



N E V A D A

AGENDA
Regular Meeting
City Council

Wednesday, May 4, 2022 • 5:00 PM

Mayor
Roy Edgington

City Council
Ward 1 - Raymond Lacy
Ward 2 - Felicity Zoberski
Ward 3 - Stan Lau
Ward 4 - Albert Torres
Ward 5 - Fran McKay

City Manager
Daphne Hooper

Fernley City Council Chambers, 595 Silver Lace Boulevard, Fernley, NV 89408

Zoom information:

Please click the following link to join the webinar: <https://us02web.zoom.us/j/87544726373>, or one tap_mobile: 12532158782, Dial: 669 900 9128, Webinar ID: 875 4472 6373

Public Notice: This agenda has been physically posted in compliance with 241.020 at Fernley City Hall, 595 Silver Lace Blvd. In addition, this agenda has been electronically posted in compliance with NRS 241.020(3) at www.cityoffernley.org and NRS 232.2175 at <https://notice.nv.gov/> To obtain further documentation regarding posting, please contact the City Clerk's Office at (775) 784-9830 or cityclerk@cityoffernley.org

Public Comment: Those wishing to address the City Council may submit public comment through the online public comment form found at <https://www.cityoffernley.org/forms>, or by sending an email to cityclerk@cityoffernley.org. Comments received prior to 4:00 pm the day of the meeting will be provided to City Council and added to the record but will not be read during the live meeting. Public comments received after 4 pm the day of the meeting will be included in the record by may not reach council members before action is taken. Public comment, whether on action items or public comment, is limited to three (3) minutes per person. Unused time may not be reserved by the speaker, nor allocated to another speaker. The public may comment on any matter that is not specifically included on an agenda as an action item or comment on a specific agenda item. Items not included on the agenda cannot be acted upon other than to place them on a future agenda. Additionally, if you wish you can comment in person at the meeting or use the Raise your Hand feature in Zoom (*9 if you are participating via phone).

Accommodations: City Council and staff will make reasonable efforts to assist and accommodate individuals with disabilities desiring to attend the meeting. Please contact the City Clerk's Office at (775) 784-9830 in advance so that arrangements can be made.

Supporting Material: Staff reports and supporting material for the meeting are available at the City Clerk's Office, and on the City's website at www.cityoffernley.org Pursuant to NRS 241.020(6), supporting material is made available to the general public at the same time it is provided to the City Council.

Order of Business: The presiding officer shall determine the order of the agenda. The Fernley City Council may combine two or more agenda items for consideration; remove an item from the agenda; or delay discussion relating to an item on the agenda at any time. All items are action items unless otherwise noted. Items scheduled to be heard at a specific time will be heard no earlier than the stated time but may be heard later.

1. INTRODUCTORY ITEMS

1.1. Roll Call

1.2. Public Forum

1.3. (For Possible Action) Approval of Agenda

2. CONSENT AGENDA

(PLEASE NOTE: ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED ROUTINE, AND MAY BE ACTED UPON BY THE COUNCIL MEMBERS IN ONE MOTION, AND WITHOUT AN EXTENSIVE HEARING. ANY MEMBER OF THE COUNCIL MAY REQUEST THAT AN ITEM BE TAKEN FROM THE CONSENT AGENDA, DISCUSSED, AND ACTED UPON SEPARATELY DURING THIS MEETING.)

2.1. (Possible Action) Approval of Voucher Report

2.2. (Possible Action) Approval of Minutes

2.3. (Possible Action) Approval of Business Licenses

3. REPORTS THIS ITEM IS FOR VARIOUS PUBLIC ENTITY REPRESENTATIVES TO PROVIDE GENERAL INFORMATION TO THE COUNCIL AND PUBLIC. NO ACTION WILL BE TAKEN.

3.1. Reports by City Staff, City Council, and the Mayor, including but not limited to monthly statistical reports by city departments.

4. PROCLAMATIONS BY THE MAYOR

5. PRESENTATIONS

5.1. Presentation by Senior Citizen Advisory Committee Chairman JF McCullar regarding the activities of the Senior Citizen Advisory Committee.

5.2. Nevada League of Cities - One Nevada Plan presentation

6. ORDINANCES

6.1. (For possible action) First Reading, Introduction of Bill #309 – ZMA22002

Consideration and possible action to introduce Bill #309 as an ordinance for a Zoning Map Amendment request associated with ZMA22004, to change the zoning on a single parcel of land from SF20 (Single Family, 20,000 sq. ft. minimum lot size) to SF6 (Single Family, 6,000 sq. ft. minimum lot size). The project site is approximately 30.15 acres in size and is located at 900 Vonnie Lane (APN: 021-471-05).

7. STAFF REPORTS

7.1. (For possible action) Discussion on the recruitment process for city manager or chief operating officer, including but not limited to, form of government, job title, description, resolution for the hiring process, organizational chart, etc.

7.2. (For possible action) Discussion to approve a contract with Management Partners for the recruitment of the replacement for the position of the City Manager in an amount to be determined and estimated at \$25,900 unless otherwise negotiated.

8. RESOLUTIONS

8.1. (For possible action) Discussion to adopt Resolution 22-012 amending the City of Fernley Personnel Policy Manual.

8.2. (For possible action) Adopt Resolution 22-013 to commit up to \$125,000 for buildings, parks, and streets vehicles.

9. ITEMS REQUESTED BY MAYOR OR CITY COUNCIL MEMBERS:

9.1. (For Possible action) Discussion regarding a future agenda item to look into the possibility of adding truck weight limits and calming devices on Miller Lane and other access roads within the city. (Councilman Lau's request)

10. PUBLIC FORUM

11. ADJOURNMENT

Next Meeting: May 18, 2022 @ 5 PM

Report Criteria:

Detail report.

Invoice detail records above \$0 included.

Paid and unpaid invoices included.

Vendor.Vendor Number = {<->} 2201

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
A & K EARTH MOVERS, INC.								
304	A & K EARTH MOVERS, INC.	PAY REQ 3	US50/95A SEWER IMPROVMENTS	03/31/2022	218,785.00		520-166100 Construction In Progress	322
304	A & K EARTH MOVERS, INC.	PAY REQ 4	US50/95A EMERG SEWER REPLACEMENT	04/13/2022	56,715.00		520-166100 Construction In Progress	422
Total 304:					275,500.00			
AECOM TECHNICAL SERVICES, INC.								
8633	AECOM TECHNICAL SERVICES, INC.	2000606475	Surface water conveyance project construction management	03/25/2022	31,683.00		510-166100 Construction In Progress	322
Total 8633:					31,683.00			
AIT ADVANCED INTERPRETING & TRANSLATION								
8498	AIT ADVANCED INTERPRETING & TRANSLATION	202204A-FMC	Spanish Interpreting (Aguilera)	04/04/2022	140.00		100-425-330 PROF SERV-INTERPRETER	422
8498	AIT ADVANCED INTERPRETING & TRANSLATION	202204B-FMC	Spanish Interpreting for Fernandez	04/11/2022	140.00		100-425-330 PROF SERV-INTERPRETER	422
8498	AIT ADVANCED INTERPRETING & TRANSLATION	202204C-FMC	Spanish Interpreting Chaves-Acost/ Perez/Ayala	04/21/2022	280.00		100-425-330 PROF SERV-INTERPRETER	422
Total 8498:					560.00			
ALHAMBRA								
4688	ALHAMBRA	7661929041422	Shop - Bottled Water Service	04/14/2022	334.16		510-810-614 Supplies-Plant/Shop/Maint	422
Total 4688:					334.16			
ARAMARK								
1895	ARAMARK	2591010694	Rugs and shop towels	04/07/2022	168.05	04/21/2022	510-840-420 Contract Services	422
1895	ARAMARK	2591010801	mats	04/07/2022	159.58	04/21/2022	100-575-614 Supplies-Plant/Shop/Maint	422
1895	ARAMARK	2591010837	shop mats	04/07/2022	69.33	04/21/2022	100-480-610 AUTOMOTIVE SUPPLIES	422
1895	ARAMARK	2591017084	rugs and shop towels	04/21/2022	107.62		510-840-420 Contract Services	422
1895	ARAMARK	2591017145	mats	04/21/2022	159.58		100-475-614 Supplies-Plant/Shop/Maint	422
1895	ARAMARK	598000103379	Shop - WD Pants Service	04/04/2022	49.57	04/21/2022	510-810-614 Supplies-Plant/Shop/Maint	422
1895	ARAMARK	598000103381	shirt contract	04/04/2022	45.31	04/21/2022	100-480-600 GENERAL SUPPLIES/TOOLS	422
1895	ARAMARK	598000103384	uniforms	04/04/2022	44.53	04/21/2022	100-475-616 Supplies-Safety	422
1895	ARAMARK	598000104794	Shop - WD Pants Service	04/11/2022	49.57	04/21/2022	510-810-614 Supplies-Plant/Shop/Maint	422
1895	ARAMARK	598000104796	SHIRT CONTRACT	04/11/2022	45.31		100-480-600 GENERAL SUPPLIES/TOOLS	422
1895	ARAMARK	598000104799	uniforms	04/11/2022	43.32	04/21/2022	100-475-616 Supplies-Safety	422
1895	ARAMARK	598000106236	Shop - WD Pants Service	04/18/2022	49.57		510-810-614 Supplies-Plant/Shop/Maint	422
1895	ARAMARK	598000106238	SHIRT CONTRACT	04/18/2022	45.31		100-480-600 GENERAL SUPPLIES/TOOLS	422
1895	ARAMARK	598000106240	uniforms	04/18/2022	43.32	04/21/2022	100-475-616 Supplies-Safety	422

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title		GL Period
Total 1895:					1,079.97				
AT&T LONG DISTANCE									
448	AT&T LONG DISTANCE	815519343 APR22	Long Distance	04/04/2022	1,337.42	04/14/2022	100-417-530	Communications (Internet,Cell)	422
Total 448:					1,337.42				
BACKFLOW TECHNOLOGIES									
6804	BACKFLOW TECHNOLOGIES	22-22552	Backflow Device - Repair Parts	04/14/2022	214.99		510-810-614	Supplies-Plant/Shop/Maint	422
Total 6804:					214.99				
BIG R OF FERNLEY									
20	BIG R OF FERNLEY	14194/5	irrigation	04/04/2022	131.60	04/21/2022	100-575-614	Supplies-Plant/Shop/Maint	422
20	BIG R OF FERNLEY	14195/5	irrigation	04/04/2022	63.93	04/21/2022	100-576-600	General Supplies	422
20	BIG R OF FERNLEY	14196/5	irrigation	04/04/2022	11.98	04/21/2022	100-575-614	Supplies-Plant/Shop/Maint	422
20	BIG R OF FERNLEY	14203/5	auto cleaning supplies for fleet	04/05/2022	20.97	04/21/2022	100-480-610	AUTOMOTIVE SUPPLIES	422
20	BIG R OF FERNLEY	14204/5	Copper pipe for Well 11	04/05/2022	14.99	04/21/2022	510-810-614	Supplies-Plant/Shop/Maint	422
20	BIG R OF FERNLEY	14206/5	new head for weedeater	04/05/2022	46.95	04/21/2022	100-575-600	General Supplies	422
20	BIG R OF FERNLEY	14213/5	new pump for roller	04/06/2022	269.95	04/21/2022	100-475-610	Automotive Supplies	422
20	BIG R OF FERNLEY	14219/5	spray paint for fleet	04/07/2022	8.58	04/21/2022	100-480-610	AUTOMOTIVE SUPPLIES	422
20	BIG R OF FERNLEY	14220/5	trim line gas can	04/07/2022	110.54	04/21/2022	100-575-600	General Supplies	422
20	BIG R OF FERNLEY	14227/5	propane socket set	04/08/2022	20.97	04/21/2022	100-475-623	Propane	422
20	BIG R OF FERNLEY	14245/5	tie-downs	04/12/2022	49.90	04/21/2022	520-810-600	General Supplies	422
20	BIG R OF FERNLEY	14250/5	misc. harness loop plug for trailer cap	04/13/2022	51.91	04/21/2022	100-475-600	General Supplies	422
20	BIG R OF FERNLEY	14291/5	irrigation parks	04/20/2022	161.28		100-575-600	General Supplies	422
20	BIG R OF FERNLEY	14296/5	water line irrigation	04/20/2022	183.92		100-575-600	General Supplies	422
20	BIG R OF FERNLEY	14303/5	irrigation	04/21/2022	17.44		100-575-600	General Supplies	422
20	BIG R OF FERNLEY	14314/5	misc. parts	04/22/2022	75.22		100-475-612	Supplies-Building Maintenance	422
Total 20:					1,240.13				
BLUE BEACON INTERNATIONAL									
200	BLUE BEACON INTERNATIONAL	3750884	Vac-Con Truck Wash - Ticket 060220349	03/31/2022	71.10	04/14/2022	510-810-610	Automotive Supplies	322
200	BLUE BEACON INTERNATIONAL	3750884.1	truck wash	03/28/2022	43.50	04/14/2022	100-417-610	Automotive Supplies	322
200	BLUE BEACON INTERNATIONAL	3750884.2	truck wash	04/01/2022	64.20	04/14/2022	100-475-610	Automotive Supplies	422
Total 200:					178.80				
Board of Regents; College of Business									
1455	Board of Regents; College of Business	April 2022	Fernley CEDS contract UNR	04/04/2022	3,000.00	04/21/2022	100-413-322	Prof Serv-Other	422

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
Total 1455:					3,000.00			
BOB'S PRINTING AND SIGNAGE								
6970	BOB'S PRINTING AND SIGNAGE	32522-1	Staff Apparel	04/12/2022	65.52		510-810-600 General Supplies	422
6970	BOB'S PRINTING AND SIGNAGE	32522-1	Staff Apparel	04/12/2022	65.52		520-810-600 General Supplies	422
6970	BOB'S PRINTING AND SIGNAGE	32522-1	Staff Apparel	04/12/2022	65.52		100-475-600 General Supplies	422
6970	BOB'S PRINTING AND SIGNAGE	32522-1	Staff Apparel	04/12/2022	65.49		100-417-600 General Supplies	422
6970	BOB'S PRINTING AND SIGNAGE	32522-2	DEPT LOGO GARMENTS	04/12/2022	361.38		520-810-600 General Supplies	422
6970	BOB'S PRINTING AND SIGNAGE	32522-2	DEPT LOGO GARMENTS	04/12/2022	361.38		510-810-600 General Supplies	422
6970	BOB'S PRINTING AND SIGNAGE	33122-1	Pre-trial Services Contract	04/12/2022	198.90		100-425-550 Printing and Postage	422
Total 6970:					1,183.71			
BRADY INDUSTRIES OF NEVADA LLC								
8837	BRADY INDUSTRIES OF NEVADA LLC	7282349	dispensers	04/08/2022	137.22	04/21/2022	100-575-614 Supplies-Plant/Shop/Maint	422
8837	BRADY INDUSTRIES OF NEVADA LLC	7292886	trash liners	04/15/2022	195.38	04/21/2022	100-417-612 Building Maintenance Supplies	422
8837	BRADY INDUSTRIES OF NEVADA LLC	7292887	towels for shop.	04/15/2022	97.40	04/21/2022	100-475-614 Supplies-Plant/Shop/Maint	422
Total 8837:					430.00			
CALIFORNIA GENERATOR SERVICE								
5935	CALIFORNIA GENERATOR SERVICE	56992	West Lift Generator Repair	04/25/2022	2,008.45		520-810-430 Service-Repair and Maintenance	422
5935	CALIFORNIA GENERATOR SERVICE	57007	Well 11 - Generator Block Heater Replacement	04/25/2022	762.15		510-810-430 Repairs & Maintenance	422
Total 5935:					2,770.60			
CARSON PUMP								
310	CARSON PUMP	4715	Well 11 - Pump Rebuild / Upgrade & Well Rehab	04/04/2022	72,703.00	04/21/2022	510-810-430 Repairs & Maintenance	422
Total 310:					72,703.00			
CDM SMITH								
8576	CDM SMITH	90149791	Surface Water Treatability Study- Final Invoice	04/20/2022	5,586.87		510-166100 Construction In Progress	422
Total 8576:					5,586.87			
CFA INC								
499	CFA INC	24811	Green Valley Park Improvement project engineering services	03/31/2022	265.00	04/21/2022	230-575-730 Improve other than Buildings	322
Total 499:					265.00			
CITY OF FERNLEY								
32	CITY OF FERNLEY	30.7838.13	WATER CONVEYANCE; PN# 2019-002-1	04/07/2022	224.38	04/21/2022	510-166100 Construction In Progress	422

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title		GL Period
Total 32:					224.38				
CONSTRUCTION MATERIALS ENGINEERS									
5587	CONSTRUCTION MATERIALS ENGINEERS	12062	Sage Tank recoat inspection services	04/01/2022	4,635.00	04/21/2022	510-166100	Construction In Progress	422
Total 5587:					4,635.00				
CUMMING MANAGEMENT GROUP, INC									
8889	CUMMING MANAGEMENT GROUP, INC	109720	ARPA - Community Response Resource Center FEB-MAR 22	03/31/2022	19,376.00	04/21/2022	220-480-810	ARPA	322
Total 8889:					19,376.00				
EMPLOYEES, CITY OF FERNLEY									
8639	EMPLOYEES, CITY OF FERNLEY	156931136	REIMB CDL RENEWAL	04/14/2022	111.25	04/21/2022	100-475-642	Licenses and Permits	422
8639	EMPLOYEES, CITY OF FERNLEY	2022.04.07	REIMB SNACKS; TRUCKEE CANAL PROJECT MTG	04/07/2022	87.11	04/14/2022	510-166100	Construction In Progress	422
Total 8639:					198.36				
FARR WEST ENGINEERING									
6275	FARR WEST ENGINEERING	17386	On call GIS services	03/25/2022	219.75	04/21/2022	510-810-320	Prof Serv-Engineering	322
6275	FARR WEST ENGINEERING	17386	On call GIS services	03/25/2022	219.75	04/21/2022	100-475-320	Prof Serv-Engineering	322
6275	FARR WEST ENGINEERING	17386	On call GIS services	03/25/2022	219.75	04/21/2022	100-417-320	PROF SEV-ENGINEERING	322
6275	FARR WEST ENGINEERING	17386	On call GIS services	03/25/2022	219.75	04/21/2022	520-810-320	Prof Serv-Engineering	322
6275	FARR WEST ENGINEERING	17386	On call GIS services	03/25/2022	219.75	04/21/2022	100-575-320	Prof Serv-Engineering	322
Total 6275:					1,098.75				
FLAG STORE									
59	FLAG STORE	430340	flags	04/14/2022	571.09	04/21/2022	100-575-430	Service-Repair and Maintenance	422
Total 59:					571.09				
FLYERS ENERGY, LLC									
18	FLYERS ENERGY, LLC	22-506816	Pump Motor Oil for Wells	04/15/2022	661.63		510-810-614	Supplies-Plant/Shop/Maint	422
18	FLYERS ENERGY, LLC	CFS-2953838	GASOLINE - VECTOR	03/31/2022	37.07		100-528-626	Gasoline	322
18	FLYERS ENERGY, LLC	CFS-2953838	GASOLINE - WATER TREATMENT	03/31/2022	2.38		510-840-626	Gasoline	322
18	FLYERS ENERGY, LLC	CFS-2953838	GASOLINE - FLEET	03/31/2022	215.99		100-480-626	GASOLINE	322
18	FLYERS ENERGY, LLC	CFS-2953838	GASOLINE - PARKS	03/31/2022	687.14		100-575-626	Gasoline	322
18	FLYERS ENERGY, LLC	CFS-2953838	GASOLINE - STREETS	03/31/2022	1,461.92		100-475-626	Gasoline	322
18	FLYERS ENERGY, LLC	CFS-2953838	GASOLINE - FACILITIES	03/31/2022	376.70		100-417-626	Gasoline	322
18	FLYERS ENERGY, LLC	CFS-2953838	GASOLINE - COURT	03/31/2022	94.69		100-425-626	Gasoline	322
18	FLYERS ENERGY, LLC	CFS-2953838	GASOLINE - SEWER	03/31/2022	2,113.32		520-810-626	Gasoline	322
18	FLYERS ENERGY, LLC	CFS-2953838	GASOLINE - CDD BUILDING	03/31/2022	421.15		100-605-626	Gasoline	322

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
18	FLYERS ENERGY, LLC	CFS-2953838	GASOLINE - WATER DIST	03/31/2022	1,631.98		510-810-626 Gasoline	322
18	FLYERS ENERGY, LLC	CFS-2953838	GASOLINE - ANIMAL CONTROL	03/31/2022	329.62		100-525-626 Gasoline	322
18	FLYERS ENERGY, LLC	CFS-2973177	GASOLINE - WATER TREATMENT	04/15/2022	6.83		510-840-626 Gasoline	422
18	FLYERS ENERGY, LLC	CFS-2973177	GASOLINE - FLEET	04/15/2022	105.62		100-480-626 GASOLINE	422
18	FLYERS ENERGY, LLC	CFS-2973177	GASOLINE - PARKS	04/15/2022	649.34		100-575-626 Gasoline	422
18	FLYERS ENERGY, LLC	CFS-2973177	GASOLINE - STREETS	04/15/2022	1,296.78		100-475-626 Gasoline	422
18	FLYERS ENERGY, LLC	CFS-2973177	GASOLINE - FACILITIES	04/15/2022	486.01		100-417-626 Gasoline	422
18	FLYERS ENERGY, LLC	CFS-2973177	GASOLINE - WATER DIST	04/15/2022	1,715.91		510-810-626 Gasoline	422
18	FLYERS ENERGY, LLC	CFS-2973177	GASOLINE - VECTOR	04/15/2022	20.75		100-528-626 Gasoline	422
18	FLYERS ENERGY, LLC	CFS-2973177	GASOLINE - ANIMAL CONTROL	04/15/2022	160.33		100-525-626 Gasoline	422
18	FLYERS ENERGY, LLC	CFS-2973177	GASOLINE - SEWER	04/15/2022	1,039.55		520-810-626 Gasoline	422
18	FLYERS ENERGY, LLC	CFS-2973177	GASOLINE - CDD BUILDING	04/15/2022	262.67		100-605-626 Gasoline	422
Total 18:					13,777.38			
FLYNN GIUDICI GOVERNMENT AFFAIRS LLC								
8869	FLYNN GIUDICI GOVERNMENT AFFAIRS LLC	1089	April 2022 Lobbyist Contract	04/01/2022	5,800.00	04/21/2022	100-413-322 Prof Serv-Other	422
Total 8869:					5,800.00			
GRANITE CONSTRUCTION CO								
64	GRANITE CONSTRUCTION CO	2210662	tac oil	04/06/2022	216.80	04/21/2022	100-475-600 General Supplies	422
64	GRANITE CONSTRUCTION CO	2210663	hot mix asphalt	04/05/2022	4,112.20	04/21/2022	100-475-600 General Supplies	422
64	GRANITE CONSTRUCTION CO	2210664	hot mix asphalt miller ln.	04/07/2022	2,943.73	04/21/2022	100-475-600 General Supplies	422
Total 64:					7,272.73			
HANNEMAN SERVICE								
70	HANNEMAN SERVICE	110868	Service Labor	03/25/2022	145.00	04/21/2022	100-605-322 Prof Serv-Other	322
70	HANNEMAN SERVICE	110873	Service Labor	04/01/2022	145.00	04/21/2022	100-605-322 Prof Serv-Other	422
70	HANNEMAN SERVICE	110874	Service Labor	04/01/2022	145.00	04/21/2022	100-605-322 Prof Serv-Other	422
70	HANNEMAN SERVICE	110878	Service Labor	04/04/2022	145.00	04/21/2022	100-605-322 Prof Serv-Other	422
70	HANNEMAN SERVICE	110879	Service Labor	04/04/2022	145.00	04/21/2022	100-605-322 Prof Serv-Other	422
70	HANNEMAN SERVICE	110880	propane	04/04/2022	21.93	04/21/2022	100-475-623 Propane	422
70	HANNEMAN SERVICE	110891	Service Labor	04/13/2022	145.00		100-605-322 Prof Serv-Other	422
70	HANNEMAN SERVICE	110907	propane	04/22/2022	512.58		100-475-623 Propane	422
70	HANNEMAN SERVICE	12445	1996 BMW 740 4Dr Gray CA7CUF641	03/28/2022	55.00	04/21/2022	100-605-322 Prof Serv-Other	322
70	HANNEMAN SERVICE	12448	1997 Ford Ranger Red CA60432D1	04/01/2022	55.00	04/21/2022	100-605-322 Prof Serv-Other	422
70	HANNEMAN SERVICE	12449	1998 Honda Civic Silver	04/01/2022	55.00	04/21/2022	100-605-322 Prof Serv-Other	422
70	HANNEMAN SERVICE	12450	2019 dodge Journey White no plts	04/04/2022	55.00	04/21/2022	100-605-322 Prof Serv-Other	422
70	HANNEMAN SERVICE	12508	2001 GMC Yukon 4x4 Brown NV078P96	04/04/2022	55.00	04/21/2022	100-605-322 Prof Serv-Other	422
70	HANNEMAN SERVICE	12510	1993 GMC 1500 Pickup - Red NV998TAV	04/13/2022	55.00		100-605-322 Prof Serv-Other	422

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title		GL Period
Total 70:					1,734.51				
IBEW Local 1245									
83	IBEW Local 1245	APR 2022-2	UNION DUES, ONE HALF OF MONTH	04/22/2022	887.91	04/22/2022	100-219900	OTHER PAYROLL PAYABLES	422
Total 83:					887.91				
INTERNAL REVENUE SERVICE									
7879	INTERNAL REVENUE SERVICE	APR 2022-1	MED TAX PAYABLE, PAYROLL	04/08/2022	5,315.02	04/08/2022	100-211000	FICA PAYABLE	422
7879	INTERNAL REVENUE SERVICE	APR 2022-1	FICA TAX PAYABLE, PAYROLL	04/08/2022	272.38	04/08/2022	100-211000	FICA PAYABLE	422
7879	INTERNAL REVENUE SERVICE	APR 2022-1	W/HOLD TAX PAYABLE, PAYROLL	04/08/2022	19,226.69	04/08/2022	100-212000	FEDERAL WITHHOLDING PAYAB	422
7879	INTERNAL REVENUE SERVICE	APR 2022-2	FICA TAX PAYABLE, PAYROLL	04/22/2022	272.38	04/22/2022	100-211000	FICA PAYABLE	422
7879	INTERNAL REVENUE SERVICE	APR 2022-2	W/HOLD TAX PAYABLE, PAYROLL	04/22/2022	18,726.23	04/22/2022	100-212000	FEDERAL WITHHOLDING PAYAB	422
7879	INTERNAL REVENUE SERVICE	APR 2022-2	MED TAX PAYABLE, PAYROLL	04/22/2022	5,213.02	04/22/2022	100-211000	FICA PAYABLE	422
Total 7879:					49,025.72				
INTERSTATE BATTERIES OF THE SIERRAS									
86	INTERSTATE BATTERIES OF THE SIERRAS	40089717	BATTERY FOR PARKS TRAILER	04/20/2022	131.95		100-575-430	Service-Repair and Maintenance	422
Total 86:					131.95				
JENSEN PRECAST									
3031	JENSEN PRECAST	CD99146900	cast iron lids for storm drains replacements.	03/31/2022	1,200.00	04/21/2022	100-475-430	Service-Repair and Maintenance	322
3031	JENSEN PRECAST	CD99147605	delivery	04/06/2022	474.00	04/21/2022	100-475-600	General Supplies	422
Total 3031:					1,674.00				
JNA CONSULTING GROUP LLC									
2953	JNA CONSULTING GROUP LLC	2022.014	Prep of Annual Report/Monitoring	04/04/2022	625.00	04/21/2022	520-810-322	Prof Serv-Other	422
2953	JNA CONSULTING GROUP LLC	2022.014	Prep of Annual Report/Monitoring	04/04/2022	625.00	04/21/2022	510-810-322	Prof Serv-Other	422
Total 2953:					1,250.00				
JOHNSON CONTROLS FIRE PROTECTION LP									
8667	JOHNSON CONTROLS FIRE PROTECTION LP	22863910	Fire extinguisher services	04/05/2022	120.00	04/21/2022	510-840-420	Contract Services	422
8667	JOHNSON CONTROLS FIRE PROTECTION LP	22863916	Fire extinguisher services	04/05/2022	220.00	04/21/2022	510-840-420	Contract Services	422
8667	JOHNSON CONTROLS FIRE PROTECTION LP	22863964	Fire extinguisher services	04/05/2022	280.00	04/21/2022	510-840-420	Contract Services	422
Total 8667:					620.00				
KALBACHER ASSOCIATES, LLC									
8888	KALBACHER ASSOCIATES, LLC	20220409	Grant Services Contract	04/09/2022	2,250.00	04/21/2022	100-413-322	Prof Serv-Other	422

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
Total 8888:					2,250.00			
LEMONS, GRUNDY & EISENBERG								
8835	LEMONS, GRUNDY & EISENBERG	STATEMENT 2	HR attorney conflict/specialist	04/07/2022	820.00	04/21/2022	100-414-310 Prof Serv-Legal	422
Total 8835:					820.00			
LOWES CREDIT SERVICES								
7650	LOWES CREDIT SERVICES	023985	Well 11 - headworks pipe & glue	03/31/2022	49.69	04/21/2022	510-810-614 Supplies-Plant/Shop/Maint	322
7650	LOWES CREDIT SERVICES	12919	Fire Hydrant - Curb Paint	04/15/2022	440.36		510-810-614 Supplies-Plant/Shop/Maint	422
7650	LOWES CREDIT SERVICES	1490	blades for chop saw.	04/15/2022	310.65	04/21/2022	100-475-600 General Supplies	422
7650	LOWES CREDIT SERVICES	18129	cleaning supplies	04/07/2022	76.46	04/21/2022	100-417-612 Building Maintenance Supplies	422
7650	LOWES CREDIT SERVICES	2007	misc. irrigation and parts.	04/13/2022	269.82	04/21/2022	100-575-600 General Supplies	422
7650	LOWES CREDIT SERVICES	2366	misc. parts.	04/22/2022	93.39		100-475-600 General Supplies	422
7650	LOWES CREDIT SERVICES	23986	Wellhouse sealant	03/31/2022	7.30	04/21/2022	510-810-614 Supplies-Plant/Shop/Maint	322
7650	LOWES CREDIT SERVICES	2832	misc irrigation	03/31/2022	51.79	04/21/2022	100-575-614 Supplies-Plant/Shop/Maint	322
7650	LOWES CREDIT SERVICES	918685	East Lift water repairs parts	03/07/2022	36.35	04/21/2022	520-810-614 Supplies-Plant/Shop/Maint	322
Total 7650:					1,335.81			
LUMOS & ASSOCIATES INC								
370	LUMOS & ASSOCIATES INC	112232	PMP project construction services	03/24/2022	5,824.76	04/21/2022	100-475-430 Service-Repair and Maintenance	322
Total 370:					5,824.76			
LYON COUNTY CLERK/TREASURER								
106	LYON COUNTY CLERK/TREASURER	3/2022	Road Tax(rct) payable to Lyon Co	03/31/2022	123,045.00	04/14/2022	100-227010 Road RCT Payable to County	322
106	LYON COUNTY CLERK/TREASURER	3/22	School Tax(rct) payable to Lyon Co	03/31/2022	182,400.00	04/14/2022	100-227015 School RCT Payble to County	322
106	LYON COUNTY CLERK/TREASURER	3/22	1% admin fee(kept by city)	03/31/2022	1,824.00-	04/14/2022	100-330-450 ADMINISTRATION FEES	322
106	LYON COUNTY CLERK/TREASURER	TLT March2022	Transient Lodging Tax	03/31/2022	2,628.41	04/14/2022	225-227010 TLT Payable to County	322
Total 106:					306,249.41			
MARSHALL'S SEPTIC CARE								
8509	MARSHALL'S SEPTIC CARE	26080	portable toilets	03/30/2022	1,307.63	04/14/2022	100-575-420 Contract Services	322
Total 8509:					1,307.63			
MATCO TOOLS								
8529	MATCO TOOLS	113598	replacement sockets	04/01/2022	78.72	04/21/2022	100-480-600 GENERAL SUPPLIES/TOOLS	422
Total 8529:					78.72			

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
MATHEUS, SENIOR JUDGE LORI								
8042	MATHEUS, SENIOR JUDGE LORI	APR 2022	MUNICIPAL COURT JUDGE	04/30/2022	2,500.00		100-425-322 Prof Serv-Other	422
Total 8042:					2,500.00			
MISCELLANEOUS ONE TIME VENDOR								
1111	MISCELLANEOUS ONE TIME VENDOR	4971	REIMB OVERPAYMENT OF BUS LICENSE	04/07/2022	230.00	04/21/2022	100-320-100 Business License Fees	422
1111	MISCELLANEOUS ONE TIME VENDOR	BP22-316	PERMIT SUBMITTED IN ERROR; REFUND FEE	04/12/2022	721.70		100-320-200 Building and Civil Permit Fees	422
1111	MISCELLANEOUS ONE TIME VENDOR	EN2022-015	RELEASE BOND; 1604 SUMMERWIND DR	04/15/2022	500.00		100-228300 Customer Deposits/Bonds - Dev	422
1111	MISCELLANEOUS ONE TIME VENDOR	EN2022-020	RELEASE BOND; 1611 SUMMERWIND DR	04/25/2022	500.00		100-228300 Customer Deposits/Bonds - Dev	422
1111	MISCELLANEOUS ONE TIME VENDOR	EN2022-021	RELEASE BOND; 1482 JENNYS LN	04/25/2022	500.00		100-228300 Customer Deposits/Bonds - Dev	422
1111	MISCELLANEOUS ONE TIME VENDOR	EN2022-022	RELEASE BOND; 1480 JENNYS LN	04/25/2022	500.00		100-228300 Customer Deposits/Bonds - Dev	422
1111	MISCELLANEOUS ONE TIME VENDOR	PE#10	APN 022-154-04 PE-10; CWL RECON PROJECT	04/12/2022	1,200.00	04/12/2022	100-475-745 RTC REIMBURSABLE EXPENDI	422
1111	MISCELLANEOUS ONE TIME VENDOR	PE#11	APN 022-153-01; PE-11 CWL RECON PROJECT	04/12/2022	1,000.00	04/12/2022	100-475-745 RTC REIMBURSABLE EXPENDI	422
1111	MISCELLANEOUS ONE TIME VENDOR	PE#12	APN 022-041-03 PE-12; CWL RECON PROJECT	04/12/2022	1,200.00	04/12/2022	100-475-745 RTC REIMBURSABLE EXPENDI	422
1111	MISCELLANEOUS ONE TIME VENDOR	PE#7	APN 020-846-15 PE-7; CWL RECON PROJECT	04/12/2022	1,200.00	04/12/2022	100-475-745 RTC REIMBURSABLE EXPENDI	422
Total 1111:					7,551.70			
MOUNTAIN ALARM								
8814	MOUNTAIN ALARM	2779504	three front line buzzers for clerk's door,	04/19/2022	615.75	04/21/2022	100-417-420 Contract Services	422
Total 8814:					615.75			
MR BUBBLES TOUCHLESS CARWASH								
7487	MR BUBBLES TOUCHLESS CARWASH	304	Vehicle Cleaning	04/05/2022	36.00	04/21/2022	100-417-610 Automotive Supplies	422
7487	MR BUBBLES TOUCHLESS CARWASH	304	Vehicle Cleaning	04/05/2022	27.00	04/21/2022	100-605-610 Automotive Supplies	422
7487	MR BUBBLES TOUCHLESS CARWASH	304	Vehicle Cleaning	04/05/2022	182.50	04/21/2022	510-810-610 Automotive Supplies	422
7487	MR BUBBLES TOUCHLESS CARWASH	304	Vehicle Cleaning	04/05/2022	16.00	04/21/2022	520-810-610 Supplies-Automotive	422
7487	MR BUBBLES TOUCHLESS CARWASH	304	Vehicle Cleaning	04/05/2022	124.00	04/21/2022	100-475-610 Automotive Supplies	422
7487	MR BUBBLES TOUCHLESS CARWASH	304	Vehicle Cleaning	04/05/2022	32.00	04/21/2022	510-810-610 Automotive Supplies	422
7487	MR BUBBLES TOUCHLESS CARWASH	304	Vehicle Cleaning	04/05/2022	15.00	04/21/2022	100-480-610 AUTOMOTIVE SUPPLIES	422
7487	MR BUBBLES TOUCHLESS CARWASH	304	Vehicle Cleaning	04/05/2022	118.75	04/21/2022	520-810-610 Supplies-Automotive	422
7487	MR BUBBLES TOUCHLESS CARWASH	304	Vehicle Cleaning	04/05/2022	34.00	04/21/2022	100-417-610 Automotive Supplies	422
Total 7487:					585.25			
NAPA AUTO & TRUCK PARTS								
58	NAPA AUTO & TRUCK PARTS	368471	control arms for streets 3007	03/30/2022	256.96	04/21/2022	100-475-610 Automotive Supplies	322
58	NAPA AUTO & TRUCK PARTS	368503	parts for 3007	03/31/2022	44.96	04/21/2022	100-475-610 Automotive Supplies	322
58	NAPA AUTO & TRUCK PARTS	368586	RTV sealant for Wells	04/01/2022	15.78	04/21/2022	510-810-614 Supplies-Plant/Shop/Maint	422
58	NAPA AUTO & TRUCK PARTS	368604	battery for water treatment plant truck	04/01/2022	189.99	04/21/2022	510-840-610 Automotive Supplies	422
58	NAPA AUTO & TRUCK PARTS	368847	anti freeze	04/05/2022	65.94	04/21/2022	100-528-610 Automotive Supplies	422
58	NAPA AUTO & TRUCK PARTS	368974	tire fill for motor grader	04/07/2022	7.98	04/21/2022	100-475-430 Service-Repair and Maintenance	422

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
58	NAPAAUTO & TRUCK PARTS	369003	grease for fleet	04/07/2022	38.60	04/21/2022	510-810-610 Automotive Supplies	422
58	NAPAAUTO & TRUCK PARTS	369005	Lift Station Filters	04/07/2022	49.68	04/21/2022	520-810-614 Supplies-Plant/Shop/Maint	422
58	NAPAAUTO & TRUCK PARTS	369420	V-belt	04/14/2022	38.98	04/21/2022	100-575-610 Automotive Supplies	422
58	NAPAAUTO & TRUCK PARTS	369445	fuses	04/14/2022	46.55	04/21/2022	100-475-610 Automotive Supplies	422
58	NAPAAUTO & TRUCK PARTS	369816	Lift Station Filters	04/21/2022	52.56		520-810-614 Supplies-Plant/Shop/Maint	422
Total 58:					807.98			
NATIONAL CENTER FOR STATE COURTS								
8733	NATIONAL CENTER FOR STATE COURTS	202683	Virtual Leadership (CCE program)	04/14/2022	495.00		200-425-580 Training	422
Total 8733:					495.00			
NCE								
7617	NCE	675192515	On call inspection services for new development	03/23/2022	9,632.50	04/21/2022	100-529-320 Prof Serv-Engineering	322
Total 7617:					9,632.50			
NEVADA DEPARTMENT OF TAXATION								
6378	NEVADA DEPARTMENT OF TAXATION	TLT Mar 2022	Transient Lodging Tax	03/31/2022	1,577.04	04/14/2022	225-227015 TLT Payable to State	322
Total 6378:					1,577.04			
NEVADA DEPT PUBLIC SAFETY - DPS								
7405	NEVADA DEPT PUBLIC SAFETY - DPS	59606	Background Check	04/01/2022	40.25		100-425-322 Prof Serv-Other	422
7405	NEVADA DEPT PUBLIC SAFETY - DPS	59606	Background Check	04/01/2022	40.25		100-610-322 Prof Serv-Other	422
7405	NEVADA DEPT PUBLIC SAFETY - DPS	59606	Background Check	04/01/2022	40.25		100-475-322 Prof Serv-Other	422
7405	NEVADA DEPT PUBLIC SAFETY - DPS	59606	Background Check	04/01/2022	80.50		100-414-322 Prof Serv-Other	422
7405	NEVADA DEPT PUBLIC SAFETY - DPS	59606	Background Check	04/01/2022	40.25		100-413-322 Prof Serv-Other	422
Total 7405:					241.50			
NEVADA EMPLOYMENT SECURITY DIV								
300	NEVADA EMPLOYMENT SECURITY DIV	1ST QTR 2022	UNEMPLOYMENT CONTRIBUTIONS	03/31/2022	12,959.92	04/21/2022	100-218900 UNEMPLOYMENT PAYABLE	322
Total 300:					12,959.92			
NEVADA RADIO LLC								
8867	NEVADA RADIO LLC	2022 FHS Graduation	2022 FHS Graduation	04/12/2022	150.00		100-413-540 Advertising	422
Total 8867:					150.00			
NEVADA RUBBER STAMP CO INC								
125	NEVADA RUBBER STAMP CO INC	319346	Marshal Received Stamp	04/01/2022	147.50	04/21/2022	100-425-550 Printing and Postage	422

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
Total 125:					147.50			
NEVADA STATE TREASURER								
127	NEVADA STATE TREASURER	1ST QTR 2022	CHILD SUPPORT WITHHOLDING FEES	03/31/2022	8.00	04/14/2022	100-219900 OTHER PAYROLL PAYABLES	322
Total 127:					8.00			
NSB - BANKCARD CENTER								
8649	NSB - BANKCARD CENTER	MAR 2022	ZOOM; MONTHLY WEBINAR MAR 2022 ENG DEPT	03/31/2022	14.99	04/10/2022	100-529-600 General Supplies	322
8649	NSB - BANKCARD CENTER	MAR 2022	DOMINOS; CITIZEN ACADEMY 3/3/22	03/31/2022	115.47	04/10/2022	100-412-650 Community Support	322
8649	NSB - BANKCARD CENTER	MAR 2022	AMAZON; LED BULBS	03/31/2022	53.96	04/10/2022	100-417-600 General Supplies	322
8649	NSB - BANKCARD CENTER	MAR 2022	RALEYS; CITIZEN ACADEMY 3/3/22	03/31/2022	14.97	04/10/2022	100-412-650 Community Support	322
8649	NSB - BANKCARD CENTER	MAR 2022	AMAZON; LAZY SUSAN FOR COURT	03/31/2022	31.72	04/10/2022	100-425-322 Prof Serv-Other	322
8649	NSB - BANKCARD CENTER	MAR 2022	PAPER DIRECT; BUS LICENSE CERTIFICATES	03/31/2022	176.92	04/10/2022	100-416-600 General Supplies	322
8649	NSB - BANKCARD CENTER	MAR 2022	ZOOM CLOUD STORAGE FEB 2022	03/31/2022	100.00	04/10/2022	100-425-322 Prof Serv-Other	322
8649	NSB - BANKCARD CENTER	MAR 2022	DOT CLEARINGHOUSE QUERIES	03/31/2022	25.00	04/10/2022	100-414-322 Prof Serv-Other	322
8649	NSB - BANKCARD CENTER	MAR 2022	SPECTRUM; CHARGE IN DISPUTE	03/31/2022	129.98	04/10/2022	100-417-530 Communications (Internet,Cell)	322
8649	NSB - BANKCARD CENTER	MAR 2022	EXPEDIA.COM; K HUHTALA AIRFARE FLEETCON 9/18-9/2	03/31/2022	65.89	04/10/2022	510-810-580 Training	322
8649	NSB - BANKCARD CENTER	MAR 2022	ZOOM MONTHLY SUB CMO APR 2022	03/31/2022	140.00	04/10/2022	100-418-342 Tech Services-Other	322
8649	NSB - BANKCARD CENTER	MAR 2022	CMC TIRE; TIRES FOR VACTOR	03/31/2022	2,418.29	04/10/2022	510-810-430 Repairs & Maintenance	322
8649	NSB - BANKCARD CENTER	MAR 2022	RIO ALL SUITES; HOTEL K HUHTALA FLEETCON 9/18-9/21	03/31/2022	20.79	04/10/2022	510-810-580 Training	322
8649	NSB - BANKCARD CENTER	MAR 2022	TEAMVIEWER; 2022 RENEW SCADA REMOTE	03/31/2022	1,050.00	04/10/2022	510-810-642 Permits and Licenses	322
8649	NSB - BANKCARD CENTER	MAR 2022	HR CERT INSTITUTE; S MCKNIGHT CERT FEE	03/31/2022	169.00	04/10/2022	100-413-322 Prof Serv-Other	322
8649	NSB - BANKCARD CENTER	MAR 2022	EXPEDIA.COM; K HUHTALA AIRFARE FLEETCON 9/18-9/2	03/31/2022	65.89	04/10/2022	520-810-580 Training	322
8649	NSB - BANKCARD CENTER	MAR 2022	EXPEDIA.COM; K HUHTALA AIRFARE FLEETCON 9/18-9/2	03/31/2022	65.88	04/10/2022	100-417-580 Training	322
8649	NSB - BANKCARD CENTER	MAR 2022	CMC TIRE; FLAT REPAIR FOR DUMP TRUCK	03/31/2022	165.90	04/10/2022	100-475-430 Service-Repair and Maintenance	322
8649	NSB - BANKCARD CENTER	MAR 2022	RIO ALL SUITES; HOTEL K HUHTALA FLEETCON 9/18-9/21	03/31/2022	20.79	04/10/2022	520-810-580 Training	322
8649	NSB - BANKCARD CENTER	MAR 2022	RIO ALL SUITES; HOTEL K HUHTALA FLEETCON 9/18-9/21	03/31/2022	20.77	04/10/2022	100-417-580 Training	322
8649	NSB - BANKCARD CENTER	MAR 2022	CODE 3 ASSOC; BIG USEFUL LIVESTOCK LESSONS COU	03/31/2022	225.00	04/10/2022	100-525-580 Training	322
8649	NSB - BANKCARD CENTER	MAR 2022	AMAZON; LED CORN LIGHT BULBS	03/31/2022	439.90	04/10/2022	100-417-612 Building Maintenance Supplies	322
8649	NSB - BANKCARD CENTER	MAR 2022	CHARTER; 179901030622, 8354100070179901	03/31/2022	381.53	04/10/2022	100-417-530 Communications (Internet,Cell)	322
8649	NSB - BANKCARD CENTER	MAR 2022	NV CONTAINER SOLUTIONS; FOR MOTOR OIL WASTE	03/31/2022	140.75	04/10/2022	100-480-610 AUTOMOTIVE SUPPLIES	322
8649	NSB - BANKCARD CENTER	MAR 2022	RIO ALL SUITES; HOTEL K HUHTALA FLEETCON 9/18-9/21	03/31/2022	20.79	04/10/2022	510-840-580 Training	322
8649	NSB - BANKCARD CENTER	MAR 2022	RIO ALL SUITES; HOTEL K HUHTALA FLEETCON 9/18-9/21	03/31/2022	20.79	04/10/2022	100-575-580 Training	322
8649	NSB - BANKCARD CENTER	MAR 2022	CODE 3 ASSOC; MODULE C NACHO COURSE; RGAHR A	03/31/2022	550.00	04/10/2022	100-525-580 Training	322
8649	NSB - BANKCARD CENTER	MAR 2022	STAMPLI; FEB 2022 ELECTRONIC INVOICE	03/31/2022	1,034.00	04/10/2022	100-418-342 Tech Services-Other	322
8649	NSB - BANKCARD CENTER	MAR 2022	WALGREENS; CITIZEN ACADEMY 3/3/22	03/31/2022	15.98	04/10/2022	100-412-650 Community Support	322
8649	NSB - BANKCARD CENTER	MAR 2022	EXPEDIA.COM; T CONNER AIRFARE MN ST CONF 5/15-5/	03/31/2022	1,155.40	04/10/2022	100-413-580 Training	322
8649	NSB - BANKCARD CENTER	MAR 2022	RALEYS; WTP TOUR SNACKS	03/31/2022	11.98	04/10/2022	100-412-650 Community Support	322
8649	NSB - BANKCARD CENTER	MAR 2022	SEC STATE; WATER COURSE T HARRIS	03/31/2022	165.00	04/10/2022	510-810-585 Educational Assistance Program	322
8649	NSB - BANKCARD CENTER	MAR 2022	EXPEDIA.COM; K HUHTALA AIRFARE FLEETCON 9/18-9/2	03/31/2022	65.89	04/10/2022	100-475-580 Training	322
8649	NSB - BANKCARD CENTER	MAR 2022	EXPEDIA.COM; K HUHTALA AIRFARE FLEETCON 9/18-9/2	03/31/2022	65.89	04/10/2022	510-840-580 Training	322
8649	NSB - BANKCARD CENTER	MAR 2022	EXPEDIA.COM; K HUHTALA AIRFARE FLEETCON 9/18-9/2	03/31/2022	65.89	04/10/2022	100-575-580 Training	322

