for status in any new class of positions required for such work. An employee who, after a reasonable training period, qualified for appointment in the different class shall be deemed to possess the specific education, experience or other requirements for such class and shall be appointed thereto with the same status and seniority which he last had in his previous class, upon the written recommendation of the appointing authority and the approval of the department of human resources. Employees who do not qualify for such appointment shall be reassigned to other duties appropriate to their class, or be laid off in accordance with the provisions of the Merit Personnel Ordinance concerning layoff.

[§135, Ord. No. 213; A Ord. Nos. 733, 1060]

5.293 Specialized training. In order to meet the needs of the county service for scientific, technical, professional and management skills which cannot be provided through available in-service training, the department of human resources may arrange for the provision of such training through recognized educational or training facilities.

[§136, Ord. No. 213; A Ord. Nos. 733, 1060]

### Separations

5.295 Resignation. An employee may resign by notifying his appointing authority in writing of the reason therefor and the effective date thereof. Failure to give at least 2 weeks' notice constitutes cause for denial of future employment with the county. The appointing authority shall report the resignation on the prescribed action form. The written resignation of the employee shall be attached to the form or the employee shall sign the action form stating the specific reason for resigning and certifying that the resignation is of his own free will. No updated resignation may be accepted.

[§137, Ord. No. 213; A Ord. Nos. 385, 491]

5.297 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 the 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 department of human resources 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 department of human resources may make its recommendation. If the employee is not satisfied with the recommendation and believes he or she has been wrongfully discharged, an employee covered by the terms of a collective bargaining agreement may pursue any applicable appeal procedure under the terms of such agreement. A non-probationary, classified employee who is not otherwise covered by an appeal procedure under a collective bargaining agreement, may file an appeal in accordance with section 5.331.

[§138, Ord. No. 213; A Ord. Nos. 385, 491, 733, 1060, 1244]

5.303 Layoff: Formula. Whenever it becomes necessary for employees having permanent status in a county department to be laid off because of lack of work or lack of funds, the following procedure shall be used:

1. The department head shall determine whether reduction in personnel shall occur. The layoff procedure for a reduction applies to the entire department.

2. The department head shall determine in what class series and in which classes within that class series reductions in staff will have the least detrimental effect on departmental operations and will specify layoff accordingly. A "class series," for purposes of layoff, is defined as a normal line of progression from trainee, entry or preparatory levels to supervisory or administrative levels within a job specialty. Within a class series, the minimum qualifications, tests for fitness, duties and responsibilities are similar but different in level.

3. Within the department and in the class series selected and the class specified, all nonpermanent employees of the department shall be laid off before any permanent employees and in the following order: Temporary, provisional and probationary. A person who attained permanent status but is serving a new probationary period because of a promotion is considered a permanent employee for purposes of layoff. An employee who has been employed in a class series for a period of time equivalent to the minimum required to complete a probationary period but, because of promotions within that class series, has never completed a probationary period, shall be considered a permanent employee for purposes of layoff.

4. If additional reductions are necessary, permanent employees shall be laid off based on the following formula:

(a) A combination of performance evaluation and seniority must

be utilized. All seniority points must be calculated from the first day of employment during the employee's last continuous permanent county employment. Periods of separation may not be bridged to extend such service unless the separation is a result of a layoff, in which case bridging will be used if the employee is reemployed in a permanent position in the class series within the period of his layoff eligibility.

(b) One point must be allowed for each complete month of continuous county service in the class of the layoff or in classes having the same or a higher maximum salary.

(c) Three-fourths of one point must be allowed for each complete month of continuous county service in all other classes within the class series having a lower maximum salary.

(d) In addition, each employee's last three performance reports must be considered based on the following:

(1) Twelve points will be subtracted for each "below standard" report.

(2) Only performance reports which have been completed 30 days before the notification of layoff (which is 60 days before the actual layoff) will be considered.

(e) Employees with the lowest total points shall be laid off first, in numerical order from low to high. In the event of a tie in the total points, the order of layoff shall be determined by drawing lots.

[§140, Ord. No. 213; repealed by Ord. No. 385; added by Ord. No. 491; A Ord. No. 562]

5.305 Layoff: Returnees from military service. Employees returning from a period of active military service are entitled to seniority points as if they had been continuously employed by the county. If such an employee had not completed his probationary period prior to entry into military service, he must complete it upon return before acquiring permanent status. Such an employee must be rehired to his former position or a similar position if his former position has been abolished. There is no length of time specified as to the duration of the rehire; but he may not be rehired to a position that has already been designated as a layoff category. That is, he must not be rehired and immediately terminated. However, if at some time after rehire his position, in the normal course of events, is properly designated as a layoff class, he may be terminated. There is no specified time limit for which such an employee must be retained after his rehire, but in order for him to be terminated, his position must be properly designated as being in a layoff class at some point in time after his rehire.

[§141, Ord. No. 213; A Ord. No. 491]

5.307 Layoff: Demotions; displacements; transfers.

1. A permanent employee who is laid off is entitled to displace to lower positions in his department under either of the following circumstances:

(a) To a position in any lower class in which he formerly held a permanent appointment and in which there is an employee with less seniority, or

(b) To a position in a lower class within his existing class series, even though the person had not previously held a permanent appointment within the lower class, if there is an employee with less seniority in the lower class.

2. An employee who has been transferred or promoted from one department to a new department and who is subsequently laid off may displace an employee in his former department who has less seniority in the class formerly held by the employee in the former department. This interdepartmental displacement remains in effect until the employee's seniority in the new department exceeds his seniority in the former department.

3. Permanent part-time employees may displace only employees holding permanent part-time positions.

4. A permanent full-time employee may displace a permanent part-time employee with less seniority in the same class or in a lower class under the same conditions governing full-time permanent displacements.

5. The employee with the least seniority shall be displaced by the person who is laid off. The employee displaced shall be considered as laid off for the same reason as the person who displaced him and shall be eligible to displace in the same manner. If two or more employees have the same seniority to a position in a class, the order of displacement shall be determined by the drawing of lots.

6. In the absence of an election by an employee to waive his right to displace another employee, he shall displace to a position in the highest class permissible under this section. If he has the right to displace in two or more classes at the same level, he shall displace to the class in which he has greater seniority. If he has the right to displace in his highest class in more than one department, he shall displace to the department in which he has the most seniority. If his departmental seniority is equal in two or more classes or departments, he shall displace to that class or department in which the employee with the least seniority is working.

7. Any election or waiver by an employee of his right to displace another employee must be made in writing.

8. When simultaneous layoffs occur in a class series, the layoff will first be made in the higher class, followed by displacement to the lower class. When displacements to the lower class have been completed, the layoff in the lower class will be made.

9. A department may transfer employees to fill vacancies rather

than use a reemployment list if the transfer is to a position within the same class series or if the transfer does not adversely affect other employees. If, for example, a person in a layoff class is qualified for a totally unrelated position in the department, he may be transferred to that position in lieu of layoff, but only if such transfer does not result in other employees being forced to accept a lower position. If such a transfer adversely affects other employees, the employee must be laid off, placed on a reemployment list and rehired if a position becomes available.

10. For purposes of this section, "seniority" means seniority for purposes of layoffs and displacement and is calculated pursuant to section 5.303.

[§143, Ord. No. 213; A Ord. Nos. 491, 562]

5.309 Layoff: Written notice. All career employees to be laid off shall be given written notice of the layoff at least 30 calendar days before the effective date thereof. A copy of the layoff computations as well as a copy of the notice of layoff to the employee shall be sent to the department of human resources for approval.

[§144, Ord. No. 213; A Ord. Nos. 491, 733, 1060]

5.311 Layoff: Rehire; preference for employees electing displacement or temporary demotion; status; dispositions of accrued sick leave.

1. The names of permanent employees who have elected displacement or temporary demotion pursuant to the provisions of section 5.307 must be placed first upon the reemployment list for the class of position involved, in reverse order of displacement or temporary demotion, within the department in which the employees elected displacement or temporary demotion. The employee who was last to displace or demote is the first on the reemployment list, and must be given preference in rehiring. Each person on such a list retains eligibility for appointment for an unlimited period of time.

2. The names of permanent employees laid off must be placed upon the reemployment list within the department from which the employee was laid off, for the class of position involved in the layoff, in reverse order of layoff after the names of permanent employees who have elected displacement or temporary demotion. Each person on such a list retains eligibility for appointment from the list for a period of 1 year after the date his name was placed on the list. A permanent employee who has been laid off and is rehired in the same department is restored to permanent status.

3. Employees who are rehired by the county within 1 calendar year after they are laid off are entitled to reinstatement of accrued and unused sick leave remaining to their credit at the time of their layoff.

[§145, Ord. No. 213; A Ord. Nos. 491, 562]

## Disciplinary and Correctional Actions

5.313 Warning and reprimand. Whenever an employee's performance falls below standard or, for other just cause, there is a lapse in his performance, the employee's supervisor shall inform the employee promptly and specifically of such lapse. If appropriate and justified, and following a discussion of the matter, a reasonable period of time for improvement or correction may be allowed before initiating disciplinary action. In situations where an oral warning has not resulted in a correction of the condition or where more severe initial action is warranted, a written reprimand shall be sent to the employee and a copy placed in the employee's personnel folder in the department and in the department of human resources.

[§146, Ord. No. 213; repealed by Ord. No. 275; added by Ord. No. 491; A Ord. Nos. 733, 1060]

5.315 Suspension. If the written reprimand is not effective, or in those cases where the seriousness of the offense or condition warrants it, an employee may be suspended without pay by his appointing authority for a period of not to exceed 30 calendar days for just cause.

[§147, Ord. No. 213; A Ord. No. 491]

5.317 Demotion and dismissal. When other forms of disciplinary or correctional action have proved ineffective or when the seriousness of the offense or condition warrants it, the appointing authority may demote or dismiss the employee for just cause.

[§148, Ord. No. 213; A Ord. No. 491]

## Appeals and Hearings

5.319 Procedures for suspension and demotion. An order by an appointing authority to suspend or demote a permanent, classified employee shall:

1. Be in writing;
2. State specifically the action to be taken;
3. State specifically the cause or causes for the action to be taken;
4. State the effective date of such action;
5. State that the employee has 7 calendar days within which to appeal the action;
6. Be served on the employee, either personally or by posting by certified mail no later than 24 hours after the effective date of the action; and
7. Be filed with the department of human resources.

[§150, Ord. No. 213; A 74-130, Ord. Nos. 491, 733, 1060]

5.321 Discharge: Notice of proposed action. Before taking action to discharge an employee having permanent status in the classified service, the appointing authority shall serve on the employee, either personally or by posting by certified mail, a notice of proposed action which shall contain the following:

1. A statement of the action proposed to be taken.
2. A statement of the charges upon which the action is based.
3. A statement that the employee has 7 calendar days to respond to the appointing authority either orally or in writing.

[§151, Ord. No. 213; A 74-130, Ord. No. 491]

5.323 Immediate suspension pending discharge.

1. An appointing authority may immediately suspend an employee without pay, pending discharge, for:

(a) Conduct which gives rise to a clear and present danger to public health and safety; or

(b) Gross misconduct which is seriously and substantially disruptive of department or county operations in relation to established policies, fellow employees or supervisors.

2. Notice of immediate suspension pending discharge shall comply with the provisions of section 5.321 and be served on the employee either personally or by posting by certified mail within 24 hours of the effective time of suspension.

[§152, Ord. No. 213; A Ord. No. 491]

5.325 Suspensions due to pending criminal charges. An appointing authority, upon giving notice as provided in section 5.321, may immediately suspend an employee against whom there is pending a criminal charge and which charge adversely and directly affects the county service or conflicts with continued employment, or is seriously and substantially disruptive of department or county operations. Pending criminal charges exist when an employee has been named a defendant in a criminal complaint or indictment filed in any court.

[§153, Ord. No. 213; A Ord. No. 491]

5.327 Procedure for discharge.

1. In any action to discharge an employee having permanent status in a position in the classified service, after having complied with the applicable requirements set forth in sections 5.321 or 5.323, the appointing authority may order the discharge of the employee.