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
8649	NSB - BANKCARD CENTER	MAR 2022	AXON; TASER X26P; BODY CAMERAS	03/31/2022	1,627.60	04/10/2022	100-425-322 Prof Serv-Other	322
8649	NSB - BANKCARD CENTER	MAR 2022	DOG WASTE DEPOT; WASTE BAGS FOR PARKS	03/31/2022	524.91	04/10/2022	100-575-612 Building Maintenance Supplies	322
8649	NSB - BANKCARD CENTER	MAR 2022	NV CONTAINER SOLUTIONS; 55 GAL DRUMS FOR PARKS	03/31/2022	1,353.32	04/10/2022	100-417-600 General Supplies	322
8649	NSB - BANKCARD CENTER	MAR 2022	DMV; OHV TAG RENEWAL #0B9U FOR VECTOR CONTRO	03/31/2022	20.00	04/10/2022	100-528-600 General Supplies	322
8649	NSB - BANKCARD CENTER	MAR 2022	CHARTER; 179919030622; 8354100070179919	03/31/2022	1,331.53	04/10/2022	100-417-530 Communications (Internet,Cell)	322
8649	NSB - BANKCARD CENTER	MAR 2022	ZOOM CLOUD STORAGE MAR 2022	03/31/2022	100.00	04/10/2022	100-425-322 Prof Serv-Other	322
8649	NSB - BANKCARD CENTER	MAR 2022	ZOOM; MONTHLY WEBINAR APR 2022 ENG DEPT	03/31/2022	14.99	04/10/2022	100-529-600 General Supplies	322
8649	NSB - BANKCARD CENTER	MAR 2022	AMAZON; INSPECTION MIRROR	03/31/2022	52.94	04/10/2022	100-425-322 Prof Serv-Other	322
8649	NSB - BANKCARD CENTER	MAR 2022	RIO ALL SUITES; HOTEL K HUHTALA FLEETCON 9/18-9/21	03/31/2022	20.79	04/10/2022	100-475-580 Training	322
8649	NSB - BANKCARD CENTER	MAR 2022	CODE 3 ASSOC; ANIMAL FIRE TRNG EVAC & RESCUE; R	03/31/2022	100.00	04/10/2022	100-525-580 Training	322
Total 8649:					14,371.08			
NUTRIEN AG SOLUTIONS								
3033	NUTRIEN AG SOLUTIONS	47506898	weed spray	03/07/2022	1,185.50		100-417-617 Supplies-Chemical	322
3033	NUTRIEN AG SOLUTIONS	47701010	Weed Killer	04/04/2022	240.00		520-810-617 Supplies-Chemical	422
3033	NUTRIEN AG SOLUTIONS	47701017	weed spray	04/04/2022	2,409.00		100-576-617 Chemical Supplies	422
3033	NUTRIEN AG SOLUTIONS	47701091	weed spray	04/04/2022	2,151.50		100-575-617 Supplies-Chemical	422
Total 3033:					5,986.00			
NV ENERGY								
167	NV ENERGY	26093 APR 22	34596402626093 ACH	04/06/2022	1,457.61	04/22/2022	100-575-622 Electricity	422
167	NV ENERGY	26100 APR 22	34596502626100 ACH	04/06/2022	14,072.04	04/22/2022	510-810-622 Electricity	422
167	NV ENERGY	26100 APR 22	34596502626100 ACH	04/06/2022	38.45	04/22/2022	520-810-622 Electricity	422
167	NV ENERGY	42683 APR 22	82190404842683 ACH	04/06/2022	423.94	04/22/2022	100-575-622 Electricity	422
167	NV ENERGY	42683 APR 22	82190404842683 ACH	04/06/2022	54.71	04/22/2022	100-475-622 Electricity	422
167	NV ENERGY	42683 APR 22	82190404842683 ACH	04/06/2022	540.19	04/22/2022	510-810-622 Electricity	422
167	NV ENERGY	42683 APR 22	82190404842683 ACH	04/06/2022	8,107.30	04/22/2022	520-810-622 Electricity	422
167	NV ENERGY	97899 APR 22	80865904797899 ACH	04/06/2022	15,663.36	04/22/2022	100-475-622 Electricity	422
Total 167:					40,357.60			
OFFICE DEPOT								
133	OFFICE DEPOT	231752866001	Misc supplies	04/01/2022	164.78	04/21/2022	100-414-600 General Supplies	422
133	OFFICE DEPOT	232106376001	Misc supplies	04/01/2022	143.81	04/21/2022	100-414-600 General Supplies	422
133	OFFICE DEPOT	232708507001	Office Supplies	03/31/2022	42.05		200-425-600 General Supplies	322
133	OFFICE DEPOT	232715820001	Desk Organizer	04/06/2022	50.78		200-425-600 General Supplies	422
133	OFFICE DEPOT	233008792003	binder clips	04/04/2022	6.99		200-425-600 General Supplies	422
133	OFFICE DEPOT	233110931001	Calc ink; stapler; envelopes for PR	04/15/2022	54.60		100-415-600 General Supplies	422
133	OFFICE DEPOT	233867703001	CITY WIDE PAPER	04/11/2022	26.41	04/21/2022	100-575-600 General Supplies	422
133	OFFICE DEPOT	233867703001	CITY WIDE PAPER	04/11/2022	26.43	04/21/2022	100-415-600 General Supplies	422
133	OFFICE DEPOT	233867703001	CITY WIDE PAPER	04/11/2022	26.42	04/21/2022	100-605-600 General Supplies	422
133	OFFICE DEPOT	233867703001	CITY WIDE PAPER	04/11/2022	26.42	04/21/2022	100-416-600 General Supplies	422

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
133	OFFICE DEPOT	233867703001	CITY WIDE PAPER	04/11/2022	26.42	04/21/2022	510-810-601 Office Supplies	422
133	OFFICE DEPOT	233867703001	CITY WIDE PAPER	04/11/2022	26.42	04/21/2022	100-475-600 General Supplies	422
133	OFFICE DEPOT	233867703001	CITY WIDE PAPER	04/11/2022	26.42	04/21/2022	100-525-600 General Supplies	422
133	OFFICE DEPOT	233867703001	CITY WIDE PAPER	04/11/2022	26.42	04/21/2022	520-810-601 Office Supplies	422
133	OFFICE DEPOT	233867703001	CITY WIDE PAPER	04/11/2022	26.43	04/21/2022	100-413-600 General Supplies	422
133	OFFICE DEPOT	233867703001	CITY WIDE PAPER	04/11/2022	26.42	04/21/2022	100-610-600 General Supplies	422
133	OFFICE DEPOT	233867703001	CITY WIDE PAPER	04/11/2022	26.42	04/21/2022	100-414-600 General Supplies	422
133	OFFICE DEPOT	233867703001	CITY WIDE PAPER	04/11/2022	26.42	04/21/2022	510-840-601 Office Supplies	422
133	OFFICE DEPOT	233867703001	CITY WIDE PAPER	04/11/2022	26.42	04/21/2022	100-529-600 General Supplies	422
133	OFFICE DEPOT	233867703001	CITY WIDE PAPER	04/11/2022	26.43	04/21/2022	100-418-600 General Supplies	422
133	OFFICE DEPOT	234623859001	Misc Office Supplies	03/31/2022	77.83		200-425-600 General Supplies	322
133	OFFICE DEPOT	234626760001	office supplies	03/31/2022	16.12		200-425-600 General Supplies	322
133	OFFICE DEPOT	234626762001	Dry Erase Board	04/05/2022	69.85		200-425-600 General Supplies	422
133	OFFICE DEPOT	235405191001	Print Cartridge	03/24/2022	49.99	04/21/2022	100-416-600 General Supplies	322
133	OFFICE DEPOT	235421520001	CITY WIDE PAPER	03/31/2022	26.41	04/21/2022	100-575-600 General Supplies	322
133	OFFICE DEPOT	235421520001	CITY WIDE PAPER	03/31/2022	26.42	04/21/2022	100-605-600 General Supplies	322
133	OFFICE DEPOT	235421520001	CITY WIDE PAPER	03/31/2022	26.42	04/21/2022	100-416-600 General Supplies	322
133	OFFICE DEPOT	235421520001	CITY WIDE PAPER	03/31/2022	26.42	04/21/2022	510-810-601 Office Supplies	322
133	OFFICE DEPOT	235421520001	CITY WIDE PAPER	03/31/2022	26.43	04/21/2022	100-415-600 General Supplies	322
133	OFFICE DEPOT	235421520001	CITY WIDE PAPER	03/31/2022	26.42	04/21/2022	100-610-600 General Supplies	322
133	OFFICE DEPOT	235421520001	CITY WIDE PAPER	03/31/2022	26.42	04/21/2022	100-525-600 General Supplies	322
133	OFFICE DEPOT	235421520001	CITY WIDE PAPER	03/31/2022	26.42	04/21/2022	520-810-601 Office Supplies	322
133	OFFICE DEPOT	235421520001	CITY WIDE PAPER	03/31/2022	26.43	04/21/2022	100-413-600 General Supplies	322
133	OFFICE DEPOT	235421520001	CITY WIDE PAPER	03/31/2022	26.42	04/21/2022	100-475-600 General Supplies	322
133	OFFICE DEPOT	235421520001	CITY WIDE PAPER	03/31/2022	26.42	04/21/2022	100-529-600 General Supplies	322
133	OFFICE DEPOT	235421520001	CITY WIDE PAPER	03/31/2022	26.43	04/21/2022	100-418-600 General Supplies	322
133	OFFICE DEPOT	235421520001	CITY WIDE PAPER	03/31/2022	26.42	04/21/2022	100-414-600 General Supplies	322
133	OFFICE DEPOT	235421520001	CITY WIDE PAPER	03/31/2022	26.42	04/21/2022	510-840-601 Office Supplies	322
133	OFFICE DEPOT	235990284001	office supplies	03/25/2022	5.69	04/21/2022	100-475-601 Supplies-Office	322
133	OFFICE DEPOT	235990284001	office supplies	03/25/2022	5.69	04/21/2022	510-810-601 Office Supplies	322
133	OFFICE DEPOT	235990284001	office supplies	03/25/2022	14.24	04/21/2022	100-529-600 General Supplies	322
133	OFFICE DEPOT	235990284001	office supplies	03/25/2022	2.85	04/21/2022	510-840-601 Office Supplies	322
133	OFFICE DEPOT	235990722001	office supplies	03/24/2022	4.42	04/21/2022	510-810-601 Office Supplies	322
133	OFFICE DEPOT	235990722001	office supplies	03/24/2022	4.42	04/21/2022	100-475-601 Supplies-Office	322
133	OFFICE DEPOT	235990722001	office supplies	03/24/2022	2.21	04/21/2022	510-840-601 Office Supplies	322
133	OFFICE DEPOT	235990722001	office supplies	03/24/2022	11.04	04/21/2022	100-529-600 General Supplies	322
133	OFFICE DEPOT	236690110001	USB's	04/13/2022	65.16		100-414-600 General Supplies	422
133	OFFICE DEPOT	237966748001	Copier Paper	04/11/2022	290.82		200-425-600 General Supplies	422
133	OFFICE DEPOT	238498295001	Office Chair	04/07/2022	18.11	04/21/2022	510-840-601 Office Supplies	422
133	OFFICE DEPOT	238498295001	Office Chair	04/07/2022	90.56	04/21/2022	100-529-600 General Supplies	422
133	OFFICE DEPOT	238498295001	Office Chair	04/07/2022	36.23	04/21/2022	100-475-601 Supplies-Office	422
133	OFFICE DEPOT	238498295001	Office Chair	04/07/2022	36.23	04/21/2022	510-810-601 Office Supplies	422
133	OFFICE DEPOT	240911504001	Office supplies	04/20/2022	24.53		100-413-600 General Supplies	422
133	OFFICE DEPOT	240912193001	Office supplies	04/20/2022	9.59		100-413-600 General Supplies	422

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Total 133:					2,038.39				
PERS ADMINISTRATIVE FUND									
286	PERS ADMINISTRATIVE FUND	JUN 2022	LIAISON CONF REGISTER, LEWIS, CARRICK	04/25/2022	200.00		100-415-580	Training	422
Total 286:					200.00				
PUBLIC AGENCY COMPENSATION TRU									
145	PUBLIC AGENCY COMPENSATION TRU	3RD QTR 21/22	WORKERS COMP 3RD QTR 21-22	03/31/2022	27,498.00	04/20/2022	100-219000	WORKERS COMPENSATION PA	322
Total 145:					27,498.00				
PUBLIC EMPLOYEES BENEFITS PROG									
143	PUBLIC EMPLOYEES BENEFITS PROG	4/2022	Retiree Group Insurance	04/25/2022	260.00	04/21/2022	520-810-240	Group Insurance	422
143	PUBLIC EMPLOYEES BENEFITS PROG	4/2022	Retiree Group Insurance	04/25/2022	206.95	04/21/2022	100-415-240	Group Insurance	422
143	PUBLIC EMPLOYEES BENEFITS PROG	4/2022	Retiree Group Insurance	04/25/2022	5.32	04/21/2022	100-475-240	Group Insurance	422
Total 143:					472.27				
PURCHASE POWER									
3155	PURCHASE POWER	69812 APR 22	POSTAGE FOR POSTAGE METER	04/03/2022	67.75	05/01/2022	510-810-550	Printing and Postage	422
3155	PURCHASE POWER	69812 APR 22	POSTAGE FOR POSTAGE METER	04/03/2022	16.27	05/01/2022	100-413-550	Printing and Postage	422
3155	PURCHASE POWER	69812 APR 22	POSTAGE FOR POSTAGE METER	04/03/2022	1.55	05/01/2022	100-525-550	Printing and Postage	422
3155	PURCHASE POWER	69812 APR 22	POSTAGE FOR POSTAGE METER	04/03/2022	1.38	05/01/2022	100-605-550	Printing and Postage	422
3155	PURCHASE POWER	69812 APR 22	POSTAGE FOR POSTAGE METER	04/03/2022	90.86	05/01/2022	100-415-550	Printing and Postage	422
3155	PURCHASE POWER	69812 APR 22	POSTAGE FOR POSTAGE METER	04/03/2022	599.51	05/01/2022	100-475-550	Printing and Postage	422
3155	PURCHASE POWER	69812 APR 22	POSTAGE FOR POSTAGE METER	04/03/2022	.46	05/01/2022	100-610-550	Printing and Postage	422
3155	PURCHASE POWER	69812 APR 22	POSTAGE FOR POSTAGE METER	04/03/2022	753.55	05/01/2022	100-416-550	Printing and Postage	422
3155	PURCHASE POWER	69812 APR 22	POSTAGE FOR POSTAGE METER	04/03/2022	14.49	05/01/2022	100-414-550	Printing and Postage	422
3155	PURCHASE POWER	69812 APR 22	POSTAGE FOR POSTAGE METER	04/03/2022	88.47	05/01/2022	100-425-550	Printing and Postage	422
3155	PURCHASE POWER	69812 APR 22	POSTAGE FOR POSTAGE METER	04/03/2022	6.09	05/01/2022	100-575-550	Printing and Postage	422
Total 3155:					1,640.38				
PYROGUYS, INC									
8845	PYROGUYS, INC	FCTA - Fireworks	4th of July Fireworks deposit	03/30/2022	17,000.00		225-575-650	Grant Awards	322
Total 8845:					17,000.00				
QUALITY MOBILE DETAILING									
8740	QUALITY MOBILE DETAILING	1469	Vehicle Detail/Disinfect	04/04/2022	81.66	04/21/2022	100-417-610	Automotive Supplies	422
8740	QUALITY MOBILE DETAILING	1469	Vehicle Detail/Disinfect	04/04/2022	81.68	04/21/2022	520-810-610	Supplies-Automotive	422
8740	QUALITY MOBILE DETAILING	1469	Vehicle Detail/Disinfect	04/04/2022	81.66	04/21/2022	510-810-610	Automotive Supplies	422

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Total 8740:					245.00			
RELIANT ELECTRIC, LLC								
4934	RELIANT ELECTRIC, LLC	22002-1	Wells 4 & 11 - New Electric Heaters	03/28/2022	6,039.00	04/21/2022	510-810-430 Repairs & Maintenance	322
4934	RELIANT ELECTRIC, LLC	22130-1	East Lift Pump Wiring	04/14/2022	270.00		520-810-428 Contract Services-ELECTRICAL	422
Total 4934:					6,309.00			
RENO ROCK TRANSPORT								
7002	RENO ROCK TRANSPORT	148501	rip rap	04/13/2022	3,654.00	04/21/2022	100-475-342 Tech Services-Other	422
Total 7002:					3,654.00			
RENOWN HEALTH								
190	RENOWN HEALTH	693485	UA Screen MRN: 0937778	04/06/2022	25.00		100-475-322 Prof Serv-Other	422
190	RENOWN HEALTH	693485	UA Screen MRN: 4925446	04/06/2022	40.00		510-840-322 Prof Serv-Other	422
Total 190:					65.00			
RESOURCE CONCEPTS								
8602	RESOURCE CONCEPTS	22-610	Villa park water and sewer replacement project engineering s	03/31/2022	385.62	04/21/2022	510-166100 Construction In Progress	322
8602	RESOURCE CONCEPTS	22-610	Villa park water and sewer replacement project engineering s	03/31/2022	385.63	04/21/2022	520-166100 Construction In Progress	322
Total 8602:					771.25			
SAN JOAQUIN DEPT CHILD SUPPORT								
3087	SAN JOAQUIN DEPT CHILD SUPPORT	APR 2022-1	CHILD SUPPORT WITHHELD	04/08/2022	57.69	04/14/2022	100-219900 OTHER PAYROLL PAYABLES	422
3087	SAN JOAQUIN DEPT CHILD SUPPORT	APR 2022-2	CHILD SUPPORT WITHHELD	04/22/2022	57.69	04/21/2022	100-219900 OTHER PAYROLL PAYABLES	422
Total 3087:					115.38			
SECTRAN SECURITY, INC.								
8629	SECTRAN SECURITY, INC.	22040493	ARMORED SERVICE - WATER	04/06/2022	159.11	04/14/2022	510-810-342 Tech Services-Other	422
8629	SECTRAN SECURITY, INC.	22040493	ARMORED SERVICE - GF	04/06/2022	159.13	04/14/2022	100-415-322 Prof Serv-Other	422
8629	SECTRAN SECURITY, INC.	22040493	ARMORED SERVICE - SEWER	04/06/2022	159.11	04/14/2022	520-810-342 Tech Services-Other	422
Total 8629:					477.35			
SHAW ENGINEERING								
1897	SHAW ENGINEERING	183399	Development review services for CUP for 600 main street	03/31/2022	1,100.00	04/21/2022	100-529-320 Prof Serv-Engineering	322
1897	SHAW ENGINEERING	183408	Farm District Road Lift Station rehab phase 2 engineering ser	03/31/2022	990.00	04/21/2022	520-166100 Construction In Progress	322
1897	SHAW ENGINEERING	183435	West Lift Station engineering services	03/31/2022	4,736.40	04/21/2022	520-166100 Construction In Progress	322
1897	SHAW ENGINEERING	183435	West Lift station advertising and bidding	03/31/2022	267.00	04/21/2022	520-166100 Construction In Progress	322

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
1897	SHAW ENGINEERING	183449	Sage tank recoating project engineering services	03/31/2022	793.20	04/21/2022	510-166100 Construction In Progress	322
1897	SHAW ENGINEERING	183450	Grit Chamber replacement project engineering services	03/31/2022	4,235.20	04/21/2022	520-166100 Construction In Progress	322
1897	SHAW ENGINEERING	183466	Water and sewer discovery modeling for Vonnie Lane tentativ	03/31/2022	1,120.00	04/21/2022	100-529-320 Prof Serv-Engineering	322
Total 1897:					13,241.80			
SIERRA ELECTRONICS								
161	SIERRA ELECTRONICS	AR34468	Update Firmware / Radio Animal Control	04/15/2022	48.00		100-525-600 General Supplies	422
Total 161:					48.00			
SILVER STATE BARRICADE								
170	SILVER STATE BARRICADE	125563	signs	03/30/2022	1,438.70	04/21/2022	100-475-615 Supplies-Signs and Striping	322
170	SILVER STATE BARRICADE	125726	signs for OTP dog park.	04/07/2022	415.26	04/21/2022	100-575-600 General Supplies	422
Total 170:					1,853.96			
SIPPOLA, REENA G.								
8878	SIPPOLA, REENA G.	22-0324	Punjabi Interperetation	03/28/2022	300.00	04/21/2022	100-425-330 PROF SERV-INTERPRETER	322
Total 8878:					300.00			
SLWS								
8891	SLWS	79956	Ammo for Marshal	04/01/2022	1,234.88		100-425-322 Prof Serv-Other	422
Total 8891:					1,234.88			
STATE COLLECTION & DISB. UNIT (SCaDU)								
176	STATE COLLECTION & DISB. UNIT (SCaDU)	APR 2022-1	CHILD SUPPORT	04/08/2022	101.77	04/14/2022	100-219900 OTHER PAYROLL PAYABLES	422
176	STATE COLLECTION & DISB. UNIT (SCaDU)	APR 2022-2	CHILD SUPPORT	04/22/2022	101.77	04/21/2022	100-219900 OTHER PAYROLL PAYABLES	422
Total 176:					203.54			
SUNRISE ENVIRONMENTAL SCIENTIFIC								
230	SUNRISE ENVIRONMENTAL SCIENTIFIC	129153	Scent Control	03/29/2022	2,359.49	04/21/2022	520-810-617 Supplies-Chemical	322
Total 230:					2,359.49			
THATCHER COMPANY, INC.								
8646	THATCHER COMPANY, INC.	2022400104002	Sodium Hypochlorite - Disinfectant	04/19/2022	5,549.30		510-840-617 Chemicals	422
8646	THATCHER COMPANY, INC.	2022400104003	WWTP Chlorine	04/19/2022	2,927.72		520-810-617 Supplies-Chemical	422
Total 8646:					8,477.02			

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
TSK								
8714	TSK	21-058.00_003	Community Response & Resource Center - schematic design	04/19/2022	10,071.25		220-480-810 ARPA	422
Total 8714:					10,071.25			
U S POSTAL SERVICE								
7344	U S POSTAL SERVICE	MAY 2022	PREPAID IN-HOUSE POSTAGE	05/01/2022	1,500.00		510-810-550 Printing and Postage	522
7344	U S POSTAL SERVICE	MAY 2022	PREPAID IN-HOUSE POSTAGE	05/01/2022	1,500.00		520-810-550 Printing and Postage	522
Total 7344:					3,000.00			
UNITED ROTARY BRUSH CORPORATION								
6420	UNITED ROTARY BRUSH CORPORATION	CI280111	sweeper brooms	02/18/2022	2,247.54		100-475-600 General Supplies	222
Total 6420:					2,247.54			
USA BLUEBOOK								
464	USA BLUEBOOK	0946624	Nitrile gloves/Marking paint	04/14/2022	138.12	04/21/2022	520-810-614 Supplies-Plant/Shop/Maint	422
464	USA BLUEBOOK	849658	Pipe Squeeze Tool	01/18/2022	1,000.00	04/14/2022	510-840-614 Plant/Shop/Maint. Supplies	122
464	USA BLUEBOOK	939011	Maintenance supplies	04/07/2022	96.35	04/21/2022	510-840-430 Service-Repair and Maintenance	422
Total 464:					1,234.47			
VERITIV OPERATING COMPANY								
8574	VERITIV OPERATING COMPANY	626-39638645	IN HOUSE BILLING ENVELOPES	04/12/2022	204.75		520-810-550 Printing and Postage	422
8574	VERITIV OPERATING COMPANY	626-39638645	IN HOUSE BILLING ENVELOPES	04/12/2022	204.75		510-810-550 Printing and Postage	422
Total 8574:					409.50			
VERIZON WIRELESS								
8495	VERIZON WIRELESS	9903044013	Water Dist	04/23/2022	222.66	04/14/2022	510-810-530 Communications	422
8495	VERIZON WIRELESS	9903044013	Bldg & Safety	04/23/2022	279.63	04/14/2022	100-417-530 Communications (Internet,Cell)	422
8495	VERIZON WIRELESS	9903044013	City Hall/Facilities	04/23/2022	739.57	04/14/2022	100-417-530 Communications (Internet,Cell)	422
8495	VERIZON WIRELESS	9903044013	WW	04/23/2022	246.09	04/14/2022	520-810-530 Communications	422
8495	VERIZON WIRELESS	9903044013	CAO	04/23/2022	80.02	04/14/2022	100-414-530 Communications (Internet,Cell)	422
8495	VERIZON WIRELESS	9903044013	WTP	04/23/2022	497.66	04/14/2022	510-840-530 Communications	422
8495	VERIZON WIRELESS	9903044013	Council	04/23/2022	103.04	04/14/2022	100-412-530 Communications (Internet,Cell)	422
8495	VERIZON WIRELESS	9903044013	IT	04/23/2022	51.52	04/14/2022	100-418-530 Communications (Internet,Cell)	422
8495	VERIZON WIRELESS	9903044013	WWRouter	04/23/2022	91.53	04/14/2022	520-810-530 Communications	422
8495	VERIZON WIRELESS	9903044013	CMO	04/23/2022	169.51	04/14/2022	100-413-605 Minor Equipment	422
8495	VERIZON WIRELESS	9903141056	742052267-00001 Router 775-294-1059	04/23/2022	40.01	04/14/2022	520-810-530 Communications	422
Total 8495:					2,521.24			

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title		GL Period
VOYA FINANCIAL									
8591	VOYA FINANCIAL	APR 2022-2	DEFERRED COMPENSATION, 457	04/22/2022	2,729.00	04/22/2022	100-215000	457 PAYABLE	422
8591	VOYA FINANCIAL	APR 2022-2	ROTH IRA	04/22/2022	100.00	04/22/2022	100-215000	457 PAYABLE	422
Total 8591:					2,829.00				
WALTHER LAW OFFICES									
8875	WALTHER LAW OFFICES	MAY 2022	PUBLIC DEFENDER CONTRACT MAY 2022	05/01/2022	6,666.66		100-413-322	Prof Serv-Other	522
Total 8875:					6,666.66				
WASTE MANAGEMENT									
447	WASTE MANAGEMENT	25001 MAR 22	6-82646-25001	04/01/2022	1,537.83	04/14/2022	100-475-412	Utility Services-Refuse	422
447	WASTE MANAGEMENT	33001 APR 22	11-60772-33001	04/05/2022	103.14	04/14/2022	100-417-412	Utility Services-Refuse	422
447	WASTE MANAGEMENT	33005 APR 22	11-60745-33005	04/05/2022	14.39	04/14/2022	510-840-412	Utility Service-Refuse	422
447	WASTE MANAGEMENT	33009 APR 22	11-60774-33009	04/05/2022	84.39	04/14/2022	510-810-412	Utility Service-Refuse	422
447	WASTE MANAGEMENT	43003 APR 22	11-60760-43003	04/05/2022	42.20	04/14/2022	520-810-412	Utility Service-Refuse	422
Total 447:					1,781.95				
WEDCO									
3350	WEDCO	756336	WTP light bulbs	04/21/2022	50.30		510-840-614	Plant/Shop/Maint. Supplies	422
Total 3350:					50.30				
WESTERN NEVADA SUPPLY CO.									
195	WESTERN NEVADA SUPPLY CO.	19153220-2	Fire Hydrant Parts	04/11/2022	407.64	04/21/2022	510-810-430	Repairs & Maintenance	422
195	WESTERN NEVADA SUPPLY CO.	19169615-1	Sensus 3/4"" Iperl Water Meters	04/11/2022	2,781.54	04/21/2022	510-166100	Construction In Progress	422
195	WESTERN NEVADA SUPPLY CO.	19212107	East Lift Check Valve Repair	04/01/2022	4,407.49	04/21/2022	520-810-430	Service-Repair and Maintenance	422
195	WESTERN NEVADA SUPPLY CO.	19214449	sprinkler heads	04/01/2022	525.00	04/21/2022	100-575-614	Supplies-Plant/Shop/Maint	422
195	WESTERN NEVADA SUPPLY CO.	19214459	sprinklers	04/08/2022	798.00	04/21/2022	100-575-600	General Supplies	422
195	WESTERN NEVADA SUPPLY CO.	19225154	Sensus OMNI 2"" & 1 1/2"" Water Meters	04/11/2022	2,396.20	04/21/2022	510-166100	Construction In Progress	422
195	WESTERN NEVADA SUPPLY CO.	19229408	Sensus Flexnex MXUs	04/18/2022	4,780.40		510-166100	Construction In Progress	422
195	WESTERN NEVADA SUPPLY CO.	19230825	Binstock - Brass Fittings & Repair Clamps	04/18/2022	260.65		510-810-613	Supplies-Meter Service	422
195	WESTERN NEVADA SUPPLY CO.	19231817	sprinklers	04/13/2022	310.00	04/21/2022	100-575-600	General Supplies	422
195	WESTERN NEVADA SUPPLY CO.	19236508	Fire Hydrant Meter Parts	04/15/2022	582.38		510-810-614	Supplies-Plant/Shop/Maint	422
195	WESTERN NEVADA SUPPLY CO.	19243469	WTP Irrigation plumbing repair part	04/21/2022	37.67		510-840-614	Plant/Shop/Maint. Supplies	422
Total 195:					17,286.97				
WETLAB - WESTERN ENVIRON TESTING LAB									
8709	WETLAB - WESTERN ENVIRON TESTING LAB	22030918	Sky Ridge Subdivision - Coliform Sampling #1	04/06/2022	52.50	04/21/2022	510-810-423	Contract Services-ANALYTICAL	422
8709	WETLAB - WESTERN ENVIRON TESTING LAB	22030945	Sky Ridge Subdivision - Coliform Sampling #2	04/14/2022	52.50	04/21/2022	510-810-423	Contract Services-ANALYTICAL	422
8709	WETLAB - WESTERN ENVIRON TESTING LAB	22040043	Quarterly Raw Water - Coliform Sampling	04/14/2022	52.50	04/21/2022	510-810-423	Contract Services-ANALYTICAL	422

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Invoice Amount	Date Paid	GL Account and Title	GL Period
8709	WETLAB - WESTERN ENVIRON TESTING LAB	22040044	April - Coliform Sampling #1	04/14/2022	192.50	04/21/2022	510-810-423 Contract Services-ANALYTICAL	422
Total 8709:					350.00			
WOOD RODGERS, INC.								
2454	WOOD RODGERS, INC.	156882	Federal Lands Conveyance - NEPA March 2022	03/31/2022	270.00		100-413-322 Prof Serv-Other	322
Total 2454:					270.00			
YESCO, LLC								
6806	YESCO, LLC	INY-0351475	Reader Board maintenance	04/01/2022	95.00		225-575-320 PROFESSIONAL SERVICES	422
Total 6806:					95.00			
Grand Totals:					1,059,217.17			

Dated: _____

Mayor: _____

City Treasurer: _____

Report Criteria:

Detail report.

Invoice detail records above \$0 included.

Paid and unpaid invoices included.

Vendor.Vendor Number = {<->} 2201



CITY OF FERNLEY

City Council AGENDA REPORT

Meeting Date: May 4, 2022

REPORT TO: Mayor and City Council

REPORT FROM:

FINANCIAL IMPACT:

Yes:

No:

CURRENTLY BUDGETED:

Yes:

No:

FUND/ACCOUNT:

ACTION REQUESTED:

AGENDA ITEM: (For Possible Action):

(Possible Action) Approval of Minutes

AGENDA ITEM BRIEF:

RECOMMENDED MOTION:

BUSINESS IMPACT (per NRS Chapter 237):

See attached report for background, analysis, alternatives.

ALTERNATIVES:

BACKGROUND:

RELEVANT LAWS, STATUTES, AND REGULATIONS:

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

1. 2022.04.07 FCC Budget Minutes

**MINUTES OF THE
FERNLEY CITY COUNCIL MEETING**

APRIL 7, 2022

Mayor Edgington called the meeting to order at 5:00 pm at Fernley City Hall, 595 Silver Lace Blvd, Fernley, NV.

1. INTRODUCTORY ITEMS

1.1. Roll Call

Present: Mayor Roy Edgington, Councilman Albert Torres, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Felicity Zoberski, Councilman Ray Lacy (via zoom) City Manager Daphne Hooper, Deputy City Manager Patrick Marsh, Deputy City Attorney Arron Mouritsen, City Engineer Derek Starkey, City Treasurer Denise Lewis, Deputy City Treasurer Thomas Lukas, Planning Director Tim Thompson, Building Official Billy Staten, Public Works Director Dave Whalen, Kim Swanson, Deputy City Clerk Brenda Gosser,

1.2. Public Forum

There were none.

1.3. (For Possible Action) Approval of the Agenda

Motion: MOVE TO APPROVE THE AGENDA. **Action:** Approve, **Moved by** Councilman Lau, **Seconded by** Councilwoman Zoberski. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Albert Torres, Councilman Ray Lacy, Councilwoman Fran McKay, Councilwoman Felicity Zoberski, Councilman Stan Lau.

2. BUDGET HEARING

2.1. (For possible action) Discussion regarding the Fiscal Year 2021/2022 proposed tentative budget including but not limited to: All funds within the Water Enterprise Fund; Wastewater Enterprise Fund; General Fund; Capital Improvement Program; all city departments; the budget process; timelines, goals, and existing budget; debt, staffing, including but not limited to reorganization, reclassification, employee positions and contracts, new position, and other matters related thereto.

City Manager Daphne Hooper gave a brief explanation of the city budget process. She explained the different funds for budget. She directed everyone to page 42 which lists the Annual Budget Appropriation. She stated the Total Budget is \$46,953,828.

City Manager Hooper presented the General Fund revenue and expenditures. City Manager Hooper explained page 50 of the Budget book outlines all revenue the city receives. A preview of new positions was provided to include a Plans Examiner in the Building Department, and an unfunded Accounting Manager. The Development Services Coordinator and Legal Secretary from part time to full were approved mid-year so full salaries are included in this budget. This will be a total of 81.5 FTE for the City of Fernley. Reclassifications requests included filing unfunded senior maintenance positions general services, and reclassifying the GIS I to a GIS II, and a base wage increase for the deputy city attorney. She explained for all staff, she would like to apply the cost-of-living increase (2%) to everybody on July 1st, then continue with the 3% increase on their anniversary date. She also explained for long time employees she would like to give them a 5% increase on their anniversary date. Marshal, City Clerk Administrative Specialist I, and Utilities Administrative Specialist I. She explained that due to the CPI the Council members are due a 6.8% increase as required in code. There will also be a 3.5% increase to medical insurance, a 7% increase for dental and no increase for vision this year.

Councilman Torres stated he understands but had a problem with council getting a larger increase than employees.

City Manager Hooper explained the City Organizational Chart had minimal changes but would need to be approved with the budget. Salaries and Benefit funds were reviewed.

Mayor and City Council Budget

City Manager Hooper reviewed the expenses from the budget. She explained the increase in the Nevada League of Cities line item. Councilman Torres inquired about the EDAWN dues payment. He stated he would like to see what the city is getting for the dues. City Manager Hooper stated she would ask them to make a presentation to City Council. Councilwoman McKay inquired about RSVP. City Manager Hooper stated she would ask them to make a presentation to Council.

Motion: MOVE TO APPROVE THE MAYOR AND CITY COUNCIL BUDGET FOR FY22/23. **Action:** Approve, **Moved by** Councilwoman McKay, **Seconded by** Councilman Lau. **Motion passed unanimously.**

City Manager Budget

City Manager Hooper explained the budget line-item increases.

Motion: MOVE TO APPROVE THE CITY MANAGER BUDGET FOR FY22//23, **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Ray Lacy. **Motion passed unanimously.**

Information Technology Budget

City Manager Hooper presented this budget.

Motion: MOVE TO APPROVE THE INFORMATION TECHNOLOGY BUDGET FOR FY22/23, **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Torres. **Motion passed unanimously.**

Animal Control Budget

City Manager Hooper presented. Mayor Edgington requested additional funds added for mobile cages.

Motion: MOVE TO APPROVE THE ANIMAL CONTROL BUDGET WITH ADDITIONAL FUNDING FOR CAGES NOT TO EXCEED \$3500.00, **Action:** Approve, **Moved by**

Councilman Stan Lau, **Seconded by** Councilman Ray Lacy. **Motion passed unanimously.**

City Attorney Budget

City Manager Hooper presented. She explained the increases are due to staffing and training.

Motion: MOVE TO APPROVE THE CITY ATTORNEY BUDGET FOR FY22/23, **Action:** Approve, **Moved by** Councilwoman Felicity Zoberski, **Seconded by** Councilman Fran McKay. **Motion passed unanimously.**

City Finance Budget

City Manager Hooper presented this budget. She stated the Efficiency Study and Contingency Funds are included in this budget.

Motion: MOVE TO APPROVE THE CITY FINANCE BUDGET FOR FY22/23, **Action:** Approve, **Moved by** Councilwoman Fran McKay, **Seconded by** Councilman Ray Lacy. **Motion passed unanimously.**

City Clerk Budget

City Manager Hooper presented this budget. There was an issue with the transmission of the City Clerk's Budget into OpenGov.

Motion: MOVE TO APPROVE THE CITY CLERK BUDGET WITH \$13,500 FOR PRINTING AND POSTAGE AND \$5,000 TRAINING, DUES AND MEMBERSHIP \$1,000 AND TRAVEL \$1,000 FOR FY22/23. **Action:** Approve, **Moved by** Councilwoman Fran McKay, **Seconded by** Councilman Stan Lau. **Motion passed unanimously.**

City Municipal Court Budget

City Manager Hooper presented this budget. She stated the increases are to the judge's contract, the interpreter and witness fees line items.

Judge Matheus stated there is overtime in the budget for her court staff due to changes in legislation regarding bail hearings. She also requested an increase for the court administrator in the amount of \$2400.00

Motion: MOVE TO APPROVE THE CITY MUNICIPAL COURT BUDGET AS SUBMITTED WITH THE INCLUSION OF \$2500,00. PER YEAR FOR THE COURT ADMINISTRATOR, FOR FY22/23, **Action:** Approve, **Moved by** Councilman Albert Torres, **Seconded by** Councilman Stan Lau. **Motion passed unanimously.**

City Department of Building and Safety Budget

City Manager Hooper presented this budget. Increase in salary due to the new position.

Motion: MOVE TO APPROVE THE CITY DEPARTMENT OF BUILDING AND SAFETY BUDGET FOR FY22/23, **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Ray Lacy. **Motion passed unanimously.**

City Planning Budget

City Manager Hooper presented the budget there is an increase to Professional Services.

Motion: MOVE TO APPROVE THE CITY PLANNING BUDGET FOR FY22/23, **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Ray Lacy. **Motion passed unanimously.**

City Engineer Budget

City Manager Hooper presented this budget.

Motion: MOVE TO APPROVE THE CITY ENGINEER BUDGET FOR FY22/23, **Action:** Approve, **Moved by** Councilwoman Fran McKay, **Seconded by** Councilman Albert Torres. **Motion passed unanimously.**

PUBLIC WORKS DEPARTMENT

City General Services Facilities Budget

City Manager Hooper presented this budget.

Motion: MOVE TO APPROVE THE CITY GENERAL SERVICES FACILITIES BUDGET FOR FY22/23, **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Ray Lacy. **Motion passed unanimously.**

City General Services Vector Control Budget

City Manager Hooper presented this budget stated the increase is due reallocation of funds.

Motion: MOVE TO APPROVE THE CITY GENERAL SERVICES VECTOR CONTROL BUDGET FOR FY22/23, **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Ray Lacy. **Motion passed unanimously.**

City General Services Cemetery Budget

City Manager Hooper presented this budget \$100,000.00 has been included for improvements.

Motion: MOVE TO APPROVE THE CITY GENERAL SERVICES CEMETERY BUDGET FOR FY22/23, **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Ray Lacy. **Motion passed unanimously.**

City General Services Parks Budget

City Manager Hooper present this budget. She stated there is an increase due to the water and sewer utility adjustments and gas. Capital Funds are included for a mini excavator, hydraulic dump trailer and vehicle.

Motion: MOVE TO APPROVE THE CITY GENERAL SERVICES PARKS BUDGET FOR FY22/23, **Action:** Approve, **Moved by** Councilman Ray Lacy, **Seconded by** Councilman Stan Lau. **Motion passed unanimously.**

Parks Facilities Fund

City Manager Hooper presented this budget explain these are the fees people pay to use the parks. She stated there are no expenditures.

Looking into ADA Playground Equipment was discussed.

Motion: MOVE TO APPROVE THE PARKS FACILITIES FUND FOR FY22/23, **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Ray Lacy. **Motion passed unanimously.**

Residential Construction Tax Fund

City Manager Hooper presented this budget stated these are fees that are collected from developers for improvements to parks. Included in this budget is one million dollars for Green Valley Park.

Motion: MOVE TO APPROVE THE RESIDENTIAL CONSTRUCTION TAX FUND FOR FY22/23, **Action:** Approve, **Moved by** Councilwoman Fran McKay, **Seconded by** Councilman Albert Torres. **Motion passed unanimously.**

City General Services Streets and Storm Drains Budget

City Manager Hooper presented this budget. She explained the expenditures in this budget. City Manager Hooper and City Engineer Starkey answered questions from the City Council.

Motion: MOVE TO APPROVE THE CITY GENERAL SERVICES STREETS AND STORM DRAINS BUDGET FOR FY22/23, **Action:** Approve, **Moved by** Councilman Stan Lau **Seconded by** Councilwoman Fran McKay. **Motion passed unanimously.**

City General Services Fleet Budget

City Manager Hooper presented this budget.

Motion: MOVE TO APPROVE THE CITY GENERAL SERVICES FLEET BUDGET FOR FY22/23, **Action:** Approve, **Moved by** Councilwoman Fran McKay, **Seconded by** Councilman Ray Lacy. **Motion passed unanimously.**

Break 7:09 – 7:34

City Manager Hooper explained during General Fund portion of the meeting the City Council spend an additional \$24,500. She asked where they wanted these additional funds to come from. She stated the Contingency Fund is at \$475,000 if the funds were to come from there that would leave \$450,500.

Motion: MOVE TO APPROVE THE ADDITIONAL 24,500.00 COME FROM THE CONTINGENCY FUND FOR FY22/23, **Action:** Approve, **Moved by** Councilwoman Felicity Zoberski, **Seconded by** Councilman Ray Lacy. **Motion passed unanimously.**

ENTERPRISE FUNDS

City Manager Hooper provided a brief description on the Enterprise Funds and how they operate.

City Water Distribution Budget

City Manager Hooper presented this operating budget. She stated there is an increase in chemicals for the upcoming year. She pointed out anything that has to do with Water Rights for the City is in this budget, including legal fees. City Manager Hooper and Public Works Director Whalen answered questions from City Council. Increasing Credit Card fees was discussed.

Motion: MOVE TO APPROVE THE CITY WATER DISTRIBUTION BUDGET FOR FY22/23, **Action:** Approve, **Moved by** Councilwoman Fran McKay, **Seconded by** Councilman Ray Lacy. **Motion passed unanimously.**

City Water Treatment Budget

City Manager Hooper presented this budget. She stated there is an increase in Professional Services for the Surface Water Consultant as the city is moving in this direction.

Motion: MOVE TO APPROVE THE CITY WATER TREATMENT BUDGET FOR FY22/23, **Action:** Approve, **Moved by** Councilwoman Fran McKay, **Seconded by** Councilman Stan Lau. **Motion passed unanimously.**

City Manager Hooper stated City Treasurer Lewis did a quick calculation of credit card fees. She explained the current rate is \$2.08 per transaction. For the city to break even we would need to collect \$4.39 per transaction.

Motion: MOVE TO APPROVE INCREASING THE CREDIT CARD FEES TO \$3.00 PER TRANSACTION TO CUSTOMERS THAT USE CREDIT CARDS FOR UTILITY PAYMENTS. **Action:** Approve, **Moved by** Councilwoman Fran McKay, **Seconded by** Councilman Stan Lau. **Motion passed unanimously.**

City Wastewater (Sewer) Enterprise Fund

City Manager Hooper presented this budget. She explained there is money included for a Sewer Master Plan update.

Motion: MOVE TO APPROVE THE WASTEWATER (SEWER) FUND BUDGET FOR FY22/23, **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Ray Lacy. **Motion passed unanimously.**

City Wastewater (Sewer) Treatment Budget

City Manager Hooper presented this budget.

Motion: MOVE TO APPROVE THE CITY WASTEWATER (SEWER) TREATMENT BUDGET FOR FY22/23, **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Ray Lacy. **Motion passed unanimously.**

Storm Water Utilities

City Manager Hooper explained a consultant has been hired and they are working on the utility rate. More information will be forthcoming over the next year.

SECIAL REVENUE FUNDS

Grants Fund

City Manager Hooper explained before the final budget the APRA Funds will be incorporated.

Transient Lodging Tax

City Manager Hooper presented this budget. She stated there is funding for the 4th of July Fireworks and funding for two round of grant cycles.

Motion: MOVE TO APPROVE THE TRANSIENT LODGING TAX BUDGET FOR FY22/23, **Action:** Approve, **Moved by** Councilwoman Fran McKay **Seconded by** Councilman Ray Lacy. **Motion passed unanimously.**

Capital Funds

City Manager Hooper presented this the Capital Funds Budget. Included are funds for the Depot Roof Replacement.

Motion: MOVE TO APPROVE THE CAPITAL FUNDS BUDGET FOR FY22/23, **Action:** Approve, **Moved by** Councilman Stan Lau **Seconded by** Councilman Albert Torres. **Motion passed unanimously.**

Capital Improvement Fund

City Manager Hooper stated this was established many years ago. She stated there is \$44,000 that could potentially be used. She stated this year there are no expenditures in the budget.

Mayor Edgington inquired if these funds could be used for parks. City Manager Hooper stated she would review the time frame in which this money needs to be spent.

Motion: MOVE TO APPROVE THE CAPITAL IMPROVEMENT FUND BUDGET FOR FY22/23, **Action:** Approve, **Moved by** Councilman Stan Lau **Seconded by** Councilman Ray Lacy. **Motion passed unanimously.**

Administrative Assessment Budget

City Manager Hooper explained this is money that is collected through the Municipal Court.

Motion: MOVE TO APPROVE THE ADMINISTRATIVE ASSESSMENT BUDGET FOR FY22/23, **Action:** Approve, **Moved by** Councilman Albert Torres **Seconded by** Councilman Ray Lacy. **Motion passed unanimously.**

Court Facilities Fee Fund

City Manager Hooper explained this fund exists for improvement for the court and court facilities.

Motion: MOVE TO APPROVE COURT FACILITIES FEE FUND FOR FY22/23, **Action:** Approve, **Moved by** Councilwoman Felicity Zoberiski, **Seconded by** Councilman Stan Lau. **Motion passed unanimously.**

CAPITAL IMPROVEMENT FUND

City Manager Hooper explained the city does a 5-year Improvement Plan.

Water Enterprise Fund

City Manager Hooper reviewed the items included in this budget. She stated there will be some adjustment to start the treatment of surface water and the funds are included in this budget.

City Manager Hooper and Director Whalen answered questions from the council.

Capital Improvement Plan for the Wastewater Enterprise Fund

City manager Hooper explained the expenses in this budget.

Motion: MOVE TO APPROVE THE CAPITAL IMPROVEMENT PLAN FOR FY22/23,

Action: Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Ray Lacy.

Motion passed unanimously.

City Manager Hooper explained this year in the General Fund there is not debt. She stated last year city hall was paid off. The Water and Sewer Enterprise Funds we are still working through the debt, and it will expire in 2038.

City Manager Hooper explained the Water Ancillary Fee and the calculation used to determine that rate. This year the rate will be approximately \$35.56. This amount will change by the final budget.

Motion: MOVE TO APPROVE THE WATER ANCILLARY FEE FOR FY22/23, **Action:** Approve, **Moved by** Councilwoman Fran McKay, **Seconded by** Councilman Albert Torres. **Motion passed unanimously.**

City Manager Hooper stated finally the Organizational Chart needed to be approved.

Motion: MOVE TO APPROVE ORGANIZATIONAL CHART FOR FY22/23, **Action:** Approve, **Moved by** Councilwoman Felicity Zoberski, **Seconded by** Councilman Ray Lacy. **Motion passed unanimously.**

9. PUBLIC FORUM

There were none.

Mayor Edgington announced the Budget meeting for April 8th was cancelled.

ADJOURNMENT

There being no further business to come before it, the Fernley City Council meeting adjourned at 8:46 p.m.

Approved by the Fernley City Council on May 4, 2022, by a vote of:

AYES: _____ NAYS: _____ ABSTENTIONS: _____ ABSENT: _____

ATTEST: City Clerk Kim Swanson

Mayor Roy Edgington

Report Criteria:

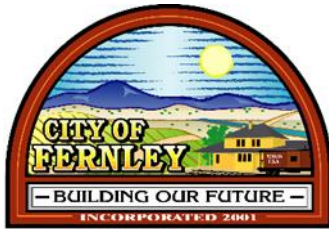
Business.License status = Active

Business.Origination Date = 04/14/2022-04/28/2022

Bus Name	Name	Mail Addr1	Mail City	Mail St	Mail Zip	Business Tel	Business Description
AmDrone USA	Brad Amussen	1179 Jasmine Ln	Fernley	NV	89408	775-691-4282	Aerial & ground photography, videos, & groun
B and B Enterprise LLC	Kevin Brown	706 Blue Opal Ct.	Fernley	NV	89408	775-404-2886	Handyman and minor repairs
Bryan Family Foundation	Sean & Alice Bryan	PO Box 1984	Fernley	NV	89408	775-525-4845	Philanthropy with emphasis on youth scholar
Buzz Oates Construction, Inc.	Larry Allbaugh/Kevin Ramos/Phili	555 Capitol Mall, Suite 900	Sacramento	CA	95814	916-379-3800	General Contractor #89329
CYPERION Gifts	Ryan Walker	1845 Hickory Lane	Fernley	NV	89408	937-602-5968	Handmade Goods
Goldie Lynn Henderson	Goldie Lynn Henderson	1865 Erica Ln	Fernley	NV	89408	775-722-1555	Custom leather jewelery & personalized gifts
Hawks Nest	Elyse Hawk	1134 Mountain Rose Drive	Fernley	NV	89408	775-835-1265	Merchandise sales at craftshows & online
Jiffy O's Rooter LLC	Erica Smith/Dustin Galdarisi	PO Box 2189	Fallon	NV	89407	775-867-3145	Rooter Service Contractor #88475
Kirk Bell Construction	Kirk Bell	PO Box 2216	Fernley	NV	89408	775-224-7601	General Contractor #87947
Lamar Central Outdoor, LLC	Lamar Media Corp	PO Box 66338	Baton Rouge	LA	70896	225-926-1000	Outdoor Advertising
Melissa Booth Sewing	Melissa Booth	250 Mary Lou Ln	Fernley	NV	89408	775-301-9151	Sewing services-alterations/custom design/u
MPM Construction Services LLC	Eligio Vasquez Jr.	225 McCart St.	Fernley	NV	89408	909-453-7942	Handyman
Patriot Repair LLC	Benjamin Pagni	1364 Horse Creek Way	Fernley	NV	89408	775-287-8937	Mobile Home Repair
Potatomakes Studio	Veronica Coronado	206 Wildwood St.	Fernley	NV	89408	775-846-0810	Crafter: vinyl decals, keychains, shadowboxe
Premier Design & Build Group, LLC	Alec Zocher, Alan Zocher, Brian P	505 Technology Dr., Suite 380	Irvine	CA	92618	949-333-2261	General Contractor #87314
Roda's Landscape	Victor Alberto Rodas Lopez	707 Strauss Ct	Sun Valley	NV	89433	775-685-8114	Landscape care and maintenance services
Sir Dan Drywall	Roy Daniel McClanahan	1250 Est Greg Street Suite 36	Sparks	NV	89431	775-240-4760	Painting & Decorating Contractor #70758 C-4
Solarize LLC	Frances Le	4830 W University Ave	Las Vegas	NV	89103	702-359-0955	Electrical: PV/Battery Sales/Intall Cont #8600
Spirit Filled Creations	Angela Wagoner	150 Westward Lane	Fenley	NV	89408		Hobby: gift baskets, wax melts, soap
T&T Creations	Tim & Teryl Stoltz	PO Box 773	Silver Springs	NV	89429	775-671-5820	Hobby/Crafter: signs & woodwork
Terri Schlegel	Terri R. Schlegel	704 Todd Court	Fernley	NV	89408	775-980-7180	doTerra essential oil sales
Walther Law Offices, PLLC	Mario Walther	25 Main St.	Fernley	NV	89408	775-246-7721	Law Firm
Wood Structures, Inc.	Greg Atchley	3370 Johnson Ln.	Reno	NV	89511	312-833-7995	Residential & Light Commercial Contractor #

Grand Totals:

23



CITY OF FERNLEY

CITY COUNCIL AGENDA REPORT

Meeting Date: May 4, 2022

REPORT TO:	Mayor & City Council
REPORT THRU:	Daphne Hooper, City Manager
REPORT BY:	Tim Thompson, Planning Director
REVIEWED BY:	
REVIEWED BY:	Denise Lewis, Finance Director

FINANCIAL IMPACT: ☐ YES ☒ NO	CURRENTLY BUDGETED: ☐ YES ☒ NO ☐ N/A	FUND/ACCOUNT:
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ACTION REQUESTED:	☐ Consent ☒ Motion ☐ Presentation ☐ Receive/File	☒ Ordinance ☐ Resolution
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AGENDA ITEM: (For Possible Action) First Reading, Introduction of Bill #309, Zoning Map Amendment – ZMA22002

Consideration and possible action to introduce Bill #309 as an ordinance for a Zoning Map Amendment request associated with ZMA22004, to change the zoning on a single parcel of land from SF20 (Single Family, 20,000 sq. ft. minimum lot size) to SF6 (Single Family, 6,000 sq. ft. minimum lot size). The project site is approximately 30.15 acres in size and is located at 900 Vonnie Lane (APN: 021-471-05).

AGENDA ITEM BRIEF:

The proposed item is located on a single parcel of vacant land, located at (APN: 021-471-05) 900 Vonnie Lane. The applicant has filed for a Zoning Map Amendment (**ZMA22004**) and a Tentative Subdivision Map (**TSM22003**) for the development of a 79-lot residential subdivision. The proposed subdivision requires a rezone of the parcel from the SF20 zoning (Single Family, 20,000 sq. ft. minimum lot size) to SF6 (Single Family, 6,000 sq. ft. minimum lot size). Consideration and Final Action for both the Tentative Subdivision Map and the Zoning Map Amendment is scheduled for the May 18th, 2022, City Council Meeting.

RECOMMENDED MOTION:

Read bill by title and schedule 2nd reading, public hearing, and possible action on Bill #309 for the regularly scheduled City Council Meeting on May 18th, 2022.

“I move to introduce Bill #309 and set the Public Hearing for the May 18th City Council Meeting.”

Business Impact (per NRS Chapter 237):

☐ A Business Impact Statement is Attached.

☒ A Business Impact Statement is Not Required because:

☒ this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B);

See Attached Report for Background/Analysis/Alternatives.

PROJECT SUMMARY

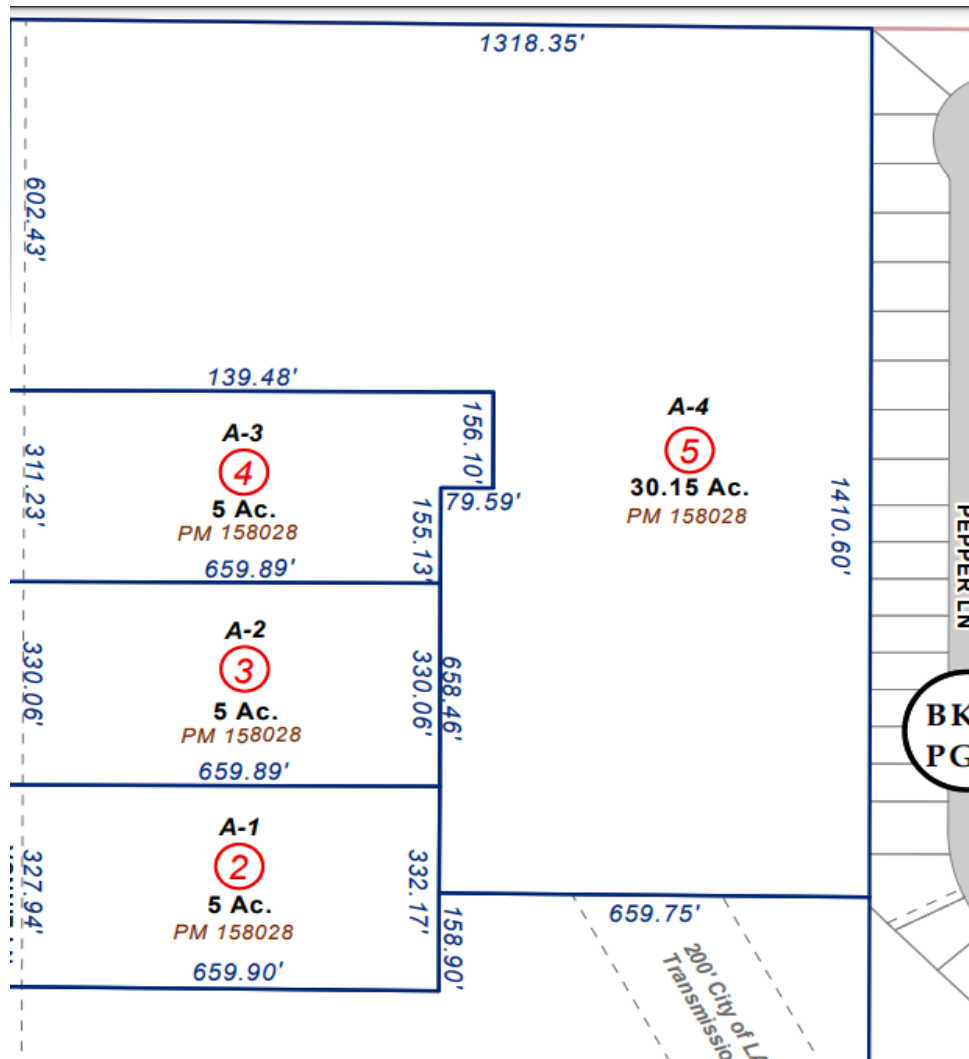
CASE NUMBER(S):	• ZMA22004
REQUESTED ACTION(S):	• Zoning Map Amendment
PROJECT DESCRIPTION:	• The applicant intends to rezone the project area from SF20 (Single Family, 20,000 sq. ft. minimum lot size) to the aforementioned SF6 zoning in order to increase the overall site density for the proposed subdivision.
PROPERTY OWNER:	• Eureka Land Development, LLC
APPLICANT:	• Phelps Engineering Services
LOCATION:	• 900 Vonnie Lane, Fernley, NV
SITE SIZE:	• ±30.15 acres
EXISTING ZONING:	• SF20 (Single Family, 20,000 sq. ft. minimum lot size)
PROPOSED ZONING	• SF6 (Single Family, 6,000 sq. ft. minimum lot size)
EXISTING LAND USE:	• SFR – Single Family Residential
WARD INFORMATION:	• Ward 5 – Councilwoman McKay

POLICY REFERENCE

<i>Nevada Statutes:</i>	<i>NRS 278A</i>
<i>Fernley Municipal Code:</i>	<i>Title 32</i>
<i>Policies & Procedure Manual:</i>	<i>N/A</i>
<i>Community Assessment:</i>	<i>N/A</i>
<i>City of Fernley Development Code:</i>	<u>§32.03.040(e) (Zoning Map Amendments)</u> <u>§32.03.060(f) (Subdivision Maps)</u> <u>§32.06.070 (Residential – Single Family)</u> <u>§32.09.090 (Landscaping and Screening)</u> <u>§32.09.035 (Dedication of Water)</u> <u>§30.09.140 (Streets (roadways))</u> <u>§32.09.150 (Utilities)</u> <u>§32.09.030 (Adjacency Standards)</u> <u>§32.12.010 (Adequate Public Facilities)</u>

BACKGROUND

The project site has been under the ownership of Eureka Land Development LLC since February 2018 (Lyon County Records – Document #: 576146). Throughout this time, the property has remained vacant, with no fixed development or personal property being located on the parcel. A Greenbelt had been approved on the project site in March of 1985, with a primary agricultural use of Cultivation and Grazing. A parcel map from January of 1993 then split the parcel into its current configuration. No additional record of Land division or entitlement exists from that point onwards, according to the data present on the Lyon County Assessor’s website. The following Plat Map highlights the project site (**A-4**), along with the surrounding parcels:



The project site itself consists of a single parcel of vacant land (APN: 021-471-05) and an approximate total area of 30.15 acres. The project site is generally surrounded by similar land uses, with the surrounding parcels to the north, south, east, and west, containing existing residential development of varying density. Furthermore, the parcels to the West, East, and South all share the same Master Plan Land Use Designation as the project site – Single Family Residential. The project area is located adjacent to an existing housing subdivision directly to the east – the Desert Lakes Golf Course, and the high-density Desert Rose RV park is situated directly north of the project site.

ANALYSIS

The project site has a current land use designation of SFR (Single Family Residential) and is currently located within the SF20 (Single Family, 20,000 sq. ft. minimum lot size) zoning district. The project's current zoning is in conformance with the existing land use designation, but the applicant does believe that by rezoning the parcel to SF6 (Single Family, 6,000 sq. ft. minimum lot size), the goals and policies outlined within the 2018 Comprehensive Master Plan can be reached. The proposed SF6 zoning is an equivalent zoning district within the SFR (Single Family Residential) land use designation, and allows for appropriate low to medium density, single family detached homes with varied lot sizes. The parcels of land to the west and south of the project site are zoned RR5 (Residential Rural, 5-acre minimum lot size) and GR20 (General Rural, 20-acre minimum lot size), and have a lower overall density than the parcels to the north and east of the project site.

The current SF20 zoning of the project site does not allow for the development of the subdivision as proposed, and the developer believes that the rezone to SF6 would lead to a more efficient use of the land, while providing a greater number of houses to support growth within Fernley. Certain standards such as full-width paved roads, curb & gutter sidewalks, adjacency and screening standards, landscaping, and other regulations stated within the Development code that apply to the SF6 zoning designation are required for any proposed development that will take place. A general concern for this specific project is its usage of Vonnie Lane as a primary access for the project site, and how that may affect the ability for current nearby property owners, who understand that Vonnie Lane is a private access easement. As a result of this, the applicant is required to work with these property owners regarding the usage of Vonnie Lane and Wallace Way as primary and secondary access respectively. This will be a condition of approval for the Tentative Subdivision Map and will ensure that any roadway or access is approved with the consent of the surrounding property owners, prior to the recordation and approval of any Final Map for the project.

Adjacency of the project site to some of the larger rural residential lots located to the south and west of the project site is additionally another potential concern. Although the use of the trail network and open space provided in the proposed site plan does provide a buffer between some of the larger rural lots west of the project site, there are still a few 6,000 square foot lots that directly abut sections of the larger rural lots. Section 32.09.030 of the City's Development Code highlights adjacency standards that are required for new subdivisions proposed directly adjacent to larger, more rural lots. This will additionally be added as a separate condition of approval to ensure that any development complies with the regulations and standards regarding adjacency and lot transitioning, as stated within the City of Fernley Development Code.

FINDINGS

Zoning Map Amendment

Z1: Consistency with the City's Master Plan and otherwise consistent with State & Federal Law.

Relationship to Master Plan

1. SF6 (Single Family, 6,000 sq. ft. minimum lot size)

The proposed development is located within an area designated as SFR (Single Family Residential) within the City of Fernley's Comprehensive Master Plan. The description of the Single Family Residential land use

states that the equivalent zoning districts are SF20 (Single Family, 20,000 sq. ft. minimum lot size), SF12 (Single Family, 12,000 sq. ft. minimum lot size), SF9 (Single Family, 9,000 sq. ft. minimum lot size), and SF6 (Single Family, 6,000 sq. ft. minimum lot size). Per the Comprehensive Master Plan document, the Single Family Residential land use generally consists of detached, single family residential lots, with additional uses such as parks, open space, and occasional religious institutions. Residential lots may often contain accessory uses such as Urban Agriculture facilities or Home Occupations.

The Comprehensive Master Plan additionally states that municipal services such as sewer and water connections are required in Single Family Residential designated areas and that they be located on smaller, local streets, appropriately sited and distanced from more major arterial roadways. This provides privacy from nearby uses to property owners, while at the same time ensuring that adjacent uses are relatively easily accessible via the roadway network. The Single Family Residential designation additionally offers more flexibility in terms of housing type and design, in that there are no specific architectural requirements for Single Family Residential subdivisions. However, the general design of houses within an individual development are required to complement one another. The general density range for the Single Family Land use is 2-7 dwelling units per acre, and the proposed project has an overall density of 2.63 dwelling units per acre. For this reason and through the analysis of the project materials, the Zoning Map Amendment is consistent with the City's Comprehensive Master Plan.

2. The Land Use Plan Goals and Action Strategies in the 2018 Comprehensive Master Plan that are relevant to this proposal include:

Population, Housing & Employment

HP.1.1 Enhance Fernley's vitality as a community by providing a variety of housing types, density and costs that accommodate the needs, desires and financial abilities of the current and future households.

HP.1.1.4 Encourage the efficient use of land and existing infrastructure by focusing on achieving good design in new housing or redeveloped housing on either vacant land, infill parcels and/or under-developed parcels.

HP.1.2 Encourage housing that supports sustainable development patterns by promoting the efficient use of land, conservation of natural resources, easy access to services and public facilities such as parks, and resource efficient design and construction.

HP.1.2.1 Foster flexibility in the division of land and the siting of buildings and other improvements to reduce new development's impact on environmentally sensitive areas.

HP.1.8 Coordinate population growth with the availability of water, sanitary sewer, streets and highways and other public facilities and services.

HP.1.8.1 The City of Fernley Department of Community Development staff will document the demands for public services and facilities relative to existing and planned population in staff reports prepared in conjunction with applications to amend the Comprehensive Master Plan.

Land Use

- LU.1.1 Encourage and plan for new development in areas where adequate public services and facilities can be provided efficiently.**
- LU.1.1.1 Require new development to provide its proportionate share of improvements to avoid a degradation of services for existing residents. This requirement will be applied regardless of project size in order to avoid incremental erosion of services and facilities.
 - LU.1.1.2 Encourage development of vacant or underutilized lands within the community core where adequate infrastructure and facilities currently exists.
 - LU.1.1.3 Require new development to provide certified, stamped studies demonstrating the impact proposed development will have on existing infrastructure and to provide improvements and/or funding in lieu of improvements in proportion to the impacts of the proposed projects on the city's roadway, sewer and water systems.
- LU.1.2 Encourage new development to be in accordance with the Comprehensive Master Plan land use category, and other land use controls to accomplish community principles.**
- LU.1.2.1 Consistently monitor development applications that intend to utilize the underlying zoning. Modify the Fernley Development Code as necessary to ensure compatible development that reflects the community goals envisioned in the Comprehensive Master Plan.
- LU.1.3 Provide a balanced distribution of employment and population.**
- LU.1.3.1 Encourage land uses and development, which maintain a balance of population, housing, and employment.
 - LU.1.3.2 Maintain adequate supplies of developable land for both residential and commercial land use.
- LU.1.4 Ensure existing and future land uses are compatible.**
- LU.1.4.2 Projects shall be evaluated with intent to promote land use compatibility; community design measures can increase compatibility among adjoining land uses.
 - LU.1.4.3 Prevent future suburban or urban subdivisions from locating residences next to principal arterials, freeways, or 300 feet from railroads. Effective shielding and buffering will be required to provide noise abatement with health and safety precautions.
 - LU.1.4.5 Require development plans to address conditions unique to the developing area and minimize impacts to adjacent properties.
 - LU.1.4.6 Review all projects in relation to their geographic location, impacts to adjacent communities, fiscal impact and mitigation measures to protect natural and cultural resources. Apply specific conditions of approval tailored for each development proposal.
- LU.1.5 Promote infill development.**

- LU.1.5.3 Development on the perimeter of Fernley is appropriate only where orderly extension of existing public services and facilities can occur.
- LU.1.5.4 Adopt development regulations that recognize the relationship between land use timing and the provision of services and facilities.
- LU.1.6 Create a growth pattern that assures flexible, feasible, and efficient projects.**
 - LU.1.6.1 Support for developmental approval of projects that provide an appropriate balance of population.
 - LU.1.6.2 The land use designations include minimum service standards that shall apply to proposed developments and land use changes.
- LU.1.8 Ensure that future growth is sensitive to the existing agricultural/farming uses.**
 - LU.1.8.1 Encourage flexibility in development proposals in the Farm District Road to vary lot sizes, cluster dwelling units and use innovative approaches to site planning.
- LU.1.12 It is the intent of the City of Fernley to provide timely, orderly, and efficient arrangement of adequate public facilities and infrastructure that support existing and planned land use patterns and densities. .**
 - LU.1.12.1 Subdivision or intensification of land without adequate public facilities available to serve the new development as it occurs shall not be allowed.
 - LU.1.12.2 Any land use entitlement applications for subdivision or intensification of land shall also be required to submit a fiscal impact analysis to the approval of the city manager or their designee.
 - LU.1.12.3 the City of Fernley should explore the implementation of impact fees associated with the subdivision or intensification of land.

Transportation

- T.1.1 Require that roadway facilities be maintained and constructed as needed to ensure high quality and safe travel on major streets and at major intersections.**
 - T.1.1.1 The minimum Level of Service on all city maintained roadways shall be LOS D. The City will work with representatives from NDOT to ensure timely improvements are planned when NDOT roadways are forecast fall below LOS D.
 - T.1.1.6 Require all new development to be consistent with the access right-of-way dedication and improvement standards as specified in the Public Works Design Manual and pursuant to the functional classification as defined in this chapter.
- T.1.3 Implement street design and access standards to provide safe and efficient movement of goods and people.**
 - T.1.3.1 Assure that access to all new individual residential lots and/or units is provided only from collectors or local streets.
 - T.1.3.4 Require proposed new development that intends to connect with an NDOT roadway to incorporate the NDOT Access Management System and Standards into the project design. These standards regulate access onto the roadway network in order to protect health, safety and welfare of the public, maintain the

rights-of-way, and to preserve the functional classification level of the roadway network while meeting the needs of the motoring public.

Public Services & Facilities

PSF.1.1 To provide and maintain a reliable and adequate water supply and delivery system.

PSF.1.1.4 Areas planned for urban or suburban development (residential densities of one or more dwelling units per acre or comparable non-residential development will be served by a community water supply system consistent with adopted policies in the Land Use Chapter of the Fernley Comprehensive Master Plan.

PSF.2.1 Insure an efficient, adequate, and self-supporting wastewater collection treatment and disposal system that will meet the needs of the public and comply with federal, state, and local clean water requirements.

PSF.2.1.1 All new development withing the City limits with lot sizes equal to or smaller than 1.0 acre shall be required to connect to the municipal sewer system. New development with residential densities lower than one dwelling unit per acre shall be allowed to utilize individual septic systems with acceptable sub-surface disposal if sewer is not available.

PSF.2.1.2 Final maps and building permits will be approved only when adequate sewer capacity is secured and applicable service and connections fees have been paid.

PSF.2.1.3 Sewer costs directly attributable to the new development shall be paid for by the new development. The cost of providing service shall include the cost of extending service lines or other necessary facilities to the individual project site.

Z2. Consistency with the surrounding land uses.

The Zoning Map Amendment request conforms with the underlying Master Plan designation and is compatible with the character of the adjacent area. The project site is located directly east of the Desert Lakes subdivision, and just south of the Desert Rose R.V. park. Much of the property north of Farm District Road is also designated for Single Family Development, with the parcels directly south, west, and east of the project site sharing the Single Family land use designation. The proposed zoning does differ from the two parcels directly south of the project site, but it is understood that significant buffering between the two parcels will occur prior to the recordation of any Final Map. Given that adequate buffering and adjacency standards allow for the single family development to be located adjacent to residential rural lots, the proposed zone change to SF6 (Single Family, 6,000 sq. ft. minimum lot size) would be consistent would the surrounding land uses.

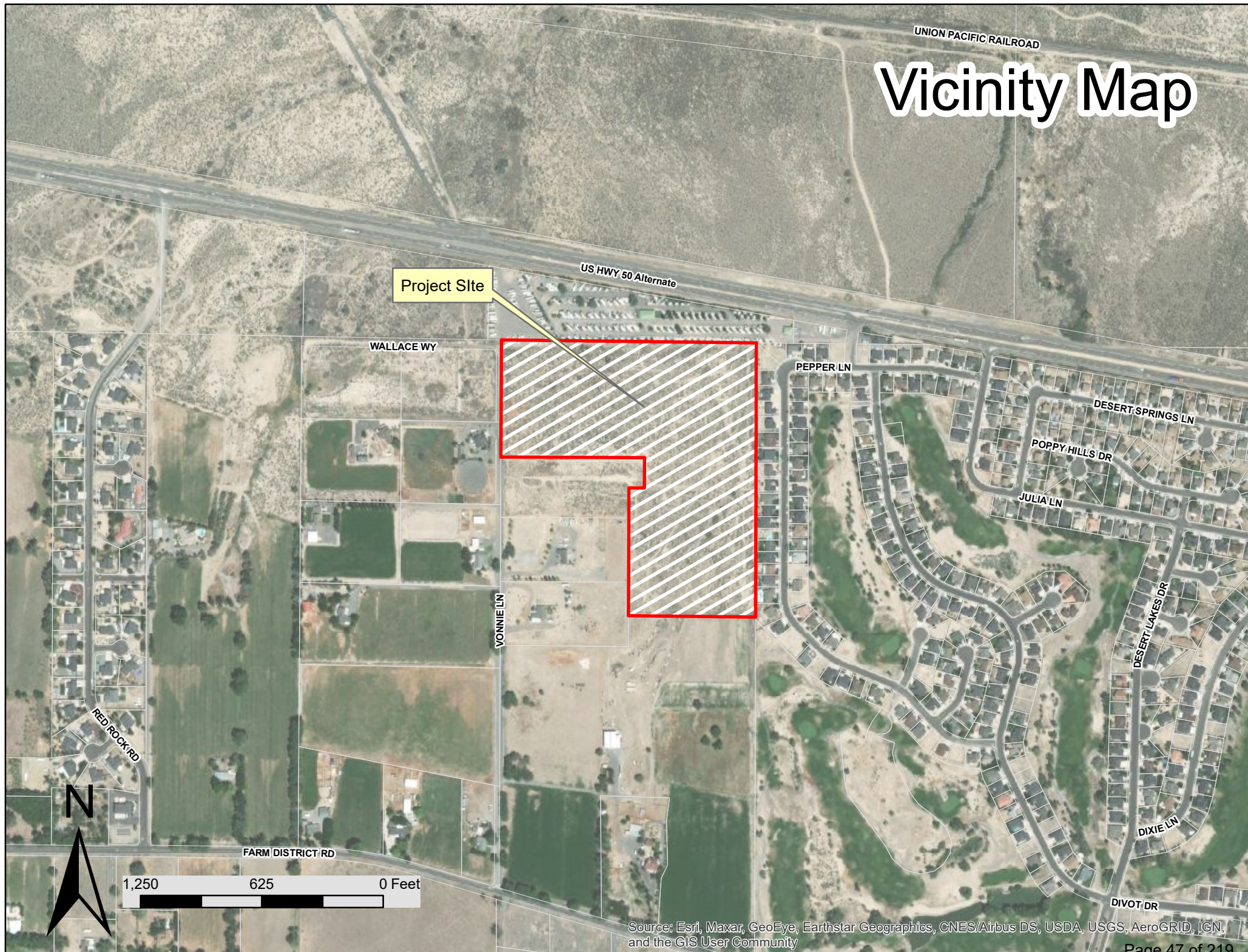
Z3. Public Notice was given, and a public hearing has been scheduled per the requirements of the Development Code and Nevada Revised Statues.

Public notice was given and a public hearing was scheduled per the provisions outlined in the City's Municipal Code and Nevada Revised Statutes.

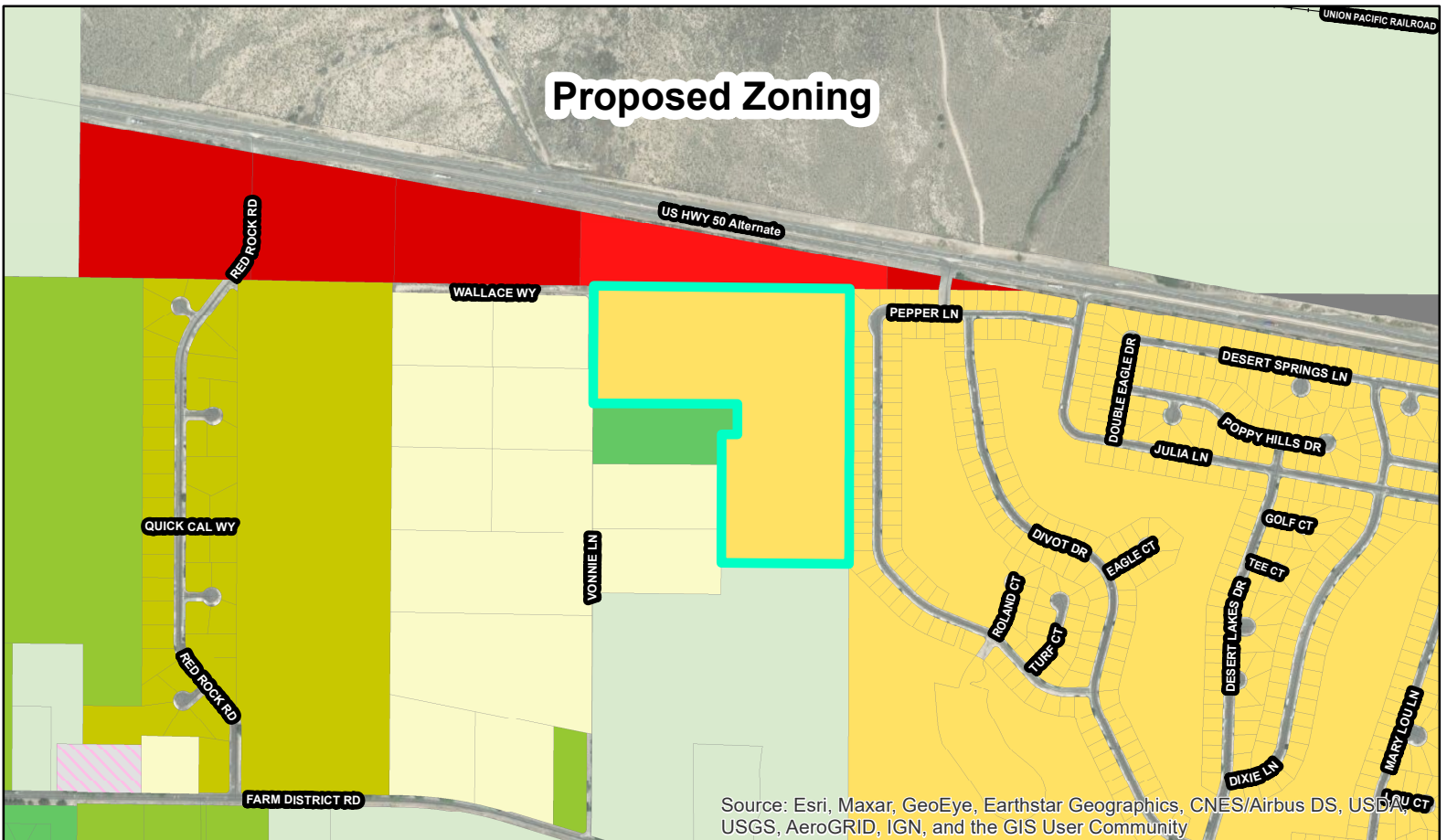
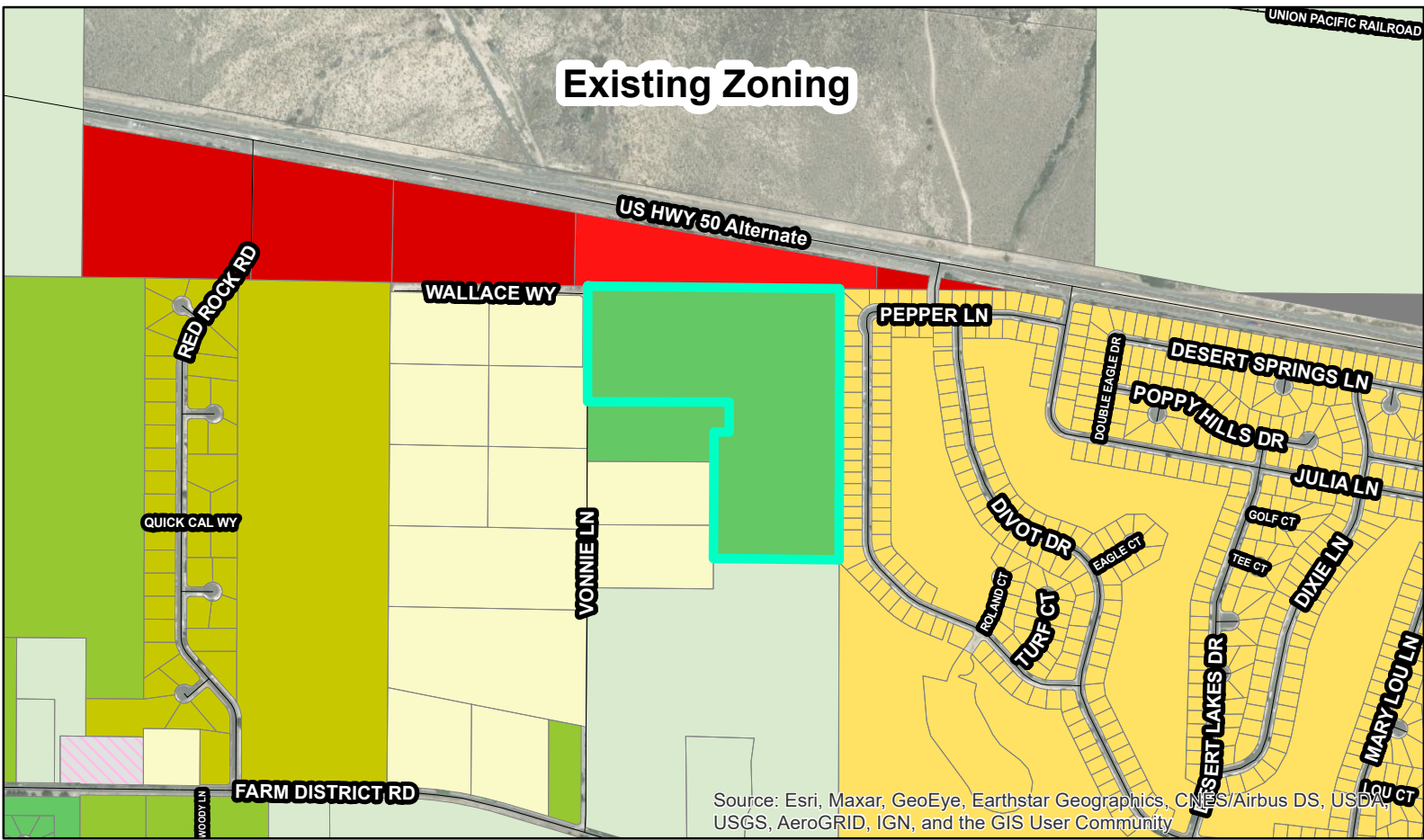
ATTACHMENTS

1. Vicinity Map
2. Existing & Proposed Zoning Exhibit
3. Bill #309 – Ordinance for Zoning Map Amendment

Vicinity Map



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



NOTE: The scale and configuration of all information shown hereon are approximate only and are NOT intended as a guide for design or survey work. Reproduction is NOT permitted without prior written permission from the City of Fernley



	Vonnie_Lane		GR20		RR½		SF9		MF21		C1		EC		PF
			RR5		SF20		SF6		MF30		C2		I		OSP
			RR1		SF12		MDR14		MU		TC				

When recorded, mail to:
City Clerk
City of Fernley
595 Silver Lace Boulevard
Fernley, NV 89408

BILL # 309
CITY OF FERNLEY
ORDINANCE # 2022-006

A GENERAL ORDINANCE FOR A ZONING MAP AMENDMENT, ASSOCIATED WITH ZMA22004, TO CHANGE THE ZONING FROM SF20 (SINGLE FAMILY, 20,000 SQ. FT. MINIMUM LOT SIZE) TO SF6 (SINGLE FAMILY, 6,000 SQ. FT. MINIMUM LOT SIZE) ON A SITE APPROXIMATELY ±30.15 ACRES IN SIZE LOCATED AT 900 VONNIE LANE, FERNLEY, NV, ASSESSOR'S PARCEL NUMBERS 021-471-05, AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

THE CITY COUNCIL OF THE CITY OF FERNLEY, hereinafter "the Council", DO HEREBY ORDAIN:

Section 1: The zoning of property described in Exhibit "A" and shown in Exhibit "A-1", which is attached hereto and incorporated herein by reference, situated in the City of Fernley, County Of Lyon, State Of Nevada, Is Hereby Changed from SF20 (Single Family, 20,000 sq. ft. minimum lot size) to SF6 (Single Family, 6,000 sq. ft. minimum lot size) on a site approximately ±30.15 acres in size located at 900 Vonnie Lane, NV (APN: 021-471-05).

SECTION 2: The zoning map of the City of Fernley is hereby amended in accordance with the zoning map amendment herein.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: The City Clerk is instructed and authorized to publish the title to this ordinance as provided by law and to record the plan certified herein as provided by law.

SECTION 5: This ordinance shall become effective upon passage, approval, and publication.

SECTION 6: The provisions of this ordinance shall be liberally construed to effectively carry out its purposes in the interest of the public health, safety, welfare and convenience.

SECTION 7: If any subsection, phrase, sentence or portion of this section is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 8: The City Council finds that this ordinance is not likely to impose a direct and significant economic burden upon a business or directly restrict the formation, operation or expansion of a business, or is otherwise exempt from Nevada Revised Statutes Chapter 237.

BILL # 309 BEING HEREBY PROPOSED on the 4th day of May 2022.

BILL # 309 BEING HEREBY PASSED, APPROVED and ADOPTED this 18th day of May 2022, by the following vote of the Council:

Ayes: _____ Nays: _____ Abstentions: _____ Absent: _____

FERNLEY CITY COUNCIL

By: _____
Roy Edgington, Mayor

Date: _____

Attest By: _____
Kim Swanson, City Clerk

Date: _____

EXHIBIT "A"
900 VONNIE LANE, CITY OF FERNLEY, LYON COUNTY, NV

A PART OF THE WEST HALF (W½) OF THE EAST HALF (E½) OF SECTION 22, TOWNSHIP 20 NORTH, RANGE 25 EAST, MOUNT DIABLO MERIDIAN, SITUATE IN THE CITY OF FERNLEY, LYON COUNTY, NEVADA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL "A-4" OF THAT CERTAIN PARCEL MAP FOR WILLIAM F. & IDA M. MITCHELL, FOUND IN DOCUMENT NO. 158028, PUBLIC RECORDS OF LYON COUNTY, NEVADA.

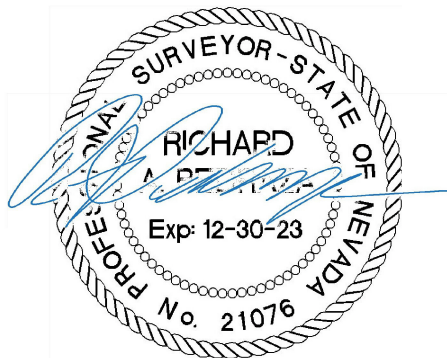
CONTAINING 30.15 ACRES, MORE OR LESS.

BEARING BASE: THE NORTH LINE OF THE WEST HALF (W½) OF THE EAST HALF (E½) OF SAID SECTION 22 IS ASSUMED TO BEAR SOUTH 89°40'11" EAST AND ALL BEARINGS CITED ON SAID PARCEL MAP ARE RELATIVE THERETO.

For the firm, by:
Richard A. Pedraza
PLS #21076
State of Nevada



155 Country Estates Circle
Reno, NV 89511



3-15-22



CITY OF FERNLEY

City Council AGENDA REPORT

Meeting Date: May 4, 2022

REPORT TO: Mayor and City Council

REPORT FROM: Shannon McKnight, Human Resource Manager

FINANCIAL IMPACT:

Yes: No: XX

CURRENTLY BUDGETED:

Yes: No: XX

FUND/ACCOUNT:

There are none

ACTION REQUESTED: Resolution

AGENDA ITEM: (For Possible Action):

(For possible action) Discussion to adopt Resolution 22-012 amending the City of Fernley Personnel Policy Manual.

AGENDA ITEM BRIEF:

This request is for approval of Pool Pact recommended revisions, negotiated revisions and those updates to federal and state laws.

RECOMMENDED MOTION:

"I move to adopt Resolution 22-012 amending the City of Fernley Personnel Policy Manual."

BUSINESS IMPACT (per NRS Chapter 237):

A Business Impact Statement is not required because this is not a rule (term excludes vehicles by which legislative powers are exercised under NRS Chapters 271, 278, 278A, or 278B).

See attached report for background, analysis, alternatives.

ALTERNATIVES:

BACKGROUND:

The City of Fernley Personnel Policy Manual is a compilation of policies concerning the internal operations of City government. Broad organizational policies are adopted by City Council. Management policies and procedures are developed and promulgated by the City Manager. This manual is a compilation of various bargaining unit provisions, and updates to federal and state laws.

A summary of the changes to the personnel manual are attached, and every City of Fernley employee will be required to review and acknowledge receipt of this updated manual.

RELEVANT LAWS, STATUTES, AND REGULATIONS:

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

1. 2022.05.04 Resoultion 22-012 Personnel Policy updates
2. 2022 DRAFT update policies

CITY OF FERNLEY
RESOLUTION 22-012

**A RESOLUTION TO APPROVE THE REVISED CITY OF FERNLEY
PERSONNEL POLICIES AND PROCEDURES MANUAL**

WHEREAS, the Fernley City Council desires to create a document which outlines the philosophy, work rules, policies, procedures, and benefits for employees; and

WHEREAS, the City of Fernley reserves the right to change personnel policies at any time subject to NRS 288, and understands that it is essential to periodically update such a document; and

WHEREAS, the City of Fernley Personnel Policy Manual is a compilation of policies concerning the internal operations of City government relating to various bargaining unit provisions and federal and state law; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Fernley hereby adopts the City of Fernley Personnel Policies and Procedures Manual.

PASSED, APPROVED, AND ADOPTED ON May 4, 2022 by the following vote of the Council:

Ayes_____ Nays_____ Abstentions: _____ Absent:_____

Fernley City Council

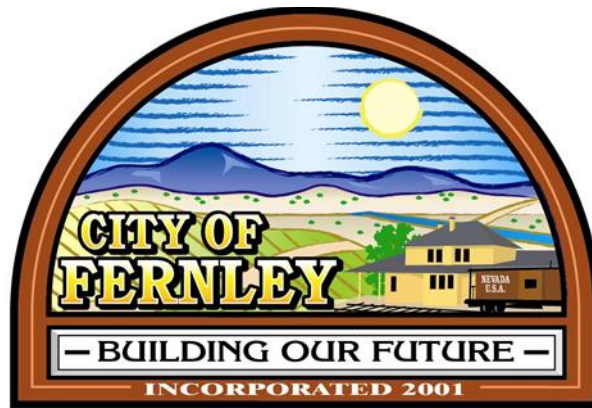
By:_____
Roy Edgington, Mayor

Attest:

Kim Swanson, City Clerk.

CITY OF FERNLEY

Personnel Policies and Procedures



Policies Revised and
Adopted [June 3, 2020](#)

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1. GENERAL PROVISIONS

1.1. Purpose

These policies are established to carry out the **City of Fernley** personnel resolution, personnel ordinance, or intent of the governing board to adopt uniform personnel policies that will enable each employee to make his/her fullest contribution to the programs and services of the **City of Fernley**. Each employee is responsible for reviewing and complying with the **City of Fernley** personnel policies.

The **City of Fernley** retains the sole right to manage its affairs and direct its workforce within the existing framework of law (federal, state, and local), but not limited to the right to plan, direct, and control its operations: to determine the location of its facilities; to determine working hours; to decide the types of services to be provided and the manner of providing them; to decide the work to be performed; to decide the method and place of providing its services; to determine the schedules of work; to hire, layoff, assign, transfer, and promote employees; to determine the qualifications of employees; to determine and re-determine job content; to determine the starting and quitting times; to make such reasonable rules and regulations not in conflict with any collective bargaining agreement, as it may from time to time deem best for the purpose of maintaining order, safety, and/or effective operations of its facilities and to require compliance therewith by employees; to discipline and discharge employees for cause. These management rights are not subject to the dispute resolution/grievance procedure except as may be provided in a collective bargaining agreement.