2. Such order shall:

(a) Be in writing;

(b) State specifically the cause or causes for the action;

(c) State the effective date of such action, which shall be no less than 7 calendar days from the date of issuance of the notice

of proposed action under section 5.321;

(d) State that the employee has 7 calendar days within which to appeal the action;

(e) Be served on the employee, either personally or by posting by certified mail, prior to the effective date of such discharge; and

(f) Be filed with the department of human resources.

[§154, Ord. No. 213; A 74-130, Ord. Nos. 491, 733, 1060]

5.329 Response to notice of proposed action. An employee who is served with a notice of proposed action involving either an intent to discharge, an immediate suspension pending discharge or an immediate suspension resulting from a pending criminal charge has 7 calendar days from receipt of the notice to respond to the appointing authority either orally or in writing to refute the charges and/or to dissuade the appointing authority from taking the action.

[§155, Ord. No. 213; A 74-130, Ord. No. 491]

5.331 Appeal from discipline; selection of arbitrator.

1. A permanent, classified employee who has been demoted, suspended or discharged may, within 7 calendar days of the effective date of the discipline imposed, appeal the action. The appeal shall be in writing and shall be filed with the assistant county manager for personnel.

2. Upon receipt of the appeal, the assistant county manager for personnel or his designee shall meet with the employee and the appointing authority in an attempt to select a mutually acceptable arbitrator. For cases involving demotion and suspension, the Rules for Expedited Arbitration of the American Arbitration Association apply. For cases involving discharge, the director of human resources shall determine, based upon the complexity of the case, whether the Rules for Expedited Arbitration or the regular Voluntary Labor Arbitration Rules of the American Arbitration Association apply.

3. If an arbitrator cannot be agreed upon, and if the Voluntary Labor Arbitration Rules are to be followed, the director of human resources shall submit a request to the American Arbitration Association for a list of arbitrators. Upon receipt of the list an arbitrator shall be selected by the assistant county manager for personnel and the employee by alternately striking names, the employee striking first.

[§156, Ord. No. 213; A Ord. Nos. 491, 733, 1055, 1060]

5.333 Arbitration: Hearing; costs; decision.

1. The arbitration proceedings shall be governed by the applicable rules of the American Arbitration Association. The cost

of the proceedings in cases of suspension of 10 working days or less shall be borne equally by the county and the employee. The cost of the proceedings in cases of suspensions in excess of 10 working days or demotions or discharges shall be borne by the county.

2. The arbitrator may determine whether the action taken was for just cause and, if not, what remedy would be appropriate under the circumstances. The arbitrator's decision shall be limited to either sustaining the discipline imposed, modifying the discipline imposed or restoring the employee to his status prior to the imposition of discipline, including full restoration of all wages and benefits with no loss of rights. The arbitrator's decision shall be final and binding on the parties.

3. Appeals under sections 5.319 to 5.333, inclusive, are limited to nonprobationary, classified employees who are not otherwise covered by an appeal procedure under a collective bargaining agreement adopted pursuant to chapter 288 of NRS.

[§157, Ord. No. 213; A 74-130, Ord. No. 491]

5.3331 Definitions. As used in sections 5.3331 to 5.3336, inclusive, the following words and phrases shall have the following meanings:

1. "Improper governmental action" means any action taken by an officer or employee in the performance of his official duties, whether or not the action is within the scope of his employment, which is:

(a) In violation of any state law or regulation;

(b) In violation of Washoe County Code, an ordinance adopted by the board of county commissioners, or an ordinance or regulation adopted by the appointing authority which employs the officer or employee;

(c) An abuse of authority;

(d) Of substantial and specific danger to the public health or safety; or

(e) A gross waste of public money.

2. "County" means Washoe County.

3. "County employee" means any person who performs public duties under the direction and control of a county officer, or in the case of the district health department, for the district health officer, and in either case, for compensation paid by or through the county.

4. "County officer" means a person elected or appointed to a position with the county, or the district health department, that involves the exercise of a county or district health department power, trust or duty, as applicable, including:

(a) Actions taken in an official capacity which involve a substantial and material exercise of administrative discretion in the formulation of county or district health department policy;

(b) The expenditure of money of the county; and



(c) The enforcement of laws and regulations of the state, county, or district health department.

5. "Reprisal or retaliatory action" includes:

- (a) The denial of adequate personnel to perform duties;
- (b) Frequent replacement of members of the staff;
- (c) Frequent and undesirable changes in the location of an office;
- (d) The refusal to assign meaningful work;
- (e) The issuance of letters of reprimand or evaluations of poor performance;
- (f) A demotion;
- (g) A reduction in pay;
- (h) The denial of a promotion;
- (i) A suspension;
- (j) A dismissal;
- (k) A transfer;
- (l) Frequent changes in working hours or workdays; or
- (m) If the employee is licensed or certified by an occupational licensing board, the filing with that board, by or on behalf of the employer, of a complaint concerning the employee, if such action is taken, in whole or in part, because the county officer or employee disclosed information concerning improper governmental action.

[§2, Ord. No. 1141]

5.3332 Appointment, qualifications and authority of hearing officer; county manager's duties.

1. The board will periodically appoint a hearing officer or a panel of hearing officers from the recommendations made by the county manager.

2. A person who wishes to serve as a hearing officer pursuant to sections 5.3331 to 5.3336, must:

(a) Possess a bachelor's degree from an accredited college or university and have at least 4 years of professional experience in resolving disputes between opposing parties, 2 years of which included making determinations or adjudicating issues by interpreting statutes or administrative rules or regulations;

(b) Possess an associate's degree from an accredited junior college or community college and have at least 5 years of professional experience in resolving disputes between opposing parties, 2 years of which included making determinations or adjudicating issues by interpreting statutes or administrative rules or regulations;

(c) Have at least 2 years of experience as a hearing officer with an administrative agency of the state; or

(d) Possess any other combination of education and experience which the county manager deems to be equivalent to the education and experience required by paragraph a, b, or c, and demonstrate to the satisfaction of the county manager that he possesses the knowledge,

skills and abilities required by this subsection.

3. In addition to those qualifications listed in subsection 2, a hearing officer must:

(a) Be able to:

(1) Interact effectively with all participants at a hearing in a manner which ensures an impartial, orderly proceeding;

(2) Work independently;

(3) Listen and analyze the evidence presented at a hearing and communicate effectively his decisions on motions and objections related to that evidence;

(4) Communicate effectively, orally and in writing, with persons from a variety of social, economic and educational backgrounds;

(5) Render an impartial decision based on:

(i) The evidence presented at a hearing; and

(ii) An objective analysis of applicable statutes, regulations and case law;

(6) Write decisions and opinions in a clear, concise and accurate manner; and

(b) Be knowledgeable of the provisions of state law and regulations, and county code relating to local governments, including county government.

4. If the hearing officer determines that the action taken was a reprisal or retaliatory action, the hearing officer may issue an order directing the proper person to desist and refrain from engaging in such action. The hearing officer shall file his decision with the county manager, or other elected or appointed board responsible for the actions of that person and prepare a separate copy redacting identifying or sensitive information. The redacted copy of the decision of the hearing officer shall be made public.

5. The county manager, or the county manager's designee, shall provide each officer and employee with a summary of the provisions of sections 5.3331 to 5.3336, inclusive.

[§3, Ord. No. 1141]

5.3333 Written appeal by officer or employee who claims reprisal or retaliatory action was taken.

1. A county officer or employee who claims a reprisal or retaliatory action was taken against him for disclosing information concerning improper governmental action may file a written appeal with the director of human resources. The appeal must be:

(a) Filed within 60 workdays after the date the alleged reprisal or retaliatory action took place.

(b) Submitted on a form provided by the director of human resources.

(c) Contain a statement that sets forth with particularity:

(1) The facts and circumstances under which the disclosure of

improper governmental action was made; and

(2) The reprisal or retaliatory action that is alleged to have been taken against the county officer or employee.

2. Upon receipt of the written appeal, the director of human resources shall contact a hearing officer from among those who have qualified and been appointed by the board. The director of human resources shall ascertain whether the hearing officer has any conflicts which would prevent him from hearing the appeal. The hearing officer shall be entitled to reasonable compensation from the county for time spent hearing and determining the appeal, and for reasonable travel costs or other expenses incurred in hearing the appeal. The director of human resources shall forward the written appeal to the hearing officer.

3. The hearing officer may reject an appeal form that is incomplete or otherwise deficient as insufficient to commence the appeal.

[§4, Ord. No. 1141]

5.3334 Time for hearing; continuances.

1. The hearing officer shall convene the hearing at the time and place specified for the purpose of hearing the appeal.

2. Written notice of the time and place of the hearing must be given to the parties at least 10 days in advance. The notice must contain the information required for a party to request reasonable accommodation.

3. The hearing officer shall provide reasonable accommodation to a party with a disability who requests such accommodation within the time sufficient to make the accommodation.

4. Hearings may be continued beyond the period originally scheduled or recessed until a future date which is agreeable to the hearing officer and the parties if good cause is shown.

[§5, Ord. No. 1141]

5.3335 Procedures for conduct of hearing on written appeal; hearing officer's decision.

1. The provisions of this section govern the procedure for conducting a hearing for a written appeal filed pursuant to sections 5.3331 to 5.3336, inclusive.

2. The employee or officer filing the appeal may represent himself at the hearing or be represented by an attorney or other person of the employee's or officer's own choosing.

3. All testimony must be under oath administered by the hearing officer.

4. The appeal must be heard in the following manner:

(a) Opening statement for the officer or employee.

(b) Opening statement for the employer, unless reserved.

(c) Presentation of the officer's or employee's case, followed by cross-examination. During the presentation of the officer's or employee's case, the county officer or employee must establish

(1) The officer or employee was an officer or employee on the date of the alleged reprisal or retaliatory action;

(2) The officer or employee disclosed information concerning improper governmental action; and

(3) The alleged reprisal or retaliatory action was taken against him within 2 years after the date he disclosed the information concerning improper governmental action.

(d) If the officer or employee establishes the facts set forth in paragraph (c), presentation of the employer's case, followed by cross-examination, to establish that the employer did not engage in the alleged reprisal or retaliatory action or that the action was taken for a legitimate business purpose and was not the result of the disclosure of information concerning improper governmental action by the officer or employee.

(e) If the employer establishes a legitimate business purpose for the alleged reprisal or retaliatory action, the officer or employee may introduce evidence, followed by cross-examination, to demonstrate that the stated business purpose is a pretext for the reprisal or retaliatory action.

(f) The parties may respectively offer rebutting testimony only, unless the hearing officer permits additional evidence upon the original cause.

(g) Argument for the officer or employee.

(h) Argument for the employer.

(i) Closing argument for the officer or employee.

(j) Submission of the appeal for a decision.

5. Except as otherwise provided in subsection 6, all hearings on appeals must be open to the public.

6. On the motion of either party, the hearing officer shall exclude from the hearing room witnesses in the matter not at the time under examination except the parties to the proceeding. No hearing may be closed to the public except on motion of either party for good cause shown.

7. A document or piece of physical evidence sought to be introduced during the hearing must first be identified for the record and the hearing officer may request the production of such records and the appearance of such persons as he requires.

8. The hearing officer shall determine the evidence upon the charges and specifications as set forth by the appeal document, and shall not consider any additional evidence beyond the scope of the charges.

9. An officer's or employee's past performance by way of an act or a failure to act may be shown by competent evidence.

10. All testimony and exhibits offered at the hearing must be

relevant and bear upon the matter in contention. Any testimony or exhibits which are considered by the hearing officer as not meeting this criterion may properly be excluded.

11. The hearing officer shall also consider the objection of either side to the introduction of evidence. Competence and relevance must be the primary test in ruling on objections.

12. A decision must be based on evidence presented. The hearing officer shall be guided in his decision by the weight of the evidence as it appears to him at the hearing.

13. Any letter, paper or object offered in evidence must be properly authenticated. The representative for the opposing party is entitled to examine the exhibit when it is offered.

14. The hearing officer shall render his decision within 30 days of the conclusion of the hearing.

[§6, Ord. No. 1141]

#### 5.3336 Prohibitions and application.

1. An officer or employee shall not directly or indirectly use or attempt to use the officer's or employee's official authority or influence to intimidate, threaten, coerce, command, influence or attempt to intimidate, threaten, coerce, command or influence another officer or employee, as applicable, in an effort to interfere with or prevent the disclosure of information concerning improper governmental action.

2. For the purposes of this section, use of "official authority or influence" includes taking, directing others to take, recommending, processing or approving any personnel action such as an appointment, promotion, transfer, assignment, reassignment, reinstatement, restoration, reemployment, evaluation or other disciplinary action.

3. An officer or employee shall not use the provisions contained in sections 5.3331 to 5.3336, inclusive, to harass another officer or employee.

4. Nothing contained in section 5.3331 to 5.3336, inclusive, prohibits an officer or employee from initiating proper disciplinary procedures against another officer or employee, as applicable, who discloses untruthful information concerning improper governmental action.

5. Sections 5.3331 to 5.3336, inclusive, are intended to be directory and preventive rather than punitive, and do not abrogate or decrease the effect of any of the provisions of state statutes or county code provisions which define crimes or prescribe punishments with respect to the conduct of officers or employees.

[§7, Ord. No. 1141]

### Full-Time Service Required

5.334 Full-time service required. Each employee shall, during his hours of duty as an employee and subject to such other laws, rules or regulations as pertain thereto, devote his full-time attention and efforts to county employment. A full-time employee may not engage in additional part-time work for the county.

[§1, Ord. No. 729; A Ord. No. 828]

### Prohibitions and Penalties

5.335 Incompatible activities: Prohibition. Employees shall not engage in any employment, activity or enterprise which has been determined to be inconsistent, incompatible or in conflict with their duties as Washoe County officers and employees, or with the duties, functions or responsibilities of their appointing authorities or departments by which they are employed.

[§158, Ord. No. 213]

5.337 Incompatible activities: Specific prohibitions. Employees shall not engage in any employment, activity or enterprise which is inconsistent, incompatible or in conflict with their duties as Washoe County officers and employees, or with the duties, functions or responsibilities of their appointing authorities or departments by which they are employed, including but not limited to:

1. Except for the limited use authorized in section 5.340, the use for private gain or advantage of the county's time, facilities, equipment and supplies.

2. The use for private gain or advantage of a badge, uniform, prestige or influence of their county positions of employment.

3. The receipt or acceptance by employees of any money or other consideration from anyone other than the county for the performance of an act which the employees would be required or expected to render in the regular course of hours of their county employment or as a part of their duties as employees.

4. The performance of an act in other than their capacity as employees, which act may later be subject, directly or indirectly, to control, inspection, review, audit or enforcement by such employees or the department by which they are employed.

[§158, Ord. No. 213; A Ord. Nos. 492, 1053]

5.339 Incompatible activities: Designation. Each appointing authority may determine and describe in writing additional specific activities which, for employees under his jurisdiction, will be considered inconsistent, incompatible or in conflict with their

duties as employees, and shall provide a copy to each such employee.

[§159, Ord. No. 213; A Ord. No. 492]

5.340 Ownership of county computer system; de minimis use of county property, equipment or other county facility authorized; restrictions and prohibitions.

1. For purposes of this section, limited use for personal purposes, also referred to as "personal use" of county computers, as well as business related uses, does not create any expectation of privacy in that use by county officers, employees or other users. All data and other electronic messages within the county's computer system are the property of Washoe County. The county has the right to periodically and/or randomly inspect, review, audit and monitor employees' computer files, Internet use, electronic messages and other data stored in the county computer system.

2. The board of county commissioners authorizes the limited use for personal purposes by county officers and employees of county property, equipment or other facility if:

(a) The use does not interfere with the performance of public duties including duties of both the officer/employee and other county staff, or interfere with the provision of county services;

(b) The cost or value related to the use is nominal; and

(c) The use does not create the appearance of impropriety.

This section does not prohibit the use of mailing lists, computer data or other information lawfully obtained from a county agency which is available to members of the general public for nongovernmental purposes. Further, this section does not prohibit the use of telephones and electronic mail (e-mail) if there is not a special charge for that use. If there is a special charge for that use, then the use is not prohibited but the officer or employee must reimburse the cost or pay the charge to the county in accordance with subsection 3 below, unless the use is made necessary because the officer or employee is attending to county business.

3. Except as provided in subsection 2 above, if the county incurs a cost as a result of a use that is authorized hereunder, or if the county would ordinarily charge a member of the general public for the use, the county officer or employee shall reimburse the cost or pay the charge to the county.

4. Except as otherwise provided herein, a county officer or employee shall not use any county time, property, equipment, or other facility to benefit that officer's or employee's private business interests. This prohibition includes, but is not limited to: selling products for private business, solicitation related to private business or personal interests, mass mailings, keeping private business accounts, or similar uses. The county may provide access via computer to a bulletin board for use by county officers

and employees. If provided, this section does not prohibit a county officer or employee from advertising on the county maintained bulletin board: personal items for purchase or sale so long as those items are not connected with a private business interest of the officer or employee, posting information regarding upcoming social events, or such other uses as may be permitted by the county through rules posted on the bulletin board web page.

5. With the exception of use of county computers for electronic mail (e-mail), the personal use of county computers as authorized in subsection 2, shall not exceed 30 minutes per workweek which may not occur during the officer's or employee's work time, which time may not be accumulated from week to week. For purposes of this section, use of computers is use of a county computer to access Internet web sites, use of a modem from a noncounty location to access a county computer, use of county owned software or computer programs, and use of county owned computer hardware to run personal software or programs. Notwithstanding the authorization for limited use of county computers, and personal use of county telephones and electronic mail (e-mail), county officers and employees shall not use county computers, telephones or electronic mail for personal use if the use would violate the provisions of paragraph (a), (b) or (c) of subsection 2, or if the use would violate any county or department policies. Prohibited uses include, but are not limited to:

(a) Interdepartmental e-mails to groups of persons regarding noncounty community-wide projects or events or noncounty social events;

(b) Noncounty business uses which violate county policies on sexual harassment, discrimination and harassment, workplace violence, or other county policies.

6. The limited use of county property, equipment or other facility as set forth in this section shall not be deemed a violation of section 5.337(1).

7. The county may adopt policies to interpret and implement the provisions of this section and to further prescribe, restrict or limit use of the county's computer system. In addition, county department heads may adopt more restrictive policies on the use of the county property, equipment or other facility than as set forth in this section, but department heads may not adopt less restrictive policies. A county department head who adopts a more restrictive policy than as set forth in this section, must file a copy of the policy with the human resources department.

8. Nothing herein prohibits the limited use of county property, equipment, or other facility for personal purposes where the use is necessary as a result of emergency circumstances.

[§3, Ord. No. 1053; A Ord. Nos. 1167, 1219]



5.341 Political activity. Employees shall have the right to vote as they choose and to express their political opinions on all subjects without recourse, except that no employee shall:

1. Directly or indirectly solicit or receive, or be in any manner concerned in soliciting or receiving any assessment, subscription, contribution or political service, whether voluntary or involuntary, for any political purpose from anyone on any employment list or holding any position in the classified service.

2. Engage in political activity during the hours of his county employment with the purpose of improving the chances of a political party or individual seeking office, or at any time engage in political activity for the purpose of securing preference for promotion, transfer or salary advancement.

3. While off duty, engage in political activity to an extent that it impairs his attendance or efficiency as an employee.

4. As an employee in a department administering federally aided programs, engage in political activities at any time which are forbidden by federal law.

[§161, Ord. No. 213]

5.343 Prohibition against discrimination.

1. Discrimination against any person in recruitment, examination, appointment, training, promotion, retention or any other personnel action because of race, color, religion, sex, age, protected disability, national origin, political affiliation or sexual orientation is prohibited.

2. The department of human resources is responsible for promulgating and maintaining an antidiscrimination and harassment policy and procedures for effectively dealing with such complaints.

[§162, Ord. No. 213; A Ord. Nos. 289, 385, 408, 882, 1078]

Miscellaneous Provisions

5.349 Employees' compliance with Nevada Motor Vehicle Insurance Act. Compliance with the provisions of the Nevada Motor Vehicle Insurance Act (chapter 698 of NRS) is required of all persons employed by Washoe County whose employment requires the use of their personal motor vehicles in the conduct of county business. The department of human resources shall promulgate regulations to effectuate the provisions of this section to guarantee compliance at the time of initial appointment, and shall periodically require evidence of compliance with the Nevada Motor Vehicle Insurance Act.

[§164.5, Ord. No. 213; added 74-654; A Ord. Nos. 733, 1060]

Travel Regulations Pertaining to  
County Officers and Employees

5.351 Short title. Sections 5.351 to 5.395, inclusive, may be referred to as the Travel Regulation Ordinance.

5.353 Policy of the board of county commissioners.

1. It is the policy of the board of county commissioners that travel be kept to an absolute minimum consistent with the efficient conduct of county business.

2. Approval by the board of county commissioners of the final budget for the fiscal year and appropriate adjustments made to travel accounts and special accounts as set forth in section 5.356, constitutes approval for an elected or appointed department head to approve travel requests submitted by county officers and employees employed by that department provided the travel is consistent with the provisions of section 5.351 to 5.395, inclusive, and the costs for such travel are included in the department's travel account or special account as provided in section 5.356.

3. It is the department head's responsibility to:

(a) Assure the seminar, conference or other meeting is consistent with county policy and to determine if more than one individual should attend.

(b) Determine if the travel costs are included within the travel account or special account referred to in section 5.356 in the department's budget.

(c) Make appropriate adjustments to the department's budget throughout the year to ensure sufficient funds are available in the department's travel account or special account to pay for such travel as set forth in section 5.356.

4. For purposes of the Travel Regulation Ordinance, a department's travel budget includes money for transportation, hotel/motel accommodations and related charges, and per diem for county officers and employees only.

[§1, Ord. No. 440; A Ord. Nos. 794, 896, 937, 1044]

5.3531 Expenditures of forfeiture money and fraud check money exempted from certain provisions of the travel regulation ordinance.

1. NRS 179.1187 provides that the governing body controlling each law enforcement agency that received proceeds from the sale of forfeited property shall establish with the county treasurer, as custodian, a special account for the proceeds of the sale of forfeited property. Pursuant to NRS 179.1187, the county treasurer has established a Washoe County forfeiture account. Subsection 2 of NRS 179.1187 provides in part that money in the account may be used for any lawful purpose deemed appropriate by the chief administrative officer of the law enforcement agency subject to the restrictions

noted therein.

2. NRS 205.471 provides that the district attorney may collect a fee from any person who draws or passes a check or draft in violation of a provisions of the chapter and sets forth the amount of fee that may be collected. Subsection 3 of NRS 205.471 provides that the money collected from the fees must be deposited in the county treasury in an account to be administered by the district attorney. That subsection further provides that the district attorney may use money in the account consistent with the restrictions noted therein.

3. Expenditures made with respect to noncounty personnel pursuant to NRS 179.1187 and NRS 205.471 as set forth in subsections 1 or 2 above are exempt from the Travel Regulation Ordinance contained in sections 5.351 to 5.395, inclusive.

4. Expenditures made pursuant to NRS 179.1187 or NRS 205.471 as set forth in subsections 1 or 2 above are exempt from section 5.364 of the code.

5. Expenditures made pursuant to this section may be subject to internal audit for compliance with NRS 179.1187 and NRS 205.471.

[§2, Ord. No. 1100]

5.354 Requests for registration fees for courses and seminars.

1. Registration fees for county officers and employees for courses, seminars, workshops or similar meetings held outside of Washoe County may be paid only if an authorized request for permission to travel form is on file in the comptroller's office. A request for payment of such registration fees must be forwarded to the county comptroller along with a copy of the registration form.

2. If a county officer or employee pays from his personal funds any registration fees for any course, seminar, workshop or similar meeting, reimbursement after his attendance will be made only by submission to the county comptroller of an authorized travel and per diem claim, together with a receipt and copy of the registration form.

3. Except for persons described in section 5.355(3)(a) and (b), requests for registration fees for noncounty personnel for courses, seminars, workshops or similar meetings must be submitted by a department to the board of county commissioners for approval. If the course, seminar, workshop or similar meeting is to be held outside of Washoe County, such requests may be submitted along with the request for permission to travel as provided in section 5.355. Requests for approval must provide information on how attendance at the course, seminar, workshop or similar meeting serves a county purpose. Nothing in this section or in section 5.355 requires board approval under those sections if the travel is part of an approved contract for services.