1.2. Scope

In cases where the application of these policies would conflict with a collective bargaining agreement, employment contract, or at-will status, that is in effect between a recognized employee organization and the **City of Fernley**, the provisions of the collective bargaining agreement, employment contract, or at-will provisions, and limitations shall govern. In all other cases, these policies shall govern. Nothing in these policies is intended to supersede applicable state or federal laws or administrative regulations/ordinances related to personnel matters.

1.3. Computing Time for Notices

Unless otherwise provided, the length of time for processing an action in these policies, days shall be counted beginning with the calendar day following mailing or delivery of notice and concluding at 5 p.m., on the last day to be counted. If the last day to be counted falls on a weekend or holiday, the period will end at 5 p.m., on the first business day following the last counted day.

1.4. Administration

The **City of Fernley** reserves the right to change these personnel policies at any time. Nothing contained in these policies is intended to confer any property right in continued employment or imply a contract of employment. Any change in policies must be in writing and cannot be made verbally.

All employees of the **City of Fernley** are expected to read and familiarize themselves with the contents of these policies. After receiving and reviewing these policies, each employee is expected to sign an acknowledgment form. The employee must return the signed acknowledgment form to the Human Resource Manager for inclusion into his/her personnel file. Employees who fail to comply with these policies may be subject to disciplinary action, up to and including termination. Failure to acknowledge receipt of these policies does not mean an employee is not subject to the policies.

All changes, revisions, additions, and notices of deletions to these policies will be made available to all employees.

1.5. Administrative Directive

The City Manager shall have the authority and the duty to develop and disseminate administrative directives, interpretive memoranda, and other administrative procedures to execute these policies, and to implement the **City of Fernley** personnel program on a consistent basis.

1.6. Change of Address

It is the responsibility of each employee to keep the **City of Fernley** informed, in writing, of current address, telephone number, change of name, and any other information relating to employment status.

1.7. Failure to Receive Notices

Written communications to employees considered to be routine in nature shall be delivered by regular mail to the current address on record or via email. Written communications to employees identified as significant, important and/or time-sensitive shall be hand-delivered or sent by certified mail, return receipt requested, to the current address on record or via email utilizing the read receipt function. All written communications to applicants shall be hand-delivered or sent by U.S. mail to the address shown on the application for employment or sent via email as shown on the application. The **City of Fernley** is not responsible in the event mail is not received. It is the employee's responsibility to respond to all **City of Fernley** communications, including those mailed and/or emailed to the address on record, and the responsibility of the applicant to comply with all phases of the selection process within the specified time. Failure to respond for any reason, including failure to receive written notice, may have an adverse effect on an individual's employment status and/or result in disqualification from the selection and hiring process.

1.8. Personnel Files

1.8.1. Guidelines

City of Fernley maintains job-related information for each employee throughout the course of his/her employment. Records are retained and destroyed in accordance with **City of Fernley** policies as well as federal and state laws governing record retention.

The types of files which may be maintained include:

- General employee personnel records such as application/ résumé, job offer letter(s) or contract(s), job description, signed acknowledgment forms and/or agreements, performance records; disciplinary documentation, training records, and other job-related documents.
- Documents related to recruitment and selection for each position filled such as job announcements, applications and résumés, and interview questions and notes.
- information regarding an applicant's background such as reference checks, conviction records, and credit histories.
- Form I-9 for each employee (and supporting documentation, if retained)
- Records related to pay including but not limited to: timesheets, attendance records, payroll records, tax records (including W-4 forms), payroll deductions, direct deposit information, and wage garnishments.
- Files related to safety including but not limited to: safety training records; occupational injury and illness reports; workers' compensation reports (no names listed); and reports related to exposure to toxic substances and/or blood-borne pathogens.
- Information regarding medical or psychological conditions or diagnoses such as doctor's note, FMLA forms, workers' compensation forms, and drug/alcohol test results.
- Documents related to an investigation including copies of complaints, investigation reports, witness statements and investigation notes, notices given to employees, other related documents.
- Documents related to a grievance including, but not limited to: copies of grievance form, employee's request/appeal for grievance; witness statements and interview notes; copies of each response to the grievance from the organization; copies of requests from employee/union to advance the grievance to the next level in the appeals process; copies of all correspondence sent/received regarding processing the grievance; and other related documents.

1.8.2. Master Personnel File

1. Maintenance

The **City of Fernley** shall maintain a master personnel file for each employee. An employee's supervisor/manager may elect to maintain a duplicate copy of the documents;

however, this does not supersede or eliminate the **City of Fernley** need to maintain the master personnel file for each employee.

2. Employee Access

An employee may view the contents of his/her master personnel file upon request in the presence of the Human Resource Manager. An employee may request copies of any or all documents in his/her master personnel file but may not remove any documents from the file. The **City of Fernley** will provide only one set of copies to the employee without charge per year. If the employee needs additional copies, s/he will be required to pay for them.

3. Negative Information

The **City of Fernley** shall not put negative or derogatory material in an employee's master personnel file unless the employee has had a reasonable opportunity to review the material beforehand. The **City of Fernley** will require the employee to sign such material to acknowledge they have reviewed and not necessarily agree. If the employee refuses to sign such material, the **City of Fernley** may place it in the employee's master personnel file with a dated notation that the employee refused to sign such material after having been given an opportunity to do so. Whenever possible, another supervisor or manager should be used as a witness to the employee's refusal and should co-sign the entry along with the originating supervisor.

4. Employee Information Submitted

Statements by an employee submitted in rebuttal to adverse material placed in his/her master personnel file will be included in the employee's master personnel file. The **City of Fernley** may place other information submitted by the employee in the master personnel file if the **City of Fernley** finds that such information is relevant to the employee's work history with the **City of Fernley**.

1.9. Confidential Information

1.9.1. Identification and Access

The following types of information are considered confidential and access to records is limited as listed below.

1. Recruitment and Background Information

The following types of information and records concerning current employees, former employees, and applicants for employment that the **City of Fernley** maintains are confidential:

- All information related to an employment application including, but not limited to, letters of reference, résumés, or his/her status as an applicant for employment.
- All information that the **City of Fernley** received or compiled concerning the qualifications of an applicant or an employee including, but not limited to, reports by City of Fernley's, law enforcement officials, or other individuals

concerning the hiring, promotion, performance, conduct, or background of applicants or employees.

- Ratings, rankings, scoring sheets, or remarks by members of an evaluation board or individual interviewer, concerning an applicant or results from any testing or employment screening process.
- Materials used in employment examinations including answers, rating guides, score sheets, etc., on any written exam or rating criteria for interviews.
- The names of members of an evaluation panel and tests that are governed by confidentiality agreements.

Access to these confidential records is restricted to the following unless specifically provided in a separate policy:

- Employees with a business need-to-know in order to fulfill the responsibilities assigned by **City of Fernley**;
- The **City of Fernley** manager/administrator, human resources director/manager, or his/her designee;
- Persons authorized pursuant to any state or federal law or court order (i.e., governmental/legal/auditing/ investigating agencies);
- Counsel retained by or on behalf of the **City of Fernley**; and
- Any other parties with whom the **City of Fernley** has a contractual relationship in order to enable the **City of Fernley** to respond accurately and fully to any lawsuit, complaint, grievance, or other statutory appeal filed by or on behalf of an employee or former employee against the **City of Fernley**.

2. Personnel-related Information

The following types of personnel-related information are confidential:

- Information maintained in an employee's master personnel file or record of employment which relates to his/her:
 - Performance;
 - Conduct, including any proposed or imposed disciplinary action taken; and/or
 - protected class membership, date of birth, or social security number.
- Past or present home address, telephone number, post office box, or relatives;
- All information concerning the voluntary or involuntary termination of an employee, other than the dates of actual employment; and
- The name of an employee's/former employee's designated beneficiary.

Access to these confidential records is restricted to the following unless specifically provided in a separate policy:

- The employee;
- The employee's representative when s/he presents a current signed authorization from the employee;

- The employee's manager/supervisor, with a need-to-know, or as needed for a reasonable accommodation and human resources;
- Persons authorized pursuant to any state or federal law or court order;
- Counsel retained by or on behalf of the **City of Fernley**;
- **City of Fernley** workers' compensation carrier in order to address a claim filed for workers' compensation; and
- Any other parties with whom the **City of Fernley** has a contractual relationship in order to enable the **City of Fernley** to respond accurately and fully to any lawsuit, complaint, grievance, or other statutory appeal filed by or on behalf of an employee or former employee against the **City of Fernley**.

3. Medical Information

The following types of medical information are confidential:

- Pre-employment and post-employment medical and psychological examinations;
- Disability and documentation relating to reasonable accommodation requested or granted;
- Drug and alcohol testing;
- Genetic information;
- Pregnancy, health care provider's certification and other communication;
- Subsequent Injury Fund Questionnaire;
- Any other medical information that an employee or applicant has voluntarily provided, or the **City of Fernley** has requested.

Notes: Medical information shall be kept in files segregated from other personnel and employment records. Notations on attendance sheets that an employee took sick leave are not confidential records.

Access to an employee's confidential medical file is limited to:

- Supervisors/managers, regarding necessary restrictions and accommodations in the employee's duties;
- First-aid and safety personnel;
- Government officials investigating compliance with applicable laws, on request;
- State workers' compensation office officials;
- Insurance company employees when the company requires a medical examination to provide health or life insurance; and
- **City of Fernley** workers' compensation carrier in order to address a claim filed for workers' compensation.

The results of a physical examination administered pursuant to NRS 617 may only be provided to:

- The examining physician;
- The employee;

- The **City of Fernley** officer who is responsible for risk management or human resources or his/her designee; and the insurer if an employee has filed a claim pursuant NRS 617.

4. Investigations and Grievances

The **City of Fernley** shall keep all information and documents pertaining to an investigation separate from other personnel and employment records ensuring privacy of all employees, witnesses, and other individuals involved.

Grievance files that include notices, notes, and decisions of appeal will be maintained in a separate file.

Access is limited to only those individuals with a demonstrable business need-to-know, including:

- The employee's manager/administrator, human resources director/manager, or his/her designee;
- Persons authorized pursuant to any state or federal law or court order;
- Counsel retained by or on behalf of the **City of Fernley**; and
- Any other parties with whom the **City of Fernley** has a contractual relationship in order to enable the **City of Fernley** to respond accurately and fully to any lawsuit, complaint, grievance, or other statutory appeal filed by or on behalf of an employee or former employee against the **City of Fernley**.

1.9.2. Disposal of Personal Records

NRS 239B.030 states that government agencies shall ensure that personal information, defined as social security numbers, driver's license numbers, or bank account numbers, required to be maintained by state or federal statute and received after January 1, 2007, be maintained in a confidential manner.

If the agency has records containing personal information which is not required by specific state or federal statute and the information was received prior to January 1, 2007, the information may be obliterated or removed from documents and computer systems.

In compliance with the Fair and Accurate Credit Transactions (FACT) Act Disposal Rule, the **City of Fernley** shall dispose of sensitive information derived from consumer reports to ensure there will be no unauthorized access to – or use of – any confidential information. "Consumer Reports" are defined as reports which contain information from a consumer reporting company, such as reports obtained from third party agencies who conduct employment background checks on behalf of the **City of Fernley**.

Sensitive information includes any and all documents containing employee information, which can include:

- Employee name
- Social security number
- Driver's license number
- Phone number

- Physical address
- Email address
- Any other personal identifiers

In addition, any identifying personal information, such as that described above and listed under item 3, which is stored on electronic files, shall be destroyed or erased so that the information cannot be read or reconstructed.

Method of disposal: The **City of Fernley** shall dispose of sensitive information by shredding or burning any and all documents which contain personal information. Although the law specifically applies to consumer reports and the information derived from consumer reports, the **City of Fernley** shall, in accordance with good personnel practices, properly dispose of any records containing employee personal or financial information. An electronic record must be destroyed in accordance with the applicable schedule in a manner that ensures the information cannot be retrieved or reconstructed, including, without limitation, overwriting, degaussing and the physical destruction of the storage media.

1.10. Related Forms

- City of Fernley Personnel Policies – Acknowledgment and Receipt

2. EMPLOYEE RELATIONS

2.1. Fair Employment Practices

2.1.1. Policy

The **City of Fernley** recognizes the fundamental rights of applicants and employees to be assessed on the basis of merit. Recognition of seniority and current employment with the **City of Fernley** may also be considered. Therefore, it is the policy of the **City of Fernley** to provide equal employment opportunity for all applicants and employees. The **City of Fernley** does not sanction or tolerate discrimination in any form on the basis of any protected class including race, color, religion, age, gender, pregnancy, sexual orientation, national origin, ancestry, disability, veteran status, domestic partnership, genetic information, gender identity or expression, political affiliation, membership in the Nevada National Guard, or any other class that becomes protected by federal and/or state law.

The **City of Fernley** will:

- Recruit, hire, train, and promote for all job classifications without regard to protected class membership, as well as to ensure that all compensation, benefits, transfers, layoffs, return from layoffs, **City of Fernley**-sponsored training, social, and recreation programs will be administered in conformance with the **City of Fernley** policy. In addition, the **City of Fernley** will not discharge, discipline, or discriminate against an individual because of domestic violence as provided for in NRS 613, discussing compensation as provided for in NRS 613, or using leave as a National Guard member as provided for in NRS 412.
- Comply with all applicable laws prohibiting discrimination in employment including Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Employment Opportunity Act of 1972, the Immigration Reform and Control Act of 1986, the Americans with Disabilities Act, as amended, the Genetic Information Nondiscrimination Act of 2008, the applicable Nevada Revised Statutes on Equal Employment Opportunity (NRS 613), Nevada Revised Statutes regarding National Guard service (NRS 412.139/.1395), and any other applicable federal, state, and local statutory provisions.
- Provide reasonable accommodation wherever the need for such is known by the **City of Fernley**, and/or the applicant or employee indicates a need for such reasonable accommodation, provided that the individual is otherwise qualified to perform the essential functions of the assigned job and the employee's performance of the assigned job duties does not pose a threat to the safety of him/herself or others.
- Hold all managers and supervisors responsible for ensuring that personnel policies, guidelines, practices, procedures, and activities are in compliance with federal and state fair employment practices, statutes, rules, and regulations.

2.1.2. Scope

This policy applies to all persons involved in the operation of the **City of Fernley** and prohibits harassment, discrimination, and retaliation by any employee, including supervisors and coworkers, volunteers, customers or clients of the **City of Fernley**, and any vendor or other service provider with whom the **City of Fernley** has a business relationship. The **City of Fernley** will not tolerate instances of harassment, discrimination, or retaliation, whether or not such behavior meets the threshold of unlawful conduct. While single incidents of alleged harassment, discrimination, or retaliation may not be sufficiently severe or pervasive to rise to the level of being a violation of the law, the **City of Fernley** nevertheless prohibits such conduct and may impose appropriate disciplinary action against any employee engaging in such.

2.1.3. Equal Employment Opportunity Officer Designated

The primary responsibilities for ensuring fair employment practices for the **City of Fernley** are promoted and adhered to are assigned to the **City of Fernley** designated Equal Employment Opportunity (EEO) Officer. The **City of Fernley** designated EEO Officer will also serve as the Americans with Disabilities (ADA) Coordinator, unless otherwise noted, and as such, also has responsibility for coordinating the **City of Fernley** compliance with federal and state disability laws. The designated EEO Officer for **City of Fernley** is Human Resource Manager. The name and work telephone number of the designated individual will be posted on bulletin boards at **City of Fernley** work sites. In the event the designated EEO Officer is unavailable, the City Manager is designated as the alternative EEO Officer.

2.2. Anti-Harassment

2.2.1. Policy

City of Fernley promotes a productive work environment and does not tolerate verbal, physical, written, or graphical conduct/behavior(s) that harasses, disrupts, or interferes with another's work performance or that creates an intimidating, offensive, or hostile environment based on that person's protected class membership.

2.2.2. Prohibited Conduct/Behavior(s)

The **City of Fernley** will not tolerate any form of harassment, including any conduct/behavior(s) on the part of employees, volunteers, clients, customers, vendors, contractors, etc., that impairs an employee's ability to perform his/her duties. Examples of prohibited conduct/behavior(s) include, but are not limited to:

- *Offensive verbal communication* including slurs, jokes, epithets, derogatory comments, degrading or suggestive words or comments, unwanted sexual advances, invitations, or sexually degrading or suggestive words or comments.
- *Offensive written communication* including notes, letters, notices, emails, texts, or any other offensive message sent by electronic means.
- *Offensive gestures, expressions and graphics* including leering, obscene hand, finger, or body gestures, sexually explicit drawings, derogatory posters,

photographs, cartoons, drawings, or displaying sexually suggestive objects or pictures.

- *Physical contact* when the action is unwelcomed by recipient including brushing up against someone in an offensive manner, unwanted touching, impeding or blocking normal movement, or interfering with work or movement.
- Expectations, requests, demands, or pressure for sexual favors.

2.2.3. Training

The **City of Fernley** will provide training annually to all employees on the prevention of discrimination and prohibited conduct/behavior(s) in the workplace. All new employees will be provided a copy of this policy upon hire and the contents will be discussed during the new hire orientation process. New employees will participate in training on the prevention of discrimination and prohibited conduct/behavior(s) within 90 days. A copy of this policy will be made available to applicants upon request.

2.3. Employee Bullying

2.3.1. Definition

The **City of Fernley** defines bullying as repeated mistreatment of one or more persons by one or more perpetrators that takes one of the following forms:

- Verbal abuse;
- Offensive conduct/behaviors (including nonverbal, physical, and cyber-bullying) which are threatening, humiliating, or intimidating; or
- Work interferences, such as sabotage, which prevents work from getting done.

2.3.2. Purpose

The purpose of this policy is to communicate to all employees, including supervisors/managers, that the **City of Fernley** will not tolerate bullying behavior. Employees found in violation of this policy may be subject to disciplinary action, up to and including termination.

2.3.3. Prohibited Conduct

The **City of Fernley** considers the following types of behavior examples of bullying (this list is not all-inclusive):

- *Verbal Bullying* including slandering, ridiculing or maligning an employee or his/her family; persistent name calling, which is hurtful, insulting, or humiliating; yelling, screaming, and cursing; chronic teasing; belittling opinions or constant criticism.
- *Physical Bullying* including pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to an employee's work area or property.
- *Nonverbal Bullying* including nonverbal threatening gestures or glances which convey threatening messages; threatening actions; socially or physically excluding or disregarding a person in a work-related activity.

- *Cyber-Bullying* including repeatedly tormenting, threatening, harassing, humiliating, embarrassing, or otherwise targeting an employee using email, instant messaging, text messaging, social media, or any other type of digital technology.
- *Workplace Interference* including sabotaging which prevents work from getting done; deliberately tampering with a person's work area or property; unreasonably assigning menial tasks outside of a person's normal job duties.

2.4. Dealing w/Allegations of Prohibited Conduct/Behavior(s)

2.4.1. Process

Employees or applicants who believe they are being subjected to any form of prohibited conduct/behavior(s) as described in the Anti-Harassment or Employee Bullying policies by another (e.g. employee, client, customer, vendor, volunteer, contractor, etc.), as well as those who believe they have witnessed another employee, client or member of the public being subjected to prohibited conduct/behavior(s), have an affirmative duty to bring the situation to the attention of the **City of Fernley**. Employees covered by a collective bargaining agreement may opt to use the process described in this policy or in an applicable grievance procedure delineated by their collective bargaining agreement but may not use both.

2.4.2. Employee Responsibilities

1. Employees who believe they personally are being or have been subjected to prohibited conduct/behavior(s) and/or are the target of any form of prohibited conduct/behavior(s) or have witnessed any other employee being subjected to these behaviors, are encouraged to inform the alleged harasser/bully that the behavior/conduct is unwelcome and must stop.

Note: An employee is NOT required to talk directly to the alleged harasser/bully or to the employee's supervisor. It is critical, however, that the employee contact one of the individuals listed in sections 2 or 3 below if s/he believes s/he is being targeted or has witnessed what the employee believes to be prohibited conduct/behaviors(s) directed to or committed by another.

2. If the employee feels uncomfortable in speaking directly to the alleged harasser/bully or if the employee requested the prohibited conduct/behavior(s) to cease, but the request did not produce the results desired, the employee should report the conduct/behavior(s) as soon as possible to any supervisor/manager, **City of Fernley** designated EEO Officer, or the HR representative.
3. Employees who believe the EEO Officer has engaged in prohibited conduct/behavior(s) should bring such concerns to the attention of the alternate EEO Officer or to the City Manager, who will designate an objective person to conduct an investigation of such allegations. Employees may also report the conduct/behavior(s) to the **City of Fernley** attorney.

4. An employee who witnesses or obtains information regarding prohibited conduct/behavior(s) by his/her immediate supervisor is required to report the incident to the EEO officer or HR representative.

Applicants who have concern regarding violations of this policy are encouraged to contact the designated EEO officer or the alternate.

2.4.3. Supervisor/Manager Responsibilities

Regardless of whether the employee involved is in the supervisor's or manager's department and regardless of how s/he became aware of the alleged prohibited conduct/behavior(s), all supervisors and managers must immediately report all allegations or complaints or observations of such conduct/behavior(s) to the EEO Officer, HR representative, department head, or City Manager. The information reported must include:

- The persons(s) involved, including all witnesses;
- A written record of specific conversations held with the accused and any witnesses; and
- All pertinent facts, including date(s), time(s), and locations(s).

A supervisor's/manager's failure to immediately report such activities, complaints, or allegations will result in discipline, up to and including termination.

2.4.4. Investigation

1. Upon being made aware of allegations or complaints of prohibited conduct/behavior(s), the **City of Fernley** will ensure that such allegations or complaints are investigated promptly. The **City of Fernley** treats all allegations or complaints seriously and requires all employees to be candid and truthful during the investigation process.
2. The **City of Fernley** will make efforts to ensure that all investigations are kept as confidential as reasonably possible. Employees shall be required, upon request, to provide information to regulatory agencies. The **City of Fernley** will release information obtained only to those individuals involved in the investigation and the administration of the complaint with a business need-to-know, or as required by law.
3. The **City of Fernley** will communicate to the individual who made the initial complaint, as well as the individual against whom the complaint was made, will be made aware that the investigation is completed and appropriate action, if any, has been taken.
4. If evidence arises that a participant in the investigation made intentionally false statements, that employee will be subject to disciplinary action, up to and including termination.
5. If it is determined that a violation of this policy has occurred, the employee will be subject to disciplinary action up to and including termination. The **City of Fernley** will also initiate action to deter any future prohibited conduct/behavior(s) from occurring.
6. With regard to disability-related complaints, the EEO Officer (when appropriate, working with the City Manager and/or the complainant) shall propose a resolution to the complaint based upon the findings of such investigation. Such resolution will include

reasonable accommodation when the **City of Fernley** determines that such a reasonable accommodation can be provided by the **City of Fernley**.

2.4.5. Prohibition Against Retaliation

Retaliation is adverse treatment which occurs because of opposition to prohibited conduct/behavior(s) in the workplace. The City of Fernley will not tolerate any retaliation by management or by any other employee against an employee who exercises his/her rights under this policy. Any employee who believes s/he has been harassed, retaliated, or discriminated against in any manner whatsoever as a result of having filed a complaint, assisted another employee in filing a complaint, or participated in an investigative process should immediately notify the EEO Officer or alternative EEO Officer. The City of Fernley will promptly investigate and respond appropriately with any allegation of retaliation.

2.5. Employee Dating

2.5.1. Policy

The **City of Fernley** recognizes that an environment where employees maintain clear boundaries between personal and workplace interactions is most effective for conducting business. This policy does not prevent the development of friendships or romantic relationships between employees. However, employees in supervisory/managerial positions are precluded from having a romantic relationship with any subordinate employee. In the event a romantic relationship develops between a supervisor/manager and a subordinate employee, both employees are required to report the relationship to the City Manager. The City Manager will make a determination as to whether one of the employees may be transferred to another position. If such a transfer cannot be accomplished, the City Manager may make a determination that one of the employees will be terminated.

2.5.2. Employee Responsibilities

Employees are prohibited from engaging in physical contact that would in any way be deemed inappropriate by a reasonable person while anywhere on **City of Fernley** property, in an **City of Fernley** vehicle, or on **City of Fernley** business whether or not such physical contact occurs during work hours.

Violation of this policy may result in disciplinary action up to and including termination.

2.5.3. Supervisor/Manager Responsibilities

Employees employed in supervisory/managerial positions are prohibited from engaging in a romantic relationship with a subordinate employee. Employees employed in supervisory/managerial positions need to be cognizant of their status as role models, their access to sensitive information, and their ability to influence others.

Violation of this policy may result in disciplinary action up to and including termination.

2.6. Employment Disabilities

2.6.1. Policy

It is the **City of Fernley** policy to comply proactively with the applicable employment provisions of disability laws, including the Americans with Disabilities Act (ADA) and Nevada Law (NRS 613.310, NRS 281.370, and NRS 233.010). The **City of Fernley** does not tolerate discrimination against any qualified individual with a disability in regard to any terms, conditions, or privileges of employment and prohibits any type of harassment or discrimination based on the physical or mental disability, history of disability, or perceived disability of an individual holding or seeking employment with the **City of Fernley**.

The **City of Fernley** is committed to provide reasonable accommodation wherever the need for such is known to the **City of Fernley** or whenever the employee or applicant indicates a need for reasonable accommodation, provided that the individual is otherwise qualified to perform the essential functions of the assigned job and the employee's performance of the assigned job duties does not pose an obvious threat to the safety of him/herself or others.

2.6.2. Determination of Disability

In determining whether an employee or an applicant has a disability under the law, the employee/applicant must have a physical or mental impairment that substantially limits one or more major life activities, have a record of such an impairment, or being regarded as having an impairment.

2.6.3. Disability-Related Inquiries

The **City of Fernley** shall adhere to the provisions of applicable laws regarding an **City of Fernley** limitations on making disability-related inquiries or requiring medical examinations.

The **City of Fernley** restrictions regarding disability-related inquiries and medical examinations apply to all employees/applicants, whether or not they have disabilities. A disability-related question to an applicant may be a violation of law, even though the applicant may not have a disability.

The **City of Fernley** may require the employee to provide a fitness-for-duty certification from an appropriate health care provider whenever the **City of Fernley** has reason to believe the employee may be unable to perform the essential functions of his/her job, pose a direct threat to him/herself or to others, and consistent with the business necessity of the **City of Fernley**.

2.6.4. Accommodation

1. *Accommodation for Applicants:* Whenever an applicant requests accommodation in applying for, testing, or interviewing for a position with the **City of Fernley**, the **City of Fernley** ADA Coordinator shall determine whether the request for accommodation for a covered disability is reasonable or if another type of accommodation can be provided. In making the determination of reasonableness, the ADA Coordinator may consider

whether granting such requests might impose an undue hardship on the **City of Fernley**.

2. *Accommodation for Employees:* When the **City of Fernley** has reason to believe an employee may need some type of accommodation to perform his/her essential job functions, the **City of Fernley** will initiate an interactive process with the employee to find out what accommodation the employee might need. Also, whenever an employee approaches his/her supervisor, the **City of Fernley** ADA Coordinator, or any other manager within the **City of Fernley** requesting some type of accommodation, the **City of Fernley** will initiate the interactive process. Whenever a manager or supervisor becomes aware that an employee has requested or may require some type of accommodation, the manager/supervisor should promptly notify the ADA Coordinator. Upon learning of the employee's request for accommodation, the ADA Coordinator shall arrange to meet with the supervisor and the employee to discuss his/her accommodation request, the need for any reasonable documentation of the disability, the associated functional limitations, and the impact of the proposed accommodation on the **City of Fernley**. Review of an employee's particular situation by a health care provider may assist the organization in determining appropriate accommodation.

2.6.5. Requirements of Other Laws

The **City of Fernley** may make disability-related inquiries and require medical exams that are required or necessitated by applicable laws or regulations; e.g., federal safety regulations, OSHA requirements.

2.7. Pregnancy, Childbirth, and Related Medical Conditions

2.7.1. Policy

It is the **City of Fernley** policy to comply proactively with the applicable employment provisions of discrimination laws, including the Federal Pregnancy Discrimination Act (PDA) and Nevada Pregnant Workers' Fairness Act under NRS 613.

The **City of Fernley** is committed to provide reasonable accommodation whenever a female employee/applicant requests an accommodation for a condition of the employee relating to pregnancy, childbirth, or a related medical condition, provided that the individual is otherwise qualified to perform the essential functions of the assigned job, absent undue hardship. Related medical conditions include, without limitation, a physical or mental condition intrinsic to pregnancy or childbirth, including mastitis or other lactation-related medical condition, gestational diabetes, pregnancy-induced hypertension, preeclampsia, post-partum depression, loss or end of pregnancy, and recovery from loss or end of pregnancy.

2.7.2. Accommodation

1. If a female employee/applicant requests an accommodation for a condition of the employee/applicant relating to pregnancy, childbirth or a related medical condition, the ADA Coordinator and employee/applicant shall engage in a timely, good faith and interactive process to determine an effective, reasonable accommodation.

2. Whenever a manager/supervisor becomes aware that a female employee has requested an accommodation, the manager/supervisor should promptly notify the ADA Coordinator.
3. Upon learning of the employee's request for accommodation, the ADA Coordinator shall arrange to meet with the supervisor and the employee to discuss her accommodation request, the need for an explanatory statement from the employee's physician concerning the specific accommodation recommended by the physician for the employee, and the impact of the proposed accommodation on the **City of Fernley**.
4. *Accommodation for Employees:* Reasonable accommodations may include a change in the work environment or in the way things are customarily carried out that allows the employee to have equal employment opportunities, including the ability to perform the essential functions of the position and to have benefits and privileges of employment; such as:
 - Modifying equipment or providing different seating;
 - Revising break schedules, including the frequency and duration;
 - Providing space, other than a bathroom, for expressing milk (see *Leave for Nursing Mothers* policy);
 - Providing assistance with manual labor if the manual labor is incidental to the primary work duties of the employee;
 - Authorizing light duty;
 - Temporarily transferring employee to less strenuous/hazardous position;
 - Restructuring position or providing modified work schedule; or
 - Leave, with or without pay, if no other reasonable accommodation which would allow the employee to continue to work is available.
5. *Accommodation for Applicants:* Reasonable accommodations may include a modification to the application process for an applicant or the manner in which things are customarily carried out that allows the applicant to be considered for employment or hired for a position.

2.7.3. Prohibitions

The **City of Fernley** will not:

- Refuse to provide a reasonable accommodation unless the accommodation would impose an undue hardship.
- Take adverse employment action against an employee because the employee requests or uses a reasonable accommodation.
- Deny an employment opportunity to an otherwise qualified applicant because they have requested a reasonable accommodation.
- Require an employee or applicant to accept an accommodation she did not request or chooses not to accept.
- Require an employee to take leave if a reasonable accommodation is available that would allow the employee to continue working.

2.7.4. Requirements of Other Laws

The **City of Fernley** may make pregnancy-related inquiries and require medical exams that are required or necessitated by applicable laws or regulations; e.g., federal safety regulations, OSHA requirements.

2.7.5. Notice Requirements

The **City of Fernley** will provide a written or electronic notice to all new employees upon commencement of employment that they have the right to be free from discriminatory or unlawful employment practices pursuant to this Act. The notice includes a statement that a female employee has the right to a reasonable accommodation for a condition of the employee relating to pregnancy, childbirth, or related medical condition. This notice will be provided within ten days after an employee notifies her immediate supervisor that she is pregnant. This notice will also be posted at conspicuous locations that are accessible to employees.

2.8. Reasonable Accommodation for Victims of Domestic Violence

2.8.1. Policy

It is the **City of Fernley** policy to comply proactively with the applicable employment provisions of discrimination laws, including NRS 613, which set forth requirements for **City of Fernley's**, absent creating an undue hardship, to provide reasonable accommodation to employees who are victims of domestic violence or whose family or household members are victims of domestic violence. For the purpose of this policy, "family or household members" include the employee's spouse, domestic partner, minor child, or parent or other adult person who is related within the first degree of consanguinity or affinity to the employee, or other adult person who is or was actually residing with the employee at the time of the act which constitutes domestic violence.

2.8.2. Accommodation

1. Whenever a manager/supervisor becomes aware that an employee has a need for an accommodation due to domestic violence, the manager/supervisor should promptly notify the EEO Officer.
2. Upon learning of the employee's need for accommodation due to domestic violence, the EEO Officer shall arrange to meet with the supervisor and the employee to discuss his/her accommodation request, the need for documentation that confirms or supports the reason the employee requires the reasonable accommodations, and the impact of the proposed accommodation on the **City of Fernley**.
3. Reasonable accommodations may include:
 - Transfer or reassignment;
 - A modified schedule;
 - A new telephone number for work; or

- Any other reasonable accommodations which will not create an undue hardship deemed necessary to ensure the safety of the employee, the workplace, the **City of Fernley** or other employees.

2.8.3. Prohibitions

The **City of Fernley** will not discharge, discipline, discriminate against, in any manner, or deny employment or promotion to, or threaten to take any such action against an employee because:

- The employee requested to use hours of leave pursuant to this policy;
- The employee participated as a witness or interested party in court proceedings related to a domestic violence act;
- The employee requested accommodation pursuant to this policy; or
- An act of domestic violence was committed against the employee at the workplace.

2.9. Drug- and Alcohol-Free Workplace

2.9.1. Policy

The **City of Fernley** recognizes that substance abuse in our nation and our community exacts staggering costs in both human and economic terms. Substance abuse can be reasonably expected to produce impaired job performance, lost productivity, absenteeism, accidents, wasted materials, lowered morale, rising health care costs, and diminished interpersonal relationship skills. This drug- and alcohol-free workplace policy applies to volunteers as well as employees.

1. The City of Fernley is committed to:

- Maintaining a safe and healthy workplace for all employees and volunteers;
- Assisting employees or volunteers who recognize they have a problem with drugs, prohibited substances, or alcohol in receiving appropriate treatment;
- Periodically providing employees and volunteers with information about the dangers of workplace drug abuse; and
- When appropriate, taking disciplinary action for failure to comply with this policy.

2. The City of Fernley strictly prohibits the following behavior:

- a. The use, sale, attempted sale, manufacture, attempted manufacture, purchase, possession or cultivation, distribution and/or dispensing of illegal drugs or prohibited substances by an employee at any time and in any amount. For the purpose of this policy, illegal drugs include those classified as such under local, state, or federal laws. Prohibited substances include medical and recreational marijuana, the use or possession of prescription medicines for which the individual does not have a valid prescription, and the inappropriate use of prescribed medicines for which the employee has a valid prescription. The prohibition also includes using over-the-counter medications contrary to manufacturer instructions, or consumer products not meant for human

consumption. In addition, the **City of Fernley** prohibits employees from possessing open containers of alcoholic beverages while on the **City of Fernley** premises and/or while on duty and from working with a blood-alcohol level of .02 or more at any time.

- b. Bringing alcohol, illegal drugs, and other prohibited substances which may impair the safety or welfare of employees or the public onto the premises controlled by the **City of Fernley** or placing in vehicles or equipment operated on behalf of the **City of Fernley**.
- c. Driving an organizational vehicle while on or off duty with a blood alcohol level of .02 or more or under the influence of an illegal drug or prohibited substance, regardless of the amount.
- d. Law enforcement personnel may possess and/or transport such [substances](#) [assubstances as](#) required in the course and scope of job-related functions.

3. Reporting Requirements

- a. A supervisor who receives information or is a witness to any use of illegal drugs, prohibited substances, or alcohol by an employee which violates **City of Fernley** policies or the law, is required to report this information to his/her Department Head or City Manager immediately. The information reported must include:
 - i. The persons(s) involved, including all witnesses;
 - ii. Any information gathered, such as actual observation of drug/alcohol use, the presence of paraphernalia, observation of any unusual physical signs or behaviors;
 - iii. A written record of specific conversations held with the accused and any witnesses;
 - iv. All pertinent facts, including date(s), time(s), and locations(s).
 - b. An employee who witnesses or obtains information regarding illegal drug/prohibited substance/alcohol use by his/her immediate supervisor is required to report the incident to that supervisor's supervisor.
- 4. Specimen collection, drug testing procedures, sample collection, and alcohol testing procedures will comply with all applicable provisions of federal and state law.
 - 5. Employees in safety-sensitive positions as defined in 49 CFR Part 382, et seq., are subject to the Federal Department of Transportation (DOT) (49 CFR Part 40) and the Federal Motor Carrier Safety Regulations (FMCSR), as prescribed by the Federal Motor Carrier Safety Administration (FMCSA) (49 CFR Parts 382, 383, 387, 390-397, and 399), as well as the **City of Fernley** Drug- and Alcohol-Free Workplace Policy.
 - 6. The **City of Fernley** receives funding through federal grants and is therefore subject to the Drug-Free Workplace Act of 1988. Marijuana (including medical and recreational marijuana), cocaine, opioids, amphetamines (including methamphetamines), phencyclidine (PCP), and methylenedioxy-methamphetamine (MDMA) are considered illegal Schedule I or II drugs through the federal government. **City of Fernley** is committed to a policy of a drug- and alcohol-free workplace and employees may not have any detectable level of Schedule I or II drugs in their system while at work. However, this policy is adopted in compliance with the requirements of NRS 453A.

2.9.2. Employee Responsibilities

1. Each employee is responsible for meeting standards for work performance and safe on-the-job conduct.
2. Employees shall not report to work under the influence of alcohol, illegal drugs, prohibited substances, or misused prescription or over-the-counter drugs, regardless of the amount.
3. Employees who suspect they may have a substance abuse problem are encouraged to seek counseling and rehabilitation from the **City of Fernley** Employee Assistance Program (EAP) provider, substance abuse professional, or other treatment provider. The **City of Fernley** medical insurance policy may provide for payment of some or all of the treatment costs.
4. It is the responsibility and obligation of employees in safety-sensitive positions to determine, by consulting a health care provider if necessary, whether or not a legal drug s/he is taking may/or will affect his/her ability to safely perform his/her job duties. An employee in a safety-sensitive position whose medication may affect their ability to safely perform their job must contact the human resources director or department director who will attempt to find an appropriate alternative assignment. If none is available, the employee and the **City of Fernley** will take steps consistent with the advice of a health care provider which could include the use of sick leave or a leave of absence. If an employee reports to work under the influence of prescription medication and, as a result, endangers him/herself or others, the employee will be subject to discipline, up to and including termination.
5. Each employee must report the facts and circumstances of any drug or alcohol arrest resulting from an incident that occurred while the employee was on duty. Each employee must report the facts and circumstances of any drug or alcohol conviction which may impact the employee's ability to perform the duties of his/her job. If duties involve driving a vehicle, the employee must report to his/her supervisor a conviction for driving under the influence (DUI), and/or restriction, revocation, or suspension of the driver's license pending adjudication. Notification to **City of Fernley** must occur before resuming work duties or restriction, revocation, or suspension.
6. Employees in safety-sensitive positions identified by the **City of Fernley** are subject to random drug and/or alcohol testing as provided in this policy.
7. Employees must act as responsible representatives of the **City of Fernley** and as law-abiding citizens. It is every employee's responsibility to report violations of this policy to his/her immediate supervisor or to the Human Resource Manager. Such reporting is critical in preventing serious injuries or damage to the **City of Fernley** property.
8. Employees who are required to submit to a drug/alcohol test must complete and sign a consent form. Employees acknowledge that by consenting to drug testing, they are waiving any expectation of privacy.

Note: Law enforcement employees and applicants for law enforcement positions are also subject to the law enforcement department's drug testing policy.

2.9.3. Department Head Responsibilities

The department head or his/her designee is responsible for:

1. Authorizing the testing of employees.
2. Coordinating drug and/or alcohol testing.
3. Completion of a required consent form.
4. Notifying employees of positive test results and their right to a retest of the same sample.
5. Implementing disciplinary action against employees who fail to comply with provisions outlined in this policy.
6. Notifying the **City of Fernley** attorney of an employee's conviction of a federal or state drug and/or alcohol violation.
7. Ensuring that the drug and/or alcohol test forms and results are kept confidential and only provided to employees with a business need for the information.
8. Identifying safety-sensitive positions.
9. Notifying employees in department safety-sensitive positions that they are subject to random drug and/or alcohol testing.

2.9.4. Supervisor Responsibilities

Supervisors are responsible for:

1. Determining if reasonable suspicion exists to warrant drug and/or alcohol testing and detailing, in writing, the specific facts, symptoms, or observations that are the basis for the reasonable suspicion.
2. Submitting the documentation to the department head or designee.
3. Complying with the appropriate provisions outlined in this policy that apply to supervisory personnel.

2.9.5. City of Fernley Responsibilities

City of Fernley's are responsible for:

1. Providing communication and training on this policy to include a training program to assist supervisors to recognize the conduct and behavior that gives rise to a reasonable suspicion of drug and/or alcohol use by employees and how to take appropriate corrective action.
2. Receiving and maintaining employee drug and alcohol testing records and files from all sources and assuring that they are kept confidential.
3. Making drug and/or alcohol testing and notice forms available.
4. Notifying appropriate department heads of positive results of drug and alcohol tests.
5. Administering the contract with a third party to provide drug and alcohol testing services.
6. Overseeing the administration of the **City of Fernley** Drug- and Alcohol-Free Workplace Policy.
7. Designating safety-sensitive positions.
8. Notifying department heads of their employees randomly selected for drug and/or alcohol testing.

9. Ensuring the administration of all pre-employment drug testing.

2.9.6. Employee Education

The **City of Fernley** maintains information relating to the hazards of and treatment for drug- and alcohol-related problems. Proactive training and information shall be sponsored by the **City of Fernley** periodically. Any employee may voluntarily seek advice, information, and assistance. Medical confidentiality will be maintained consistent with this policy.

2.9.7. Employee Assistance and Voluntary Referral

1. The **City of Fernley** strongly encourages employees who suspect they have substance abuse problems to voluntarily refer themselves to a treatment program. A voluntary referral is defined as being one that occurs prior to any positive test for illegal drugs, prohibited substances, or alcohol under this policy and prior to any other violation of this policy, including a conviction of that individual for a drug or alcohol related offense. A decision to participate in the employee assistance or other treatment program will not be a protection or defense from discipline.
2. Any employee who voluntarily requests assistance in dealing with a personal drug and/or alcohol problem may do so through a private treatment program for drug and alcohol problems. An employee who is being treated for substance abuse in a recognized rehabilitation program may, if the Americans with Disabilities Act applies, be entitled to reasonable accommodation so long as the employee is conforming to the requirements of the program and is abstaining from the use of controlled substances and/or alcohol. These situations will be addressed on a case-by-case basis.
3. The cost of the drug or alcohol rehabilitation or treatment program shall be borne by the employee and, if applicable, the employee's insurance provider. All information regarding an employee's participation in treatment will be held in strict confidence. Only information that is necessary for the performance of business will be shared by the **City of Fernley** management.

2.9.8. Reasonable Suspicion Testing

1. When any supervisor has reasonable suspicion that an employee may be under the influence of alcohol, drugs, or prohibited substances, the employee in question will be directed by the department head or designee or the **City of Fernley** Human Resource Manager to submit to drug and/or alcohol testing. This test may include a breath or blood test or urinalysis.
2. The supervisor shall be responsible to determine if reasonable suspicion exists to warrant drug and/or alcohol testing and shall be required to document, in writing, the specific facts, symptoms, or observations which form the basis for such reasonable suspicion. When possible, the documentation will be forwarded to the department head or designee to authorize the drug and/or alcohol test of an employee.
3. The department head or designee or the **City of Fernley** Human Resource Manager shall direct an employee to undergo drug and/or alcohol testing if there is reasonable

suspicion that the employee is in violation of this policy. The employee will be placed on administrative leave with pay pending results of the test.

An employee who is required to submit to reasonable suspicion testing:

- a. Must sign a consent form. By consenting to testing, the employee acknowledges that s/he is waiving any expectation of privacy.
 - b. Will be immediately provided transportation by the **City of Fernley** to the location of the test.
 - c. Will be advised to refrain from eating or drinking before being tested.
 - d. Will be provided transportation by the **City of Fernley** or transportation arrangements will be made available by the **City of Fernley** after the employee submits to the test or refuses to be tested.
4. Circumstances which constitute a basis for determining reasonable suspicion may include, but are not limited to:
- Information provided either by reliable and credible sources or independently corroborated.
 - The first line supervisor or another supervisor/manager receives information from a reliable and credible source as determined by the department head that an employee is violating the **City of Fernley** policy.
 - Direct observation of drug, prohibited substance, or alcohol use while on duty.
 - The first line supervisor or another supervisor/manager directly observes an employee using drugs, prohibited substances, or alcohol while an employee is on duty.
 - Employee admits using drugs, prohibited substances, or alcohol prior to reporting to work or while at work.
 - Drug, prohibited substance, or alcohol paraphernalia possibly used in connection with illicit drugs, prohibited substances, or alcohol found on the employee's person or at or near the employee's work area.
 - Evidence that the employee has tampered with a previous test for drugs, prohibited substances, or alcohol.
5. The following behaviors will also contribute toward reasonable suspicion and, collectively or independently, on a case-by-case basis may provide a sufficient reason for requesting a test for drugs, prohibited substances, or alcohol:
- a. *A pattern of abnormal or erratic behavior:* This includes, but is not limited to a single, unexplainable incident of serious abnormal behavior or a pattern of behavior which is radically different from what is normally displayed by the employee or grossly differing from acceptable behavior in the workplace.
 - b. *Presence of physical symptoms of drug and/or alcohol use:* The supervisor observes physical symptoms that could include, but are not limited to, glassy or bloodshot eyes, slurred speech, poor motor coordination, or slow or poor reflex responses different from what is usually displayed by the employee or generally associated with common ailments such as colds, sinus problems, hay fever, and diabetes.

- c. Violent or threatening behavior:
 - i. First Incident: If an employee engages in unprovoked, unexplained, aggressive, violent, and/or threatening behavior against any person, the department head may request that the employee submit to drug and/or alcohol testing.
 - ii. Second Incident: Whether or not an employee has previously received formal counseling or disciplinary action for unprovoked, unexplained, aggressive, violent, or threatening behavior, upon a second or subsequent episode of similar behavior/conduct, the department head will request that the employee undergo drug and/or alcohol testing.
- d. *Absenteeism and/or tardiness*: If an employee has previously received disciplinary action for absenteeism and/or tardiness, a continued poor record that warrants a second or subsequent disciplinary action may, in combination with other relevant behaviors, result in drug and/or alcohol testing.

2.9.9. Post-Accident Testing

1. Each employee involved in an accident will be tested for illegal drugs, prohibited substances, and alcohol as soon as possible after the accident, but after any necessary emergency medical attention has been provided. Accidents that trigger testing are those that result in:

- Death;
- Medical treatment of employee or another individual, other than first-aid;
- Loss of consciousness; or
- Property damage estimated to be valued at or in excess of five hundred dollars (\$500).

An employee who is subject to a post-accident test:

- a. Must sign a consent form. By consenting to testing, the employee acknowledges that s/he is waiving any expectation of privacy.
- b. Must remain readily available for testing. An employee who leaves the scene without good reason before the test is administered or who does not make him/herself readily available may be deemed to have refused to be tested, and such refusal shall be treated as a positive test.
- c. Will be immediately provided transportation by the **City of Fernley** to the location of the test.
- d. Will be advised to refrain from eating or drinking before being tested and must refrain from consuming alcohol for eight hours following the accident or until the employee submits to an alcohol test, whichever comes first.
- e. Will be provided transportation by the **City of Fernley** or transportation arrangements will be made available by the **City of Fernley** after the employee submits to the test or refuses to be tested.