4. For members of the district board of health, requests for registration fees for courses, seminars, workshops or similar meetings must be approved by the district board of health. For

persons described in section 5.355(3)(b), requests for registration fees for courses, seminars, workshops or similar meetings may be approved by the department head who shall make a report to the board of county commissioners on how attendance at the course, seminar, workshop or similar meeting serves a county purpose.

[§2, Ord. No. 794; A Ord. Nos. 937, 1044]

5.355 Requests for permission to travel; forms.

1. Except as otherwise provided in section 5.357 and except for travel to Carson City or the Tahoe Basin, all county officers and employees are required to submit a travel request to the appropriate elected or appointed department head who will review the request and either approve or disapprove the request based upon the provisions of sections 5.351 to 5.395, inclusive.

2. If the travel request is approved, the department head shall forward a copy of the request to the county comptroller. If the request involves advance money for travel expenses or subsistence allowance, the request shall specify the nature and amount of the advance requested.

3. Except as otherwise provided herein, a request for permission to travel by other than county officers and employees must be approved by the board of county commissioners prior to such travel and prior to payment of any travel expenses or subsistence. Once approved, payment for meals, transportation and lodging must conform to the provisions of the Travel Regulation Ordinance. Travel expenses and subsistence allowance which conforms to the provisions of the Travel Regulation Ordinance are authorized for the following persons:

(a) For members of the district board of health, provided the district board of health has approved such travel.

(b) For persons identified on the then current auxiliary or patrol reserve roster(s) maintained by the sheriff's office, where such travel and subsistence is requested by the sheriff in furtherance of county business and where the costs thereof have been included in the sheriff's travel account.

(c) For persons whose expertise or services are necessary in order to assist in an emergency where the health, safety or welfare of the general public may be threatened without the immediate assistance of such persons and only where the department head has requested that expertise or service. The department authorizing such travel expenses or subsistence allowance must report to the board of county commissioners at the next regular meeting where the item can be scheduled regarding the circumstances of such request and the amounts authorized for travel and subsistence.

4. All requests for permission to travel, requests for advance travel funds and claims for travel reimbursement to an individual shall be made on such forms as may be required by the county manager.

5. The forms must provide a means for a department head to certify

whether the request for payment will or will not overdraw the department's travel account or special account as provided in section 5.356, and for requests which would overdraw that travel account or special account as provided in section 5.356, must provide for the budgetary reallocations required by section 5.356.

6. The claimant for travel reimbursement shall attest to the accuracy of the claim by signing the face of the form.

[Part §2, Ord. No. 440; A Ord. Nos. 733, 794, 937, 1044]

5.356 Travel account; special account; certification by department head that travel is within departmental travel account or special account; adjustments to travel and special accounts; travel expenses included within approved budget or adjusted budget constitutes approval for payment.

1. The county manager and department heads shall include in his or her proposed budget an estimated amount to pay for travel expenses for the fiscal year. Within the department's proposed budget, the amount may be shown in a travel account and/or in a special account established for the purpose of carrying out an official function of the department where travel is necessary, but incidental to that function. The following types of functions for special accounts are provided for illustration purposes only: extraditions, witness transport, investigations, child/foster care accounts. Department heads shall notify the county comptroller of any special account(s) used by that department for travel purposes. As needed throughout the year, the county manager and department heads shall make appropriate adjustments to their respective budgets as provided in subsection 2, to insure sufficient funds are available in their travel accounts or special accounts to pay travel expenses.

2. In the event that the amount included in the county manager's or a department's travel account or special account is insufficient to pay for all travel expenses for that year, the county manager or the department head shall, if funds are available, reallocate money from another part of his or her budget into his or her travel account or special account in an amount sufficient to pay for the increase in the travel expenses. Any such reallocations shall be approved by the director of the finance division and reported to the county manager and the board of county commissioners at the next regular meeting of the board and recorded in the minutes of that meeting. In the event the county manager or the department has insufficient funds available in its budget to reallocate, the county manager or department head must request the board of county commissioners make additional appropriation to his or her budget to pay for such increases in travel expenses.

3. Approval of the final budget by the board of county commissioners for the fiscal year and appropriate adjustments made to the travel accounts and special accounts throughout the year as

provided herein, constitutes approval for travel and payment therefor. Any request for advance money for travel or reimbursement of travel expenses must be accompanied by the certification of the county manager or department head that payment of the amount or expenses sought by the request would not overdraw the department's budgeted amount for travel.

4. The county comptroller is authorized to make payment for advance travel and to reimburse travel expenses included on a properly completed and certified request for permission to travel form.

5. The board of county commissioners authorizes the payment of money for advance travel and reimbursement for travel expenses for all properly completed and certified requests for permission to travel forms.

[§3, Ord. No. 794; A Ord. Nos. 937, 1044]

5.357 Emergency travel; "emergency" defined.

1. As used in sections 5.351 to 5.395, inclusive, an emergency means an unforeseen circumstance which requires immediate action and includes, but is not limited to, extraditions, witness transport, criminal investigations or a circumstance which would result in any impairment of the health, safety or welfare of the general public.

2. In cases of emergency where a request for permission to travel form cannot be presented prior to such travel as provided in section 5.355, the department head or his designee shall approve the travel and submit to the county comptroller a travel claim indicating the nature of the emergency and the expenses paid along with supporting justification. The comptroller shall either approve or disapprove the claim. If the comptroller approves the claim, payment shall be made from available funds from that department's travel account or special account.

3. In cases of emergency where county officers or employees are assigned to work through normal meal or rest periods, a county officer or employee may be reimbursed the rates for meals set forth in section 5.363 without submitting receipts and upon department head approval.

4. In the event of an emergency requiring travel under the provisions of the Travel Regulation Ordinance where the costs for that travel would exceed the amount budgeted for travel by that department, the department head may authorize the travel by certifying that an emergency exists and specifying the nature of the emergency. The department head shall submit the certification to the county comptroller for approval and payment. The certification shall accompany the supporting documentation for the travel claim as provided in subsection 2 above. As soon as practical thereafter, the department head shall obtain approval from the finance division to reallocate money from another part of the department's budget and report same to the board of county commissioners or submit a request

for additional appropriations to the department's budget as provided in section 5.356.

[Part §2, Ord. No. 440; A Ord. Nos. 763, 794, 937, 1044]

5.358 Recruitment expenses.

1. In an effort to be competitive in recruiting management level employees, it is the policy of the board of county commissioners to pay recruitment expenses consistent with this section.

2. Upon approval of the county manager or his designee, expenses incurred for travel, meals and lodging by candidates competing for management positions as designated on the unclassified management salary schedule shall be reimbursed at the same rate as county officers and employees. In addition and subject to the same limitations, the county manager or his designee may approve reimbursement for expenses incurred by candidates for positions other than those listed on the unclassified management salary schedule, when reimbursement is deemed necessary in order to attract top quality candidates for such positions in the event the county is otherwise unable to attract qualified candidates.

3. In the event the director of human resources deems it necessary to obtain subject matter experts to assist the department of human resources in the recruitment and selection of candidates for employment with the county, the county manager or his designee may authorize reimbursement of expenses incurred by those experts, subject to the same rates as would be payable to county officers and employees under the travel regulations.

4. Except as otherwise provided herein and to the extent feasible, the requirements of the travel regulations that apply to county officers and employees also apply to candidates and subject matter experts seeking reimbursement pursuant to this section.

5. To obtain reimbursement pursuant to this section, original receipts for expenses incurred, except for meal per diem reimbursement, must be submitted to the comptroller for payment.

6. Recruitment expenses as provided for in this section are not included in a department's travel budget.

[§1, Ord. No. 953; A Ord. No. 1060]

5.3581 Moving expenses.

1. In an effort to be competitive in recruiting management level employees, it is the policy of the board of county commissioners to pay moving and travel expenses consistent with this section.

2. Upon approval of the county manager or his designee, reasonable and necessary moving expenses incurred by a candidate accepting employment for a management level position as designated on the unclassified management salary schedule may be reimbursed in accordance with the provisions set forth herein. Costs incurred by a candidate for the candidate's travel, meals and lodging incurred

in moving to the Truckee Meadows area may be reimbursed at the same rate as county officers and employees, except as provided in subsection 4.

3. Moving expenses are limited:

(a) The costs incurred in moving normal household goods and personal effects from the employee's old residence to the new residence (which includes the costs of packing and transporting household goods) if the distance from the old residence to the new residence exceeds 100 miles;

(b) The cost of moving one of the employee's vehicles; and

(c) Costs incurred for storage (not to exceed 90 days) of normal household goods and personal effects after the goods and effects have been moved to the Truckee Meadows area.

4. The cost of traveling by vehicle is reimbursable at the rate of travel by private vehicle as set forth in section 5.361(4). The reimbursement is limited to one of the employee's vehicles. The mileage will be determined by the county comptroller by reviewing standard travel service maps (for example, AAA) using the most direct major interstate routes.

5. To obtain reimbursement pursuant to this section, the individual must be a county employee at the time reimbursement is sought and paid. The employee must submit original receipts for expenses incurred (except as provided in subsection 4) to the comptroller. In addition, an employee seeking reimbursement pursuant to this section must sign a disclosure statement certifying that either he has not received, or will not receive, reimbursement for moving and travel expenses from any other source(s) or, if he has received or will receive reimbursement, disclose the amount of reimbursement from other source(s). In the event the employee has received or will receive partial reimbursement from other source(s), payment of moving and travel expenses under this section is limited to the difference between the actual costs reimbursable under this section and the amount received or to be received from the other source(s).

[§1, Ord. No. 1086]

5.359 Reimbursement of travel expenses. Except as otherwise provided by law, when any county officer or employee is entitled to receive expenses in the transaction of public business outside the municipality or other area in which the person's principal business office is located, such person shall be paid necessary travel expenses, including living expenses as specified herein, if substantiated in the manner provided by the Travel Regulation Ordinance. For purposes of this section, employees are on travel status if they are outside of Washoe County.

[Part §3, Ord. No. 440; A Ord. Nos. 496, 541, 937]



5.361 Travel expenses.

1. Each county officer or employee who is authorized to travel in accordance with sections 5.351 to 5.395, inclusive, shall receive an allowance based on an application for advance travel funds and reimbursement for transportation expenses incurred while traveling in connection with the public business of the county, as long as those expenses are incurred in conformance with sections 5.351 to 5.395, inclusive.

2. Transportation expenses shall be incurred at the least possible cost to the county, considering total cost of transportation, time spent in transit, and the availability of county-owned automobiles. Use of county vehicles is encouraged if more than one person is traveling.

3. When utilizing air transportation, travel must be arranged at discount airfare, unless such service is unavailable. If unavailable, travel should be arranged at coach airfare. Persons utilizing air transportation will not be reimbursed for meals served in flight or included in the cost of airfare. Use of travel agents is encouraged to obtain the best fare and to expedite payment. Airfare which is paid for by the county officer or employee will not be reimbursed until the travel is completed and proper documentation is submitted to the county comptroller.

4. If travel by county-owned vehicle or by public air transportation is not the most economical or efficient means of transportation, use of a private vehicle may be permitted. The rate of the mileage allowance is the standard mileage reimbursement rate allowed by the Internal Revenue Service to be deducted from federal income tax and which is in effect at the time the mileage is traveled as determined by the county comptroller. In addition, the allowance for travel by private vehicle shall not exceed the cost of public air transportation if the travel is between cities served by public air transportation, except in cases where the scheduled public air transportation is wholly impractical for the employee's travel. For purposes of this subsection, "public air transportation" means scheduled air service by recognized airlines and does not include privately chartered air transportation.

5. If a private vehicle is used for reasons of personal convenience in the transaction of county business and is not the most economical or practical means of transportation, the allowance for travel is one-half the rate established as provided in subsection 4 above. Payment of any amount for this mode of transportation is contingent on compliance with section 5.391. The appropriate rate of reimbursement will be specified and approved on the request for permission to travel form.

6. County vehicles are available for county authorized travel from the county motor pool. When county vehicles are being used for travel pursuant to sections 5.351 to 5.395, inclusive, only county

officers and employees may drive such vehicles.

7. No compensation shall be allowed for transportation to and from home and the principal business office.

8. All other travel expenses, such as convention registration fees (including supplies and other material required for attendance at the convention or conference), taxis, air porter or limousine fare, parking or vehicle storage fees, or any other office expenses not a part of food and lodging, will be paid in addition to the transportation expenses noted in this section. Receipts must be obtained, and all receipts and actual travel expenses must be itemized on a separate sheet attached to the travel per diem claim form, together with an explanation for any unusual expenditures. In computing the cost of public conveyance, the total cost to and from the point of departure of the public conveyance and to and from the point of destination is included.

9. To obtain reimbursement for a rental car, an officer or employee must obtain prior approval for such rental on the request for permission to travel form. Requests for reimbursement made subsequent to travel will be approved only with written justification and approval by the department head.

10. Insurance paid for rental cars is not payable in advance or reimbursable.

[Part §3, Ord. No. 440; A Ord. Nos. 496, 541, 731, 741, 896, 937, 962, 1282, eff. 1-20-06]

#### 5.363 Living expenses.

1. In addition to the travel expenses provided for in section 5.361, a county officer or employee shall be paid living expenses while on authorized travel status from the point of departure to the point of return or whenever travel status is terminated, whichever occurs first. Such living expenses include the following:

(a) Meals and incidental expenses. Meals and incidental expenses required in conjunction with attending meetings or conducting business for which travel is authorized will be reimbursed at the per diem rates allowed by the Internal Revenue Service to be deducted from federal income tax under the "Regular Federal Per Diem Rate Method" as determined by the county comptroller. When travel status is for a period of less than 24 hours, meals shall be reimbursed individually at the rates established by the U.S. General Services Administration excluding incidentals, which will not be reimbursed for partial days. No receipts are required to obtain reimbursement for the above per diem amounts. If a single meal is provided at a fixed cost at a conference, seminar or similar business meeting and that cost exceeds the single meal reimbursable amount set forth above, the county officer or employee shall be reimbursed for the actual required cost of the meal unless the employee is receiving the fixed daily rate. No reimbursement shall be made for any banquet

or dinner which is not related to business but which is provided primarily for the entertainment of those in attendance.

(b) Lodging. Each county officer or employee shall be selective and prudent in choosing lodging. No reimbursement for lodging may be made without receipts. Credit card receipts are not an acceptable substitute for the original hotel receipt. No lodging expenses for any other person, including the officer's or employee's spouse, are reimbursable. Lodging expenses for oversized, special or unique rooms (e.g., suites) will be reimbursed at the standard room rate.

(c) Miscellaneous expenses. Miscellaneous expenses necessary to the conduct of business for which travel is authorized, including without limitation local business telephone calls, local fees and charges, and other expenses not included for the personal enjoyment or convenience only of the officer or employee. Tips for baggage may not exceed \$1 per bag. Tips to maids will not be reimbursed. Taxi fare for transportation to a café or restaurant will not be reimbursed unless the hotel or motel where the employee is lodging has no facilities to provide the same meal. For example, if the hotel in which the employee is lodging has a dining room which serves dinner, the employee will not be reimbursed for taxi fare to travel to a distant restaurant for dinner.

(d) Long distance telephone calls which are work related and charged to a telephone credit card or billed to the hotel room will be reimbursed. The billing must reflect the county number called, or a written explanation of the person called and business purpose.

2. When registration fees for a conference, seminar or similar business meeting include a meal, officers or employees shall not request double reimbursement for the cost of that meal.

3. No reimbursement will be made for any meal purchased in the Reno-Sparks area, even if the meal was purchased before departure on county business or after return from county business. For purposes of this section, if departure from the Reno-Sparks area is after 7:30 a.m. or return is prior to 6:30 p.m., reimbursement for breakfast or dinner will not be made.

[Part §3, Ord. No. 440; A Ord. Nos. 496, 541, 741, 762, 937, 1318 eff. 11-24-06]

#### 5.364 Local business expenses.

1. Except as otherwise provided in subsection 3 below, upon approval of the county manager, a county officer or employee may obtain reimbursement for reasonable and necessary, actual expenses incurred in conducting county business provided that an amount has been identified and provided for in the appropriate department's budget. A person seeking reimbursement under this section must submit receipts or a written statement to the county manager indicating all expenses for which reimbursement is sought.

2. For purposes of this section, the term "county business" is

to be strictly construed. For example, county business does not include partisan political functions, events or meals, even though topics affecting the county may be discussed.

3. A department may use a petty cash fund to provide money to department officers and employees to be used exclusively for parking fees incurred in connection with the conduct of county business. A county officer or employee may obtain money from the petty cash fund maintained by a department for the purpose of paying parking fees incurred in connection with county business upon signing a form to be provided by the comptroller's office which indicates the amount used, the date, location, and the business conducted. A county officer or employee shall not use any money so obtained for the purpose of paying for parking in connection with that officer's or employee's regularly assigned work location. However, in the event that a county officer or employee is assigned a county vehicle for use on county business and upon return to that officer's or employee's regularly assigned work location finds that his assigned parking space is occupied by an unauthorized vehicle, the officer or employee may use the money to pay for parking.

4. A county officer or employee assigned a county vehicle that is issued a parking ticket, is not responsible for payment of the ticket if the ticket was issued for overtime parking violation due to the inability of the officer or employee to return to the vehicle within the allotted time on the meter based upon circumstances beyond the control of the officer or employee. In such event, the county officer or employee shall give the ticket to his or her supervisor within 24 hours of receiving the ticket.

[§1, Ord. No. 741; A Ord. Nos. 937, 962, 1044]

#### 5.365 Legislative and lobbying expenses.

1. The board of county commissioners hereby finds that in order to provide for the security and welfare of the inhabitants of Washoe County that it is necessary for county officers and employees to participate in the State of Nevada's biennial legislative process, including legislative and lobbying activities which occur in intervening years, and that in so doing, those county officers and employees are carrying out public business. The board of county commissioners further finds that the security and welfare of county inhabitants also necessitates participation by county officers and employees in federal legislative processes, before both Congress and federal agencies, and in local government legislative and lobbying activities, and that such participation and lobbying is the public business of Washoe County.

2. As further provided below, the board hereby authorizes payment of reasonable and necessary expenses incurred in furtherance of legislative activities of Washoe County, including, transportation; lodging and meals of county officers, lobbyists or employees;

entertainment, gifts or other related expenses which are normal, usual and customary legislative expenses of other local governments; and supplies, equipment, facilities, personnel and services needed to support the legislative activity.

(a) For those county officers and employees engaged in legislative and lobbying activities in accordance with this section, and except as otherwise provided herein, meals will be reimbursed based upon the rates set forth in section 5.363 (except that such amounts may not be used to purchase alcohol for the county officer or employee) and no receipts are required. For meals at which legislators, federal, state or local government officers and employees or other noncounty persons engaged in lobbying efforts are in attendance and where the amount set forth in section 5.363 is insufficient, meals will be reimbursed at cost (excepting therefrom any alcohol purchased for the county officer or employee) upon submission of receipts.

(b) Any gifts purchased must be appropriate for the circumstance, must be of minimal value not to exceed \$50 unless approved by the county manager, and must be presented so as to clearly indicate the gift is from "Washoe County."

3. Requests for payment or reimbursement shall be made on forms prescribed by the comptroller. Such requests shall include the following information: date of purchase, acquisition or meeting; location; individuals present; and the county purpose served. Any request for payment or reimbursement for legislative and lobbying activities as set forth herein must be approved by the county manager, his designee or by the department head prior to payment or reimbursement.

4. The county manager and each department head desiring to do so shall identify an amount in their budget for legislative and lobbying activities. Once the budget is approved, all approved expenditures for legislative and lobbying activities shall be paid from the amount identified in the budget for that purpose. In the event that the amount identified in the county manager's or a department head's budget is or may be overspent, the county manager or department head shall make appropriate adjustments to its budget.

[§1, Ord. No. 1044; A Ord. No. 1311 eff. 7-21-06]

#### 5.369 Issuance of checks, warrants.

1. Upon receiving the properly completed and certified request for permission to travel and all supporting documentation, the county comptroller or his deputy may issue a check or a warrant for the amount of the advance requested, made payable to the order of the county officer or employee authorized to travel or his representative.

2. No request for advance travel money shall be made in an amount less than \$40.

[§6, Ord. No. 440; A Ord. Nos. 741, 937]

5.371 Travel advance constitutes lien on accrued wages of officer, employee. Payment of an advance request made in accordance with the Travel Regulation Ordinance constitutes a lien in favor of the county upon the accrued wages of the requesting officer or employee in an amount equal to the sum advanced, but the county treasurer may advance more than the amount of accrued wages of the officer or employee.

[§7, Ord. No. 440; A Ord. No. 937]

5.375 Filing of claims; payment of travel claims presumed full compensation.

1. Travel and per diem claims must be filed within 1 month of return, even if no additional reimbursement is required. If advanced funds are due to the county, a check made payable to the treasurer must accompany the claim. Travel and per diem claims submitted without a request for permission to travel form on file with the county comptroller's office, must be accompanied by an explanation signed by the department head.

2. Any travel claim filed and paid in accordance with the Travel Regulation Ordinance shall be considered full compensation for all travel and living expenses, including meals and lodging, tips and minor miscellaneous expenses, such as local telephone calls from pay booths or hotel rooms and any other expenses authorized in accordance with the provisions of the Travel Regulation Ordinance.

[§9, Ord. No. 440; A Ord. No. 937]

5.377 Per diem allowances for travel advances. For the purpose of determining the amount of travel advance requested by any county officer or employee for travel expenses in accordance with sections 5.351 to 5.395, inclusive, a person approved for travel status shall receive the total estimated cost of travel expenses as provided in those sections.

[§10, Ord. No. 440; A Ord. No. 741]

5.381 Authorization of travel for county officers, employees performing services in the outlying areas of Washoe County.

1. No county officer or employee required to perform services in any outlying area of the county shall be required to submit a request for permission to travel in accordance with section 5.355.

2. The head of the department in which any county officer or employee required to perform services in any outlying area of the county is employed shall be responsible for determining the number of trips required and the number of personnel required to complete assigned duties in any outlying area of the county. All costs incurred in connection with travel in an outlying area of the county shall be charged to the department in which the traveling officer

or employee is employed.

3. A county officer or employee who incurs travel expenses in the Vya and Gerlach areas of the county may charge expenses for meals and lodging to vendors, which vendors shall request reimbursement from the county rather than the county officer or employee. Prior to reimbursement of any vendor in accordance with this section, the county officer or employee who incurred any such meal or lodging expense shall provide receipts for the same to the head of the department in which such officer or employee was employed in order to assure that an accurate accounting will be made when the invoice is received from the vendor.

[§12, Ord. No. 440; renumbered §11 by Ord. No. 541]

5.383 Receipts for transportation by public conveyance. The traveler's portion of any bus, railroad or airplane ticket shall be attached to the claim for payment or reimbursement. This portion of the ticket shall be attached to the travel claim of a county officer or employee only if the officer or employee paid for the ticket and is asking reimbursement. Otherwise, the traveler's portion of the ticket shall be attached to the claim for payment of the travel agency, transportation company or any other individual, firm or legal entity supplying public transportation.

[§13, Ord. No. 440; renumbered §12 by Ord. No. 541]

5.385 Department regulations concerning travel. Travel regulations presented in detail greater than used in the Travel Regulation Ordinance are considered to be inappropriate due to the variety of problems faced by different county departments. The board of county commissioners, therefore, instructs all departments to review carefully their travel problems and to consider the need for department regulations consistent with the provisions of the Travel Regulation Ordinance. Any department wishing to adopt regulations specifically designed to meet travel problems or needs within such department shall submit the proposed travel regulations to the board of county commissioners at least 1 month prior to the date the department wishes such regulations to become effective. All such regulations shall be consistent with the provisions of the Travel Regulation Ordinance, as determined by the board of county commissioners.

[§14, Ord. No. 440; renumbered §13 by Ord. No. 541]

5.387 Reimbursement of costs of intoxicating liquors, personal telephone calls prohibited. When in travel status, no county officer or employee shall be reimbursed for the cost of intoxicating liquors or personal telephone calls incurred in the course of such person's travel status.