Upon completion of the test:

- a. If the employee caused or contributed to the accident, or the **City of Fernley** determines there is a risk to return him/her to work, the employee will be provided transportation to his/her home or the **City of Fernley** will make transportation arrangements, and the employee will be placed on administrative leave with pay pending the results of this test.
- b. If the **City of Fernley** determines the employee did not cause or contribute to the accident, the employee will be transported back to the work site (if medically able) and will resume work.

If the test comes back positive and the **City of Fernley** needs to conduct further investigation, the employee will be placed on administrative leave with or without pay.

Note: NRS 616C states a positive test for illegal drugs, prohibited substances (including marijuana), or alcohol per limits set forth in NRS 484C can cause the denial of workers' compensation claims. By consenting to post-accident testing, the employee waives any expectation of privacy.

2. In the event an employee is so seriously injured that s/he cannot provide a blood, breath, or urine specimen at the time of the accident, the employee must provide necessary authorization, as soon as the employee's physical condition allows, to enable the **City of Fernley** to obtain hospital records or other documents that indicate the presence of drugs, prohibited substances, or alcohol in the employee's system when the accident occurred.
3. In the event federal, state, or local officials conducted drug and/or alcohol testing following an accident, the employee will be required to sign a release allowing the **City of Fernley** to obtain the test results from such officials.

2.9.10. Safety-Sensitive Positions

1. The **City of Fernley** may conduct pre-employment testing and random testing for drugs, prohibited substances, and/or alcohol for positions identified as safety-sensitive by the **City of Fernley**. Successfully passing these tests is a condition of future or continued employment.
2. Safety-sensitive positions mean positions which may, in the normal course of business:
 - a. Require the employee to operate the **City of Fernley** vehicles or heavy equipment or private vehicle on company business on a regular and recurring basis; and/or
 - b. Involve job duties which, if performed with inattentiveness, errors in judgment or diminished coordination, dexterity, or composure, may result in mistakes that could present a real and/or imminent threat to the personal health and safety of the employee, coworkers, and/or the public, including positions that require use of dangerous tools/equipment; performance of job duties at heights; use of dangerous chemicals; or carrying firearms in the performance of job duties.
3. The **City of Fernley** shall maintain a list entitled "List of Positions Designated as Safety Sensitive." The list shall be a public record.

2.9.11. Random Testing

1. All employees in positions identified as safety-sensitive by the **City of Fernley** shall be subject to random testing for drugs, prohibited substances, and alcohol.
2. Per DOT testing guidelines for CDL holders, the **City of Fernley** will test for drugs/prohibited substances at a minimum, 25% of the average number of employee-CDL positions each calendar year. The **City of Fernley** will alcohol test, at a minimum, 10% of the average number of employee-CDL positions each calendar year.
3. For all other safety-sensitive positions, the **City of Fernley** will test for drugs/prohibited substances, at a minimum, 25% of the average number of employee positions designated as safety-sensitive each calendar year. The **City of Fernley** will alcohol test, at a minimum, 25% of the average number of employee positions designated as safety-sensitive each calendar year.
4. The selection of employees for random testing shall be on a non-discriminatory basis and made from a computer-based random number generator that is matched with the employee's social security number. Random testing will be unannounced and the dates for administering the tests will be spread reasonably throughout the year. Random testing will be performed at any time while the employee is at work.
5. An employee selected for random testing shall proceed immediately to the test site and will be advised to refrain from eating or drinking prior to the test. An employee who engages in conduct which does not lead to testing as soon as possible after notification may be considered to have refused to be tested.
6. Employees selected for a random test but absent due to annual, sick leave, other leave, or on urgent **City of Fernley** business approved by their department head will not be notified to take the random test until the first day they return to work after random selection.
7. Random selection may result in some employees being tested more than once each year; some may not be tested at all.

2.9.12. Return-to-Work Testing/Follow-Up Testing

1. If the **City of Fernley** agrees to continue employment, an employee who violates this policy and undergoes rehabilitation for drugs, prohibited substances, or alcohol will, as a condition of returning to work, be required to undergo follow-up testing as established by the **City of Fernley**. The extent and duration of the follow-up testing will depend upon the safety and security nature of the employee's position and the nature and extent of the employee's substance abuse problem. The **City of Fernley** will review the conditions of continued employment with the employee prior to the employee's returning to work. Any such condition for continued employment shall be given to the employee in writing. The **City of Fernley** may consider the employee's rehabilitation program in determining an appropriate follow-up testing program.
2. Any employee subject to return-to-work testing that has a confirmed positive drug or alcohol test will be in violation of this policy and subject to termination.

2.9.13. Consequence of Refusal to Submit to Testing/Adulterated Specimen

The following shall be treated as a positive test and may result in disciplinary action, up to and including termination:

- Refusal to submit to testing for drugs, prohibited substances, and/or alcohol, or who consents to a test but fails to appear timely at the collection site, or who fails to give his/her sample after reasonable opportunity to do so, or engages in conduct which attempts to or does impact the validity of any such testing, will be treated as a refusal to submit to a test. Such refusal shall be treated as a positive test.
- Submission of an invalid, substituted, or adulterated specimen will be considered a refusal to test and such refusal shall be treated as a positive test.
- A diluted positive test result shall be treated as a positive test.

2.9.14. Testing Guidelines

1. The **City of Fernley** may test for alcohol and illegal/prohibited substances including but not limited to:
 - Marijuana (THC)*
 - Cocaine, including crack
 - Opioids, including heroin, codeine, morphine, hydrocodone, hydromorphone, oxycodone, and oxycodone
 - Amphetamines, including methamphetamines
 - Phencyclidine (PCP)

*Tests for marijuana for workers' compensation purposes must be a blood test per requirements set forth in NRS 616C.230.
2. In addition to testing for the above substances, CDL holders are subject to testing for the following substances:
 - 6-Acetylmorphine
 - MDMA (Ecstasy)
3. Where applicable, the **City of Fernley** will follow federal testing procedures for drugs and alcohol set forth by the Federal Department of Transportation (DOT) 49 CFR Part 40 and the Federal Motor Carrier Safety Regulations (FMCSR). These regulations may be amended from time to time.

2.9.15. Option for Drug/Prohibited Substance Retest

1. In the event that an employee is required to submit to a screen test for drugs/prohibited substances within 30 days of employment, the employee shall have the right to submit an additional screening test, at his/her own expense, to rebut the results of the initial screening test. The **City of Fernley** shall accept and give appropriate consideration to the results of such a screening test. This provision does not apply to the extent that it is inconsistent or otherwise conflicts with an applicable

collective bargaining agreement or federal law, or to a position funded by a federal grant.

2. In all other cases:

- a. No later than 72 hours after receipt of a positive test, an employee who tests positive may request a confirmatory retest of the same sample at his/her expense at a certified laboratory of his/her choice.
- b. Upon request, the medical review officer will authorize the laboratory holding the employee's sample to release to a second laboratory, approved by the U.S. Department of Health and Human Services, a sufficient quantity of the sample to conduct a second testing analysis.
- c. The employee will be required to authorize the laboratory to provide the **City of Fernley** with a copy of its test results. The accuracy of the test results will be verified by the laboratory conducting the analysis. The result of the confirmatory test is final.

2.9.16. Requirement for Drug Retest

An employee who tests negative dilute will be required to immediately retest. The employee will:

- Be given the minimum possible advance notice of retest,
- Will be accompanied by a supervisor to the collection site, and
- Will not be allowed to eat or drink between the period of being noticed of the retest and the actual test.

The retest will not be under direct observation unless directed so by the Medical Review Officer. If the retest is also negative dilute, the test will be considered negative and the **City of Fernley** will not conduct a third test unless directed to do so by the Medical Review Officer.

2.9.17. Searches

If the City of Fernley suspects that an employee is in possession of illegal drugs, prohibited substances, alcohol, or contraband in violation of this policy, the City of Fernley may search City of Fernley vehicles, lockers, desks, and work areas as outlined in City of Fernley Use of City of Fernley Property and Premises and Searches policies.

2.9.18. Violation of Policy

1. Employees in violation of the provisions of this policy will be subject to disciplinary action, up to and including termination.
2. An employee may be found to have violated this policy on the basis of any appropriate evidence including, but not limited to:
 - a. Direct observation of illegal use of drugs or use of prohibited substances; prohibited use of alcohol; or possession of illegal drugs, prohibited substances, alcohol, or related contraband;
 - b. Evidence obtained from an uncontested motor vehicle citation, or a conviction for use or possession of illegal drugs or prohibited substances, or for the use or being under the influence, of alcohol on the job;

- c. A conviction for use or possession of illegal drugs or prohibited substances, or for the use of; or
 - d. Being under the influence of alcohol on the job; or
 - e. A verified positive test result; or
 - f. An employee's voluntary admission.
3. Prior to determining its course of action, the **City of Fernley** may direct an employee who has tested positive to submit to an evaluation by a substance abuse professional. The evaluation will attempt to determine the extent of the employee's use of or dependence on the abused substance(s) and, if necessary, recommend an appropriate program of treatment.
 4. If an evaluation is conducted which results in a recommendation for treatment, continued employment may, but is not required, to be allowed if the recommended treatment is immediately begun and successfully completed. The treatment program may include, but is not limited to, rehabilitation, counseling, and after-care to prevent future substance use/abuse problems. The treatment program will not be at the **City of Fernley** expense; however, employees may use benefits provided by applicable insurance coverage. Failure by the employee to enroll within the required timeframe in the recommended treatment program, to consistently comply with the program's requirements, to complete it successfully, and/or to complete any continuing care program shall be grounds for immediate termination from employment.
 5. When an employee undergoes treatment under this policy, the employee may be required to comply with the following as a condition of continued employment:
 - a. Monitoring of the treatment program and the employee's participation by the **City of Fernley**;
 - b. Submission to return-to-work testing as required under this policy and continuing follow-up testing as provided in the *Return-to-Work Testing/Follow-Up Testing*; and
 - c. Any other reasonable condition that the **City of Fernley** deems necessary to maintain a safe and healthy workplace for all employees.

Failure by the employee to enroll in a required treatment program, to consistently comply with the program requirements, to successfully complete the program, and/or to complete any continuing care program will be grounds for immediate termination of employment.
 6. Appropriate disciplinary action will also be taken for any job performance or behavior that may otherwise be cause for disciplinary action.

2.9.19. Confidentiality

Test results may only be disclosed to the employee; the appropriate medical and substance abuse treatment providers; the **City of Fernley** attorney; an **City of Fernley** representative necessary to respond to an alleged violation of this policy; individuals within the **City of Fernley** who have a need-to-know of drug and/or alcohol testing results; and a court of law or administrative tribunal, as required.

2.10. Prohibition of Workplace Violence

2.10.1. Policy

The **City of Fernley** is committed to providing for the safety and security of all employees, customers, visitors, and property.

2.10.2. Scope

This policy applies to all employees, including full-time, part-time, casual/temporary/seasonal, and elected officials, as well as volunteers and contract employees and anyone else on the **City of Fernley** property.

2.10.3. Implementation of Policy

1. The **City of Fernley** will not tolerate any form of workplace violence including acts or threats of physical violence, intimidation, harassment, and/or coercion, which involve or affect the **City of Fernley**, or which occur on property owned or controlled by the **City of Fernley**, or during the course of the **City of Fernley** business. Examples of workplace violence include, but are not limited to, the following:
 - All threats (including direct, conditional, or veiled) or acts of violence occurring on premises owned or controlled by the **City of Fernley**, regardless of the relationship between the **City of Fernley** and the parties involved in the incident.
 - All threats of any type or acts of violence occurring off the **City of Fernley** premises involving someone who is acting in the capacity of a representative of the **City of Fernley**.
 - All threats of any type or acts of violence occurring off the **City of Fernley** premises involving an employee of the **City of Fernley**, if the threats or acts affect the legitimate interests of the **City of Fernley**.
 - Any acts or threats resulting in a criminal conviction of an employee or agent of the **City of Fernley** or an individual performing service for the **City of Fernley** on a contract or temporary basis which adversely affect the legitimate interests and goals of the **City of Fernley**.
2. Specific examples of conduct which may be considered threats or acts of violence include, but are not limited to, the following:
 - Hitting, shoving, or otherwise assaulting an individual;
 - Direct, conditional, or veiled threats of harm directed to an individual or his/her family, friends, associates, or property;
 - The intentional or malicious destruction or threat of destruction of the **City of Fernley** property, or property of another employee;
 - Harassing or threatening phone calls, text messages, notes, letters, computer messages, or other forms of communication;
 - Harassing surveillance or stalking;

- Unauthorized possession or inappropriate use of firearms, weapons, hazardous biological or chemical substances, or explosives while on **City of Fernley** business;
 - Displaying overt signs of extreme stress, resentment, hostility, or anger;
 - Making intimidating, abusive, or threatening remarks;
 - Displaying irrational or inappropriate behavior.
3. The **City of Fernley** desires to detect and deter real, potential, or threatened violence. Every employee is required to report immediately any acts of violence or any threat of violence against any coworker, supervisor, manager, elected official, visitor, volunteer, other individual, or property. Supervisory and managerial personnel who witness or become aware of any acts or threats of violence must notify their superior immediately. Every other person on **City of Fernley** property is encouraged to report incidents of threats or acts of violence of which s/he is aware.
4. Reports of violence or threatening behavior should be made to the Human Resources Department, an employee's immediate supervisor or manager, or any other supervisory or management employee. The **City of Fernley** is committed to ensuring that employees reporting real or perceived threats in good faith will not be subject to harassment or retaliation. Nothing in this policy alters any other reporting obligation established in the **City of Fernley** policies or in state, federal, or other applicable law.

2.10.4. Violation of Policy

Violations of this policy by any employee will lead to disciplinary action, up to and including termination and/or appropriate legal action. The **City of Fernley** may also take appropriate disciplinary action against any employee who intentionally makes a false or malicious statement about coworkers or others.

Actions of law enforcement personnel which are necessary in the performance of their duties and are consistent with policies or sound law enforcement procedures shall not be considered to violate this policy. In addition, actions necessary for bona fide self-defense or protection of employees of the **City of Fernley** or of **City of Fernley** property shall not be considered to violate this policy.

2.10.5. Temporary Restraining Orders

The **City of Fernley** may apply for an order for protection against harassment in the workplace under the terms of NRS 33.200 – 33.360.

2.11. Employment of Relatives

Pursuant to the provisions of NRS 281.210, no officer or appointing authority of the **City of Fernley** may employ in any capacity on behalf of the **City of Fernley** any relative of such person who is within the third degree of consanguinity or affinity. Existing employees may continue in their current position following the election or appointment of their relative to an appointing authority position.

In addition, no person shall be employed in a position if such employment would require supervision by a relative who is within the third degree of consanguinity or affinity. For purposes of this paragraph, supervision includes second or higher levels of supervision.

(Example: An employee reports to an immediate supervisor, who reports to a division manager, who reports to a department head. The employee may not be related within the third degree of consanguinity or affinity to the division manager or department head.)

2.12. Code of Ethical Standards

The elected and appointed officers and employees of **City of Fernley** recognize that holding public office and/or employment is a public trust. To preserve that trust, **City of Fernley** demands the highest code of conduct and ethical standards. The purpose of this policy is to define and establish the standards of ethical conduct that are required of public officials and employees so as to ensure their professional integrity in the performance of their duties.

The officers, employees, and volunteers of **City of Fernley** shall comply with the following provisions. This list is not all-inclusive, but simply provides the basic level of conduct expected.

- All elected and appointed officials and employees will conduct themselves with honesty and integrity in the course of performing their duties and responsibilities.
- They will act with care and diligence in the course of their employment.
- They will treat everyone, including coworkers, subordinates, supervisors, customers and the public, with the utmost professionalism and courtesy.
- They will comply with all applicable federal, state, and local laws.
- They will comply with any lawful and reasonable direction given by someone in the employee's agency who has authority to give the direction.
- They will maintain appropriate confidentiality.
- They will disclose, and take reasonable steps to avoid, any actual or potential conflict of interest in connection with their employment.
- They will use **City of Fernley** resources in a proper manner.
- They will not provide false or misleading information in response to a request for information that is made for official purposes in connection with their employment.
- They will, at all times, act in a way that upholds the values and the integrity and good reputation of **City of Fernley**.
- They will comply with any other conduct requirement that is prescribed by the **City of Fernley**.

In addition, the **City of Fernley** officials and employees are required to comply with the provisions of NRS 281A.400 and NRS 281.

Violations of any of the above provisions may result in disciplinary action, up to and including termination.

The **City of Fernley** will not tolerate any retaliation by management or by any other employee against an employee who exercises his/her rights under this policy. Any employee who believes s/he has been retaliated against in any manner whatsoever should immediately notify the Human Resource Manager. The **City of Fernley** will promptly investigate and deal appropriately with any allegation of retaliation. In the event retaliation is substantiated, disciplinary action up to and including termination may be taken.

Violations of any of the above provisions may result in disciplinary action, up to and including termination.

2.13. Political Activity

2.13.1. Policy

Employees shall not engage in political activity of any kind during working hours. This includes, but is not limited to soliciting money, influence, service, or any other valuable thing to aid, promote, or defeat any political committee or the nomination or election of any person to public office. Wearing or displaying of apparel, buttons, insignia, or other items which advocate for or against a political candidate or a political cause is also an example of prohibited political activity during work hours. Furthermore, no person shall attempt to coerce, command, or require a person holding or applying for any position, office, or employment, including a citizen requesting service supplied by **City of Fernley**, to influence or to give money, service, or other valuable thing to aid, promote, or defeat any political committee, or to aid, promote, or defeat the nomination or election of any person to public office.

Employees may not participate in any of the above-mentioned activities off duty while wearing a uniform, name tag, or any other item identifying them as a representative of the **City of Fernley**.

Employees are expressly forbidden to use any **City of Fernley** resources, including but not limited to: interoffice mail, email, telephone, fax machines, the Internet, or copy machines to engage in any political activity outside the approved scope of the employees' official duties.

2.13.2. Running for or Holding Political Office

While employees are encouraged to participate in the political process, they must understand the **City of Fernley** also has an obligation to provide service to the public.

Employees who are seeking, or who have been elected or appointed to public office, shall not conduct any campaign-related business while on duty.

If there is a conflict with, or the activities hinder the performance of the duties with **City of Fernley**, the employee will comply with one of the following (final approval is at the **City of Fernley** sole discretion):

- The employee will be expected to resign their position;
- The employee may apply and seek approval for use of accrued leave time; or

- The employee may request unpaid leave per **City of Fernley** Leave of Absence Without Pay policy.

The maximum duration of unpaid leave time approved will be 90 days. **City of Fernley** leave policies addressing continuation of health insurance, retirement benefits, accrual of additional leave time, and job and seniority status will be applied in this situation.

2.13.3. Election-Related Communications

Pursuant to NRS 294A, any election-related communications published in support of or opposition to a candidate which contain official contact information of **City of Fernley** must state that the communication is not endorsed by, and is not an official publication, of **City of Fernley**.

2.14. Solicitation Prohibited

2.14.1. Employee Activities

Distribution of literature by employees in work areas or solicitation by employees during work time on behalf of any club, society, labor union, religious organization, political party, philanthropic or similar organization, or for any purpose whatsoever is strictly prohibited. Distribution of information and correspondence related to the administration of a collective bargaining agreement by officers, consultants, and business representatives of a recognized employee organization may be allowed pursuant to the terms of a collective bargaining agreement.

2.14.2. Non-Employee Activities

Non-employees will not be allowed on the premises for the purpose of distribution of literature to employees or solicitation of employees at any time whatsoever, except as specifically provided below.

1. Consultants and business representatives of recognized employee organizations are allowed access to employees as allowed by the specific terms of a current collective bargaining agreement.
2. Representatives of employee benefit programs (e.g., supplemental insurance or deferred compensation) specifically approved by the **City of Fernley** for payment through payroll deduction may meet with employees during designated work time at designated places or on **City of Fernley** property as may be approved by the appropriate **City of Fernley** representative.

2.15. Work Stoppage Prohibited

No employee will instigate, promote, encourage, sponsor, or engage in any strike, picketing, slowdown, concerted work stoppage, sick out, or any other intentional interruption of work. Any employee who violates the provisions of this section will be subject to disciplinary action, up to and including termination.

2.16. Use of City of Fernley Property and Premises

2.16.1. Policy

Employees will use the **City of Fernley** property and equipment including, but not limited to, monies and funds, communication equipment, vehicles, tools, equipment, and facilities only for work-related purposes as directed or approved by management. When using **City of Fernley** property and equipment, employees are expected to exercise care, perform required maintenance, and follow all operating instructions as well as comply with safety standards and guidelines. Employees will not misuse, destroy, or otherwise use in an improper or unsafe manner any property of the **City of Fernley**. Employees are prohibited from making unauthorized copies, any other unauthorized use of, or allowing or facilitating the unauthorized possession by others of **City of Fernley** keys or other access devices. Employees are prohibited from transporting non-employees in the **City of Fernley** vehicles unless specifically authorized to do so by their supervisor.

2.16.2. Searches

The **City of Fernley** may authorize the examination of lockers, desks, vehicles, and all other property and spaces owned or controlled by the **City of Fernley** to check for the presence of any unauthorized material, weapons of any type, or controlled substances including, but not limited to, alcohol, illegal drugs, and prohibited substances. Prior notice to employees that **City of Fernley**-owned property or space is to be searched is not required; entrance onto or use of **City of Fernley** property is deemed consent. Employees have no expectation of privacy in any **City of Fernley** equipment, property, lockers, desks, vehicles, work areas, and other property and spaces owned or controlled by the **City of Fernley**.

If an individual is asked to submit to a search and refuses, that individual will be considered insubordinate and will be escorted off the job site and disciplined, as appropriate. The **City of Fernley** may take whatever legal means are necessary, consistent with this policy, to determine whether unauthorized material, weapons of any type, or controlled substances are located or being used on **City of Fernley** premises. The **City of Fernley** may call upon law enforcement authorities to conduct an investigation if deemed necessary.

Searches will be conducted by management personnel or law enforcement authorities and may or may not be conducted in the presence of the person whose work area is searched. Any suspected contraband will be confiscated and may be turned over to law enforcement as appropriate. Any person whose property is confiscated will be given a receipt for that property by the **City of Fernley** representative conducting the search.

2.17. Phone Policy

The **City of Fernley** policy covers phone usage while at work, including the use of cell phones while operating motor vehicles.

2.17.1. Personal Calls & Texts

1. Personal phone calls, messages, texting, audio/video recording, and other features of employee's private cell phone or the **City of Fernley** equipment, are restricted to

authorized break periods, except under obvious emergency situations. Excessive personal communication can result in lost productivity and distract coworkers. **City of Fernley** issued cell phones are to be used only for official business reasons. 2.If an emergency situation arises and the **City of Fernley**-issued cell phone must be used for a personal call or text and the employee is not able to obtain prior authorization from a supervisor, the employee is required to notify the supervisor as soon as is practicable. The employee is required to furnish the reason for the call/text and, if requested, the number called.

3. Employees are expected to protect the **City of Fernley**-issued mobile equipment from loss, damage, or theft.

2.17.2. Cell Phone Use in Vehicles

1. All employees are expected to follow applicable state and federal laws regarding the use of cell phones, or other hand-held devices at all times. Employees on duty and/or conducting official business at any time while operating motor vehicles are prohibited from using cell phones while the vehicle is in motion unless using a hands-free device. This includes dialing, answering, texting, and checking messages. Employees are neither required nor expected to use a cell phone while the vehicle is in motion. Safety must come before all other concerns.
2. Employees shall pull off the road and safely stop before placing or accepting calls, texting, checking and responding to messages, unless they are using hands-free operations/devices.
3. This provision does not include passenger use of cell phones.
4. This prohibition is in effect regardless if the cell phone is issued by the **City of Fernley** or is privately owned by the employee.
5. An exception to this rule is the legitimate use of cell phones by specific departments and for specific reasons as established by each department and under NRS 484B.165(2). For example, the police, fire, ambulance, and EMT departments may operate vehicles while using cell phones only in direct response to emergency calls but must always keep safety a paramount concern.

2.17.2. Phone Use in Business Meetings

Phone use during meetings, to include texting, unless specifically required and authorized by management, should be limited and only work-related.

2.18. Information Technology

2.18.1. Policy

The **City of Fernley** requires employees to use information technology (computer systems, telecommunication and other devices, and electronic information/communication) responsibly and in a manner, which is not detrimental to the mission and purpose of **City of Fernley**. To maintain a level of professionalism, any publication through any means (electronic or otherwise) which is potentially averse to the operation, morale, public perception, or efficiency of **City of Fernley** will be deemed a violation of this policy.

Employees are prohibited from engaging in any conduct which would violate **City of Fernley** policy or procedure. Use of personal or **City of Fernley** electronic devices to engage in such conduct can create liability for **City of Fernley**, and as such, obligates **City of Fernley** to undertake reasonable procedures to investigate such allegations, including but not limited to inspection of such equipment. In the event an employee becomes the subject of such an investigation and the allegations include potential violations of **City of Fernley** policies, whether on work or personal time, and whether using **City of Fernley** or personal devices, the **City of Fernley** will undertake such an investigation and inquiry by all means allowable under state and federal law.

2.18.2. Privacy

Employees should not expect privacy with respect to any of their activities when using the **City of Fernley** computer and/or electronic and telecommunication property, systems, or services even when accessing from a personal device. Use of passwords or account numbers by employees does not create a reasonable expectation of privacy and confidentiality of information being maintained or transmitted. The **City of Fernley** reserves the right to review, retrieve, read, and disclose any files, messages, or communications that are created, sent, received, or stored in the **City of Fernley** network, or on the **City of Fernley** computer systems, and/or equipment. The **City of Fernley** right to review, also called monitoring, is for the purpose of ensuring the security and protection of business records, preventing unlawful and/or inappropriate conduct, and creating and maintaining a productive work environment.

In accordance with provisions of NRS 613.135, the **City of Fernley** will not request usernames and passwords for personal social media accounts and will not take any type of employment action against an employee who refuses to provide the username and password for their personal social media account. This provision does not prevent the **City of Fernley** from requiring an employee to disclose the username and password for access to the **City of Fernley** computer or information system.

2.18.3. Use

1. The computers, electronic equipment, associated hardware and software, including, but not limited to electronic mail (email or instant messaging “IM”) and access to on-line services, as well as voice mail, pagers, smart phones, and faxes, even when accessed from a personal device, belong to the **City of Fernley** and, as such, are provided for business use. Very limited or incidental use of **City of Fernley**-owned equipment by employees for personal, non-business purposes is acceptable as long as it is:
 - a. Conducted on personal time (i.e., during designated breaks or meal periods);
 - b. Does not consume system resources or storage capacity;
 - c. Does not involve any prohibited uses; or
 - d. Does not reference **City of Fernley** or themselves as an employee without prior approval. This includes, but is not limited to:
 - Text which identifies **City of Fernley**.

- Photos which display **City of Fernley** logos, patches, badges, or other identifying symbols of **City of Fernley**.
 - Information of events which occurs involving **City of Fernley** without prior approval.
 - Any other material, text, audio, video, photograph, or image which would identify **City of Fernley**.
2. Employees loading, importing, or downloading files from sources outside the **City of Fernley** system, including files from the Internet, social media sites, and any computer disk/drive, must ensure the files and disks/drives are scanned with the **City of Fernley** current virus detection software before installation and execution. Compliance to copyright or trademark laws prior to downloading files or software must be adhered to explicitly.
 3. Employees may use information technology, including the Internet, World Wide Web, and social media sites during work hours on job-related matters to gather and disseminate information, maintain their currency in a field of knowledge, participate in professional associations, and communicate with colleagues in other organizations regarding business issues.
 4. An employee's use of the **City of Fernley** computer systems, telecommunication equipment and systems, and other devices or the employee's use of personally-owned electronic devices to gain access to **City of Fernley** files or other work-related materials maintained by **City of Fernley** constitutes the employee's acceptance of this policy and its requirements.

2.18.4. Prohibited Use

Prohibited use includes, but is not limited to, the following:

1. Sending, receiving, or storing messages or images that a "reasonable person" would consider to be offensive, disruptive, harassing, threatening, derogatory, defamatory, pornographic, indicative of illegal or prohibited activity, or any that contain belittling comments, slurs, or images based on any protected class membership.
2. Subscriptions to newsletters, advertising, "clubs," or other periodic email which is not necessary for the performance of the employee's assigned duties.
3. Engaging in political activities including, but not limited to, solicitation or fund raising.
4. Engaging in religious activities including, but not limited to, proselytizing or soliciting contributions.
5. Conducting outside employment in any manner.
6. Engaging in illegal, fraudulent, defamatory, or malicious conduct.
7. Writing or participating in blogs that injure, disparage, and/or defame the **City of Fernley**, members of the public, and/or its employees' reputations by name or implication.
8. Downloading, uploading, or otherwise transmitting without authorization:
 - Confidential or proprietary information or material
 - Copyrighted material
 - Illegal information or material

- Sexually explicit material
9. Obtaining unauthorized access to other systems.
 10. Using another person's password or account number without explicit authorization by the **City of Fernley**.
 11. Improperly accessing, reading, copying, misappropriating, altering, misusing, or intentionally destroying the information/files of the **City of Fernley** and other users.
 12. Loading unauthorized software or software not purchased or licensed by the **City of Fernley**.
 13. Breaching or attempting to breach any security systems or otherwise maliciously tampering with any of the **City of Fernley** electronic systems including, but not limited to, introducing viruses.
 14. Using the **City of Fernley** information technology for personal, non-business purposes in other than a limited or incidental way.
 15. Opening, clicking-on, or downloading any suspicious or unusual electronic mail, attachment, or hyperlink.
 16. Inserting a flash drive from an unknown source into the **City of Fernley** computer/network.

2.19. Social Networking (Social Media) Policy

2.19.1. Policy

The **City of Fernley** takes no position on an employee's decision to start or maintain a blog or participate in other social networking activities. However, employees' use of social media can pose risks to **City of Fernley** confidential and proprietary information and reputation, can expose **City of Fernley** to discrimination and harassment claims, and can jeopardize **City of Fernley** compliance with business rules and laws. To minimize these business and legal risks, to avoid loss of productivity and distraction from employees' job performance, and to ensure that the **City of Fernley** IT resources and communications systems are used appropriately as explained below, **City of Fernley** expects its employees to adhere to the following guidelines and rules regarding social media use. The **City of Fernley** social networking policy includes rules, guidelines, and best practices for **City of Fernley**-authorized social networking and personal social networking and applies to all **City of Fernley** personnel policies.

2.19.2. General Provisions

Social media includes all means of communicating or posting information or content of any sort on the Internet, including but not limited to, employee's own or **City of Fernley** video or wiki posting, social networking sites such as Facebook, LinkedIn, and Twitter, personal blogs, personal websites, or other similar forms of online communication journals, diaries, or personal newsletters not affiliated with the **City of Fernley**.

Unless specifically instructed, employees are not authorized and, therefore, restricted to speak on behalf of the **City of Fernley**. Employees are expected to protect the privacy and well-being of the **City of Fernley** and its employees. Employees are prohibited from

disclosing confidential employee and non-employee information as outlined in Confidential Information policy and any other non-public information to which employees have access to the extent such discussion or disclosures are not protected under state or federal law.

2.19.3. City of Fernley Monitoring

Employees are cautioned there is no expectation of privacy while using **City of Fernley** Internet, equipment, or facilities for any purpose, including authorized posting or editing to social networking sites. Employee's posting can be viewed by anyone, including the **City of Fernley**. The **City of Fernley** reserves the right to monitor its Internet, equipment, and facilities that are used to post comments or discussions about the **City of Fernley** or its employees on social networking sites. The **City of Fernley** may use search tools and software to monitor use of its Internet, equipment, and facilities for posting to social networking sites.

The **City of Fernley** reserves the right to use content management tools to monitor, review, or block content on **City of Fernley** social networking sites that violate this policy. Employees consent to such monitoring by acknowledgment of this policy and use of the **City of Fernley** IT resources and systems.

2.19.4. Reporting Violations

The **City of Fernley** requests and strongly urges employees to report any actual or perceived violations of this policy to his/her immediate supervisor, manager, human resources, designated EEO officer, or the City Manager.

2.19.5. Violation of Policy

The **City of Fernley** will investigate promptly and respond to all reports of violations of the social networking policy and other-related policies. Violation of the **City of Fernley** social networking policy may result in disciplinary action, up to and including termination. The **City of Fernley** reserves the right to take legal action where necessary against employees who engage in prohibited or unlawful conduct.

2.19.6. Authorized City of Fernley Social Networking

The goal of authorized social networking is to become a part of the community conversation and promote web-based sharing and exchange of **City of Fernley** information and feedback from members of the public. Authorized social networking is used to convey information about **City of Fernley** operations and services; promote and raise awareness of the organizational culture; search for potential new equipment and training tools; communicate with other employees, members of the public, and interested parties; issue or respond to breaking news or other matters of public interest; and discuss organization-specific activities and events.

When social networking, the **City of Fernley** must ensure that use of these communication paths maintain honesty, integrity, courteousness, and reputation while minimizing actual or potential legal risks, whether used inside or outside the workplace.

2.19.7. Rules and Guidelines

The following rules and guidelines apply to entries made on all **City of Fernley**-related social networking sites.

1. Only authorized employees can prepare and modify content for the **City of Fernley** social networking sites. If an employee is required to use social media as part of his/her job duties, for **City of Fernley** marketing, public relations, recruitment, communications, or other business purposes, the content must be relevant, add value, and be approved by the **City of Fernley** in advance of posting. If uncertain about any information, material, or conversation, employee will contact his/her supervisor or manager, human resources, designated EEO officer, or the City Manager to discuss the content.
2. Note that **City of Fernley** owns all social media accounts used on behalf of **City of Fernley** or otherwise for business purposes, including any and all log-in information, passwords, and content. **City of Fernley** owns all such information and content regardless of the employee that opens the account or uses it and will retain all such information and content regardless of separation of any employee from employment with **City of Fernley**.
3. If an employee's job duties require him/her to speak on behalf of **City of Fernley** in a social media environment, the employee must still seek approval for such communication from his/her supervisor or manager, human resources, designated EEO officer, or the City Manager who may require the employee to receive training before posting and may impose certain requirements and restrictions regarding the employee's social media activities.
4. All employees must identify themselves as employees of the **City of Fernley** when posting comments or responses on the **City of Fernley** social networking sites. If an employee is contacted to comment about the **City of Fernley** for publication, including any social media outlet, the request should be directed to the City Manager who will then determine the response to be provided on behalf of the **City of Fernley**.
5. Any copyrighted information where written reprint information has not been obtained in advance cannot be posted.
6. All employees of the **City of Fernley** are responsible for ensuring all social networking information complies with the **City of Fernley** written policies. Management is authorized to remove any content posted on the **City of Fernley** social media site that does not meet the rules and guidelines of this policy, any other **City of Fernley** policy, or that may be illegal, prohibited, or offensive. Removal of such content will be done at the discretion of the **City of Fernley** without permission or advance warning.
7. The **City of Fernley** expects all **City of Fernley**-authorized guests to social networking sites to abide by all rules and guidelines of this policy. The **City of Fernley** reserves the right to remove, without advance notice or permission, all guest content considered malicious, defaming, obscene, threatening, or intimidating. The **City of Fernley** also reserves the right to take legal action against guests who engage in prohibited or unlawful conduct.

8. Employees must not expose themselves or the **City of Fernley** to legal risk by using a social media site in violation of its terms of use. Review the terms of use of all social media sites visited to ensure compliance with those terms of service.

2.19.8. Personal Social Networking

The **City of Fernley** respects the right of employees to use social networking sites and does not want to discourage employees from self-publishing and self-expression. However, employees are expected to follow the rules and guidelines as set forth in this policy to provide a clear line between the employee as the individual and/or as an employee of the **City of Fernley**. In accordance with provision of NRS 613.135, the **City of Fernley** will not request usernames and passwords for personal social media accounts. This policy applies to all board members, management, employees, and volunteers. The **City of Fernley** does not discriminate against employees who use these sites for personal interests and affiliations or other lawful purposes.

1. Commenters are personally responsible for his/her commentary on social networking sites and can be held personally liable for commentary that is considered malicious, defamatory, obscene, threatening, intimidating, or libelous by any offended party, not just the **City of Fernley**. Remember that what is published might be available to be read by the masses (including the **City of Fernley**, future **City of Fernley's**, and social acquaintances) for a long time. Employees should keep this in mind before posting content.
2. Employees are prohibited from using **City of Fernley** equipment, including computers, licensed software or other electronic equipment, or facilities on work time to conduct personal social networking activities. Employees are prohibited from using his/her work email address to register on social networking sites utilized for his/her personal use.
3. Employees shall not use social networking sites to harass, threaten, discriminate, or disparage against employees or anyone associated with or doing business with the **City of Fernley**. Social media should never be used in a way that violates any other **City of Fernley** policies or employee obligations. If an employee's social media activity would violate any of the **City of Fernley** policies in another forum, it will also violate them in an online forum.
4. If employee chooses to identify him/herself as an employee of **City of Fernley**, note that some readers may view him/her as a spokesperson for the **City of Fernley**. Because of this possibility, employee is required to state his/her views expressed on the social networking site belongs to the employee alone and is not reflective of the **City of Fernley** or of any person or organization affiliated or doing business with the **City of Fernley**.
5. Employees should use good judgment about what is posted on social media and remember that anything posted can reflect on **City of Fernley**, even if a disclaimer is used. Employees should always strive to be accurate in their communications about **City of Fernley** and remember that posted statements and materials have the potential to result in liability for the employee and the **City of Fernley**. **City of Fernley** encourages professionalism and honesty in social media and other communications.

6. Employees cannot post the name, trademark, or logo of the **City of Fernley** or any business with a connection to the **City of Fernley**. Employees cannot post **City of Fernley**-privileged information, including copyrighted information or **City of Fernley**-issued documents.
7. Authorized employees posting to **City of Fernley**-owned social media accounts may not post photographs of other employees, volunteers, members of the public, vendors, and suppliers on the **City of Fernley** premises, nor can employees post photographs of persons engaged in **City of Fernley** business without prior authorization by immediate supervisor, manager, human resources, or the City Manager.
8. Employees cannot post any advertisements or photographs of **City of Fernley** products and services, nor use the **City of Fernley** in advertisements without disclosing the employee's connection to the **City of Fernley**.
9. Employees cannot link from a personal social networking site to the **City of Fernley** internal or external websites.

This policy is not intended to restrict communications or actions protected or required by federal or state law.

2.19.9. Media Contacts

If contacted by the media, press, or any other public news source about employees' post that relates to **City of Fernley** business, employees are required to obtain written approval from the immediate supervisor, manager, human resources, or the City Manager prior to responding on behalf of the **City of Fernley**.

2.19.10. Prohibition Against Retaliation

The **City of Fernley** will not tolerate any retaliation by management or by any other employee against an employee who reported a violation of this policy or cooperating with an investigation. Any employee who believes s/he has been retaliated against in any manner whatsoever should immediately notify the EEO Officer or alternative EEO Officer. The **City of Fernley** will promptly investigate and deal appropriately with any allegation of retaliation.

2.20. Use of Tobacco

The **City of Fernley** is committed to providing a safe and healthy workplace and to promoting the health and well-being of its employees. As required in accordance NRS 202.2483 (Nevada Clean Indoor Air Act), the use of tobacco products, including electronic cigarettes and similar products, is prohibited within any building owned, leased, contracted for, and utilized by the **City of Fernley**. This prohibition extends to areas that are routinely or regularly used by employees, including but not limited to: work areas, restrooms, hallways, employee lounges, cafeterias, conference and meeting rooms, lobbies, reception areas, and vehicles **City of Fernley** owns or uses. The **City of Fernley** may designate an outdoor smoking area for its employees. The **City of Fernley** shall not allow the use of tobacco products during staff and training meetings.

2.21. Outside Employment

2.21.1. Policy

In order to maintain a work force that is available to provide proper services and carry out functions of the **City of Fernley**, employees are prohibited from engaging in outside employment which presents real or potential conflict with or negatively impacts their employment with the **City of Fernley**.

2.21.2. Conflicting Employment

Outside employment may be classified as in conflict with the **City of Fernley** interests if it:

1. Interferes with or negatively impacts the employee's ability to perform his/her assigned job.
2. Prevents the employee's availability for work beyond normal working hours, such as emergencies or peak work periods, when such availability is a regular part of the employee's job.
3. Is conducted during the employee's work hours.
4. Requires the services of other employees during their normally scheduled work hours.
5. Makes use of the **City of Fernley** telephones, computers, supplies, or any other resources, facilities, or equipment.
6. Is represented as an activity of the **City of Fernley** or an activity endorsed, sanctioned, or recommended by the **City of Fernley**.
7. Takes advantage of the employee's employment with the **City of Fernley**, except to the extent that the work with the **City of Fernley** may demonstrate expertise or qualification to perform the outside work.
8. Requires the employee to schedule time off at specific times that could disrupt the operation of the **City of Fernley**.
9. Involves employment with a firm that has contracts or does business with the **City of Fernley**. Exceptions to this policy have been identified in *Code of Ethical Standards* policy.
10. Negatively impacts the public's perception of the integrity or credibility of the **City of Fernley**.

2.21.3. Procedure

1. An employee must request written approval from his/her supervisor/manager for outside employment, including self-employment. The proposed outside employment may not be construed as an extension of his/her duties or responsibilities with the **City of Fernley**.
2. In order to determine if there is a conflict with the employee's duties, the supervisor/manager may request information, such as:
 - The outside City of Fernley name;
 - Nature of the work performed by the outside **City of Fernley**;

- Whether the activity of the outside employment requires employee to disclose information obtained with **City of Fernley** and/or impairs employee's independence or ethics;
 - Proposed work schedule;
 - Job location; and
 - Duties to be performed.
3. If the supervisor/manager denies the request, the employee may request a review by the department head or designee whose decision will be final.
 4. Employees who engage in outside employment which is prohibited by this policy may be subject to discipline, up to and including termination.
 5. Provisions of policies and procedures of the Police/Sheriff's Department may provide additional restrictions or conditions for approval of outside employment and will remain in effect as they are currently written or as they may be modified.

2.22. Personal Appearance

2.22.1. Policy

1. Each employee is expected to dress and groom appropriately for the job, presenting a clean, safe, and neat appearance. An employee unsure about whether attire or grooming is appropriate should consult with his/her supervisor or manager.
2. Employees working in office areas should dress professionally. Appropriate attire includes, but is not limited to, slacks, khakis, capris, or crop pants (if they portray a business appearance), knit blouses or tops, dress shirts, polo and cotton shirts, skirts and dresses, turtlenecks, sweaters, loafers, and sandals. Blue jeans, T-shirts, and sweat suits are not appropriate office dress. Tights and leggings must be accompanied by a fingertip length or long top or dress. All pants and slacks must be worn at the waist with no visible undergarments.
3. For those employees who do not have direct contact with the public, dress should still be neat and clean and pose no safety hazard to themselves or others.
4. On approved casual days, employees may dress in casual clothing, including jeans and T-shirts, although dress standards still require a neat, clean appearance. Friday is the approved casual day for the City of Fernley. Professional work attire must be worn Monday through Thursday unless otherwise approved by the City Manager.
5. Field employees are required to wear the assigned work uniform provided by the **City of Fernley**. If a work uniform has not been assigned, employees may wear jeans and T-shirts as well as shorts that are no more than 3 inches above the knee. Any employee who performs any work assignments in the field must wear closed-toe shoes. Long hair must be tied back to ensure the employee's personal safety. Loose clothing or dangling jewelry that poses a safety hazard to employees also is prohibited.
6. Under no circumstances may employees wear halter tops, strapless tops, spaghetti straps, cropped tops, clothing with offensive wording (sexually-related references or inappropriate language) or that promotes the use of illegal drugs, prohibited substances, or alcohol, clothing that shows undergarments (sheer), torn clothing, clothing with holes

in it, or tight-fitting, revealing, or oversized clothing. All clothing must be clean, neat, and fit properly. Safe, neat, and clean shoes should be worn at all times. Tank tops may be worn as long as shoulder straps are a minimum of 1.5 inches and no undergarments may be seen.

7. For all employees, professional appearance means that the **City of Fernley** expects employees to maintain good hygiene and grooming while working. Facial hair is permitted as long as it is neat and well-trimmed. Earrings, gauges, extenders, and/or O-rings are acceptable while working if they do not impose a safety/health issue. Rings/studs through the nose, eyebrow, tongue, or body parts other than the ear lobe that are visible to the public may not be worn while working. Rings/studs through the nose, eyebrow, tongue, or body parts other than the ear lobe that are visible to the public may not be worn while working. All tattoos must be covered at all times if offensive in nature. Visible tattoos may not be offensive in nature (sexually related references, inappropriate wording, and the promotion of illegal drugs or prohibited substances is prohibited). Employees are expected to be conservative in the wearing of makeup, scented products, and hairstyles.
8. If an employee requires a reasonable accommodation regarding his/her dress for bona fide legal reasons, s/he should contact his/her supervisor or manager to discuss an exception to the personal appearance guidelines. Unless it would constitute an undue hardship or safety hazard, the **City of Fernley** will accommodate such requests.

2.22.2. Enforcement

1. All employees should practice common sense rules of neatness, good taste, and comfort. Provocative clothing is prohibited. **City of Fernley** reserves the right to determine appropriate dress at all times and in all circumstances.
2. When the **City of Fernley** believes an employee's dress or grooming does not comply with the personal appearance guidelines, the immediate supervisor will discuss the issue with the employee. If counseling fails to result in the desired response, the supervisor may initiate disciplinary action.
3. **City of Fernley** may require employees to change clothes should it be determined that dress is not appropriate.

2.23. Children, Animals, and Visitors in the Workplace

To avoid disruptions to the employee and coworkers, potential distractions in serving members of the community and to reduce personal and property liability, employees shall not bring children and/or animals to the workplace and are limited in having family and friends visit.

This policy is intended to address the presence of children and animals while the employee is on duty and does not include official functions or activities promoted by the **City of Fernley** which may allow children and/or animals.

Supervisors may grant a temporary exception to the rule prohibiting children in the workplace, not to exceed one workday, to accommodate the employee. If an exception is

granted, it is the responsibility of the employee to supervise and control the movements of the child. It is not acceptable to request an accommodation to bring sick children into the workplace.

This policy does not apply to employees whose service animal has been approved by the **City of Fernley** as a reasonable accommodation under the Americans with Disabilities Act.

The **City of Fernley** understands that an occasion may arise when an employee receives a visit from a family member or friend during working hours and allows such visits providing, they are short in duration and not disruptive to other employees or the public.

2.24. Reporting Convictions, Investigations, and Change of License

2.24.1. Reporting Convictions

All employees and volunteers are required to immediately report convictions, guilty or nolo contendere pleas, or deferred adjudications for felony, misdemeanor (excluding juvenile adjudication), or any lesser crime other than minor traffic infractions to their supervisor or manager. Convictions shall not automatically impact the employees' employment or the volunteer's assignment. The **City of Fernley** will make an assessment of the effect of the conviction to the essential duties of the position the employee holds or the duties the volunteer performs.

2.24.2. Reporting Investigations

All employees and volunteers are required to immediately report to their supervisor or manager if they are under investigation by a licensing board or other regulatory entity for actions related to their employment or volunteer assignment.