[§15, Ord. No. 440; renumbered §14 by Ord. No. 541]

5.389 Use of county vehicles.

1. The policy of the board of county commissioners is that private vehicles may be used whenever practicable in the conduct of county business as described in this Travel Regulation Ordinance. Reimbursement will be made pursuant to section 5.361(4) of this ordinance. It is the employee's responsibility to assure that their personal automobile insurance policy is appropriate for the use of their private vehicle for the conduct of county business.

2. Unless otherwise authorized by the board of county commissioners, only county officers or employees are authorized to drive county-owned vehicles.

3. County officers and employees may use a county vehicle for transportation relating to their official duties, and other public activities or functions. For purposes of this section, public activities or functions are those which the county officer or employee would be expected to attend by virtue of their office or assigned job duties. Activities and functions which are related to private enjoyment, political activities or functions, or activities or functions which are primarily designed in furtherance of private personal gain are not considered public activities or functions. Nothing in this section is intended to abrogate the requirements of NRS 281.481(7).

4. Except as otherwise provided, county officers and employees may use a county vehicle to transport other persons who are:

- (a) Engaged in the same public business;
- (b) Attending the same county or public activity or function;
- (c) In the custody or care of county officers and employees in the course of official county business; or
- (d) Being transported as part of a county sponsored or county co-sponsored activity, event, or program. In such event, the department head must contact the county's risk manager who will determine whether ride-a-long waiver(s) must be executed.

[§16, Ord. No. 440; renumbered §15 by Ord. No. 541; A Ord. Nos. 953, 1044, 1390]

5.390 Unlawful use. It is unlawful to use any county vehicle for other than the purposes provided in section 5.389.

[§3, Ord. No. 1390]

5.391 Use of private vehicles; county policy. A county officer or employee traveling by private vehicle for personal convenience is entitled to reimbursement for only those living expenses that would have been incurred if the county officer or employee utilized a county-owned vehicle or public transportation. Any additional living expenses are the sole responsibility of the county officer or employee, and the county officer or employee shall be deemed to be on annual leave or compensatory time off for any extra time



involved in traveling by private conveyance for personal convenience in comparison to the time that would have been involved in traveling by public conveyance.

[§17, Ord. No. 440; renumbered §16 by Ord. No. 541; A Ord. No. 937, 1390]

5.393 Reimbursement for meals purchased for patients, wards, prisoners or inmates.

1. County officers or employees who purchase any meal for persons in their custody are entitled to reimbursement of the actual cost of such meal, subject to the limits established for county officers or employees in the Travel Regulation Ordinance. Claims for reimbursement shall be accompanied by a receipt for each meal purchased.

2. Institutions may, upon approval of the board of county commissioners, establish petty cash accounts to reimburse employees for meals bought for patients, wards, prisoners or inmates. Claims for reimbursement to the petty cash fund must be accompanied by a receipt for each meal purchased.

[§18, Ord. No. 440; renumbered §17 by Ord. No. 541]

5.395 Travel, moving expenses on transfer of employee.

1. If a county department transfers, for the convenience of the county, any employee with permanent status from one location to another for permanent assignment, the department may pay the travel expenses, subsistence allowances and expenses of moving household furnishings and appliances of the employee and his family or order the use of county employees and equipment to assist in making the transfer.

2. If the employee of a county department changes, for the convenience of the county, his employment to another county department, the department which accepts the employee may pay the travel expenses, subsistence allowances and expenses of moving household furnishings and appliances of the employee and his family or order the use of county employees and equipment to assist in making the transfer.

3. Nothing in this section shall be construed to require the payment of any travel or moving expenses or the use of county employees or equipment in the transfer of any employee.

4. All requests for payment of travel expenses, subsistence allowances and moving expenses shall be submitted to the county manager before obligations are incurred. Upon approval by the county manager, claims shall be submitted for payment in the same manner as other claims against the county from funds available to the department.

[§19, Ord. No. 440; renumbered §18 by Ord. No. 541; A Ord. No. 1086]

## Suggestion Program

5.397 Definitions. As used in sections 5.397 to 5.410, inclusive:

1. "Adoption" means the putting of a suggestion into effect.
2. "Citizen" means any person residing in the county.
3. "Committee" means the county suggestion program committee.
4. "County employee" means any person employed by a county department or agency.
5. "Suggestion" means a proposal by a county employee which would improve the operation of county government by:
  - (a) Reducing or eliminating county expenditures;
  - (b) Materially conserving energy in the operation of county government; or
  - (c) Otherwise improving the operation of county government.
6. "Department employee recognition program" means a program described in section 5.410.
7. "Employee suggestion award" means an award to a county employee for an adopted suggestion in the form of either the certificate of commendation of the board of county commissioners or a cash payment.  
[§1, Ord. No. 218; A Ord. Nos. 1002, 1105]

5.399 Establishment of suggestion program; designation of award.

1. There is hereby established a suggestion program for county employees.
2. An award is hereby created which is designed to recognize employee suggestions for the improvement of the operation of county government.
3. The county manager administers the county suggestion program.  
[§2, Ord. No. 218; A Ord. Nos. 1002, 1105, 1130, 1351 eff. 11-23-07]

5.401 County suggestion program committee: Creation; composition; coordinator.

1. The controlling authority of the county suggestion program is the county suggestion committee, which is hereby created.
2. The committee shall be composed of no more than eight members as follows:
  - (a) Three representatives of employee associations now or hereafter established, with not more than one representative from each association appointed by the associations in accordance with their bylaws and operating practices, and by mutual agreement among themselves. In the same manner, an alternate representative or representatives may be appointed to sit and participate in the place and stead of any regular member appointed by an employee association at any meeting where the regular member is unable to attend.
  - (b) The director of human resources or his designee.

- (c) The county manager or the manager's designee.
  - (d) Up to two citizens appointed by the board of county commissioners.
  - (e) The finance director or his designee.
3. The term of office of each member of the county suggestion program committee is as follows:
- (a) The county manager, director of human resources, and the finance director are permanent members.
  - (b) The remaining members shall serve 2-year staggered terms.
4. The county manager shall appoint a coordinator for the committee.
5. One more than half of the total membership of the committee is a quorum.
6. A majority of committee members present is necessary to take action on any item.

[Part §3, Ord. No. 218; A Ord. Nos. 395, 532, 660, 733, 816, 1002, 1055, 1060, 1105, 1130, 1351 eff. 11-23-07]

5.403 Rules, duties of county suggestion committee. The committee shall:

- 1. Make rules and regulations for transacting its business and carrying out the provisions of sections 5.397 to 5.409, inclusive.
- 2. Investigate, review and evaluate the merits of each suggestion proposed.

[Part §3, Ord. No. 218; A Ord. No. 395] + [§4, Ord. No. 218]  
[A Ord. Nos. 1002, 1105]

5.405 Eligibility for award.

- 1. County employees, operating individually or as members of teams involved in continuous improvement or similar programs/projects, division/department heads, are eligible to offer a suggestion for the improvement of the operation of county government.
- 2. To be eligible for an award an employee's suggestion must propose a change which is not currently under active consideration by the county department or agency affected.
- 3. If duplicate suggestions are submitted, only the first suggestion received is eligible for an award.
- 4. If a suggestion is within the employee's normal responsibilities, the committee shall evaluate the extent to which the suggestion goes above and beyond normal job expectations. The committee must be able to easily recognize the result as an outstanding accomplishment.
- 5. Some suggestions that cannot be considered include suggestions which:
  - (a) Constitute a personal grievance or complaint;
  - (b) Duplicate another suggestion or one for which an award

previously has been granted;

(c) Concern individual employee compensation and individual position classification;

(d) Represent a current or past practice, procedure or process.  
[§5, Ord. No. 218; A Ord. Nos. 1002, 1105]

5.407 Submission, referral of suggestions; duties of coordinator, committee.

1. Suggestions shall be submitted in writing to the committee.

2. The committee may establish such additional standards for submission of suggestions as it deems proper.

3. The coordinator of the committee shall:

(a) Receive, record and acknowledge receipt of suggestions; and

(b) Notify the suggester of any undue delays in the consideration of his suggestion.

4. Within 90 days the coordinator shall report his or her findings and recommendations to the committee. The report shall include:

(a) Whether a suggestion has been adopted.

(b) If adopted, the day on which a suggestion was placed in effect.

(c) If adopted, any actual or estimated reduction, elimination or avoidance of expenditures or improvement in operations or substantial energy savings made possible by an employee's suggestion.

(d) If rejected, the reasons for rejection.

5. The committee shall review the findings and recommendations and may obtain additional information or take such other action as is necessary for prompt, thorough and impartial consideration of each suggestion. For each suggestion submitted to the committee, the committee shall decide upon the merit of the suggestion and if warranted, the kind and amount of recommended award.

[§6, Ord. No. 218; A Ord. Nos. 1002, 1105, 1351 eff. 11-23-07]

5.409 Cash awards: Limitations.

1. Insofar as it may be equitable and practicable, the amount of the cash award allowed for a suggestion shall be predicated upon the savings to the county. The following awards are hereby authorized:

(a) \$100 per initial suggestion recognized by the committee as worthy of an award, and for team awards up to a maximum of \$200 for the team.

(b) Suggestions that result in documented net savings to the county may be eligible for an additional one time cash award which may be up to 15% of documented net savings during the first twelve months of adoption, up to a maximum of \$2,000, or a maximum of \$4,000 for team awards. Awards shall be payable at the end of the first twelve month period following successful implementation and demonstrated savings.

(c) Awards made for suggestions from a team shall follow the amounts specified in paragraphs (a) and (b) and shall be divided equally among the team members.

(d) An individual making a suggestion which was reviewed by the committee, but not recognized for an initial award, may be presented by the committee with a token gift of appreciation. Token gifts must bear reference to Washoe County or its departments or agencies.

2. Cash payments to employees arising out of adopted suggestions shall be paid from moneys appropriated by the board of county commissioners for such purpose.

[§7, Ord. No. 218; A Ord. Nos. 532, 730, 1002, 1105, 1351 eff. 11-23-07]

5.410 Departmental employee recognition programs. County departments may recognize an employee's years of employment or may recognize an employee's service to the county, or both, by presenting service awards such as certificates, frames for certificates, medals, ribbons, pins, emblems, badges, or other types of service awards not to exceed \$25 and that have no value outside of the recognition for county service. Service pins, emblems and other forms of recognition should bear reference to Washoe County or the department recognizing the individual. Inappropriate forms of recognition would include flowers and items of clothing or jewelry which bear no reference to Washoe County. Milestones of achievement to be recognized are: 5, 10, 15, 20, 25, 30 and succeeding five year multiples (years of service). Retirement awards of the same type may also be granted, the cost of which shall not exceed \$50.

[§1, Ord. No. 1002; A Ord. No. 1105]

5.4101 Citizen participation in suggestion program.

1. NRS 244.1615 provides that a board of county commissioners may institute a program or sponsor an activity, event or any other action designed to increase the extent and quality of participation of the residents of the county in the improvement of the operation of government at all levels. Pursuant to authority granted in NRS 244.1615, the county suggestion program established in sections 5.397 to 5.409, inclusive, may be expanded to include participation by citizens of Washoe County.

2. Based upon the authority set forth herein, the county manager may expand participation in the county suggestion program to citizens of Washoe County. In the event the county suggestion program is expanded to include citizens, then wherever reference is made to "employee" in sections 5.397 to 5.409, inclusive, and unless the context otherwise requires, it shall be deemed to include a citizen or citizens of Washoe County.

[§1, Ord. No. 1105; A Ord. No. 1130]

## Employment and Training Department

### 5.411 Employment and training department: Creation; responsibilities.

1. There is hereby created, pursuant to the provisions of NRS 244.195, the Washoe County employment and training department.

2. The department is responsible for the functions and administration of the Comprehensive Employment and Training Act programs established by Public Law 95-524 and agreements and grants between the United States Department of Labor and Washoe County.

[§1, Ord. No. 413]

### 5.413 Director of employment and training department: Position created; staff.

1. The position of director of the employment and training department is hereby created. Upon recommendation of the county manager, the director shall be appointed and serve at the pleasure of the board of county commissioners.

2. The director shall appoint, pursuant to any applicable provisions of law regulating county personnel, such technical, clerical and operating staff as the execution of the duties of the director and operation of the department may require.

[§2, Ord. No. 413]

### 5.415 Director of employment and training department: Powers; duties.

1. As the executive head of the department, the director shall direct and supervise all administrative, technical and operational activities of the department.