2.24.3. Reporting Change of License

An employee or volunteer must immediately notify his/her supervisor or manager of any suspension, restriction, or revocation of his/her driver's license, permit, or other license or certification required for the performance of his/her assigned job.

2.25. Whistleblower Protection (Required for County and Incorporated City Employees per NRS 281.611)

2.25.1. Prohibition of Threats or Coercion

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 in an effort to interfere with or prevent the disclosure of information concerning improper governmental action or to pressure another officer or employee to take reprisal or retaliatory action. The provisions of this policy shall not be used to harass another officer or employee.

In accordance with NRS 281.631, an officer or employee is required to use his/her official authority or influence to remedy any reprisal or retaliatory action of which the officer or

employee becomes aware. Use of “official authority or influence” may include 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.

Employees who believe a reprisal or retaliatory action against the officer or employee for disclosing information concerning improper governmental action as defined in NRS 281.611 may file a written appeal, per NRS 281.641.

City of Fernley will comply with its obligations per NRS 281.611-671, inclusive.

2.25.2. Disclosure of Untruthful Information

This policy does not preclude the **City of Fernley** from initiating proper disciplinary action against an individual who discloses untruthful information concerning improper governmental action.

2.26. Telecommuting

2.26.1. Purpose

The purpose of this policy is to define the telecommuting program of the **City of Fernley** and the guidelines under which it will operate.

Telecommuting is defined as working at an alternate worksite that is away from the main or primary worksite typically used by the **City of Fernley**. Telecommuting is a mutually agreed upon alternative work location between the telecommuting employee and **City of Fernley**.

Telecommunicating is not an employee benefit, but rather a work alternative or possible reasonable accommodation based upon the job content, satisfactory work performance, and work requirements of the department and **City of Fernley**.

2.26.2. Scope

The policy applies to all employees, supervisors, and managers who are approved to telecommute as a work alternative.

2.26.3. Requesting Permission to Telecommute

An employee who wishes to request a telecommuting arrangement shall submit a written request for approval to his/her supervisor. The request shall be approved by the appropriate department head before employee may telecommute.

Note: Employees requesting telecommuting as a reasonable accommodation shall make such requests to their supervisor and the EEO Officer or ADA coordinator as applicable.

2.26.4. Employee Rights and Responsibilities

Except as specified in this policy or agreed to in the individual telecommuting agreement signed by the employee and his/her supervisor, employee rights and responsibilities are

not affected by participating in telecommuting. An employee's compensation, benefits, and expected total number of hours worked will not change regardless of work location.

No benefits provided by **City of Fernley** are enhanced or abridged by the implementation of a telecommuting agreement. All forms of telecommuting imply an employee-**City of Fernley** relationship. The employee is expected to adhere to all of the same policies, regulations, and performance expectations established for all employees of **City of Fernley**.

Telecommuting employees must keep their supervisor informed of progress on assignments worked on at the alternative worksite, including any problems they may experience while telecommuting. The employee must generate a synopsis of activities and accomplishments for the workday in a prescribed format. Methods of planning and monitoring the work shall be at the discretion of the supervisor, department head, and/or **City of Fernley**.

Office needs will take precedence over telecommute time. An employee must forgo telecommuting if needed in the office on the regularly scheduled telecommute time.

The employee is responsible for providing an appropriate workspace, including all necessary equipment to perform their normal job functions unless otherwise stated in the written agreement. Equipment supplied by **City of Fernley** is to be used for business purposes only. Any additional financial burden resulting from the telecommuting arrangement is solely the responsibility of the employee unless the arrangement is identified as an ADA reasonable accommodation in which case, the situation will be addressed individually.

Employee must notify his/her supervisor of any changes to his/her standard workweek (i.e. sickness, health care provider visits, or annual leave).

Telecommuting is not intended to serve as a substitute for child or adult care. If children or adults, in need of primary care, are in the alternate work location during employees' work hours, some other individual must be present to provide care.

2.26.5. City of Fernley Rights and Responsibilities

Participation in a telecommuting agreement is at the sole discretion of the **City of Fernley**, unless identified as a reasonable accommodation. Except as specified in this policy or agreed to in the individual telecommuting agreement, **City of Fernley** rights are not affected by an employee's participation in telecommuting.

The **City of Fernley** will determine the methods of planning, monitoring, receiving, and reporting the employee's activity and accomplishment. **City of Fernley** must manage the work of employees in their area of responsibility and assure that employees receive the assistance they need to accomplish their responsibilities.

The employees will be given as much advance notice as possible if they will be needed in the office on the regularly scheduled telecommute day.

Each telecommuting agreement will be discussed and renewed at least annually, or whenever there is a major job change. Because telecommuting is selected as a feasible work

option based on a combination of job characteristics, employee performance, and **City of Fernley** needs, a change in any one of these elements may require a review of the telecommuting agreement.

City of Fernley may, upon notice, inspect the employee's alternate workspace for safety and workers' compensation concerns.

2.26.6. Termination of Telecommuting Agreement

City of Fernley and/or employee may terminate the telecommuting agreement for any reason, at any time. Whenever feasible, written notice will be provided, but this is not a requirement.

The opportunity to participate in a telecommuting agreement is offered only with the understanding that it is the responsibility of the employee to ensure a proper work environment is maintained, dependent care arrangements must not interfere with work, and personal disruptions such as non-business telephone calls and visitors must be kept to a minimum. Failure to maintain a proper work environment, as determined by the **City of Fernley**, may provide cause for discipline and/or the termination of the employee's telecommuting agreement.

Approval for any telecommuting request is based upon **City of Fernley** and department requirements as determined by the **City of Fernley**. Employees previously participating in a telecommuting agreement are not assured a telecommuting agreement in the future.

Note: If telecommuting is considered as a reasonable accommodation, the **City of Fernley** and employee will follow the **City of Fernley** applicable policy and process, to include proper use of appropriate forms and procedures.

2.27. Vehicle Use Policy

City of Fernley employees shall operate City of Fernley vehicles in accordance with all traffic laws, including having a valid Nevada Driver's License. Only employees authorized by the City Manager shall be allowed to drive a city vehicle. In the event of a traffic accident, the driver of the vehicle, or designee, if injured, shall immediately report the accident and provide all appropriate information and reports following the adopted Fleet policy.

If an employee lives within eight (8) miles of their starting worksite location, the Department Director or the City Manager may assign the employee a City vehicle to take home overnight. The vehicle shall not be used for personal benefit and no passengers shall be allowed to ride in the vehicle unless of official business for the City. Acceptable incidental personal use includes stopping off at the bank, post office, or store if the employee is traveling to or from work. Employees are not allowed to transport or consume alcohol or illegal drugs (see "Drug and Alcohol-Free Workplace Policy" for additional details.)

2.28. Workplace Safety

Employees have a duty to comply with all safety rules and are expected to take an active part in maintaining a hazard-free environment. Nevada OSHA requires that each new employee reads, understands, and signs the Nevada Workplace Safety Employee Rights and Responsibilities form. Employees are to direct questions to their supervisor.

Employees are expected to observe all posted safety rules, adhere to all safety instructions, and properly use all equipment. Employees are required to report any accidents or injuries, and any breaches of safety to his/her supervisor as soon as possible.

Disciplinary action, up to and including termination, may be imposed for violation of known safety policy and/or procedure.

Employees with ideas, concerns, or suggestions for improved safety within the workplace are encouraged to raise them with their supervisor or with another member of management. Reports and concerns about workplace safety issues may be made anonymously if the employee wishes. All reports made in good faith may be made without fear of discrimination or retaliation.

2.29. Related Forms

- ADA Reasonable Accommodation Checklist
- ADA Employee Request for Accommodation
- ADA Accommodation Request--Employee Release
- ADA Accommodation Request--Health Care Provider Information
- ADA Accommodation Approval Letter
- ADA Accommodation Denial Letter
- Alcohol Test Informed Consent: Applicants
- Documentation for Reasonable Suspicion Drug/Alcohol Testing
- Drug/Alcohol Test Informed Consent: Current Employees
- Drug Test Informed Consent: Applicants
- Investigation Checklist
- Investigation Report Template
- Last Chance Agreement – Drug and Alcohol
- Nevada Consanguinity/Affinity Chart
- Nevada Pregnant Workers' Fairness Act Notice
- Nevada Workplace Safety Employee Rights and Responsibilities
- Notice – Designation of Equal Employment Opportunity Officer
- Outside Employment Disclosure Form
- Request for Hearing Under the provisions of NRS 281-645 ("Whistleblower Law")
- Subsequent Injury Fund Questionnaire
- Suggested Steps for Reasonable Suspicion Drug-Alcohol Testing
- Telecommuting Request Form

3. EMPLOYMENT

3.1. Scope

It is recognized that the role of the department is critical in the hiring process and that utilizing the subject matter expertise of those in the hiring department will help ensure the selection of the most appropriately qualified candidate for each position. Therefore, the **City of Fernley** will involve department management in the recruitment, examination, and selection process.

3.2. Source of Applicant

Regular positions may be filled by applicants selected from existing eligible lists. If no eligible list exists, the **City of Fernley** may initiate a recruitment (open or promotional) to create an eligible list. Applications from present employees may be considered for open positions before non-employee applicants are considered. For open recruitments, the position vacancy announcement will be posted internally and externally.

Promotional recruitments limit consideration of applicants to qualified employees currently working within a single department of the **City of Fernley** (departmental/promotions) or to qualified employees currently working within the **City of Fernley** (**City of Fernley**-wide/promotional). Departmental/promotional recruitments shall be limited to employees in regular or introductory status who have completed at least twelve (12) months of service. **City of Fernley**-wide/promotional recruitments are limited to regular or introductory employees of the **City of Fernley** with at least twelve (12) months of service.

~~When deciding what type of recruitment to initiate, the **City of Fernley** will consider such factors as the impact of the decision on the **City of Fernley** efforts to have a workforce which is representative of:~~

- ~~• The local population;~~
- ~~• The qualifications and level of responsibility required by the position;~~
- ~~• The extent to which the knowledge and skills required for the position can readily be acquired on the job;~~
- ~~• The qualifications of employees potentially available for placement on a promotional list;~~
- ~~• The effects on retention of present employees; and~~
- ~~• The likelihood of attracting well-qualified outside applicants.~~

~~After the **City of Fernley** has determined how they will announce the vacancy, they will develop a recruitment plan by determining the applicant pool they wish to target and in what geographic region they will advertise; determining what types of media (e.g., internet, newspapers, trade journals) will be used to advertise and ensuring outreach efforts reach diverse applicant groups.~~

3.3. Job Announcements

Prior to initiating recruitment, the **City of Fernley** ~~may~~ should verify the essential job functions; identify knowledge, skills, and abilities needed, and determine what education, experience, and credentials will provide the desired knowledge, skills, and abilities.

3.3.1. Open Recruitments

The **City of Fernley** will announce all vacancies for regular positions. An announcement may be for the purpose of filling a single vacancy or to establish an eligible list for one or more vacancies in the same job class. Position vacancies will be publicized to allow potentially qualified and interested individuals to learn of employment opportunities and to encourage qualified applicants from diverse backgrounds to apply. Recruitment announcements will always be posted on the website of the **City of Fernley** and in such other places as the **City of Fernley** feels appropriate. The announcement will normally include:

1. Title and pay range of the class of the vacancy;
2. Nature of the work to be performed, including the essential job functions;
3. Minimum as well as any preferred qualifications, including education and/or experience, knowledge, skills, and abilities, or other special criteria associated with the position;
4. License or certifications required;
5. Manner of applying (where, how and deadlines); and
6. A declaration that the **City of Fernley** is an Equal Employment Opportunity (EEO) **City of Fernley**, and Americans with Disabilities (ADA) accommodations are available.

Regular employees will be released from work, on paid status, to take an examination and participate in an interview held during their scheduled work time. Casual (intermittent) workers will not be paid for time taken to participate in an examination or interview.

3.3.2. Promotional Recruitments

Notice of promotional recruitments will be posted in the **City of Fernley** work locations as appropriate. When an eligible list is to be established as a result of a promotional recruitment and used to fill more than the current vacancy, the announcement will state the time period during which the list will be used and state that only the most appropriately qualified applicants will be placed on the list. The announcement will include the criteria outlined above in sub-section *Open Recruitments*, items 1-6.

Regular employees will be released from work, on paid status, to take a promotional examination and participate in an interview held during their scheduled work time. Casual/temporary/seasonal workers will not be paid for time taken to participate in a promotional examination or interview.

3.4. General Requirements for Filing of Applications

3.4.1. Application Forms

1. Applicants must complete a separate application form for each vacancy unless the job announcement indicates otherwise. The **City of Fernley** may also require résumés, completed supplemental questionnaires, and other evidence of education, training, experience, or other lawful requirements, including licenses and certifications. Applications submitted become the property of the **City of Fernley**.
2. The following provisions apply to all applicants *except* an applicant for a position that is a peace officer, firefighter, or has physical access to a computer or other equipment used for access to the Nevada Criminal Justice Information System or the National Crime Information System.

Applications for employment must be made in writing on prescribed forms which will include a statement that a record of conviction will not necessarily bar the applicant from employment and certain factors will be considered, such as:

- Whether any criminal offense charged against an applicant or committed by the applicant directly relates to the responsibilities of the position for which the applicant has applied;
 - The nature and severity of each criminal offense charged against the applicant or committed by the applicant;
 - The age of the applicant at the time of the commission of each criminal offense;
 - The period between the commission of each criminal offense and the date of the application for employment; and
 - Any information or documentation demonstrating the applicant's rehabilitation.
3. The following procedures apply to applicants for a position that is a peace officer, firefighter, or has physical access to a computer or other equipment used for access to the Nevada Criminal Justice Information System or the National Crime Information System.

Applications for employment must be made in writing on prescribed forms.

- Applicants must complete a separate application form for each vacancy unless the job announcement indicates otherwise.
- The **City of Fernley** may also require résumés, completed supplemental questionnaires, and other evidence of education, training, experience, or other lawful requirements, including licenses and certifications.
- Applications submitted become the property of the **City of Fernley**.

3.4.2. Signatures

Applications must be signed by the applicant. An electronic signature is acceptable.

3.5. Application Filing Periods

Recruitment announcements will specify the application filing period. Applications must be postmarked by the date specified. The filing period may end on a specific date and/or may allow acceptance of applications until a sufficient number of appropriately qualified applicants have applied. The **City of Fernley**, consulting with department management, will determine when sufficient applications have been received.

Application periods will end at the close of the business day or at the specific time stated on the recruitment announcement. A job announcement may be cancelled at any time and for any reason as determined by the **City of Fernley**.

3.6. Eligibility of Applicants

An applicant may be disqualified from further participation in the recruitment process and/or from placement on an eligible list by the **City of Fernley** for material reasons, including, but not limited to, those listed below:

1. The application does not indicate the applicant possesses the qualifications required for the position.
2. The application is not fully and/or truthfully completed.
3. The applicant has prior convictions that relate to the position for which s/he is being considered as a peace officer, firefighter, or a position which entails physical access to computer and/or equipment used to access the Nevada Criminal Justice Information System or the National Crime Information Center, as provided for in NRS 245, NRS 268, or NRS 269 as applicable.
4. The applicant has been discharged from or resigned in lieu of dismissal from any prior employment for any cause which would constitute a reason for dismissal from employment with the **City of Fernley**.
5. The applicant does not appear at the time and place designated for an examination or interview.
6. The applicant is a former employee of the **City of Fernley** who, absent a compelling reason, quit without notice.
7. Applicant's failure to possess a valid license, certificate, permit, etc. If a prospective applicant for a position cannot obtain the required license, certificate, permit, or occupational certification required for the job, s/he will not be given any further employment consideration. Any job offer, offer of promotion, or offer of transfer previously made will be withdrawn.
8. The applicant is a former employee whose performance evaluations indicated below acceptable performance and/or behavioral problems, such as insubordination, leave abuse, or excessive tardiness.

3.7. Limitation of Applicant Pool to Most Qualified

The **City of Fernley** may determine at any point in the recruitment process that only those applicants who are deemed most qualified for the vacancy being filled will continue to be considered.

3.8. Examination Process

3.8.1. Administration of Examinations

All examinations for employment, whether formal or informal, are conducted under the direction of the **City of Fernley**. Examinations shall be conducted when there is a need to establish an eligible list or in any circumstances the **City of Fernley** deems appropriate. The techniques used in the examination process shall be consistent, impartial, and practical, and relate to the qualifications and suitability of applicants to perform the job duties and responsibilities of the position.

3.8.2. Factors Evaluated

Examinations will be used to evaluate applicants' qualifications and suitability for the position. Factors evaluated through the examination process may include, but are not limited to, the knowledge, ability, skill, achievement, physical and mental fitness, and job-related competencies such as customer service skills.

3.8.3. Minimum Standards

In any examination, the **City of Fernley** may include qualifying and/or competitive components and may establish minimum standards or scores for each component and/or the examination as a whole.

3.9. Eligible Lists

The **City of Fernley** may maintain eligible lists consisting of the names of applicants eligible for hire based on the recruitment process. While generally used to fill a single position, eligible lists may be used to fill additional positions which occur within six months of the establishment of the list or until a published expiration date, whichever occurs first.

An applicant will be removed from an eligible list if the applicant submits a written request to be removed, or if the applicant fails to respond within an allotted time period to instructions regarding participation in an examination or selection interview mailed to the eligible applicant. An eligible applicant who refuses an offer of employment will be removed from an eligible list unless the specific circumstances of the refusal warrant otherwise as determined by the **City of Fernley**.

3.10. Referral of Applicants for Hire

When the hiring department requests that a vacancy be filled, the Human Resource Manager will provide the Department Head with the names of applicants from the appropriate eligible list. Any person on an appropriate reinstatement list shall be considered for appointment in accordance with the **City of Fernley** established layoff policy. If the **City of Fernley** decides to fill a vacancy by hiring from a promotional eligible list, such a list will be created with eligible applicants from the promotional list being referred to the hiring department for consideration. Eligible applicants will be referred for consideration on the basis of the results of competitive examination scores or, in the case of reinstatement lists, according to the **City of Fernley** layoff policy.

When an eligible list (except a reinstatement list) contains fewer than three eligible applicants willing to accept appointment, the **City of Fernley** may make an appointment from among such eligible applicants or may request the Human Resource Manager to provide a new list. When so requested, the Human Resource Manager will provide the **City of Fernley** with eligible applicants from another appropriate eligible list or, if no other list exists, conduct a new recruitment and establish a new eligible list.

3.11. Interviewing Applicants

Selecting the most appropriately qualified applicant for the position will reduce turnover, reduce the costs associated with training, and improve the effectiveness of the organization.

Once applications have been evaluated and a determination has been made regarding which applicants are selected for an interview versus those who will not be interviewed based on applicants' education, experience, and other job-related qualifications, all applicants should be notified as to their status. The interviewing portion of the selection process is critical for determining which applicants are best qualified to do the job.

Prior to conducting an employment interview, managers should:

1. Review the job descriptions.
2. Create job-related questions to ask each applicant to help ensure consistency. Questions should be open-ended and job-related about past work experiences to identify skills and strengths.
3. Prepare an Applicant Interview Evaluation Form to measure strengths and weaknesses.
4. Convene an interview team of approximately three members who are representative of both genders and ethnically diverse.

Each applicant applying for the same position should be asked the same, job-related questions on the question guide and rated using the same evaluation form. The evaluation form will help the evaluator measure the extent to which each applicant possesses the necessary knowledge, skills, and abilities required for the position. Whenever necessary, follow-up questions should be asked to clarify the response of the applicant. Questions which are unlawful or on inappropriate subjects should be avoided. All interviewers should review, "Prohibited Topics: Questions Which Cannot Be Asked" and the "Potential Rating Errors and Problems" prior to the actual interview.

3.12. Selection

Employment decisions must be based solely on merit. Consistent with applicable federal, state, and local laws and regulations employment decisions may not be influenced by any protected class membership. The **City of Fernley** will not request usernames and passwords for personal social media accounts. The hiring manager has ultimate responsibility for selection of the applicant for hire; however, s/he should take into consideration the input of the other members of the interview team. The hiring manager is responsible for ensuring the selected applicant meets the required level of education, experience, certification, license, etc. The hiring manager will document the basis of his/her

decision to select a particular applicant; e.g., why s/he is the most qualified and the best fit for the position. The hiring manager should also document why other applicants were not selected; the Applicant Interview Evaluation Form is a good tool for this. The hiring manager will submit the documentation regarding the reasons the selected applicant was chosen and notify the Human Resource Manager of the selection.

In compliance with NRS 281.060(2), if all other qualifications of applicants are considered equal, the **City of Fernley** will give preference first, to honorably discharged military personnel who are citizens of the State of Nevada, and second to citizens of the State of Nevada.

3.13. Correction of Administrative Errors

If the **City of Fernley** should discover any administrative error regarding the process of filling a vacancy, the **City of Fernley** will correct the error at any time during the duration of the eligible list. No such correction shall affect an appointment.

3.14. Reference Checks

Acquiring and providing accurate employment references is an important component of acquiring, retaining, and providing relevant information concerning employees. Therefore, the **City of Fernley** is committed to adhering to the following procedure whenever conducting a reference check for an applicant for employment or when responding to inquiries from others for information regarding a current or former employee.

3.14.1. Acquiring References

Reference checks are conducted to assist the **City of Fernley** in assessing an applicant's fitness for employment with the **City of Fernley**. Only those employees designated by the City Manager may acquire employment references. Any authorized employee of the **City of Fernley** who attempts to acquire reference information on an applicant must comply with the following:

1. Obtain a **City of Fernley** employment application that is signed and dated by the applicant. The applicant must have completed all relevant sections of the application.
2. Obtain authorization from the applicant by means of his/her signature directly on the application and/or separate release form for the release of information from former **City of Fernley's**, military, educational institutions, other institutions, personal references, and other individuals listed on the application. Authorization for release of such information by the applicant shall include a release from liability of any company, institution, or individual providing such information. If an applicant refuses to sign such a release, s/he will be eliminated from further consideration for employment with the **City of Fernley**.
3. Inform the applicant that the **City of Fernley** will conduct a reference check and that evaluating the applicant's suitability for employment includes contacting employment and other references, educational institutions, and personal and professional associates to verify information provided.

4. Develop questions that are related to the essential functions of the position and are non-discriminatory. Questions related to an applicant's training, knowledge, skills, production, timeliness, quality of work, and ability to work with others are examples of appropriate inquiries. Discriminatory or non-work-related questions such as family or marital status, disabilities, age, and related areas are not appropriate.
5. Identify the appropriate individual(s) to question regarding the applicant's work performance, knowledge, skills, and abilities related to the essential functions of the position.
6. Adequately document the conversation and record refusals to provide information.
7. Maintain strict confidentiality of all reference information. Only employees, supervisors, or management officials of the **City of Fernley** who have a demonstrable work-related need-to-know should be accorded access to such information.

Note: For safety-sensitive positions as defined by 49 CFR Part 382 and U.S. Department of Transportation regulations, the **City of Fernley** shall obtain, pursuant to an applicant's written consent, information on his/her alcohol tests and/or verified positive controlled substance test results, and refusals to be tested within the preceding two years from date of application which are maintained by the previous employers.

3.14.2. Providing References

All requests for employment information shall be referred to the Human Resource Manager. Only those personnel designated by the **City of Fernley** are authorized to release employment information to third parties.

The **City of Fernley** has a neutral reference policy as well as a confidential information policy. Only the following personnel information and employment records that the **City of Fernley** maintains concerning current and former employees shall be provided upon request:

- Name
- Class/Job Title
- Dates of Employment
- Salary
- Information regarding an employee terminated for violent actions in the workplace or who may have demonstrated dangerous behavior in the workplace will be provided only after consultation with **City of Fernley** legal counsel.
- Employment information and documented incidents regarding the character, honesty, and potential for violence of the **City of Fernley** employees may be provided to governmental employers, including, but not limited to, any federal, state, county, municipality or city employers, or any other private (non-governmental) **City of Fernley** where the employee's character, honesty, sexual misconduct, and potential for violence are relevant issues. Examples include, but are not limited to, jobs which involve public safety, entrustment for the care or safety of children, the elderly or health care patients, or positions having

access to money and/or valuables. Information in this section may be provided after consultation with **City of Fernley** legal counsel.

In addition, employers will:

- Provide information requested by public safety agencies in accordance with NRS 239B.
- Provide information requested by public schools, private schools, charter schools, university schools for profoundly gifted pupils, and/or contractors or agents who work at schools in this state in accordance with Nevada law.
- Make available to subsequent employers upon receipt of written request from the employee or former employee, records which are required for employees in safety-sensitive positions, as defined in 49 CFR Part 382 and U.S. Department of Transportation regulations.

In accordance with NRS 239.012, a public officer or employees who act in good faith in disclosing or refusing to disclose information, and his/her City of Fernley are immune from liability for damages, either to the requester or to the person whom the information concerns.

3.15. Background Checks

The **City of Fernley** desires to maintain a productive, efficient, effective, healthy, and safe work environment and, as a result, will conduct pre-employment background checks of applicants, and current employees as necessary. If these background checks are conducted by external third parties (also called “consumer reporting agencies”), they will be governed by relevant provisions of the Fair Credit Reporting Act (FCRA) and the Fair and Accurate Credit Transactions Act (FACT). FCRA and FACT cover background checks and other investigations for prospective employees, and current employees in certain situations, such as a promotion to positions requiring additional information. FCRA and FACT specifically exclude misconduct investigations, such as unlawful harassment charges. Nevada law (NRS 613.580) restricts the use of consumer credit information to limited positions.

Unless, pursuant to a specific provision of state or federal law, the criminal history of an applicant for employment may be considered only after the earlier of:

- The final interview conducted in person; or
- A conditional offer of employment has been made.

This provision does not apply to an applicant for a position that is a peace officer, firefighter, or has physical access to a computer or other equipment used for access to the Nevada Criminal Justice Information System or the National Crime Information System.

3.15.1. Consumer Reporting Agencies Reports

The types of reports that may be requested from consumer reporting agencies under this policy include, but are not limited to: credit reports, criminal records checks, court records checks, driving records, and/or summaries of educational and employment records and histories. These reports or checks are also called “consumer reports.” The information

contained in these reports may be obtained by a consumer reporting agency from public record sources or through personal interviews with the applicant's or employee's coworkers, neighbors, friends, associates, current or former employers, or other personal acquaintances. These are sometimes referred to as "investigative consumer reports." Any information contained in such reports may be taken into consideration in evaluating an applicant's or employee's suitability for employment, promotion, reassignment, or retention.

3.15.2. Consumer Reporting Agencies Requirements

Employer utilizes the services of a consumer reporting agency to conduct background checks and will comply with the fair Credit Reporting Act (FCRA) (15 U.S.C. 1681 et. Seq.)

In order to meet the requirements of the FCRA, effective the date of this policy:

1. New applicants for employment will be required to complete a notice and authorization form concerning consumer and investigative consumer reports; existing employees will be required to complete a notice and authorization form concerning consumer and investigative consumer reports, provided the employee has not previously completed such form.
2. The City of Fernley will certify to the consumer reporting agency that:
 - a. The notice and authorization requirement has been met;
 - b. The information received is only used for employment purposes;
 - c. The information will not be used to violate any Equal Employment Opportunity (EEO) legislation;
 - d. Pre-adverse action requirements will be followed; and
 - e. Any additional investigative consumer report disclosures, if applicable, have been, or will be, issued within three days.
3. Upon request from the applicant or employee, the City of Fernley will comply with applicable additional disclosure requests including, but not limited to, information as to the nature and scope of an investigative consumer report.
4. The City of Fernley will provide a copy of the consumer report and a summary of the individual's rights under the FCRA to the applicant or employee prior to making a final adverse or negative employment decision that, in whole or in part, is influenced by a consumer report or an investigative consumer report.
5. After the City of Fernley has complied with item 3 above and waited a reasonable period of time, the City of Fernley may take the adverse or negative action. After taking such action, the City of Fernley must provide to the applicant or employee a notice of adverse action which also contains the following:
 - The name, address, and telephone number of the consumer reporting agency;
 - A statement that the consumer reporting agency did not make the adverse action decisions and will be unable to inform the applicant or employee of the specific reason(s) for the adverse action;

- ~~A statement that the applicant or employee is entitled to obtain an additional free copy of the consumer report; and~~
- ~~A statement that the applicant or employee has a right to dispute the accuracy or completeness of any information in the report.~~

3.16. Offers of Employment

3.16.1. Policy

The following provisions apply to all applicants *except* for a position that is a peace officer, firefighter, or has physical access to a computer or other equipment used for access to the Nevada Criminal Justice Information System or the National Crime Information System.

1. Unless, pursuant to a specific provision of state or federal law, the criminal history of an applicant for employment may be considered only after the earlier of:
 - The final interview conducted in person; or
 - A conditional offer of employment has been made.
2. The **City of Fernley** may, before selecting an applicant as a finalist for a position or extending to an applicant a conditional offer of employment, notify the applicant of any provision of state or federal law that disqualifies a person with a particular criminal history from employment in a particular position.
3. The **City of Fernley** may decline to make an offer of employment or rescind a conditional offer of employment extended to an otherwise qualified applicant who has criminal charges pending against him/her that were filed within the previous six months or has been convicted of a criminal offense only after considering:
 - Whether any criminal offense committed by the applicant directly relates to the responsibilities of the position for which the applicant has applied;
 - The nature and severity of each criminal offense committed by the applicant;
 - The age of the applicant at the time of the commission of each criminal offense;
 - The period between the commission of each criminal offense and the date of the application for employment; and
 - Any information or documentation demonstrating the applicant's rehabilitation.
4. The **City of Fernley** shall not consider any of the following criminal records in connection with an application for employment:
 - An arrest of the applicant which did not result in a conviction;
 - A record of conviction which was dismissed, expunged or sealed; or
 - An infraction or misdemeanor for which a sentence of imprisonment in a county jail was not imposed.
5. If the criminal history of an applicant is used as a basis for rejecting an applicant or rescinding a conditional offer of employment, such rejection or rescission of a conditional offer of employment must:

- Be made in writing;
- Include a statement indicating that the criminal history of the applicant was the basis for the rejection or rescission of the offer; and
- Provide an opportunity for the applicant to discuss the basis for the rejection or rescission of the offer with the director of human resources or a person designated by the director.

3.16.2. Job Offer Letters

1. The following procedures apply to *all applicants* except an applicant for a position that is a peace officer, firefighter, or has physical access to a computer or other equipment used for access to the Nevada Criminal Justice Information System or the National Crime Information System.
 - a. After an applicant has been selected for employment or promotion, the Human Resource Manager will notify the City Manager who will extend (when applicable), the following:
 - A “conditional offer of employment pending background check” if criminal background checks are required.
 - A “bona fide conditional offer letter” (if medical exam is required); this letter will condition the offer on passing medical examinations.
 - A “formal job offer letter” once all applicable criminal and medical checks and exams have been passed; this letter will include the terms and conditions of employment.
 - b. Prior to selecting the applicant as a finalist or extending letters, the Human Resource Manager may:
 - Contact the applicant by telephone to determine whether there is continued interest in employment and to indicate that a request to hire has been made but must state that only a notification in writing can be considered an official job offer.
 - Notify the applicant of any provision of state or federal law that disqualifies a person with a particular criminal history from employment in a particular position.

Note: All non-medical background checks must be completed before applicant is subject to medical exams.

3.16.3. Pre-Employment Drug Screening for Safety-Sensitive Positions

1. The **City of Fernley** may require successful applicants for safety-sensitive positions to consent to a pre-employment screen test for drugs/prohibited substances. The **City of Fernley** will advise the applicant that the presence of one or more drug metabolites may be cause for rejection from further consideration for employment, and that offers of employment are contingent upon a negative test result. The applicant may be asked to authorize the **City of Fernley**, as a condition of employment, to conduct through the **City of Fernley** designated laboratory testing facility, a screen test for drugs/prohibited substances. Refusal to authorize and participate in a screen test shall eliminate the applicant from further consideration for the position.

2. The **City of Fernley** may direct applicants to an appropriate collection facility. The screen test must be undertaken as soon after notification as possible, and in no circumstances later than 48 hours after notice to the applicant.
3. The **City of Fernley** will advise applicants of the opportunity to submit medical documentation to support a legitimate use for a specific drug. Such information will be reviewed only by medical consultants determining whether the applicant is lawfully using an otherwise illegal drug or prohibited substances.
4. The **City of Fernley** will not extend a formal job offer letter to any applicant with a verified positive test result, and such applicant will not be considered for any vacancy of the **City of Fernley** for a period of 12 months. The **City of Fernley** shall disqualify the applicant on the basis of failure to pass the applicable test(s).

3.16.4. Other Conditions

1. All offers of initial employment are conditioned upon the applicant furnishing satisfactory evidence of identity and legal authority to work in the United States. Each applicant must attest to his/her identity and legal authority to work in the United States in accordance with the applicable federal statute by completing and signing INS Form I-9 (Employment Eligibility Verification).
2. The hiring supervisor or manager will notify all unsuccessful applicants that they have not been selected, either verbally or in writing. The hiring supervisor will document any verbal notification.
3. Employees required to report the abuse or neglect of a child must be provided notice, in writing or electronically, of their duty as a mandatory reporter. The employee must sign acknowledgement of this notice which is to be filed in employee's personnel file (This requirement is not necessary if the employee is licensed, certified, or endorsed by a board in the state).

3.17. Orientation

The **City of Fernley** recognizes that an appropriate and timely orientation program can aid the assimilation of new staff members. The hiring supervisor or manager will be responsible for the orientation of each new employee. Orientation may include, but is not limited to, a review of the organization and services of the **City of Fernley**, work rules, standards of performance, and personnel policies and procedures including the policies relating to fair employment practices, prohibited conduct/behavior, workplace violence, alcohol and drug abuse, and workplace safety. Additionally, the supervisor or manager will ensure that the new employee:

- Has completed all new hire paperwork including payroll and benefit forms;
- Will receive or be provided access to the **City of Fernley** personnel policies;
- Has been introduced to other employees; and
- Has had the opportunity to have questions addressed.

3.18. Introductory Period

All new and rehired employees, except elected officials, casual, temporary, or seasonal employees, and those identified as “at-will,” will serve a one-year introductory period beginning with the day the employee initially reports for work. Current employees who are promoted or transferred will also be required to serve a 30-day introductory period. During this introductory period, the employee and the **City of Fernley** have the opportunity to evaluate one another and determine whether the employment relationship should be continued. At its sole discretion, the **City of Fernley** may extend this introductory period up to 90 days when the **City of Fernley** has had insufficient opportunity to assess the employee’s ability to perform the job functions or such extension is determined appropriate. During the introductory period, the employment relationship is at-will and can be terminated by the employee or by the **City of Fernley** at any time during the introductory period or during the extension of the introductory period, with or without cause or advance notice.

The supervisor will conduct performance evaluations as outlined in *Performance Management* section of this policy manual, to ascertain the advisability of continued employment.

3.19. Failure to Appear for Work

If a selected applicant fails to report for work within the time period prescribed by the **City of Fernley**, that applicant may be deemed to have declined the position and be removed from the eligible list.

3.20. Transfers

An employee must be employed with the City of Fernley for a minimum of one (1) year to be eligible for a transfer. A transfer is a lateral move to a job in the same pay range as the employee’s present position for which the employee meets the minimum education and/or experience requirement.

3.20.1. Employee-Requested Transfer

If the transfer is to another department, the employee may make his/her interest known by submitting a transfer form or contacting the hiring supervisor or manager, who will consider the transfer request by conducting discussions with the employee and appropriate supervisors or managers with knowledge of the employee’s job performance. The hiring supervisor will also consider the employee’s past performance, qualifications, abilities, and job experience as key factors in evaluating transfer requests. Approval of the transfer is at the sole discretion of the **City of Fernley**.

3.20.2. Agency-Directed Transfer

A Department Head may, after giving ten working days’ notice, transfer an employee to another position in the same class or a comparable class for the purpose of providing continued services to the citizens of the **City of Fernley** or other appropriate cause. A

transfer pursuant to this section must not be made to harass or discipline an employee. A regular employee who is required to transfer to a geographical location more than 30 miles from their current work location, and who declines the transfer, has layoff rights as provided in the Layoffs policy.

3.21. Promotions

The **City of Fernley** encourages employees to apply for promotional opportunities for which they are qualified. An employee must be employed with the **City of Fernley** for a minimum of one (1) year to be eligible for a promotional opportunity outside of the current division. An employee may apply for a promotional opportunity within the division in which they are employed, should a vacancy arise, once they have had a satisfactory 90-day review. Promotions will be based on the ability, qualifications, and potential of all applicants for the positions. Employees interested in announced positions must follow the application instructions outlined in the job announcement.

3.22. Rehire

Regular employees, or employees serving an introductory period following promotion who subsequently resign, may be rehired without undergoing any recruitment within two years of the effective date of their resignation. The rehire must be to a position in the same class or a class comparable to the one in which the employee formerly served as a regular employee.

The decision to rehire shall be at the complete discretion of the **City of Fernley** and no former employee shall have any right to or expectation of such rehire.

Upon rehire, the employee shall be required to successfully complete an introductory period. No credit for former employment shall be granted in determining eligibility for leave or other benefits.

Note: Limitations exist for rehiring retired public employees (NRS 286.523).

3.23. Casual/Temporary/Seasonal Employment

3.23.1. Purpose

Because some of the **City of Fernley's** work is indefinite and/or irregular with regard to schedule and duration, the **City of Fernley** may need to employ casual/temporary/seasonal workers at all levels of responsibility from time to time on an as-needed basis or to work for limited periods of time at the discretion of the **City of Fernley**.

3.23.2. Authorization to Hire Casual/Temporary/Seasonal Workers

In general, a casual/temporary/seasonal worker may be hired for work which will require fewer than 20 hours per week or fewer than 120 consecutive working days to complete, if the **City of Fernley** has appropriated sufficient funds in the budget to pay the worker. Work requiring more hours to complete will usually require the establishment of a regular position. The **City of Fernley** will not hire casual/temporary/seasonal workers to avoid

establishing a regular position when the work to be performed is ongoing. However, the **City of Fernley** may, from time to time, find that its best interests are served by assigning work to a casual/temporary/seasonal worker for longer than 120 days or more than 20 hours per week.

3.23.3. Duration of Casual/Temporary/Seasonal Employment

A casual/temporary/seasonal worker has no right to or expectation of continued employment or any property right regarding employment. A casual/temporary/seasonal worker may be terminated at any time, with or without cause, with or without notice, and shall have no right to appeal.

3.23.4. Employment in a Regular Position

The **City of Fernley** may hire a casual/temporary/seasonal worker into a regular position only after the applicant has been found to be qualified as a result of completing an authorized recruitment and selection process for that position. The employee's service date will be determined according to the date of hire in the regular position with no credit given toward completion of an introductory period or the accrual of benefits for the time an employee was hired for casual/temporary/seasonal work. A casual/temporary seasonal worker who is hired into a regular position must complete the applicable introductory period after starting as a permanent employee.

3.24. License/Occupational Certification

3.24.1. Purpose

The **City of Fernley** mandates that, if required by the current job, all employees obtain and maintain a valid license, certificate, permit, or other occupational certification issued by the state, county, city, or other applicable authority.

3.24.2. Employee Responsibilities

1. All employees who must possess a valid license, including a driver's license, certificate, permit, or other occupational certification as required by their position, must adhere to the provisions of NRS 425 including those provisions relating to paternity determination and child support.
2. In the event the employee receives notice of revocation or non-renewal of a license, certificate, permit, or occupational certification as a result of a violation of NRS 425, s/he shall immediately notify his/her supervisor. The employee shall not perform any task for which the license, certificate, permit, or other occupational certification is required after the license, certificate, permit, or occupational certification has been non-renewed or revoked. By statute, the employee has 30 days to satisfy one of the items listed below:
 - Comply with the court order, subpoena, or warrant;
 - Satisfy any arrears payments due; or
 - Submit to the District Attorney or other public agency a written request for a hearing.

Failure to satisfy one of the above items will result in the license, certificate, permit, or occupational certification being revoked or suspended by the issuing agency.

If the employee has been notified and does not satisfy any noted deficiency within 30 days from receipt of notice, his/her renewal license, certificate, permit, or occupational certification, by statute, will not be approved and will be revoked or suspended by the issuing agency. This action will remain in effect until s/he satisfies the deficiency. If the District Attorney schedules a hearing to review the case, the employee's license, certificate, permit, or other occupational certification will remain valid pending the results of the hearing.

3. In the event the employee does not have a valid license, certificate, permit, or occupational certification, s/he does not meet the job requirements. Failure to meet the job requirements will result in termination.

3.24.3. Applicant's Failure to Possess a Valid License, Certificate, Permit, etc.

If a prospective applicant for a position cannot obtain the required license, certificate, permit, or occupational certification required for the job, s/he will not be given any further employment consideration. Any job offers, offer of promotion, or offer of transfer previously made will be withdrawn.

3.24.4. Driving Records

The **City of Fernley** may conduct a review of driver's license records annually for those employees required to drive as a part of their duties.

3.25. Volunteer Program

3.25.1. Purpose

The **City of Fernley** recognizes that there are benefits to members of the community to become involved in the delivery of the **City of Fernley's** programs and services on a volunteer basis. Individuals have an interest in assisting public agencies by applying their knowledge, skills, and experience to a worthwhile endeavor. Also, the community and the **City of Fernley** receive enhanced services because of the individual's specialized skills and commitment. Using volunteers is a true win-win situation for those willing to volunteer for the **City of Fernley** and for the community.

3.25.2. Scope

This policy covers the essential elements of an effective volunteer program which is compliant with applicable state and federal regulations pertaining to the **City of Fernley's** volunteers. As this policy is broad in scope, individual departments should establish additional specific requirements consistent with this policy to guide the use of volunteers within the specific program areas.

3.25.3. Planning

Prior to implementing a volunteer program, a department will develop a plan for utilizing volunteers.

1. The plan may include:
 - Job assignment descriptions for each volunteer.
 - A statement describing how and by whom volunteers are overseen.
2. The plan must include:
 - A needs assessment and a statement outlining how volunteers will be used to meet these needs;
 - A budget for any personnel costs, operating costs, and direct and indirect costs.

3.25.4. Recruiting, Screening, Interviewing, and Selecting Volunteers

As with employees, the **City of Fernley** ability to meet its goals and objectives is directly related to the skill and ability of volunteers selected. Criteria for selecting volunteers will be developed in the same manner as used for selecting new employees.

The **City of Fernley** prohibits discrimination, harassment, or retaliation directed at volunteers on the basis of any protected class membership.

The recruitment, screening, and interviewing process should be planned and sufficiently thorough to result in selecting the best volunteer possible for departmental needs.

Volunteer applicants engaged in activities for the **City of Fernley** shall complete the **City of Fernley's** volunteer application, including an acknowledgment that the function to be performed is not a paid position and the person is truly volunteering his/her services.

The **City of Fernley** will promptly address problems associated with the volunteer's performance or behavior. However, if problems cannot be corrected, the services of the volunteer may be discontinued.

Specific requirements that apply to employees in certain occupations such as fingerprinting, detailed background checks, and screening for drug use apply to volunteers performing similar occupations.

3.25.5. Managing Volunteers

1. Volunteers must be covered by the **City of Fernley's** workers' compensation policy per NRS 616A.130. Volunteers shall receive appropriate oversight for the functions performed including an orientation to the **City of Fernley's** policies and procedures, departmental operating procedures, safety practices, and other relevant information.
2. Day-to-day oversight of volunteers shall be conducted as with employees. Adequate equipment and supplies, as well as a safe working environment, will be provided for volunteers.
3. The **City of Fernley** will maintain detailed and accurate records of volunteer activities including a roster of active volunteers. The date, time, and duration of each volunteer activity session must be recorded, along with the work performed. The **City of Fernley** will remove volunteers from the roster whenever volunteers are inactive for more than 30 days.

4. Volunteers may be reimbursed for expenses incurred. In addition, the **City of Fernley** may provide limited and reasonable benefits and/or nominal remuneration to volunteers. The benefits provided cannot be in an amount or of a type that implies that the volunteer is being paid a wage or salary for time spent as a volunteer, or for the quantity or quality of the work performed. All such benefits must be approved, in advance, by the City Manager.
5. Annual performance evaluations may also be completed on volunteers.
6. Volunteers serve at the pleasure of the **City of Fernley** and are subject to dismissal at any time with or without cause.

3.26. Related Forms

- Adverse Action Notice
- Applicant Interview Evaluation Form
- Authorization to Conduct Employment Investigations
- Bona Fide Conditional Offer Letter
- Conditional Offer of Employment Pending Background Checks
- Disclosure to Employee or Applicant of Request for Third Party Investigative Report
- Employment Application
- Formal Job Offer Letter
- New Employee Orientation Checklist
- Notice and Authorization for Requesting Consumer and Investigative Consumer Reports
- Notification of Background Check
- Potential Rating Errors and Problems
- Prohibited Topics "Questions Which Cannot Be Asked"
- Pre-Adverse Action Notice
- Reference Check Data Collection Form
- Reference Check Data Collection Form for Public Safety Agencies
- Summary of Your Rights Under the Fair Credit Reporting Act
- Transfer/Reassignment Request Form
- Volunteer-Related Forms
- Authorization to Conduct Volunteer Investigations
- Volunteer Application Form
- Volunteer Agreement, Consents and Releases, and Conditions

4. POSITION CLASSIFICATION PLAN

4.1. Policy

4.1.1. Purpose

The **City of Fernley** will develop and maintain a classification plan for all positions. Classification plans categorize positions into similar duties, qualifications, and responsibilities called “classes.” Each class is defined in a class specification/job description form. The class specification/job description will include: title; definition and/or distinguishing characteristics; essential functions; qualifications for employment including knowledge, skills, ability, experience and/or training required to perform the job; physical and mental requirements and working conditions; and Fair Labor Standards Act (FLSA) status – exempt/non-exempt.

4.1.2. Classification

1. Each position shall be classified consistent with this policy and in accordance with the nature and relative complexity of the essential functions, responsibilities, and authority of the position. Classification of a position shall be effective when approved by City Council.
2. Positions will be allocated to the same class when the following conditions exist:
 - The same descriptive title may be used to designate the positions;
 - Substantially the same level of education, experience, knowledge, skills, ability, and other qualifications are required to perform the duties/essential functions;
 - Similar tests may be used to select employees for the positions;
 - All applicants offered employment in the class are subject to the same type of medical exam(s), if any; and
 - The same level of compensation is appropriate for the positions.
3. Classes will be allocated to a pay grade based on comparison to other **City of Fernley** classes and salaries paid by comparable employers for comparable work.

4.1.3. Maintenance and Revision

The **City of Fernley** will periodically review the classification plan and recommend to the City Council the revision, addition, or abolishment of classes.

4.1.4. New Positions

When a new position is to be created, the City Manager will recommend to the City Council an appropriate class for the new position. When preparing a request for a new position, the requesting party shall consult the Human Resource Manager to determine the appropriate classification for the duties to be assigned to the new position.

4.1.5. Reclassification

1. When a department manager believes the duties/essential functions of a position have changed to the extent they no longer fit within the current class, the duties/essential

functions will be reviewed and, if appropriate, the position reclassified to the appropriate class. Reclassification will not be undertaken as a substitute for discipline or hiring practices, nor to effect a change in salary in the absence of a significant change in assigned duties/essential functions and responsibilities.

2. Reclassification must be confirmed by City Council.
3. A change in a position's classification does not constitute the sole basis for determining whether the employee in a position will also be assigned to the new position.
4. The decision as to reclassification of a position shall be made by the City Manager with the concurrence of the City Council. The decision to place the current employee in the new class shall be based upon the qualifications and job performance of the employee. The employee will be assigned to the class whenever a position is reallocated to a higher-level class and the employee has satisfied the following requirements:
 - Completes the introductory period for the position as previously allocated;
 - Demonstrates acceptable or better job performance; and
 - Possesses the knowledge, skills, and ability required for the higher class.
5. Whenever a position is reclassified to a lower-level class, the employee will be placed in the lower-level class.

4.1.6. Reallocation

A class may be reallocated to a higher pay grade or to a lower pay grade based on a change in duties/essential functions and responsibilities for all positions in the class or based upon salaries paid by other comparable employers for comparable work.

4.2. Procedure

4.2.1. Requests for Classification Review

1. Submission Process

Requests for classification review are made by the employee to the Department Head who will submit a request for classification review to the Human Resource Manager who will review the request and, if appropriate, send it with a written memorandum explaining the reasons the request meets the criteria for a classification study to the City Manager. At a minimum, the request shall include the specific duty and responsibility changes, and a verification that the changes are to be permanent. The City Manager will review the request and indicate if the request meets the required criteria and whether or not a study will be conducted.

An employee may request the classification review be forwarded to the Human Resource Manager even if the Department Head does not concur. The employee will notify the Department Head in writing s/he wants the Human Resource Manager to review the denied request. The reasons for disagreeing with the employee's request shall accompany any request forwarded to the Human Resource Manager.

2. Criteria for Determining the Need for Classification Review

The City Manager may authorize a classification review when, in his/her judgment, permanent and substantial changes in the duties assigned to a position have occurred.

—The new duties must be clearly defined and assigned before a review is begun.

The Human Resource Manager may include in any classification review any positions which are in the same work unit, have related duties, or are in the same class series as the position for which classification review is requested.

4.2.2. Effective Date

1. *Reclassification/Reallocation*: The effective date of a reclassification or a class reallocation shall be the first day of the pay period following the **City of Fernley** approval of the action. If the position is reclassified or reallocated upward, at the same level, or at a lower level, or an employee accepts a transfer, the anniversary date will remain unchanged.
2. *Working Out of Class*: At the discretion of the **City of Fernley**, out-of-class pay may be paid back to the date on which a formal reclassification request was made if the reclassification is subsequently approved.

4.3. Related Forms: NONE

5. COMPENSATION PLAN

5.1. Pay Periods and Paydays

Employees are paid biweekly on Friday. If a payday falls on a holiday, employees are paid on the preceding work day.

5.2. Workweek Defined

The workweek begins at 12:01 a.m. on Saturday ends seven days (168 hours) later at midnight on the next Friday.

5.3. Work Time

5.3.1. Attendance

Employees are expected to be available and ready for work at the beginning of their assigned shifts and at the end of their scheduled rest and meal periods. Required preparation for rest and meal periods, as well as the end of the workday, is considered work time. Rest and meal periods include the time spent going to and from the place where the break is taken.

5.3.2. Work Schedules

The supervisor or manager shall schedule work hours according to the needs of the **City of Fernley**.

1. Employees working a five-day, 40-hour week (designated 5/40) shall work eight hours per day for five days in any workweek and shall receive two days off.
2. Employees working a four-day, 40-hour week (designated 4/40) shall work 10 hours per day for four days in any workweek and shall receive three days off.
3. Employees working a five-day, 35-hour workweek (designated 5/35) shall work seven hours per day for five days in any workweek and shall receive two days off.

5.3.3. Rest Periods

Employees will be granted one 10-minute break or rest period during each work period of four or more hours. Employees may not take rest periods at the beginning or at the end of the work period. Rest periods may not be scheduled or taken consecutively or in conjunction with meal periods.

5.3.4. Meal Periods

Employees who work six or more hours in a workday are allowed an uninterrupted, unpaid meal period of 30 minutes or longer at or about mid-point of their workday. Supervisors or managers will be responsible to ensure that wherever and whenever possible, employees will be permitted the meal period uninterrupted by work-related duties. If an employee's meal period is interrupted by a work-related matter, the employee will be paid for the meal period.

5.3.5. Work Assignments

Work should be scheduled in a manner which allows employees rest periods and meal periods. Rest and meal periods shall be scheduled in a manner which allows maximum public access to the **City of Fernley** services. The **City of Fernley** may adjust rest and meal periods from time to time to meet the needs of individual employees and/or to respond to changes in department workload. Nothing herein should be considered to limit or restrict the authority of the **City of Fernley** to make temporary assignments to different or additional locations, shifts, hours of work, or duties as needed to meet the **City of Fernley** needs or to respond to unforeseen or emergency situations.

5.4. Time Reporting

5.4.1. Purpose of Time Reporting

Recording of hours worked and/or leave time taken by employees is necessary to provide an accurate basis for preparing paychecks, to assure compliance with federal and state laws, and to maintain an effective and efficient cost accounting system. (For payroll purposes, the Fair Labor Standards Act (FLSA) requires non-exempt employees report all time spent performing work.)

5.4.2. Hours Worked

Non-exempt employees will be paid for all hours worked. Hours worked include, but are not limited to:

1. Time worked before or after the normally assigned shift, or any other irregular hours, even if the employee volunteers his/her time. Periods of six minutes or less are not considered overtime unless they occur regularly. * (This provision does not apply to employees who are performing volunteer work which is unrelated to their normal job functions.)
2. Rest periods of 20 minutes or less.
3. Travel time that occurs during an employee's normally scheduled work hours, including regular days off and holidays.
4. Except as provided below, hours spent at lectures, meetings, and training activities, unless attendance is completely voluntary, outside of normal work hours, not job-related, and no other work is performed.

Employees will not be compensated for the time spent under the following conditions:

- Voluntary attendance, outside of work hours, at an independent school, college, trade school, or similar training offered by the employer at the employee's own initiative even if the courses are related to the employee's current job or paid for by the **City of Fernley**.
 - Training outside of regular work hours required by law for certification for public-sector employees.
5. Hours spent serving as volunteer ambulance, fire, or law enforcement personnel for an emergency response during normally scheduled work hours.

5.4.3. Position Designations - Exempt or Non-Exempt

All positions are designated as “exempt” or “non-exempt” according to federal and state laws and regulations. For cost accounting and billing purposes, the **City of Fernley** requires exempt employees in certain positions, regardless of exempt or non-exempt status, to account for hours worked.

5.4.4. Responsibility for Exempt or Non-Exempt Designation

The Human Resource Manager will examine and evaluate position descriptions and duties performed for all positions to determine the designation of the position as exempt or non-exempt. Departments will notify the Human Resource Manager when the duties of a position have substantially changed in order to ensure an accurate designation.

5.4.5. Responsibility for Time Reporting

Employees are responsible for accurately completing their own timesheets. Supervisors shall not alter or adjust the hours that an employee reports on his/her timesheet. If the supervisor believes the employee has completed his/her timesheet in error, the supervisor shall discuss the issue with the employee.

All non-exempt employees will record all hours worked and all leave time taken, whether paid or unpaid, and the type of leave taken (e.g., sick leave, annual leave, compensatory time) on the timesheet.

All exempt employees in positions which require an accounting of hours worked will enter their hours worked for each project.

5.5. Overtime

5.5.1. Non-Exempt Employees

1. Except as provided below, employees in positions designated as “non-exempt” will be eligible for overtime compensation as follows:
 2. a. Employees whose normal work schedule is eight hours a day will receive overtime compensation for hours worked in excess of eight hours in a day.
 3. b. Employees whose normal work schedule is between eight and ten hours in a day will receive overtime compensation for hours worked in excess of their normal daily work schedule.
 4. c. Employees who request and are approved for a variable workday as provided in NRS 281.100 (3)(b)(2) will receive overtime compensation for hours worked in excess of 40 hours in the workweek.
 5. d. Employees whose hours are established by collective bargaining agreement will receive overtime accordingly.
- 6-2. All overtime hours must be specifically authorized in advance by the employee’s supervisor/manager. Overtime will be compensated at time and one half the employee’s regular rate of pay. An employee’s regular rate includes all payments made by the **City of Fernley** to the employee. Examples of payments to be included are on-call pay, shift differential, hazard duty pay, and longevity pay. Paid overtime will be included in the

same paycheck covering the pay period in which the overtime was earned unless the correct overtime amount cannot be determined until after the regular pay period. Employees who earn overtime may, with the approval of the Department Head, elect to receive compensatory time off in lieu of overtime pay.

Requests for compensatory time off in lieu of overtime must be made in writing and, once approved, will be placed in the employee's payroll file. Compensatory time will be earned at the rate of one and one-half hours off for each overtime hour worked.

Employees who elect compensatory time off may accrue up to 40 hours. When an employee has exceeded the maximum number of hours specified, the excess hours will be paid out as overtime.

~~7.3.~~ Should an employee bid to a new position, the City of Fernley may pay an employee for compensatory time earned and not used, or schedule use at its discretion.

~~8.4.~~ Upon mutual agreement between the employee and the supervisor, an employee may work additional time during the same work week and take off the same time during the regular work day; however, if the employee does not take the time off during the same work week, then overtime shall be paid. Paid overtime will be included in the same paycheck covering the pay period in which the overtime was earned. If there is an omission of overtime on the timesheet, then the employee must report the omission by the following timesheet.

~~9.5.~~ In cases of emergencies or safety issues, an employee will be expected to address the concern and overtime will not need advanced approval, however the employee must notify the supervisor as soon as reasonably possible.

~~6.~~ Sick leave does not count toward hours worked for the purpose of computing overtime hours.

~~10.~~

~~7.~~ If a non-exempt employee feels s/he has been improperly paid for overtime under the FLSA or state law, it is the responsibility of the employee to seek correction by reporting any error to the Human Resource Manager. An investigation will be conducted on a timely basis and **City of Fernley** will act to correct any errors as soon as practicable.

5.5.2. Callback, Call Out, Call In and scheduled overtime defined:

1. **Callback** overtime is defined as overtime worked as a result of an emergency and called to return to duty within 12 hours after one's regular working hours. Such callback shall be PERS compensable as defined in NRS Chapter 286.

"Emergency" means a sudden, unexpected occurrence that involves clear and imminent danger and requires immediate action to prevent or mitigate the endangerment of lives, health, or property. Such an emergency must be declared by the governing body or chief administrative officer of the public agency.

2. **Call Out** pay is defined as compensation earned for returning to duty after the employee has completed his/her regular shift and is officially ordered to report to work by the Department Head or designee with less than 12 hours' notice to respond, or more than 1 hour after his/her regularly scheduled work, except for any employee who is (1) not required to leave the premises where he/she is residing or located at the

time of notification in order to respond, or (2) called back to work if the work begins 1 hour or less before or after his/her scheduled work shift.

3. **Call In** pay is defined as overtime worked by an employee who is on paid standby duty.
4. Scheduled overtime is defined as work outside of, and in addition to, an employee's regularly scheduled workday, which is scheduled more than 12 hours before the start of the scheduled workday or overtime which is scheduled during the employees scheduled workday.
5. Call Out, Call In, and scheduled overtime are not compensation subject to Nevada PERS.
6. If an employee is subject to overtime as defined in (1) and (2) above, the employee shall be compensated a minimum of two (2) hours of pay at the regular or overtime rate depending on the number of hours worked during the seven-day work period. Limit one (1) minimum two (2) hour callback per 24-hour period commencing with the beginning of the first callback. Subsequent calls during this 24-hour period computed by actual time worked.
7. Overtime shall be paid at the rate of time and one half the employees' normal hourly rate of pay except for Call Out (as defined in #2 above) which shall be paid at two (2) times the employees' normal hourly rate.

5.5.3. Exempt Employees

Generally, exempt employees are hired with the understanding that they are responsible for accomplishing the duties required for their assigned position. It is our policy to comply with all aspects of the FLSA including its salary-basis requirements. Therefore, making any deductions from the salaries of exempt employees which are not allowed by law is prohibited.

Consistent with the FLSA and NRS, employees in exempt positions are not required to be paid for overtime.

1. Exempt employees utilizing intermittent leave under the Family and Medical Leave Act (FMLA) may have their pay deducted, including from sick or annual leave balances, for partial day or hour-by-hour absences.
2. Subject to certain exceptions set forth in the FLSA regulations and FMLA as provided above, **the City of Fernley** has a bona fide annual and sick leave policy and may deduct a partial days' absence from an exempt employee's accrued leave, but not from his/her pay or salary. Accordingly, if the employee does not have accrued leave and still works part of a day, s/he must be paid his/her full salary. However, if an exempt employee does not have accrued leave or does not qualify to use leave and is absent for a full day then the **City of Fernley** can deduct from the employee's pay or salary for that full day.

Partial days absence is an absence of 4 hours or more on any one particular day. If an exempt employee is absent for 4 hours or more, s/he must deduct their hours from his/her appropriate accrued leave. A deduction from his/her pay will be taken unless the employee has no accrued leave.

3. Deductions will be made to offset amounts employees receive as jury or witness fees, or for military pay; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions. The **City of Fernley** will prorate an employee's salary based upon the days worked during the initial and terminal pay period of employment.
4. Exempt employees are generally expected to be available to perform their job duties during normal business hours (usually 8 am to 5 pm, Monday through Friday). It is expected that in order for exempt employees to complete their assigned work from time to time, it will be necessary that they work beyond the normal workdays and business hours of the **City of Fernley**. If, however, an exempt employee is working well beyond a 40-hour workweek on a regular recurring basis, the **City of Fernley** may examine staffing levels and the employee's work habits and procedures.
5. Exempt employees who have completed an extraordinary work assignment and/or spent substantially more time than a typical workweek to accomplish the job, may be recognized at the sole discretion of the **City of Fernley** with:
 - a. Up to an agreed amount of hours/days of time off without using accrued annual or sick leave. The time off granted under this provision does not constitute compensation and, thus, has no cash value.
 - b. Additional compensation (e.g., flat sum, bonus payment, straight-time hourly amount, time and one half, or any other basis). Such additional compensation will not void their otherwise exempt status as specifically provided under the FLSA.

5.6. Safe Harbor

City of Fernley will classify employees as exempt or non-exempt, in accordance with the provisions of the Fair Labor Standards Act (FLSA) and applicable state law. If an employee feels s/he is improperly classified, s/he should request a review of the classification from the Human Resource Manager. An investigation will be conducted on a timely basis and **City of Fernley** will act to correct any errors as soon as practicable. The **City of Fernley** will not make improper deductions of pay from any employee, regardless of exempt or non-exempt status. Improper deductions should be reported to the Human Resource Manager. The complaint will be investigated, and **City of Fernley** will act to reimburse the employee if an error is found. **City of Fernley** will continuously make a good faith commitment to comply with all provisions of FLSA and state laws and intends this policy of correction to satisfy the "safe harbor" provisions of the FLSA regulations, as amended effective August 23, 2004.

5.7. Rates of Pay

5.7.1. Compensation Plan

Each regular position will be assigned to a class and pay grade in the compensation plan. Assignment to a pay grade will be based on the relative level and complexity of the duties, responsibilities, and authority of the job. The **City of Fernley** shall determine the salary ranges based on these considerations:

- Rates paid by the **City of Fernley** for comparable work;
- Internal relationships of other job classes in the same or similar occupation;
- Rates paid by other employers for comparable work;
- Other financial commitments of the **City of Fernley**; and
- Funds available to the **City of Fernley** for salaries.

The **City of Fernley** may adjust the minimum and maximum for each salary range periodically as changes in any of the factors listed above occur or to recruit and retain qualified employees for each job.

5.7.2 Discussion of Wages

NRS 613.330 states it is unlawful to discriminate against an employee for inquiring about, discussing, or voluntarily disclosing information about wages. This does not apply to any employee who has access to or information about the wages of other employees as part of their essential job functions and discloses that information to a person who does not have access to that information unless the disclosure is ordered by the Labor Commissioner or court.

5.7.32. Hiring Rate of Pay

The normal hiring rate is the first step of the pay range for the position's classification. The **City of Fernley** may authorize advanced step appointments.

5.7.43. Advanced Step Hire

Fairness and equity in the administration of the compensation plan will be maintained when making advanced step hires. The **City of Fernley** may authorize advanced step appointments when all of the following circumstances exist:

1. The applicant's qualifications indicate s/he will perform at a level commensurate with the requested step;
2. An advanced step hire is required for the applicant to accept the position;
3. Other applicants with similar qualifications not requiring an advanced level salary are unavailable;
4. Funds are available in the hiring department's budget to pay the higher rate; and
5. Advanced hire rate will not exceed the step commensurate with current employees of comparable education, experience, and skill levels.

5.7.54. Salary on Promotion, Transfer, Demotion, Reclassification, and Reallocation

1. Except as may otherwise be provided by a collective bargaining agreement, a regular employee who is promoted to a higher classification will move to that step in the range for the new class which provides at least an approximate 5% pay increase, not to exceed the top step in the range for the new class. A promoted employee's salary shall not be less than the starting pay of the salary range for the new position. Reclassification to a class with a higher- grade level is treated as a promotion for salary purposes.
2. An employee who transfers to a position at the same grade level will retain their current grade and step.

3. An employee who demotes to a position with a lower grade level will be placed at a step in the lower grade level which is closest to their current salary. If the employee's salary exceeds the top salary of the lower pay range the employee will be Y-Rated (see Y-Rate policy.). Reclassification to a class with a lower grade level will be treated as a demotion for salary purposes.
4. Reallocation of an existing class:
 - To a higher-grade level is NOT a promotion. An employee in a class that is reallocated to a higher-grade level shall be placed in the higher grade at a step closest to his/her current salary that does not provide a decrease, or step 1 of the new grade if the current salary does not fall within the grade range.
 - To a lower grade level shall be placed at the step closest to the employee's current salary that does not provide a decrease. If the employee's salary exceeds the top salary of the lower pay range the employee will be Y-Rated (see Y-Rate policy).

5.8. Annual Wage Increase

5.8.1. Annual Wage Increase Authorized

1. An employee who is currently not paid at the top step of the salary range for his/her class is normally eligible for annual wage increases on his/her anniversary date. Raises in salary resulting from annual wage increases are based on longevity and satisfactory performance and are not automatic. An annual wage increase may be granted only upon a finding by the **City of Fernley** that the employee meets all of the performance requirements of the position and complies with all of the **City of Fernley** rules, regulations, and policies. An employee who is determined to be eligible for an annual wage increase will be based upon budgetary resources and compliance with current negotiated collective bargaining agreement.
2. Except when Y-rated, an employee will not be paid a regular rate of pay above the top step of the salary range for his/her classification.
3. Annual wage increases may be made to a supervisor to maintain an appropriate differential, not to exceed two steps, between the base rate of pay of a supervisor and the base rate of pay of an employee who is in the direct line of authority of the supervisor. An adjustment may be granted pursuant to this provision if, before the adjustment, the base rate of pay of the employee is the same or greater than the base rate of pay of the supervisor.
4. Annual wage increases are administered by the Department Head subject to the confirmation of the City Manager that there is adequate documentation that all requirements have been met.
5. Annual wage increases (to include but not limited to step, salary or GWI – general wage increase) will be determined based upon budgetary resources and compliance with the current negotiated collective bargaining agreement.

5.8.2. Anniversary Date/ Annual Wage Increase

1. The date on which an employee becomes eligible for consideration for annual wage increase is known as the anniversary date. When approved in writing, annual wage increases will become effective at the beginning of the pay period in which the employee's anniversary date occurs.
2. A promotion and reclassification to a class with a higher salary range shall establish a new anniversary date.
3. A demotion or reclassification to a class with a lower salary range shall not establish a new anniversary date.
4. Annual wage increases shall be as follows:
 - a. In most instances new employees will be appointed at Step 1 of the salary range. In cases where a candidate has exceptional experience and education, appointment at a higher wage may be considered by the appointing authority.
 - b. Movement in the range may include but not limited to step, salary or GWI, providing that the employee's performance evaluation is satisfactory or above.
 - c. Promotions to a higher classification will result in an increase in pay to Step A of the new range or approximately 5%, whichever is greater.
 - d. When a cost of living adjustment is applied to the range, the employee's adjustment in the new rate of pay applied to the employee's current range and salary.

5.8.3. Employee Longevity Pay

Employees topped out in his/her classification for a minimum of one year will be paid a \$150 longevity bonus that is not added to the base pay conditioned on a standard or better annual performance evaluation. Employees may qualify for this longevity bonus on an annual basis as long as the employee remains topped out in his/her classification.

5.9. Withholding of Annual Wage Increase

5.9.1. Job Performance

When the **City of Fernley** has determined that the job performance of an employee is less than satisfactory, the annual wage increase shall be withheld. The employee's performance shall be documented, and a copy of the documentation provided to the employee.

5.9.2. Unpaid Leaves of Absence

An employee's eligibility for consideration for annual wage increase shall be delayed by temporary layoffs or unpaid leaves of absence in excess of 15 working days during the 12-month period following the employee's last increase. The employee's anniversary date shall be adjusted by the total number of days of unpaid leave.

5.9.3. Granting of Withheld Advancements

The **City of Fernley** may approve an annual wage increase at the beginning of any pay period upon finding that the employee now meets the qualifications for an advancement. The employee's anniversary date shall be adjusted to the date on which the annual wage

increase is actually granted. If an annual wage increase is not granted in the interim, the employee shall be considered for annual wage increase on the next anniversary date.

5.10. Flat Rate Salaries

Certain job classes may be assigned to flat rates of pay in the compensation plan. Employees in classes assigned to a flat rate of pay are not eligible for annual wage increases.

5.11. Compensation for Casual/Temporary/Seasonal Workers

5.11.1. Rates of Pay

The **City of Fernley** will pay casual/temporary/seasonal workers at the rate of pay established for the same work when performed by regular employees, or as appropriate for the type of work performed. Students receiving school credit for work may be paid at a rate established by the **City of Fernley** for student interns.

The **City of Fernley** may adjust the rates of pay annually consistent with general salary increases granted regular employees.

5.11.2. Annual Wage Increases

In July of each year, the **City of Fernley** may advance casual/temporary/seasonal workers with an annual wage increase in the approved pay range for the work assigned. The **City of Fernley** shall consider the qualifications and performance of the worker, the length of time the casual/temporary/seasonal worker has been assigned to the work, the rates paid to regular employees assigned similar work, and the funds available when determining whether to grant step advancement.

5.12. Y-Rate

The **City of Fernley** may pay an employee, who is reduced to a lower class as a result of reclassification or reorganization not associated with layoff or discipline and not the result of employee action or request, at his/her current rate of pay which is above the top step of the range or between steps of the range. Similarly, an employee in a class which has its salary adjusted to a lower rate may also be paid at a rate of pay above the top step of the range. This rate shall be known as a "Y-Rate." At the discretion of the **City of Fernley**, assignment to such a rate of pay is available to employees who are fully qualified to perform the work of the lower paid class.

An employee who is at a Y-rate above the top step of the range for the new (lower) class shall continue to receive the Y-rate while employed in the new class until a change in the rate of pay for the employee's new class causes the top step of the new class to be equal to or greater than the employee's Y-rate.

An employee who is at a Y-rate which is between the steps of the range for the new (lower) class shall continue to receive the Y-rate until a change in the rate of pay for the employee causes the rate for the step in the range to which the employee is entitled to exceed his/her current rate of pay.

5.13. Work Out-of-Class

5.13.1. Policy

Employees may occasionally be asked to perform duties beyond the scope of their normal position or asked to temporarily assume the duties of a higher-level budgeted position for a short period. In the event that such work extends beyond a short-term assignment, the **City of Fernley** establishes criteria for paying employees for temporarily performing work beyond the assigned duties of their current job class, and for employees temporarily assigned the duties of a management or administrative position.

5.13.2. Assignments

1. Employees may be temporarily assigned the duties and responsibilities of a budgeted, higher-level position provided the position is currently vacant, or the employee normally filling the position is on authorized leave, or has been temporarily relieved of all regular duties to complete a special project approved by the **City of Fernley**, or because of temporarily increased workload requirements.
2. Any temporary assignment that continues for a period beyond 90 days requires approval by the City Council.
3. The **City of Fernley** has identified two special assignments for the Safety Officer and Back-Up Animal Control Officer. For the added responsibility for those duties, the City shall pay 5% of base per month in addition to the assigned employee's rate of pay.

5.13.3. Employee Eligibility

1. Employees must be formally assigned and actually performing the duties of the higher job class. This is not an automatic assignment and management has the right to determine the need.
2. The salary range for the higher paid class must be at least 5% above the range for the employee's current job class.
3. When a temporary vacancy occurs, an employee who temporarily assumes the duties and responsibilities of a classification having a higher minimum rate for a period of two (2) consecutive working days or more, shall be paid for all hours worked in the assignment either 5% above his/her normal rate or the beginning step of the higher classification's rate, whichever is higher. To qualify the employee must be assigned in writing and the employee's additional compensation shall cease when the need for the temporary assignment ends (e.g., such as the return of the employee in the higher position or upon filling the vacant higher position). The provisions of this section shall not be used to authorize additional pay to reward employees for outstanding service, nor for any purpose other than those stated.

5.14. Standby

Standby status may be assigned to employees based on the needs of the department, including evaluating the current schedules or future modified schedules. The department may assign standby status to be regular, short term or seasonal. Standby

status is defined as time when an employee is required to be available for weekend, nighttime, and holiday work and carry an electronic pager and radio [or other appropriate electronic device] so that s/he may be contacted immediately to respond to emergencies or other planned assignments. This time is not considered work time, but rather a period of time that the employee is available to report to work. Standby Pay shall be \$4.50 per hour for each hour assigned to Standby (prorated for quarter hour increments) and standby status ceases when on paid overtime or when credited for the minimum call-out pay.

If standby status is assigned during any day or for seven (7) consecutive days, the hours of Standby pay are calculated from the daily time assigned, such as 5:00pm until the next regular shift occurs (currently the time from 5:00pm until 7:00am less any time worked or credited). Holiday standby time is for the 24-hour period covering the appropriate holidays. As an example, if an employee is on Standby between 5:00pm Friday and 7:00am for the following Monday, the employee shall be paid \$279.00 for 62 hours standby time, with the deduction of the time that the employee is called out to work. The Public Works Department intends to assign an employee to Standby Status on a weekly basis; however, this may change if the Department has a need to assign employees to other schedules, such as evening or weekend schedules.

If an employee is called to work, or is on weekend/holiday rounds during Standby, Standby pay shall stop during the period when the employee is working, and the employee shall be paid at the applicable rate for the time worked. In this instance, the employee shall only be paid for actual hours on Standby.

An employee is expected to report to work within thirty minutes to forty-five minutes from the time the call is received. [Please refer to the Drug and Alcohol-Free Workplace relating to report to work]. The Department will establish reasonable criteria for Standby rotation, including minimum training and minimum licenses (such as having a CDL) as well as minimum qualifications to be on Standby. Standby lists in departments will be voluntary lists unless there is a need to assign as involuntary. Standby lists assist the City to have immediate responses to daily emergencies, however, all City employees are expected to report for duty "as soon as possible" when called to respond to an emergency, without regard to Standby status.

Standby/Parks: Employees in the Parks Department may be assigned to standby based on the hours of parks being scheduled open. If assigned, on regular workdays, employees will be paid at the current standby hourly rate for all open hours from the employee's regular quitting time until the last park is closed. If assigned, on scheduled days off and holidays, employees will be paid at the current standby hourly rate for all hour's parks are scheduled open. The minimum pay for any day assigned to standby shall be five (5) hours and the current standby rate.

5.14. Related Forms

- Request for Variable Workday Schedule

6. LEAVE PLANS

6.1. Holidays

6.1.1. Holidays Designated

The following holidays are recognized by the **City of Fernley** (NRS 236.015):

New Year's Day – January 1

Martin Luther King, Jr.'s Birthday – Third Monday in January

President's Day – Third Monday in February

Memorial Day – Last Monday in May

[Juneteenth – June 19](#)

Independence Day – July 4

Labor Day – First Monday in September

Nevada Day – Last Friday in October

Veterans Day – November 11

Thanksgiving Day – Fourth Thursday in November

Family Day – Friday following the fourth Thursday in November

Christmas Eve – December 24

Christmas Day – December 25

Any day declared a legal holiday by the President of the United States will be observed in accordance with the presidential proclamation. The **City of Fernley** will observe a holiday, which occurs on a Saturday or a Sunday, on the day before or after the holiday.

6.1.2. Holiday Pay

Recognized holidays are typically non-work days. Each employee in a full-time, non-exempt position who is on paid status on his/her regularly scheduled work day before and after a holiday will be paid eight hours of pay at his/her rate of pay for each recognized holiday. Employees in less than full-time, non-exempt positions, who are on paid status on the day before and after a holiday will be paid for each recognized holiday at his/her rate of pay on a pro-rated basis. Casual, seasonal, temporary employees will not be paid unless they work on the holiday.

6.1.3. Weekend Holidays

For employees regularly assigned to work Mondays and/or Fridays, if a holiday falls on a Saturday, the Friday preceding will be observed as the holiday. If a holiday falls on a Sunday, the Monday following will be observed as the holiday. When a holiday falls on Saturday or Sunday for an employee regularly scheduled to work on the Saturday or Sunday, the employee will observe the holiday on the Saturday or Sunday, unless an

alternative is authorized by the **City of Fernley**. If the holiday falls on a regularly scheduled day off, the employee will observe the holiday on the next regularly scheduled workday, unless an alternative is authorized by the **City of Fernley**.

6.1.4. Work on Holidays

Non-exempt employees who work on a designated holiday shall be paid for the holiday plus one and one-half times their base rate of pay for any time worked on a holiday. Bargaining unit employees who work on a holiday shall receive holiday pay as provided in the collective bargaining agreement.

6.2. Annual Leave

6.2.1. Annual Leave Accrual

1. All full-time employees will earn annual leave beginning from their initial date of hire. Annual leave can be used on an incremental basis, such as taken by hours or days, and can be taken for a week or more. Employees shall accrue paid annual leave benefits at the following rate:
 - a. Four (4) hours per pay period for the first 60 months (up to five years) of continuous employment (104 hours/per year).
 - b. Six (6) hours per pay period for 60 – 144 months (5 years to 12 years) of continuous employment (156 hours per year).
 - c. Eight (8) hours per pay for 145 months (more than 12 years) and over of continuous employment (208 hours per year).
2. Except as noted, all accrual rates are expressed in terms of fractions of an hour earned for each regularly scheduled hour worked or on paid leave. Annual leave is not accrued for any other hours.
3. Annual leave is earned and credited to the employee on a biweekly basis coinciding with pay periods. The amount of annual leave accrual is based upon years of service adjusted, as specified, for leaves of absence without pay.

6.2.2. Eligibility Maximum Accrual

Unused annual leave of not more than 240 hours may be carried over to the next calendar year. In order to receive annual leave, it must be used as time off work. Payment in-lieu of time off will not be made, except upon termination. Every effort will be made to allow an employee the time off that is requested. In the event two employees select the same time for annual leave and both employees cannot be off at the same time, the length of service will determine the granting of leave.

6.2.3. Regular Part-time employees

Under this category, employees receive discretionary fringe benefits, such as health benefits and leave benefits. However, those benefits are provided on a prorated basis.

Currently, the City has full-time employees, with complete fringe benefits (discretionary and mandatory fringe benefits), and part-time employees with no fringe benefits other than mandatory benefits (social security, Medicare, workers' compensation, and unemployment

insurance). Full-time employees must be enrolled in the Nevada Public Employees' Retirement System (PERS), ~~at a City cost of 19.25%~~ and Medicare, while part-time employees are under Social Security (at an approximate City cost of 6%) and Medicare.

Under PERS requirements, part-time employees cannot average 20 hours or more per week based on a six-month moving average. If an employee exceeds the maximum hours for a part-time employee, then by PERS requirements, the employee must be enrolled in the retirement system.

6.2.4. Use of Annual Leave

Annual leave is provided to employees for the purpose of rest and relaxation from their duties and for attending to personal business. Employees may not use annual leave before it is accrued. [Employees will also be required to use annual leave concurrently with FMLA leave.](#)

Requests for annual leave periods of one or more weeks will be requested at least two weeks' notice for approval by the supervisor, then Department Manager. Annual leave may be granted for smaller units of leave time (a few hours or days) if there is an emergency circumstance that warrants approval. For all requests, the evaluate will include consideration of the following: timing of the request, workload, staffing availability, special events or meetings, special projects, and duration of the leave.

6.2.5. Annual Leave Pay at Termination

Upon termination, an employee with more than six (6) months of continuous employment will be paid for all accrued annual leave at the employee's last hourly rate of pay.

6.2.6. Vacation Cash Out

In December of each year, an employee may cash out up to forty (40) hours of accrued, unused vacation leave. Employee must have a minimum of sixteen (16) hours of accrual AFTER cash out. Requests for cash out due date will be determined in November of each year, and payment will be made with payroll for the first pay period in December.

6.3. Sick Leave

6.3.1. Policy

1. Accrual

The **City of Fernley** expects each employee to be available for work on a regular and reliable basis. The **City of Fernley** will monitor attendance and leave use whether or not the employee has accumulated leave balances remaining in his/her sick leave account.

- Employees will accrue sick leave at the rate of ten (10) hours each month worked beginning on the date of hire.
- Sick leave hours are earned and credited to the employee on a biweekly basis, coinciding with pay periods, except for the third pay period of the month.
- Unused sick leave will be credited to the employee's sick leave balance to a maximum accrual of ~~840.720~~ hours. Sick leave accrual will cease when the

employee's total year-end balance reaches ~~840~~ 720 hours, until the balance falls below ~~840~~ 720 hours.

2. Use of Sick Leave

Sick leave is for use in situations in which the employee must be absent from work due to:

- His/her own physical illness or injury.
- His/her own exposure to contagious diseases or when attendance at work is prevented by public health requirements.
- The need to provide medical care for an ill or injured family member within the third degree of consanguinity or affinity, or an individual who is dependent on the employee and who resides in the employee's household. Medical or dental appointments for the employee; provided that the employee makes a reasonable effort to schedule such appointments at times which have the least interference with the workday.
- Any disability.

Employees who are absent from work due to sick leave shall be at their residence, a medical facility, their health care provider's office, or shall notify their supervisor of their whereabouts when using sick leave.

Employees will also be required to use sick leave concurrently with FMLA leave.

3. Abuse of Sick Leave

Use of sick leave for purposes other than those listed above is evidence of abuse of sick leave. Abuse of sick leave ~~may is~~ cause for disciplinary action, up to and including termination. If the **City of Fernley** suspects abuse, they may require substantiating evidence which may include, but is not limited to, a certificate from a health care provider.

4. Illness During Annual Leave

If an employee on annual leave suffers an illness or injury which requires medical treatment from a health care provider, s/he may elect to charge that time to accumulated sick leave provided the employee furnishes the **City of Fernley** with a certificate issued by the health care provider providing treatment.

5. Placing an Employee on Sick Leave

The **City of Fernley** may place an employee on sick leave if s/he has an illness that appears to be contagious or due to a known or suspected illness or injury, and/or the employee is not able to perform the essential functions of their position with or without reasonable accommodation.

6. Return to Work

An employee on sick leave shall notify his/her department manager as soon as the employee is able to return to work. An employee returning from an extended absence shall give as much advance notice of return as possible. The **City of Fernley** may also require a statement from a health care provider certifying the employee's fitness to return to work.

7. Sick Leave at Separation

- a. Upon separation from employment due to resignation, retirement, disability, or death, an eligible employee shall receive a one-time recognition payment based upon the amount of unused sick leave remaining in the employee's sick leave account. The amount to be paid out in one of two ways and is not to exceed one quarter (1/4) of accrued leave, provided that the employee has at least 3 years of service. This will be paid at the employee's rate of pay at the time of termination. If the separation is due to the death of the employee, the compensation due will be paid to the beneficiary(s) designated by the employee. 25% of the employee's sick leave shall be paid on the next pay period after separation; or,
- b. 25% of the employee's sick leave shall be used for the retiree and/or spouse by the City of Fernley to pay for Retirement Medical Coverage with the City's medical plan.

8. Conversion of Sick Leave

Once each calendar year, an eligible employee may convert sick leave to vacation time. An employee may convert up to forty (40) hours of sick leave to vacation time leaving a minimum of 240 hours of unused sick leave AFTER the conversion. An employee may convert up to sixty (60) hours of sick leave to vacation time leaving a minimum of 360 hours of unused sick leave available AFTER the conversion. An employee may convert up to eighty (80) hours of sick leave to vacation time leaving a minimum of 480 hours of unused sick leave available AFTER the conversion. There must be no record of sick leave abuse.

6.3.2. Procedure

1. Leave Approval

An employee shall complete an appropriate leave request form as soon as the need for a leave is known. The **City of Fernley** shall determine whether to approve use of accrued sick leave and shall approve such a request whenever it is deemed reasonable.

2. Notification

Any employee who is ill or unable to report to work for any reason shall notify his/her immediate supervisor no later than 15 minutes before the employee's normal work reporting time. In the event of a continuing illness, the employee shall continue to notify his/her immediate supervisor daily or at appropriate intervals agreed on by the supervisor of his/her condition. The **City of Fernley** may deny sick leave requests which are not in compliance with this policy.

3. Health Care Provider's Certification

The **City of Fernley** may require an employee who has been absent for three or more days to provide a health care provider's certification that the illness/injury incapacitated the employee from performing his/her duties, was necessary for the employee to make full and timely recovery or was appropriate to avoid the spread of a contagious disease. The certification will also verify the employee's fitness for return to work. A health care

provider's statement is required when specifically requested by the supervisor or manager. Whenever an employee qualifies for FMLA leave, the employee is required to submit to the **City of Fernley** the "Certification of Health Care Provider" form referenced in the FMLA policy.

6.3.3 Emergency Paid Sick Leave (EPSL)

1.—Policy

~~This policy complies with the Families First Coronavirus Response Act (FFCRA) to grant eligible employees protected leave for qualified reasons.~~

~~Public employers are covered under the Emergency Paid Sick Leave Act (EPSLA) and will comply with the requirements of the EPSLA and advise employees if they meet the eligibility requirement.~~

~~Employers are required to post and keep posted Form WH-1422: Employee Rights: Paid Sick Leave and Expanded Family and Medical Leave under the Families First Coronavirus Response Act in a conspicuous place that can readily be seen by employees and applicants alike, even if no employees are eligible.~~

~~This policy is effective at 12:01 a.m. on April 1, 2020 and will remain in effect until 12:00 p.m. on December 31, 2020. It does not apply retroactively.~~

2.—Eligibility

~~All employees are eligible for EPSL, regardless of their seasonal, temporary, etc., status. There is no length of service requirement.~~

3.—Reasons for Leave

~~EPSL leave may be granted to an employee who is unable to work (or telework) due to a need for leave for any of the following reasons:~~

- ~~1. The employee is subject to a federal, state, or local quarantine or isolation related to COVID-19.~~
- ~~2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.~~
- ~~3. The employee is experiencing symptoms of COVID-19 and seeking medical diagnosis.~~
- ~~4. The employee is caring for an individual who is subject to an order of federal, state, or local quarantine or isolation related to COVID-19 or has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.~~
- ~~5. The employee is caring for a minor child if the school or place of care of the child has been closed, or the childcare provider of such child is unavailable, due to COVID-19 precautions.~~

~~6. The employee is experiencing any other substantially similar situation specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and Secretary of Labor.~~

4.—Leave Allotment

~~Full-time employees will receive up to 80 hours of paid sick leave.~~

~~Part-time employees will receive the number of hours equal to the number of hours s/he works on average over two weeks. If a part-time, seasonal, casual, or temporary employee works varying hours to such an extent that the City of Fernley is unable to determine with certainty the number of hours the employee would have worked if leave had not been taken, the City of Fernley will look at the average number of hours the employee was scheduled over the past six months; or if the employee had not worked the past six months, the City of Fernley will use the reasonable expectation of the number of hours the employee would normally be scheduled to work.~~

5.—One-time Use

~~Employees are limited to a total of 80 hours Paid Sick Leave. An Employee who has taken all EPSL leave and then changes employers is not entitled to additional EPSL leave from his/her new employer. An employee who has taken some, but fewer than 80 hours of EPSL leave, and then changes employers is entitled only to the remaining portion of such leave from his/her new employer and only if his/her new employer is covered by the EPSLA. Such an employee's EPSL leave would expire upon reaching 80 hours of EPSL leave total, regardless of the employer providing it, or when the employee reaches the number of hours of EPSL leave to which s/he is entitled based on a part-time schedule with the new employer.~~

6.—Compensation During Leave

~~Employees will receive 100% of their regular rate of pay for reasons related to the employee's own quarantine, isolation, or symptoms of COVID-19 (reasons 1-3 above) up to a maximum of \$511 per day.~~

~~Employees will be compensated at 2/3 of their regular rate of pay for reasons related to the employee's need to care for an individual who is isolated or quarantined, or to care for a minor child due to a school/childcare closure, or the employee is experiencing any other substantially similar situation (reasons 4-6 above) up to a maximum of \$200 per day.~~

~~Employees may elect to substitute accrued paid sick leave, annual leave, or compensatory leave for the pay not covered by the EPSLA, but employers are prohibited from requiring this substitution. When substituting accrued paid leave for the pay not covered by EPSL, the employee must comply with the City of Fernley's procedural requirements, terms, and conditions of the Leave policy (Policy #6) as appropriate; once accrued leave is depleted, the remainder of the leave period will then consist of unpaid leave for the pay not covered by EPSLA.~~

7.—Intermittent Leave

Employees may be able to take EPSL intermittently under the following conditions:

- **Working at regular worksite:** Employees may take EPSL leave intermittently while working at his/her regular worksite. The qualifying reason is solely because s/he is caring for a minor child if the school or place of care of the child has been closed, or the childcare provider of such child is unavailable, due to COVID-19 precautions. Leave may be taken in any increments agreed upon by the City of Fernley and employee.
- **Working remotely:** Employees may take EPSL leave intermittently while teleworking if the employee is unable to work their telework schedule due to any qualified reason for EPSL. Leave may be taken in any increments agreed upon by the City of Fernley and employee.

Intermittent leave is not permitted for employees working at his/her regular worksite if the need for EPSL includes any of the other five qualifying reasons involving the employee's own quarantine, isolation, or symptoms of COVID-19 or the employee's need to care for an individual who is isolated or quarantined, or the employee is experiencing any other substantially similar situation. An employee who has begun EPSL leave for one or more of these five qualifying reasons must continue to take paid sick leave each day until the employee (1) exhausts the full amount of EPSL or (2) the qualifying reason for taking EPSL leave no longer exists.

8.— Notice of Leave

Employees needing leave under this policy shall complete the Emergency Paid Sick Leave Application Form as soon as practicable and submit to Human Resources.

9.— Certification of Leave

Employees requesting leave under this policy are required to provide the following supporting documentation:

- The employee's name,
- The date(s) for which leave is requested,
- Qualifying reason for requesting leave, and
- Statement that the employee is unable to work, including telework, for that reason.

The employee must provide the following additional information to support specified reasons for leave:

- Reason 1: The name of the government entity that issued the Quarantine or Isolation Order.
- Reason 2: The name of the health care provider who advised the employee to self-quarantine due to concerns related to COVID-19.
- Reason 4: Either the name of the government entity that issued the Quarantine or Isolation Order to which the individual being care for is subject; or the name of the health care provider who advised the individual being cared for to self-quarantine due to concerns related to COVID-19.

- Reason 5: The name of the Son or Daughter being cared for; the name of the school, place of care, or childcare provider that has closed or become unavailable; and a representation that no other suitable person will be caring for the child during the period for which the employee takes EPSL leave.

10. Continuation of EPSL Leave

After the first workday (or portion thereof) an employee receives EPSL leave under this policy, City of Fernley may require the employee to follow reasonable notice procedures in order to continue receiving such paid sick time.

11. Anti-Retaliation

An employee shall not be retaliated against for utilizing the leave described in this section. Any employee who believes s/he has been retaliated against in any manner whatsoever should immediately notify the EEO Officer or alternative EEO Officer. The City of Fernley will promptly investigate and deal appropriately with any allegation of retaliation. In the event retaliation is substantiated, disciplinary action up to and including termination may be taken.

12. Interaction with Sick Leave Policy #

All provisions included in City of Fernley Personnel Policy 6.0, Leave Plans not covered in this policy apply.

Related Forms:

[Emergency Paid Sick Leave Application Form](#)

6.4. Family and Medical Leave

6.4.1. Policy

Public employers are covered under the Family and Medical Leave Act (FMLA) and will comply with the requirements of the FMLA and advise employees if they meet all the FMLA eligibility requirements.

The **City of Fernley** must provide employees Form WHD-1420 Employee Rights and Responsibilities Under the Family and Medical Leave Act and are also required to post and keep posted this notice in a conspicuous place that can readily be seen by employees and applicants alike, even if no employees are eligible.

1. Eligibility

Employees who have been employed by the **City of Fernley** for a total of 12 months and worked for the **City of Fernley** at least 1,250 hours during the preceding 12-month period and are employed at a work site where 50 or more employees work for the **City of Fernley** within 75-surface miles of that work site are eligible for FMLA leave. When the 1,250 hours are calculated, the hours an employee was on leave, even if that leave was paid, do not count toward the 1,250 hours worked. However, an employee who has a military service obligation must be credited with the hours of service that would have been performed, but for the period of military service. The required 12 months of employment does not have to

be consecutive. There may be a break in service as long as it does not exceed seven years. There is an exception to the seven-year condition for USERRA-covered military service or written agreements. All employees meeting the above qualifications qualify for FMLA, regardless of their seasonal, temporary, etc., status.

2. Compensation During Leave

FMLA leave will be unpaid leave unless the employee has accrued paid leave and is otherwise eligible to use the leave. An employee on FMLA leave must use all of his/her accrued paid annual leave, sick leave (if it qualifies under **City of Fernley** sick leave use requirements), compensatory time leave, and personal time off concurrently with FMLA leave. (See the applicable collective bargaining agreement for alternate provisions which may apply.) When substituting accrued paid leave, the employee must comply with the **City of Fernley** procedural requirements, terms, and conditions of the paid leave policy as appropriate; the remainder of the leave period will then consist of unpaid FMLA leave. Employees must be made aware that they are required to use sick, annual, compensatory time, and personal leave as appropriate, in the rights and responsibilities notice Form WH-381: Notice of Eligibility and Rights & Responsibilities.

3. Intermittent or Reduced Schedule Leave

When medically necessary (as distinguished from voluntary treatments and procedures) or for any qualifying exigency or caregiver leave, leave may be taken on an intermittent or reduced schedule basis. Leave for bonding with a healthy newborn or placement of a healthy child for adoption or foster care is not considered medically necessary and, therefore, may not be taken on a reduced schedule or intermittent basis unless agreed to by the **City of Fernley**. Employees needing intermittent leave or reduced schedule leave must make a reasonable effort to schedule their leave so as not to unduly disrupt the **City of Fernley** operations. If the leave is foreseeable, the **City of Fernley** may require an employee on intermittent leave or reduced schedule leave to temporarily transfer to an available alternative position for which the employee is qualified if the position has equivalent pay and benefits and better accommodates the employee's intermittent or reduced schedule leave. Intermittent leave and reduced schedule leave reduces the 12-week entitlement only by the actual time used. When an employee who was transferred, no longer needs intermittent or reduced schedule leave, the employee must be placed in the same or equivalent position held prior to when the leave commenced.