2. In addition to such activities as may be required in the daily administration of the department, the board of county commissioners and the county manager may make additional assignments as deemed necessary.

[§3, Ord. No. 413]

### 5.417 Compensation of director, employees of employment and training department; payment of salaries.

1. Except as provided in subsection 2, the salaries and other fringe benefits of the director and employees of the employment and training department shall be established in accordance with the provisions of the Merit Personnel Ordinance or any other applicable laws regulating the employment of county personnel.

2. The salary of the director shall be established by the board of county commissioners.

3. All disbursements from funds of the county for salaries, other compensation, and expenditures for the director, staff and operation of the department and the operation of Comprehensive Employment and

Training Act programs shall be reimbursed from CETA grant funds unless otherwise ordered by the board of county commissioners.

[§4, Ord. No. 413]

5.419 Divisions of department. The department consists of such divisions, created upon the recommendation of the director of the department, as are deemed necessary to the efficient performance of the duties of the department.

[§5, Ord. No. 413]

#### Miscellaneous Provisions Concerning County Officers and Employees

##### 5.421 Salary advances prohibited.

1. All officers and employees, full-time, part-time or temporary, of Washoe County shall be paid their salaries at regular intervals fixed by law, ordinance or resolution. Salaries for a regular pay period shall not be paid before the day following the last day of a regular pay period in which such salary is earned; but salary checks shall be issued not later than 10 calendar days following the end of each regular pay period.

2. In no event shall any advance payment be made upon salary anticipated to be earned, nor shall any salary be paid on any day except upon a regular payday, set pursuant to the provisions of this section, unless an employee has been terminated at the county's instigation.

[§1, Ord. No. 201]

##### 5.423 Telephone toll call logs: Requirements.

1. All county departments, agencies and offices shall maintain a telephone toll log for the purpose of acquiring and maintaining an accurate record of all toll call charges incurred by Washoe County.

2. The county manager is authorized and directed to prescribe forms for toll call logs and directions to the various county departments, agencies and offices for the maintenance and disposition of toll call logs. The county manager may prescribe different forms, maintenance and reporting requirements for different departments, agencies and offices.

[§1, Ord. No. 200] + [§2, Ord. No. 200]

#### Citizens Advisory Boards

5.425 Purpose. The purpose of sections 5.425 to 5.435, inclusive, is to establish citizens advisory boards covering

designated geographical areas of Washoe County and to set forth procedures by which they function. Citizens advisory boards are established to assist the board of county commissioners with issues of concern in the designated geographical areas. Citizens advisory boards are advisory only and the creation of advisory boards does not diminish or alter in any way the statutory and constitutional authority of the board of county commissioners of Washoe County.

[§1, Ord. No. 468; A Ord. No. 818]

5.427 Establishment of boards. The board of county commissioners may establish by resolution citizens advisory boards. The resolution by which a citizens advisory board is created shall specify the specific purposes for its creation, the number of members of the board, the categories of membership on the board and the board's geographical area of responsibility.

[§3, Ord. No. 468; A Ord. No. 818]

5.429 Citizen advisory boards: Membership.

1. Membership. In determining the number of members and alternates on a citizen advisory board and the categories of membership, the board of county commissioners shall ensure that the advisory board consists of a representative cross-section of persons residing within the advisory board's geographical area of responsibility.

2. Appointment. When applications are needed for an advisory board, the board of county commissioners shall cause advertisements seeking applications from interested citizens to be distributed throughout the represented communities in the county. Such advertisements shall include, but are not limited to, placement in a newspaper of general circulation in the county. Applications received in response to the advertisements shall be kept on file and remain valid for a period of 1 year from the date of receipt thereof. The board shall select a person to fill the vacancy from the applications received.

3. Officers. Citizen advisory boards shall select their own officers from among their members. Each advisory board shall have at least a chairman, a vice-chairman and a secretary-treasurer.

4. Term of office. Subject to the provisions of section 5.430, members of citizen advisory boards serve 2-year terms commencing on July 1 and ending June 30. When a new citizen advisory board is created, one-half of the members thereof shall be appointed for an initial 1-year term and the remaining members shall be appointed for an initial 2-year term. A member may be reappointed by the board of county commissioners at the end of his term in accordance with board of county commissioner rules.

5. Vacancies. A vacancy occurring on a citizen advisory board shall be filled by the board of county commissioners for the remainder



of the unexpired term. If the unexpired term is less than 1 year, the person appointed to fill the vacancy may be appointed to serve not more than two additional 2-year terms. Except as provided in subsection 7, if a member of an advisory board misses three consecutive meetings of the board without just cause as determined by the chairman of the advisory board, a vacancy in that member's position automatically occurs and the board of county commissioners shall fill the vacancy as set forth in this subsection.

6. Alternates. The board of county commissioners shall appoint at-large alternates to an advisory board after such positions are created on the advisory board by resolution of the board of county commissioners. Each such appointment is for such term or terms as deemed appropriate by the board of county commissioners. An appointed alternate shall serve upon request of the chairman of an advisory board and only when an advisory board member is absent from a particular meeting. Alternates shall not serve in an advisory board position that is vacant. While serving at the chairman's request, the alternate has the same authority to act on the advisory board as the regular member, but may not act as an officer of the advisory board.

7. Elective public office. A member of a citizen advisory board must take a leave of absence from the board during any period of time in which he is a candidate or applicant for appointment to the board of county commissioners. A leave of absence does not constitute absence without cause as a member of the board and the chairman of the advisory board may request an alternate to serve in that member's place and stead until the member is no longer a candidate. Election or appointment of a member to the board of county commissioners will result in automatic termination of that person's membership on the advisory board.

8. Appointments to other County boards or commissions. A citizen advisory board member may not concurrently serve as a member of the County Planning Commission or the County Board of Adjustment. Upon acceptance of an appointment to either commission or board, the citizen advisory board member must immediately resign from the citizen advisory board.

[§4, Ord. No. 468; A Ord. Nos. 818, 824, 858, 1209, 1271, 1328 eff. 5-18-07]

#### 5.430 Service on and removal from citizen advisory boards.

1. Although members are appointed to specific terms of office, citizen advisory board members serve at the discretion of the board of county commissioners. Members of citizen advisory boards may be removed at any time during their term by a vote of the board of county commissioners.

2. Prior to a meeting of the board of county commissioners to consider removal of a member of a citizen advisory board, the board

or any commissioner may choose to address any issue giving rise to the removal at a meeting of the affected citizen advisory board. In addition, the board or any commissioner may address the issue with the affected citizen advisory board member before the meeting of the board of county commissioners at which the removal is to be considered.

3. Action regarding removal of a member shall be taken at a meeting of the board of county commissioners where notice of possible action regarding the member is noted on the agenda.

4. The member who may be removed at such meeting will be sent a letter advising the member of the reasons for the proposed action. The letter will also contain the date, time and location of the meeting. The letter will be sent by certified mail approximately 14 days in advance of the scheduled meeting.

5. At the meeting, the member may present information as to why he should not be removed. If the member's character, alleged misconduct, professional competence, or physical or mental health is to be discussed, the board of county commissioners may close the meeting in accordance with NRS 241.030. If a closed session is held, a copy of the minutes of the closed session will be made available to the person who is the subject of that meeting pursuant to NRS 241.035(2).

6. Prior to voting to remove a member, any persons who are in attendance at the meeting who desire to be heard regarding the member's removal, will have the opportunity to present their comments to the board of county commissioners.

7. At the meeting, and following a closed session if one is held, the board of county commissioners may either remove the member from the citizens advisory board, take no action with respect to the member, or take any other action the board of county commissioners deems proper under the circumstances and which is permissible under the Nevada Open Meeting Law.

8. The process described herein for removal of a member is also applicable to an alternate serving on a citizen advisory board pursuant to section 5.429.

[§2, Ord. No. 858]

#### 5.431 Bylaws.

1. The board of county commissioners shall adopt a standard set of bylaws for citizens advisory boards to govern the conduct of the affairs of such boards.

2. Each citizens advisory board shall adopt the standard set of bylaws and may adopt amendments and additions to the bylaws to cover any special needs of a particular citizens advisory board.

3. If amendments or additions to the standard bylaws are adopted by a citizens advisory board, the bylaws become effective upon approval by the board of county commissioners.

4. Bylaws of a citizens advisory board may be amended at any time. Amendments to the bylaws become effective upon approval of the board of county commissioners.

[§5, Ord. No. 468; A Ord. Nos. 818, 858]

5.432 Conduct of meeting of citizens advisory boards.

1. Meetings of citizens advisory boards shall be conducted in full compliance with Nevada's Open Meeting Law and the bylaws adopted by the citizens advisory boards.

2. Citizens advisory boards are required to keep written minutes of their meetings in compliance with NRS 241.035.

Citizens advisory boards shall file copies of their minutes with the Washoe County manager's office within 30 working days after adjournment of the meeting at which the minutes were taken.

[§3, Ord. No. 858]

5.433 Budget and compensation. The board of county commissioners shall establish an annual budget to meet the operating expenses of each citizens advisory board. Members of advisory boards shall serve without compensation but may be reimbursed for their necessary expenses.

[§6, Ord. No. 468; A Ord. No. 818]

5.435 Advisory boards: Dissolution. The board of county commissioners, by resolution, may dissolve a citizens advisory board if the board of county commissioners determines that the board is no longer needed to meet the purposes for which it was established.

[§7, Ord. No. 468; A Ord. No. 818]

County Public Defender

5.437 "Magistrate" defined. As used in sections 5.437 to 5.4505, inclusive, "magistrate" means any officer specified in NRS 169.095, but does not include a police judge unless a contract exists between Washoe County and an incorporated city in Washoe County by the terms of which the public defender and alternate public defender is required to represent, without charge, each indigent person who is under arrest and held for a violation of a municipal ordinance.

[Part §3, Ord. No. 170; A 72-1043, A Ord. No. 1322 eff. 12-22-06]

5.439 County public defender: Creation of office; appointment; term.

1. Pursuant to chapter 260 of NRS, the office of public defender is hereby created.

2. The office of public defender shall be filled by appointment by the board of county commissioners.

3. The public defender shall serve at the pleasure of the board of county commissioners.

[§1, Ord. No. 170] + [§2, Ord. No. 170]

5.441 Qualifications; representation of indigent persons charged with public offense.

1. The public defender shall be:

(a) A qualified attorney licensed to practice law in the State of Nevada; and

(b) A resident of Washoe County.

2. The public defender shall, when designated by the appropriate magistrate, represent, without charge, each indigent person who is under arrest and held for a public offense.

[Part §3, Ord. No. 170; A 72-1043]

5.443 Compensation; deputies and employees; private practice of law prohibited; office expenses; salaries.

1. The compensation of the public defender shall be fixed by the board of county commissioners.

2. Subject to prior approval of the board of county commissioners, the public defender may appoint such deputies or assistant attorneys, clerks, investigators, stenographers and other employees as are necessary to enable him to carry out his responsibilities.

3. The compensation of persons appointed under subsection 2 shall be fixed by the board of county commissioners.

4. The public defender and his deputies and assistant attorneys shall not engage in the private practice of law while employed in the office of public defender.

5. The board of county commissioners shall provide office space, furniture, equipment and supplies for the use of the public defender suitable for the conduct of the business of his office. Each such item is a charge against the county. In any case, funds for all charges, costs or cash allowances must first have been authorized by the public defender's budget, or otherwise authorized and made available by the board of county commissioners.

6. All costs, salaries and expenses entailed in the operation of the office of the public defender shall be borne by Washoe County, subject to the prior approval of the board of county commissioners.

[§4, Ord. No. 170] + [§5, Ord. No. 170; A Ord. No. 486] + [§7, Ord. No. 170]

5.445 Interview, representation of indigent persons.

1. The public defender may, prior to being designated as counsel for that person, interview an indigent person when he has been arrested and confined for a public offense or for questioning on suspicion of having committed a public offense.

2. When representing an indigent person, the public defender shall:

(a) Counsel and defend him, if he is held in custody and charged with a public offense, or in insanity or incompetency proceedings, or in any other proper case at every stage of the proceedings following such designation by the appropriate magistrate.

(b) Prosecute any appeals or other remedies before or after conviction or commitment which he considers to be in the interests of justice.

[§6, Ord. No. 170; A 72-1043]

5.447 Annual reports: Contents.

1. The public defender shall make an annual report to the board of county commissioners covering all cases handled by his office during the preceding year.

2. Such report shall contain any and all information requested by the board of county commissioners and shall include at least the following information:

(a) The number of new cases received during the report period;  
(b) The number of cases closed during the report period;  
(c) The dollar amount of all attorneys' fees levied upon public defender clients;

(d) The dollar amount of all revenue collected during the report period; and

(e) The number of cases received during the report period consisting of the following:

- (1) Felonies.
- (2) Gross misdemeanors.
- (3) Misdemeanors.
- (4) Municipal ordinance violations.
- (5) Parole violations.
- (6) Modifications of probation or sentence.
- (7) Miscellaneous proceedings.
- (8) Juvenile proceedings.
- (9) Insanity hearings.
- (10) Probation revocations.
- (11) Supreme court appeals.
- (12) District court appeals.
- (13) Extradition proceedings.
- (14) Post-conviction proceedings.

[§8, Ord. No. 170; A 72-1043, Ord. No. 558]

5.449 Reports to legislative commission. The public defender shall submit such reports to the legislative commission as the regulations of the legislative commission require.

## Alternate County Public Defender

### 5.450 Alternate county public defender: Creation of office; appointment; term.

1. Pursuant to chapter 260 of NRS, the office of alternate public defender is hereby created.

2. The office of alternate public defender shall be filled by appointment by the board of county commissioners.

3. The alternate public defender shall serve at the pleasure of the board of county commissioners.

[§2, Ord. No. 1322 eff. 12-22-06]

### 5.4501 Qualifications; representation of indigent persons charged with public offense.

1. The alternate public defender shall be:

(a) A qualified attorney licensed to practice law in the State of Nevada; and

(b) A resident of Washoe County.

2. The alternate public defender shall represent, without charge, each indigent person who is under arrest and held for a public offense in a case where the public defender has been appointed by the appropriate magistrate but cannot represent the person due to a conflict of interest.

[§3, Ord. No. 1322 eff. 12-22-06]

### 5.4502 Compensation; deputies and employees; private practice of law prohibited; office expenses; salaries.

1. The compensation of the alternate public defender shall be fixed by the board of county commissioners.

2. Subject to prior approval of the board of county commissioners, the alternate public defender may appoint such deputies or assistant attorneys, clerks, investigators, stenographers and other employees as are necessary to enable him to carry out his responsibilities.

3. The compensation of persons appointed under subsection 2 shall be fixed by the board of county commissioners.

4. The alternate public defender and his deputies and assistant attorneys shall not engage in the private practice of law while employed in the office of alternate public defender.

5. The board of county commissioners shall provide office space, furniture, equipment and supplies for the use of the alternate public defender suitable for the conduct of the business of his office. Each such item is a charge against the county. In any case, funds for all charges, costs or cash allowances must first have been authorized by the alternate public defender's budget, or otherwise authorized and made available by the board of county commissioners.

6. All costs, salaries and expenses entailed in the operation of the office of the alternate public defender shall be borne

by Washoe County, subject to the prior approval of the board of county commissioners.

[§4, Ord. No. 1322 eff. 12-22-06]

5.4503 Interview, representation of indigent persons.

1. The alternate public defender may, prior to being designated as counsel for that person, interview an indigent person when he has been arrested and confined for a public offense or for questioning on suspicion of having committed a public offense.

2. When representing an indigent person, the alternate public defender shall:

(a) Counsel and defend him, if he is held in custody and charged with a public offense, or in insanity or incompetency proceedings, or in any other proper case at every stage of the proceedings following such designation by the appropriate magistrate.

(b) Prosecute any appeals or other remedies before or after conviction or commitment which he considers to be in the interests of justice.

[§5, Ord. No. 1322 eff. 12-22-06]

5.4504 Annual reports: Contents.

1. The alternate public defender shall make an annual report to the board of county commissioners covering all cases handled by his office during the preceding year.

2. Such report shall contain any and all information requested by the board of county commissioners and shall include at least the following information:

(a) The number of new cases received during the report period;

(b) The number of cases closed during the report period;

(c) The dollar amount of all attorneys' fees levied upon alternate public defender clients;

(d) The dollar amount of all revenue collected during the report period; and

(e) The number of cases received during the report period consisting of the following:

- (1) Felonies.
- (2) Gross misdemeanors.
- (3) Misdemeanors.
- (4) Municipal ordinance violations.
- (5) Parole violations.
- (6) Modifications of probation or sentence.
- (7) Miscellaneous proceedings.
- (8) Juvenile proceedings.
- (9) Insanity hearings.
- (10) Probation revocations.
- (11) Supreme court appeals.
- (12) District court appeals.

- (13) Extradition proceedings.
  - (14) Post-conviction proceedings.
- [§6, Ord. No. 1322 eff. 12-22-06]

5.4505 Reports to legislative commission. The alternate public defender shall submit such reports to the legislative commission as the regulations of the legislative commission require.

[§7, Ord. No. 1322 eff. 12-22-06]

### Elections and Election Officers

5.451 Registrar of voters: Creation of office; registrar's appointment, qualifications, term, compensation, powers and duties.

1. There is hereby created the office of Washoe County registrar of voters, which office shall be filled by appointment made by the board of county commissioners.

2. The qualifications for the office of registrar of voters shall be as prescribed and determined by the board of county commissioners. The person appointed to such office shall serve in such office solely at the pleasure of the board of county commissioners.

3. The compensation to be paid to the registrar of voters shall be determined and fixed by the board of county commissioners.

4. The registrar of voters shall assume all of the powers and duties vested in and imposed upon the county clerk with respect to elections, except the duties prescribed by NRS 293.393, relating to the preparation and delivery of certificates of election.

[§1, Ord. No. 214] + [§2, Ord. No. 214] + [§3, Ord. No. 214] + [§4, Ord. No. 214]

5.453 Compensation of election board officers, employees.

1. Pursuant to the power granted to the board of county commissioners by NRS 293.460, the compensation of voting board chairman, voting board officers, counting board officers and specially appointed deputy sheriffs who serve on election day is hereby established.

2. Except as provided in subsection 3:

(a) Foremen and voting board chairmen shall each receive \$85 for all services performed at each election subject to any required tax withholding.

(b) Other election board workers shall each receive:

(1) \$65 subject to any required tax withholding if they perform services for 8 hours or more at each election; or

(2) \$5 for each hour or fraction thereof that they perform services for less than 8 hours at each election, but in no event may they receive less than \$40 for such services.

3. Any person who is employed by, and on the regular payroll of,



the registrar of voters and performs services as an election board officer at any election shall receive his usual compensation as such an employee in lieu of the compensation specified in subsection 2.

[§1, Ord. No. 117; A Ord. No. 399] + [§2, Ord. No. 117; A Ord. Nos. 266, 399, 403, 533, 855]

### Department of Technology Services

#### 5.455 Department of Technology Services: creation; chief information management officer; appointment

1. There is hereby created, pursuant to the provisions of NRS 244.135, a department of Washoe County to be known as the Technology Services Department.

2. The position of chief information management officer is hereby created. The chief shall be appointed by the county manager, with the approval of the board of county commissioners, and shall serve at the pleasure of the county manager in the unclassified service of Washoe County.

[§3, Ord. No. 1316 eff. 10-20-06]

#### 5.456 Powers and duties of chief information management officer; staff

1. The chief shall direct and supervise the planning, coordination, implementation and evaluation the County=s information management and telecommunications systems and services and shall oversee the provision of technology services to the County. The chief shall implement programs for development, enterprise, and any other programs he deems necessary to carry out the functions of the department.

2. The chief shall appoint into the unclassified service of the County a director of programs, who shall have such powers and duties as are conferred upon him by the chief in administering the operations of the department.

3. The chief shall appoint, pursuant to any applicable provisions of law regulating county personnel, such technical, clerical and operating staff as the execution of the duties of the chief and operation of the department may require.

[§4, Ord. No. 1316 eff. 10-20-06]

### Office of Commissioner of Civil Marriages

#### 5.460 Office of commissioner of civil marriages; appointment; authority; deputies.

1. The county clerk is appointed to act as the commissioner of

civil marriages.

2. The commissioner of civil marriages is authorized to solemnize marriages within each commissioner township located within Washoe County.

3. The commissioner of civil marriages may appoint up to eight deputy commissioners of civil marriages to carry out the duties provided herein. The eight deputy commissioners appointed may not exceed the equivalent of two full-time employee positions.

[§2, Ord. No. 891]

#### Office of Constable

5.465 Abolishment of office of constable. Pursuant to the authority granted in NRS 258.010:

1. The board of county commissioners, having made a finding that the office of constable is not necessary in the townships of Gerlach, Reno, Sparks, Verdi and Wadsworth, hereby abolishes said office in those townships to be effective upon the completion of the terms of office of the current constable officeholders.

2. The board of county commissioners, having made a finding that the office of constable is not necessary in the township of Incline Village-Crystal Bay if an alternate means is developed to provide the unique, non-constable-related, services currently provided by the Incline constable, hereby abolishes said office in the Incline township to be effective upon the completion of the term of office of the constable in office on January 4, 1999.

[§2, Ord. No. 1013]

#### Office of the Public Guardian

5.470 Office of the public guardian. There is hereby created, pursuant to the provisions of NRS 253.150, the office of Washoe County public guardian.

[§2, Ord. No. 1162]

5.475. Public guardian: Appointment; compensation; powers.

1. The position of public guardian shall be appointed by the board of county commissioners at the recommendation of the county manager and shall serve for a term of four years from the date of appointment. Notwithstanding the term, the public guardian shall serve at the pleasure of the board of county commissioners.

2. The compensation to be paid to the public guardian shall be determined and fixed by the board of county commissioners.

3. Subject to prior approval of the board of county commissioners, the public guardian may appoint and employ assistants and other

personnel as may be necessary for the proper administration of his office and performance and discharge of his duties.

4. Within the limits of appropriation by the board of county commissioners, the public guardian may contract for the services of consultants or assistants necessary for the performance and discharge of his duties.

5. The public guardian may charge his costs incurred in the appointment proceedings and his administrative costs for his services against the income or the estate of the ward.

[§3, Ord. No. 1162]

5.480 Bond of the public guardian.

1. Upon taking office, a public guardian shall file with the county clerk a general bond in an amount fixed by the board of county commissioners payable to the State of Nevada with sureties approved by the board of county commissioners.

2. The premium for the bond shall be paid from the general funds of the county and shall be conditioned upon the public guardian's faithful performance of his duties.

3. The general bond and oath of office of a public guardian are in lieu of the bonds and oath required of private guardians.

[§4, Ord. No. 1162]

5.485 Public guardian: Duties.

1. A person appointed as public guardian or designated as acting public guardian shall succeed immediately to all powers and duties of the individual guardianships created by appointments of the public guardian as guardian for particular wards.

2. In the administration of any guardianship to which the public guardian is appointed, the public guardian shall have all powers, duties, rights and responsibilities contained in Titles 12 and 13 of Nevada Revised Statutes.

[§5, Ord. No. 1162]

5.490 Retention of attorney.

1. A public guardian may retain an attorney to assist him when necessary for the proper administration of a guardianship.

2. The public guardian shall rotate this employment in successive guardianships among the attorneys practicing in the county who are qualified by experience and willing to serve.

3. The attorney's fees shall be paid from the assets of the ward.

[§6, Ord. No. 1162]

5.495 Retention of records.

1. The public guardian shall maintain case file records that are necessary for the daily business of the office or used as a source of reference for a period of time not less than 6 years after the

case is closed.

2. The public guardian shall maintain case file records that are irreplaceable records which are needed during or after an emergency or to protect the rights and obligations of a local governmental entity or member of the general public for a period of time not less than 6 years after the case is closed.

3. The public guardian shall maintain inventories of property that are necessary for the daily business of the office or used as a source of reference for a period of time not less than 6 years after the case is closed.

4. The public guardian shall maintain inventories of property that are irreplaceable records which are needed during or after an emergency or to protect the rights and obligations of a local governmental entity or member of the general public for a period of time not less than 6 years after the case is closed.

[§1, Ord. No. 1168]