6.4.2. Duration of and Reasons for Leave

1. Duration of Leave

Any eligible employee, as defined above, may be granted a total of 12 weeks of unpaid FMLA leave (which shall run concurrent with paid leave) during a 12-month period (see exception for *Military Caregiver Leave* section below). This period is measured backward from the date an employee uses any FMLA leave. A "week" is defined as a calendar week, regardless of the number of days the employee normally works. Twelve weeks does not entitle a part-time employee working three days a week to 60 leave days, but rather 12 weeks.

2. Reasons for Leave

FMLA may be granted for the following reasons:

- The birth of the employee's child and in order to care for the newborn child;
- The placement of a child with the employee for adoption or foster care;
- To care for the employee's spouse, child, or parent who has a serious health condition;
- An employee's own serious health condition that prevents the employee from performing one or more of the essential functions of his/her job. Serious health conditions may include conditions resulting from job-related injuries and/or illnesses, including time an employee is receiving lost time compensation; or
- Due to a qualifying exigency arising when an employee's spouse, son, daughter, or parent is a military member on covered active duty or has been notified of an impending call to covered active duty.

3. Conditions for Leave

a. Serious Health Condition

- A serious health condition is an illness, injury, impairment, or physical or mental condition of incapacity or treatment that involves:
 - Inpatient care (overnight stay) in a hospital, hospice, or residential medical care facility.
 - Continuing treatment by (or under the supervision of) a health care provider for a period of incapacity of more than three consecutive full calendar days, combined with at least two visits to a health care provider within 30 days of the first day of incapacity or one visit to a health care provider requiring a regimen of continuing treatment; e.g., prescription medication.

b. Exigency Leave:

- Short-term notice deployment (deployment in seven or less calendar days)
- Military events and activities
- Childcare and school activities
- Family support or assistance programs
- Financial and legal arrangements
- Counseling
- Servicemember's rest and recuperation leave (limited to 15 calendar days for each instance)
- Post-deployment activities
- Parental leave for the spouse, son, daughter, or parent of a military member to care for the military member's parent who is incapable of self-care.
- Additional activities arising out of active duty that the **City of Fernley** and employee agree upon.

c. Covered Active Duty:

- In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country.
- In the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in support of a contingency operation.

4. Limitation of Leave

The entitlement to FMLA leave for the birth or placement of a child for adoption or foster care will expire 12 months from the date of the birth or placement. If both an employee and his/her spouse are employed by the **City of Fernley**, their combined time off may not exceed 12 weeks during any 12-month period for the birth, adoption, or foster care of a child, or care of a parent with a serious health condition. Each spouse is, however, eligible for the full 12 weeks within a 12-month period for his/her own serious health condition, or to care for a son, daughter, or spouse with a serious health condition.

Employees may not take more than a combined total of 12 weeks in a 12-month period for all FMLA qualifying reasons listed in “Reasons for Leave” above.

6.4.3. Military Caregiver Leave

1. Policy

An eligible employee, as defined in “Eligibility” may be granted a total of 26 weeks of unpaid FMLA leave (which shall run concurrent with paid leave) during a 12-month period to provide caregiver leave for a seriously ill or injured covered servicemember or veteran who is the employee’s spouse, son, daughter, parent, or next of kin. This period is always measured forward from the date an employee takes FMLA leave to care for the covered servicemember or veteran and ends 12 months after that date.

2. The Covered Servicemember under the Military Caregiver leave must be:

- A current member of the Armed Forces (including a member of the National Guard or Reserves), who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness that:
 - Was incurred by the covered servicemember in the line of duty on active duty in the Armed Forces, or
 - Existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces, and
 - May render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating.
- A covered veteran is an individual who was a member of the Armed Forces (including a member of the National Guard or Reserves), and was discharged or released under conditions other than dishonorable at any time during the five-

year period* prior to the first date the eligible employee takes FMLA leave to care for the covered veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and manifested itself before or after the member became a veteran, and is:

- A continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating; or
- A physical or mental condition for which the covered veteran has received a U.S. Department of Veteran Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
- A physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
- An injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veteran Affairs Program of Comprehensive Assistance for Family Caregivers.

* The period between 10/28/09 and 3/8/13 is excluded in the determination of the five-year period.

3. Limitations of Leave

Employees cannot take more than a combined total of 26 weeks for military caregiver leave or because of other FMLA qualifying reasons as provided in "Reasons for Leave." A husband and wife both working for the same City of Fernley are limited to a combined total of 26 weeks of FMLA military caregiver leave.

6.4.4. Notice of Leave

An employee intending to take FMLA leave because of an expected birth, placement for adoption or foster care, planned medical treatment for a serious health condition of the employee or family member, or the planned medical treatment for serious illness or injury of a covered servicemember shall provide notice for such leave at least 30 days before the leave is to begin. If a requested leave will begin in less than 30 days, the employee must give notice to his/her immediate supervisor as soon as the necessity for the leave is known. Reasonable advance notice is required for all leaves, even if the event necessitating the leave is not foreseeable. If an employee gives less than 30 days' notice, the **City of Fernley** may require an explanation. For foreseeable leave due to a qualifying exigency, notice must be provided as soon as practicable.

Within five business days (absent extenuating circumstances) of receiving notice that: 1) an employee requests to use FMLA leave, or 2) the **City of Fernley** acquires knowledge that a leave may be for a FMLA-qualifying reason, the **City of Fernley** will complete Form WH-381 Notice of Eligibility and Rights and Responsibilities. Completion of this form will designate if an employee is eligible for FMLA or if an employee is not eligible, the reason(s) why s/he is not eligible. The form will designate if the employee is required to obtain certification related to medical conditions and/or required family relationships. The **City of Fernley** may require the use of FMLA leave for any absence which would otherwise qualify as FMLA leave, even if no formal application for such leave was made by the employee, provided notice is given to the employee.

6.4.5. Certification of Leave

1. Certification Forms

a. Serious Health Condition

A request for leave based on the serious health condition of the employee or the employee's spouse, child, or parent must be supported by completion of Form WH-380-E -Certification of Health Care Provider for Employee's Serious Health Condition or Form WH-380-F -Certification of Health Care Provider for Family Member's Serious Health Condition completed by the health care provider. (Note: Attach the employee's current job description to Form 380-E when it is sent to the employee's health care provider.)

The Certification of Health Care Provider form must be completed and returned by the employee within 15 calendar days, absent extenuating circumstances.

b. Exigency Leave

Employees requesting FMLA leave for qualifying exigency are required to complete Form WH-384 Certification of Qualifying Exigency for Military Family Leave and provide a copy of the military member's active duty orders or other documentation issued by the military which indicates that the military member is on covered active duty or call to covered active duty status.

c. Caregiver Leave

Employees requesting FMLA leave for military caregiver leave are required to complete Form WH-385 Certification of Serious Injury or Illness of Covered Service Member for Military Family Leave or Form WH-385-V Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave within 15 calendar days, absent extenuating circumstances. Employees may also submit invitational travel orders (ITOs) or invitational travel authorizations (ITAs) issued to any family member to join an injured or ill servicemember at his/her bedside in lieu of forms WH-385 or WH-385-V.

2. Incomplete or Insufficient Certification (Cure Period)

If a certification is incomplete or insufficient, the employee will be given seven calendar days (unless not practicable under the particular circumstances despite the employee's diligent good faith efforts) to cure any such deficiency. If the deficiencies specified by the **City of Fernley** are not cured in the resubmitted certification, the **City of Fernley** may deny the taking of FMLA leave. A certification that is not returned to the **City of Fernley** is not considered incomplete or insufficient but constitutes a failure to provide certification.

3. Clarification or Authentication of Certification

City of Fernley may contact the employee's health care provider for the purpose of clarification or authentication after giving the employee an opportunity to clarify specific discrepancies. Only the Human Resource Manager may contact the health care provider.

4. Second or Third Opinions

If the **City of Fernley** questions the validity of the certification, the **City of Fernley** may require, at its expense, the employee obtain a second opinion from a health care provider designated by the **City of Fernley**. If the second opinion conflicts with the original opinion, the **City of Fernley** may require, at its expense, that the employee obtain the opinion of a third health care provider designated or approved jointly by the **City of Fernley** and the employee. This third opinion will be considered final and binding on both parties.

Second and third opinions are not permitted for leave to care for a covered servicemember when the certification has been completed by a Department of Defense or Department of Veterans Affairs health care provider. However, second and third opinions are permitted when the certification has been completed by other health care providers as provided for by law.

Second and third opinions are not allowed on a fitness-for-duty certification.

5. Recertification

In instances where the minimum duration of leave anticipated by the original certification is more than 30 days, the **City of Fernley** may require the employee to recertify that the original medical condition still exists. Such requests can be made no more frequently than the minimum duration of the leave requested (e.g., 40 days) or once every six months in connection with an absence,

In situations in which the minimum duration of leave anticipated by the original certification is less than 30 days, the **City of Fernley** may request recertification if the employee requests an extension of leave, the circumstances described by the original certification have changed significantly, or the **City of Fernley** receives information casting doubt upon the continuing validity of the certification.

Recertifications are not permitted for leave to care for a covered servicemember.

6. Annual Medical Certification

The **City of Fernley** may require the employee to provide new medical certification, not recertification, for his/her first FMLA-related absence in a new 12-month leave year.

6.4.6. Designation Notice

Within five business days (absent extenuating circumstances) of receipt of all required information, the **City of Fernley** will make a determination on whether the employee's request for leave is for an FMLA-qualifying reason. The **City of Fernley** will complete Form WH-382 Designation Notice indicating if leave is approved or not and provide to employee.

If the **City of Fernley** cannot make a determination from the information provided, they will use this form to:

- Indicate the information presented is incomplete or insufficient and provide the employee seven calendar days to provide complete information (cure period).
- Provide notice to an employee if a second or third medical certification is required.

City of Fernley may also use this form to designate a fitness-for-duty certificate which will be required prior to returning to work.

6.4.7. Benefits Coverage During Leave

During a period of FMLA leave, an employee will be retained on the **City of Fernley** health plan under the same conditions that would apply if the employee was not on FMLA leave. To continue health coverage, the employee must continue to make any contributions that s/he would otherwise be required to make. Failure of the employee to pay his/her share of the health insurance premium may result in loss of coverage.

If the employee fails to return to work after the expiration of the FMLA leave, the employee may be required to reimburse the **City of Fernley** for payment of health insurance premiums during the leave, unless the reason the employee cannot return is due to circumstances beyond the employee's control. The definition of "beyond the employee's control" includes a large variety of situations such as: the employee being subject to layoff; continuation, recurrence, or the onset of an FMLA-qualifying event; or the employee's spouse's unexpected worksite relocation of more than 75 miles from the current worksite.

An employee is not entitled to the accrual of any seniority or employment benefits during any unpaid leave. An employee who takes FMLA leave will not lose any seniority or employment benefits that accrued before the date the leave began and will be entitled to any unconditional pay increase, such as cost of living increase granted to all employees during the FMLA leave period.

6.4.8. Outside Employment

An employee is prohibited from engaging in outside employment during an FMLA absence if the job conflicts with the reason the employee is on FMLA leave; e.g., an employee is on FMLA leave due to a back injury and works a job requiring heavy lifting. All other requirements of **City of Fernley** Outside Employment policy apply.

6.4.9. Periodic Reporting

Any employee on FMLA leave must notify **City of Fernley** periodically of his/her status and intention to return to work. The **City of Fernley** has the authority to determine how often the employee must provide this notification.

6.4.10. Change in Duration of Leave

1. Return Prior to Expiration

If an employee wishes to return to work prior to the expiration of the approved FMLA leave period, s/he must notify the supervisor within two business days prior to the employee's planned return. Employees may be required to provide a fitness-for-duty certification (if indicated on the designation notice) specifically addressing the employee's ability to perform the essential functions of his/her job, prior to returning to work if the FMLA leave of absence was due to the employee's own serious health condition. Employees required to present a fitness-for-duty certification may be delayed in restoration to employment until certification is provided. Second and third opinions are not allowed on a fitness-for-duty certification.

2. Request an Extension of Leave

An employee who requests an extension of FMLA leave due to the continuation of a qualifying exigency, care for servicemember, continuation, recurrence, or onset of his/her own serious health condition, or of the serious health condition of the employee's spouse, child, or parent, must submit a request for an extension, in writing, to the **City of Fernley**. This written request should be made as soon as the employee realizes that s/he will not be able to return at the expiration of the leave period. Any additional time requested beyond the FMLA 12-week period (or 26-week period for caregiver leave) will not be considered as FMLA. Rather, such time, if approved by the **City of Fernley**, will be characterized as either paid or unpaid leave, thereby ending the **City of Fernley** reinstatement obligations included in the *Return from Leave* section. (See the applicable collective bargaining agreement for alternate provisions which may apply.)

6.4.11. Return from Leave

Upon returning to work, an employee on FMLA leave will be restored to his/her most recent position or to a position with equivalent pay, benefits, and other terms and conditions of employment. The **City of Fernley** cannot guarantee that an employee will be returned to his/her original position. The **City of Fernley** will determine whether a position is an "equivalent position" as defined by FMLA. Employee's right to restoration, however, cease at the end of the applicable 12-month FMLA leave year.

Employees may be required to provide a fitness-for-duty certification (if indicated on the designation notice) specifically addressing the employee's ability to perform the essential functions of his/her job, prior to returning to work if the FMLA leave of absence was due to the employee's own serious health condition. Employees required to present a fitness-for-duty certification may be delayed in restoration to employment until certification is provided. Second and third opinions are not allowed on a fitness for duty certification.

Key employees may be denied job restoration if such denial is necessary to prevent substantial and grievous economic injury to the operations of **City of Fernley** and the employee was given written notice s/he was considered a key employee at the time s/he gave notice of FMLA leave or when the leave commenced.

6.4.12. Failure to Return from Leave

Failure of an employee to return to work upon the expiration of an FMLA leave of absence will subject the employee to disciplinary action, up to and including termination, unless the **City of Fernley** has granted an additional (paid or unpaid) extension. (Note: Refer to **City of Fernley** other leave policies.) Nothing in this policy limits **City of Fernley** obligations of reasonable accommodation under the Americans with Disabilities Act, as amended.

6.4.13. Abuse of FMLA

An employee who fraudulently obtains FMLA leave from the **City of Fernley** is not protected by the FMLA's job restoration or maintenance of health benefits provisions. In addition, the **City of Fernley** may take all appropriate disciplinary action against such employee due to fraud.

6.4.13 Emergency Family and Medical Leave (EFML)

1.—Policy

~~This policy complies with the Families First Coronavirus Response Act (FFCRA) to grant eligible employees protected leave for qualified reasons.~~

~~Public employers are covered under the Emergency Family and Medical Leave Expansion Act (EFMLEA) and will comply with the requirements of the EFMLEA and advise employees if they meet the eligibility requirement.~~

~~Employers are required to post and keep posted Form WH-1422: Employee Rights: Paid Sick Leave and Expanded Family and Medical Leave under the Families First Coronavirus Response Act in a conspicuous place that can readily be seen by employees and applicants alike, even if no employees are eligible.~~

~~This policy is effective at 12:01 a.m. on April 1, 2020 and will remain in effect until 12:00 p.m. on December 31, 2020. It does not apply retroactively.~~

2.—Eligibility

~~Employees who have been employed by the City of Fernley for 30 calendar days are eligible for EFML leave. All employees meeting the above qualification qualify for EFML, regardless of their seasonal, temporary, etc., status.~~

3.—Duration of Leave

~~Any eligible employee, as defined above, may be granted a total of 12 weeks of FMLA leave, including EFML leave during a 12-month period. This period is measured backward from the date an employee uses any FMLA leave, including EFML leave. A "week" is defined as a~~

~~calendar week, regardless of the number of days the employee normally works. Twelve weeks does not entitle a part-time employee working three days a week to 60 leave days, but rather 12 weeks.~~

~~4.—Reasons for Leave~~

~~EFML may be granted for the following reason:~~

~~The employee is unable to work or telework due to a need for leave to care for a his/her son or daughter whose school or place of care has been closed, or the childcare provider is unavailable, for reasons related to COVID-19 only if no other suitable person is available to care for the son or daughter during the period of such leave.~~

~~5.—Compensation During Leave~~

~~The first two weeks of EFML leave will be unpaid leave unless the employee has accrued paid leave and is otherwise eligible to use the leave. Employees who are eligible for Emergency Paid Sick Leave (EPSL, see Policy 6.3.3) may elect to use EPSL during the first two weeks.~~

~~Weeks 3 through 12 of EFML leave will be compensated at 2/3 the employee's regular rate of pay, up to \$200 a day and \$10,000 in the aggregate. Employees are required to substitute accrued leave for the pay not covered by EFML.~~

~~When substituting accrued paid leave for the pay not covered by EFMLEA, the employee must comply with the City of Fernley's procedural requirements, terms, and conditions of the paid leave policy as appropriate; once accrued leave is depleted, the remainder of the leave period will then consist of unpaid leave for the pay not covered by EFMLEA.~~

~~6.—Intermittent Leave~~

~~Employees may take EFML leave intermittently while working at the regular worksite or teleworking, and leave may be taken in any increments agreed upon by the City of Fernley and employee.~~

~~7.—Notice of Leave~~

~~An employee intending to take EFML leave shall give notice as soon as practicable.~~

~~8.—Certification of Leave~~

~~Employees requesting leave under this policy are required to provide the following supporting documentation:~~

- ~~•The employee's name,~~
- ~~•The date(s) for which leave is requested,~~
- ~~•Qualifying reason for requesting leave, and~~
- ~~•Statement that the employee is unable to work, including telework, for that reason,~~
- ~~•The name of the Son or Daughter being cared for;~~

• ~~The name of the school, place of care, or childcare provider that has closed or become unavailable; and~~

• ~~A representation that no other suitable person will be caring for the child during the period for which the employee takes EFML leave.~~

~~9. — Benefits Coverage During Leave~~

~~During a period of EFML leave, an employee will be retained on the City of Fernley's health plan under the same conditions that would apply if the employee was not on EFML leave. To continue health coverage, the employee must continue to make any contributions that s/he would otherwise be required to make. Failure of the employee to pay his/her share of the health insurance premium may result in loss of coverage.~~

~~If the employee fails to return to work after the expiration of the EFML leave, the employee may be required to reimburse the City of Fernley for payment of health insurance premiums during the leave, unless the reason the employee cannot return is due to circumstances beyond the employee's control. The definition of "beyond the employee's control" includes a large variety of situations such as: the employee being subject to layoff; continuation, recurrence, or the onset of an FMLA-qualifying event; or the employee's spouse's unexpected worksite relocation of more than 75 miles from the current worksite.~~

~~Employees will accrue sick and annual paid leave for each regularly scheduled hour on paid leave.~~

~~10. Anti-Retaliation~~

~~An employee shall not be retaliated against for utilizing the leave described in this section. Any employee who believes s/he has been retaliated against in any manner whatsoever should immediately notify the EEO Officer or alternative EEO Officer. The City of Fernley will promptly investigate and deal appropriately with any allegation of retaliation. In the event retaliation is substantiated, disciplinary action up to and including termination may be taken.~~

~~11. Interaction with FMLA~~

~~All provisions included in Policy 6.4 "Family and Medical Leave" not covered in this policy apply.~~

~~Related Forms:~~

~~Notice of Eligibility and Rights and Responsibilities for Emergency Family and Medical Leave~~

~~Designation Notice for Emergency Family and Medical Leave~~

6.5. Leave of Absence Without Pay

6.5.1. Policy

The **City of Fernley** may approve leaves of absence without pay for up to six months. Such approval will be for exceptional circumstances and conditions, such as education or

prolonged illness, when the approval of such leave is consistent with the **City of Fernley** needs, when the work of the office or department will not be impeded by the employee's absence, and when the leave will not require the appropriation of additional funds for the operation of the employee's department. Such leave may be extended for an additional period of up to six months at the sole discretion of the **City of Fernley**. Exceptions for leave beyond one year may be provided as required by law. The **City of Fernley** will require the use of all accrued paid leave prior to granting leave without pay.

6.5.2. Procedure

1. Approval –30 Days or Less

Leaves of absence without pay not exceeding 30 days may be granted by the **City of Fernley** with substantiating documentation.

2. Approval – More Than 30 Days

The **City of Fernley** may grant a leave in excess of 30 days following written certification by the employee that the leave is consistent with the intent of this section and substantiating documentation as requested by **City of Fernley** is provided.

3. Purpose

Leaves of absence without pay will not be granted for the purpose of allowing an employee to seek or accept other employment, except when or if the **City of Fernley** determines that the granting of such leave is in its best interest.

4. City of Fernley Termination of Leave

The **City of Fernley** may terminate any leave of absence without pay, except those granted pursuant to statute or regulation, prior to its expiration by providing written notice to the employee. The document granting the leave of absence will state the terms of the leave and any reason(s) for terminating such leave. Upon receipt of notice of termination of the leave, the employee is required to return to work within five calendar days or by a later-approved alternate date. In the event the **City of Fernley** terminates a leave of absence, the employee will be returned to the same class or position s/he occupied when the leave of absence was granted.

5. Insurance

Employees on approved leave of absence without pay may continue their medical, dental, and life insurance coverage in accordance with COBRA health benefit continuation regulations.

6. Return from Leave

Employees on approved leave of absence without pay are required to return to work on the first work day following the end of leave at his/her regularly scheduled time. An employee

who does not return from a leave of absence without pay on the first work day at his/her regularly scheduled time following the end of a leave will be considered to have resigned.

7. Introductory Period

If an employee is granted unpaid leave during his/her introductory period, the introductory period will be extended by the number of days of leave taken by the employee during his/her introductory period.

8. Medical Reason for Leave

The **City of Fernley** may require a health care provider's certification or other appropriate type of verification to substantiate a need for a medical leave of absence without pay. The **City of Fernley** may also require a statement from a health care provider certifying the employee's fitness to return to work.

9. Anniversary Date

An employee's anniversary date will be adjusted by the number of days off work for all unpaid leaves of absence in excess of 15 days during any 12-month period. (See special provisions for *Military Leave* sections below.)

10. Benefit Accrual

If an employee is on unpaid leave for more than one-half of his/her regularly scheduled work hours in any pay period, no leave benefits shall be accrued for that period, nor shall the **City of Fernley** contribute toward the cost of insurance benefits.

11. Outside employment

An employee is prohibited from engaging in outside employment during an approved leave of absence if the job conflicts with the reason the employee is on leave; e.g., an employee is on leave due to a back injury and works a job requiring heavy lifting. All other requirements of the **City of Fernley's** Outside Employment policy apply.

6.6. Court Leave

6.6.1. Policy

The **City of Fernley** will grant court leave to allow employees to serve as juror or a witness in a court proceeding provided that neither employee nor the employee's collective bargaining representative is a party to the action. Employees shall provide their supervisors with relevant documents verifying the need for court leave as soon as the need becomes known.

6.6.2. Compensation

Subject to the following conditions, eligible employees shall receive their base rate of pay for those hours spent in court and traveling to and from court when such time occurs during employee's regular scheduled work days and hours of work. Casual, seasonal, or temporary employees will be granted time off without pay. Law enforcement personnel appearing in court as part of their duties are not affected by this policy.

1. The employee's base rate of pay shall be limited to compensation for court and travel time which occurs during the employee's regularly scheduled hours of work. Court leave will not result in payment of overtime or be considered as hours worked for purposes of determining eligibility for overtime, unless the court leave is related to the employee's job responsibilities.
2. Upon completion of jury/court/witness service for which the employee received his/her regular pay, the employee will immediately forward any compensation received from the court or other party to the **City of Fernley** upon receipt. Reimbursements received for out-of-pocket expenses such as meals, mileage, and lodging may be kept by employees, unless the **City of Fernley** has reimbursed the employee for such expenses, or such expenses were paid by the **City of Fernley**.
3. An employee shall not receive pay for the work time missed if s/he is required to miss work because of court appearances in a matter to which the employee is a party or to serve as a witness for a party who has filed an action against the **City of Fernley**. However, the employee may choose to use his/her annual leave.
4. If an employee is required to appear at a legal or administrative proceeding pursuant to a subpoena in matters related to his or her employment with the **City of Fernley**, or acting in his or her official capacity as a representative of the **City of Fernley** in a proceeding brought against the **City of Fernley**, or is a named defendant in matters related to his or her employment with the **City of Fernley**, s/he will be paid the same as s/he would be paid during regular work hours, and will not be required to use annual leave.

6.6.3. Late Start/Early Release

1. An employee who is serving as a witness and is not required to report to court until after the start of their work day or who is released from court before the end of his/her scheduled work day shall report to work for the hours which are not required for court duty or for related travel time.
2. Employees who are required to report to jury duty will not be required to work eight hours prior to reporting. If the employee's service last four hours or more, including time going and returning from court, the employee will not be required to work between 5 p.m. of the day of jury duty and 3 a.m. the following day per NRS 6.190.

6.7. Bereavement Leave

A full-time or part-time employee who must be absent from work to attend the funeral of a family member who is within the third degree of consanguinity or affinity may use up to a maximum of 24 hours of bereavement leave per each occurrence. Bereavement leave longer than 24 hours may be charged to accumulated sick leave, up to a maximum of 16 additional hours, with the advance approval of the **City of Fernley**. Employees who are not regular full-time or part-time employees may take up to three (3) days or 24 hours of bereavement absence without pay. Supervisors or managers may require evidence of attendance at the funeral. Casual, seasonal, temporary employees are not eligible for bereavement leave.

6.8. Military Leave under Federal Law

6.8.1. Policy

Employees who are members of the uniformed services are entitled to military leave and to re-employment rights as provided in 38 USC, sections 2021-2024, and 4302 et. seq. The uniformed services covered include the Army, Navy, Marines, Air Force, Coast Guard, Public Health Service Commissioner Corps, the reserve components of these services, and any other category dispatched by the President in time of war or national emergency. The Army National Guard and Air National Guard are also covered.

6.8.2. Notice and Notification

1. The **City of Fernley** must provide employees with notice of their rights under the Uniformed Services Employment and Reemployment Rights Act (USERRA). This requirement may be met by posting the notice where the **City of Fernley** customarily places notices for employees.
2. The **City of Fernley** may require written (orders) or verbal notice of service obligation but must waive the requirement if notice is impossible or unreasonable.

6.8.3. Salary and Benefits

1. Leave Without Pay

The **City of Fernley** will treat the employee the same as any other employee on leave without pay. The employee may choose to use annual leave and compensatory time, if any, before going on leave without pay.

2. Health Insurance

There is no impact to the employee's insurance coverage, including life insurance that is included in the health insurance package if the service is 30 days or less. During the 30-day time period, the **City of Fernley** and employee premium payments or obligations, if any, remain unchanged. If the service is for more than 30 days, and the employee is in leave without pay status, the employee may then continue coverage similar to that required by the Consolidated Omnibus Budget Reconciliation Act (COBRA) for either 24 months or through the day after the date on which the employee fails to apply for reemployment in a timely manner; whichever is less (see Reemployment, Section 6.8.4. below). The **City of Fernley** must reinstate coverage upon the employee's prompt reemployment without the imposition of exclusions or waiting periods.

3. Seniority

An employee is entitled to the seniority (and rights and benefits governed by seniority) s/he had accrued at the commencement of military leave, plus any additional seniority rights and benefits that s/he would have attained if s/he had remained continuously employed (the "escalator principle"). However, if an introductory period is a bona fide period of observation and evaluation, the returning employee must complete the remaining period of introduction upon reemployment. The **City of Fernley** must count time served for the purpose of determining annual and sick leave accrual rates, if the accrual amount is based

on seniority. Additionally, the **City of Fernley** must count time in the military when determining the employee's rate of pay if the rate is based on seniority (e.g., a grade-and-step pay system). The **City of Fernley** is not required to accumulate annual or sick leave for an employee during his/her absence. The "escalator principle" will be applied to a returning employee's opportunities to take promotional examinations or skills tests and to merit pay increases.

4. Retirement

Time served will be counted as work time for purposes of retirement. The **City of Fernley** must make contribution payments to the retirement plan as if the employee had not left, provided the employee returns to work. The **City of Fernley** contribution will be based on the rate of pay the employee would have been paid had s/he not been called to military service (e.g., a grade-and-step pay system). An exception to this requirement is when the higher pay is based on additional knowledge, skill, or ability that can only be gained by work experience.

5. Death or Disability

If an employee does not return to work due to death or disability, the survivor or disability benefit is treated as if the employee had been working until the date of the death or disability. The **City of Fernley** must make the retirement contribution up to the date of the death or disability.

6. Other Leave

The **City of Fernley** must count time served in the military when calculating the employee's Family Medical Leave Act eligibility.

6.8.4. Reemployment

1. An employee has certain report-to-work obligations following military service. Eligible returning service members must be promptly reemployed, which in most cases means within two weeks of reporting. The employee's report-to-work obligations are:
 - a. Service of one to 30 days: The beginning of the next regularly scheduled work period on the first full day following completion of service, and expiration of an eight-hour rest period following safe transportation home.
 - b. Service of 31 to 180 days: Application for reinstatement must be submitted not later than 14 days after completion of military duty.
 - c. Service of 181 or more days: Application for reinstatement must be submitted not later than 90 days after completion of military duty.
2. The deadline for reinstatement may be extended for up to two years for persons who are convalescing due to a disability incurred or aggravated during military service, and the **City of Fernley** must make reasonable accommodations for the disability.
3. Reemployment rights apply to veterans whose cumulative period of uniformed service does not exceed five years while employed by the same **City of Fernley**. Time spent in National Guard and reservist training does not count towards the five-year period.

6.8.5. Discharge

If time served is greater than 30 days, but less than 181 days, an employee may not be discharged within 180 days of reemployment, except for just cause. If time served is greater than 180 days, an employee may not be discharged for one year, except for just cause.

6.9. Military Leave under Nevada Statute

6.9.1. Policy

Public officers and/or employees who are active members of the United States Army Reserve, United States Naval Reserve, United States Marine Corps Reserve, United States Coast Guard Reserve, United States Air Force Reserve, or the Nevada National Guard are entitled to leave to serve under orders including, without limitation, orders for training or deployment, as provided in NRS 281.145.

6.9.2. Procedure

1. Upon employee's or public officer's request, **City of Fernley** must relieve employee or public officer of duties with pay to serve under orders for training or deployment for a period of not more than the number of hours equivalent to 15 working days in a 12-month period.
2. The **City of Fernley** is not required to pay the public officer's or employee's salary after 15-working days (or hours equivalent).
3. Public officer's or employee's accrued vacation time may not be deducted during the leave. If public officer or employee requests additional time beyond 15 working days, public officer or employee may choose to use annual leave and compensatory time, if any, before going on leave without pay. The **City of Fernley** will treat the public officer or employee the same as any other employee on leave without pay.
4. The 12-month period designated by **City of Fernley** in number 1 above is July 1 through June 30.

6.9.3. Participation in Training, Active Service or Duty, or Other Required Meetings

As provided in NRS 412.139, **City of Fernley** may not terminate a member of the Nevada National Guard or National Guard of another state who is employed in this state because the member: assembles for training, participates in field training, is ordered to active service, or otherwise meets as required.

6.10. Emergency Conditions/Disaster Leave

6.10.1. Emergency Volunteer Service

An employee who is a participant in any volunteer emergency service (e.g., fire protection, ambulance service, or search and rescue) shall not schedule him/herself for on-call duty during work hours. In the event an employee is required to respond to an emergency during normal working hours, s/he shall remain in full employment status and shall receive total regular compensation while performing the volunteer service for the period that s/he would have been working for the **City of Fernley**.

6.10.2. Emergency Road Conditions

1. Any non-exempt employee who is unable to report to work due to road closures or hazardous road conditions caused by ice, snow, floodwaters, washouts, or slides shall not receive regular salary. Employees are advised to use their best judgment in making a decision of whether or not to report to work under such conditions. Should an employee decide to remain at his/her residence, all reasonable attempts should be made to notify his/her immediate supervisor. Any employee wishing to receive payment for time missed due to hazardous road conditions may do so by using either accrued annual leave or accrued compensatory leave time.
2. Any non-exempt employee who reports to work late due to road closures or hazardous road conditions will be compensated only for the actual hours worked. In the event the employee wishes to receive a full day's pay, s/he may use annual leave or accrued compensatory leave time to complete the normal work period.
3. Any employee who elects not to report to work due to hazardous road conditions or reports to work late under such conditions shall not be subject to discipline. In the event the supervisor is in doubt of the employee's reasoning, the final decision shall be made by the **City of Fernley** on the basis of documentation or confirmation of the hazardous conditions by either a law enforcement agency or the appropriate public works agency having jurisdiction over the roadways in question.

6.10.3. Disaster Area Declaration

1. "Disaster Area" is defined as a designated area affected by an event declared to be a disaster by a state or federal governmental agency duly authorized to make such designation. Non-exempt employees who are unable to report to work due to a disaster may use accrued annual leave or compensatory leave time as compensation for scheduled time not worked. Exempt employees who are unable to report to work due to a disaster shall use accrued annual leave as compensation for scheduled time not worked.
2. Employees shall make every effort to report to work as soon as is reasonable under such conditions provided the **City of Fernley** operation is open and functioning. An employee who has made such an effort yet fails to report to work under such declared "disaster" conditions, shall not be subject to discipline. Employees shall make every effort to report their circumstances to their immediate supervisor.

6.11. Blood Donor Leave

Employees may be granted reasonable time off during their work shift for the purpose of donating blood when participating in a **City of Fernley**-sponsored blood donation. All such absences shall be scheduled with the employee's supervisor. In no event shall an employee be eligible for overtime as a result of donating blood.

6.12. Leave for Parents of Children Enrolled in School

6.12.1. Policy

For employers with 50 or more employees employed for 20 or more calendar weeks per year, those employees who are parents of children enrolled in public or private school (K-12) are entitled to four hours of unpaid leave, per school year, for each child enrolled in school. The employee may use the entitled leave time to:

- Attend parent-teacher conferences;
- Attend school-related activities during regular school hours;
- Volunteer or otherwise be involved at the school in which the child is enrolled during regular school hours; and
- Attend school-sponsored events.

The time for the leave must be mutually agreed upon by the employee and the **City of Fernley**. The employee must request the leave in writing at least five school days prior to the date on which the leave is to be taken. The employee may also be required to furnish documentation demonstrating that s/he was present at the school activity for which the leave was provided.

6.12.2. Retaliation

An employee shall not be retaliated against for utilizing the leave described in this section. Any employee who believes s/he has been retaliated against as a result of having taken leave under this section may file a claim with the Nevada Labor Commissioner. The **City of Fernley** shall provide the employee with all of the forms necessary for the claim filing.

6.13. Leave for Nursing Mothers

6.13.1. Policy

As required by federal law, NRS 281, and the Nevada Pregnant Workers' Fairness Act, the **City of Fernley** will provide paid or unpaid reasonable breaks each time an employee needs to express breast milk for her nursing infant who is up to one-year old. Employees may elect to use their paid break times for this purpose. The **City of Fernley** will furnish a private space, other than a bathroom, that is reasonably free from dirt or pollution, protected from the view of others and free from intrusion by others where the employee may express breast milk.

If complying with this policy will cause an undue hardship for the **City of Fernley** considering the size, financial resources, nature, and structure of the public body, the **City of Fernley** may meet with the employee to agree upon a reasonable alternative. If the parties are not able to reach an agreement, the **City of Fernley** may require the employee to accept a reasonable alternative selected by the **City of Fernley**.

An employee who does not agree with the determination of the **City of Fernley** may file a complaint with the Local Government Employee-Management Relations Board.

6.13.2. Prohibition Against Retaliation

The **City of Fernley** will not tolerate any retaliation by management or by any other employee against an employee who exercises his/her rights under this policy. Any employee who believes s/he has been retaliated or discriminated against in any manner whatsoever should immediately notify the EEO Officer or the alternate. The **City of Fernley** will promptly investigate and deal appropriately with any allegation of retaliation.

6.14. Catastrophic Leave Program

6.14.1. Policy

A catastrophic illness or injury will cause a major hardship on an Eligible Employee (Employee or his/her immediate family). In the event an employee is diagnosed by a medical doctor with a catastrophic illness or injury, the city will allow for a special voluntary benefit program to share leave time from other employees in the [Citycity](#) and this program will create a new leave benefit called "Catastrophic Leave (CL). The CL program must comply with state and federal laws, such as compliance with the U.S. Tax Code, Family Medical Leave Act (FMLA), and the Health Insurance Portability & Accountability Act (HIPAA).

6.14.2. Eligibility

To be eligible for CL, the employee must be unable to perform the duties of his/her position or for a modified duty assignment because of a serious illness or injury/accident which is life threatening or which will require a lengthy convalescence. Life threatening or lengthy convalescence means a period of disability that an attending physician expects to exceed ten (10) weeks. This program is not to be used for short term illnesses/injuries or routine illnesses/injuries or that normally qualify for sick leave. This program is not designed to allow employees paid time off work that is not considered convalescence, and the employees are not eligible for this program if there is a Workers' Compensation claim associated with the illness or injury. The employee is expected to return to work when s/he is able to perform their regularly or authorized modified duties.

6.14.3. Conditions for eligibility

This program may be implemented for an employee on an intermittent basis, if needed. This leave may not be used unless the employee cannot perform their regular duties as noted in this program. The employee must provide regular doctors certifications (no less than after each appointment) to remain on payroll, subject to FMLA provisions (this includes up to 12 weeks of time off), if applicable at the time. The employee, or an authorized spouse or legal representative, must apply to their Department Head for the program and provide a Doctor's certification of the qualifying illness or injury by submitting a City issued request form with similar requirements of the FMLA. From an Employer's perspective, information relating to the qualifying event must be kept confidential, and some of the forms may be the

same forms for FMLA requirements, when applicable. While on CL employees will be considered on FMLA leave status, if applicable.

To allow the City to process the request form, the employee acknowledges that the City will inform employees in writing that the employee (by individual name) has requested CL due to a serious health condition, qualifies for the program, and requests voluntary donations of leave. In processing the request, if a Department Head denies a request, an employee may appeal to the City Manager. The City Manager's decision is final and binding and not subject to grievance procedure in the Union contract or the personnel manual and is not subject to judicial review.

The employee must first exhaust their sick leave and vacation to be eligible and while receiving donated leave via the CL program the employee does not accrue leave. Additionally, while on CL, the employee shall not accrue work time for the purpose of merit increases (the anniversary date shall be adjusted to reflect the appropriate date). Health insurance continues while the employee is on CL and employee deductions for their health insurance premium and any other deductions shall continue to apply.

The City does not want to create unneeded accounting processes or create multiple shortages of leave time among employees and therefore employees voluntarily donating to an employee must donate in whole hour increments, donate a minimum of 8 hours and maximum of 40 hours of vacation and/or 120 hours of sick leave remaining their balances after the donation.

Maximum time donated (net calculated) to an employee shall be a 900 lifetime CL benefit. If during the donation period, for intermittent periods, donated leave exceeds the maximum lifetime benefit, donors will be advised to adjust their donation as needed. If there is a balance in the EE's CL and the employee is no longer an employee or no longer eligible [such as an employee voluntarily terminates (retirement, etc.), the employee expires, or the employee is fully recovered from the illness or injury], then the balance of the unused CL shall be returned to the donors on a prorated basis.

Unless an employee returns to duty prior to exhaustion of CL, the employee shall automatically be terminated at exhaustion of CL based on inability to perform regular or authorized modified duties of their position.

6.14.4. Donation Calculations

After completion of a City issues form, employee may voluntarily donate to an employee a portion of their sick leave or vacation leave for the employee to use as CL. To calculate the value of the donation, the donor's sick leave or vacation will be calculated based on the donor's current rate of pay and then recalculated at the employee's rate of pay, and finally turned into additional CL, to be used in a similar manner as sick leave for the employee.

6.14.5. Continuation/Modification of Program

The City Council reserves the right to modify and/or terminate this program based upon the experience of the program. If there is a need to modify or terminate this program, the City

shall contact the bargaining unit representative to meet and confer over the modifications or the conclusion of the program. If any of these provisions of CL are held to be in conflict with state or federal law, said provision(s) shall be modified to comply as soon as possible.

6.15. Related Forms

- Certification of Health Care Provider for Employee's Serious Health Condition (FMLA Form WH-380-E)
- Certification of Health Care Provider for Family Member's Serious Health Condition (FMLA Form WH-380-F)
- Certification of Qualifying Exigency for Military Family Leave (FMLA Form WH-384)
- Certification of Serious Injury or Illness of Covered Service member for Military Family Leave (FMLA Form WH-385)
- Certification of Serious Injury or Illness of Veteran for Military Family Leave (FMLA Form WH-385-V)
- Designation Notice (FMLA Form WH-382)
- Employee Rights and Responsibilities under the Family and Medical Leave Act (FMLA Form WH 1420)
- Leave of Absence Authorization Form
- Nevada Consanguinity/Affinity Chart
- Notice of Eligibility and Rights & Responsibilities (FMLA Form WH-381)
- Notice of Intent to Return to Work After Leave of Absence (Non-Medical)
- Notice of Intent to Return to Work After Medical Leave of Absence

7. BENEFITS

7.1. Health Insurance Coverage

7.1.1. Eligibility

Eligible employees as defined in the group health insurance plan are eligible to enroll in the group health insurance plan effective the first of the month following 60 days of employment. Dependents of employees, as defined in the current plan booklet, are also eligible for coverage under the insurance plan at the employee's expense. Employees must authorize a payroll deduction of any share of the health coverage premium which is to be paid by the employee.

7.1.2. Benefits

The specific terms and conditions of coverage are specified in the plan document for medical, dental, vision, and prescription drug insurance issued by the insurance company.

7.1.3. Plan Changes

The **City of Fernley** will, from time to time, evaluate the health coverage plan that is offered and make adjustments, as the **City of Fernley** deems appropriate, in the level of coverage and the amount of premium cost to be paid by the **City of Fernley**.

7.2. Life Insurance Coverage

7.2.1. Eligibility

Eligible employees, as defined in the life insurance plan, are covered by an [City of Fernley employer](#)-paid term life insurance and accidental death and dismemberment insurance plan effective the first of the month following 60 days of employment.

7.2.2. Policy

The specific terms and conditions of coverage are specified in the plan document issued by the insurance company and are available from the Human Resource Manager.

7.2.3. Coverage

Eligible employees are covered by a life insurance policy in the amount of \$20,000.

7.3. Retirement

As defined in NRS 286, the **City of Fernley** is considered a public City of Fernley and employees in positions considered to be half-time or more, according to the full-time work schedule for at least 120 consecutive work days, are covered by the Public Employees Retirement System (PERS). Details are available in NRS 286.

Eligibility for membership in PERS for elected officials is covered in NRS 286.293.

Eligibility for membership in PERS for district judges, justices of the peace, and municipal judges is covered in NRS 1A.

7.4. Workers' Compensation

Employees are insured under the provisions of the State Workers' Compensation Act for occupational injuries and diseases that arise/arose out of and in the course of their employment. Employees are required to report all on-the-job accidents, injuries, or illness to their immediate supervisor as soon as reasonably possible or within 24 hours of the accident, injury, or illness. Employees are also required to complete the Form C-1 within seven days of the accident, injury, or illness regardless of whether medical attention was received.

The following provisions are adopted pursuant to and are intended to implement the requirements of NRS 281.390:

1. When an employee is eligible at the same time for benefits for temporary total disability under NRS 616A to 616D, inclusive, or NRS 617, and for any leave benefit s/he may, by giving notice to the supervisor or manager, elect to continue to receive his/her normal salary instead of the benefits under those statutes until his/her accrued sick leave, comp time, annual leave, or approved catastrophic leave (if any), in this order, is exhausted. The **City of Fernley** will notify the Workers' Compensation Administrator of the election. The **City of Fernley** will continue to pay the employee his/her normal salary, but charge against the employee's accrued leave time as taken during the pay period an amount which represents the difference between his/her normal salary and the amount of any benefit for temporary total disability received, exclusive of reimbursement or payment of medical or hospital expenses under NRS 616A to 616D, inclusive, or NRS 617 for that pay period.
2. When the employee's accrued leave time is exhausted, payment of his/her normal salary under subsection 1 must be discontinued and the **City of Fernley** will promptly notify the Workers' Compensation Administrator so that it may begin paying the benefits to which the employee is entitled directly to the employee.
3. An employee who declines to make the election provided in subsection 1 may use all or any part of the leave benefit normally payable to him/her while directly receiving benefits for temporary total disability under NRS 616A to 616D, inclusive, or NRS 617, but the amount of leave benefit paid to the employee for any pay period must not exceed the difference between his/her normal salary and the amount of any benefit received, exclusive of reimbursement or payment of medical or hospital expenses under those statutes for that pay period.
4. If the amount of the employee's leave benefit is reduced, pursuant to subsection 3, below the amount normally payable, the amount of leave time charged against the employee as taken during that pay period must be reduced in the same proportion.
5. An employee may decline to use any part of the leave benefit normally payable to him/her while receiving benefits under NRS 616A to 616D, inclusive, or NRS 617. During that period of time, the employee will be considered on leave of absence without pay.

7.5. Transitional Duty

7.5.1. Policy

The **City of Fernley** is committed to providing work, when possible, for employees who have been restricted by a treating health care provider due to a work-related injury or illness. Such work will be provided subject to availability. Work will be assigned according to the nature of the injury or illness and the limitations set forth by the treating health care provider. Every effort will be made to place employees within their own departments. If necessary, an employee will be placed wherever appropriate work is available.

7.5.2. Salary Compensation

While on transitional duty, employees will continue to receive their regular rate of pay. Employees who are placed outside their department will continue to have their salary charged to their regular department.

7.5.3. Duration and Conditions of Transitional Duty

An employee on transitional duty must furnish a written update from the health care provider to the workers' compensation coordinator after each visit in order to remain in the reassigned job. Transitional duty assignments are limited to a period of 90 days, subject to review.

7.6. Deferred Compensation

Employees may defer a portion of their taxable income by participation in a deferred compensation plan as provided for in NRS 287.

Initial enrollment may be made at any time during the year for earnings beginning the first of the month following enrollment. Changes in contribution are governed by the terms and conditions of the particular plan.

Only income earned after the effective date of initial or increased participation can be deferred.

Prior to retirement, participants may withdraw the balance of their deferred compensation account only upon termination of employment. In the event of an unforeseeable emergency, the employee may withdraw a portion of the account needed to pay for the emergency. The IRS defines the conditions for and requires **City of Fernley** approval of early withdrawal on a hardship basis. The City Manager must review and approve all requests for early withdrawal.

7.7. Educational Assistance

The **City of Fernley**, subject to availability of budgeted funds, may provide educational assistance for tuition and/or fees, other than books, for career-related education. The following qualifications must be met:

1. Employees must be in a regular full-time status.

2. The course must be taken from an accredited institution of higher learning or a **City of Fernley**-approved adult education class.
3. The course must be job-related or be required for a degree that is job-related. An employee must request approval for educational assistance from his/her supervisor or manager. Upon approval by the supervisor or manager, the request will be forwarded for review and approval by the Department Head. If approved by the Department Head the request for payment will be forwarded to the City Manager for final approval. Such approval may be conditioned upon meeting commitments for continuing employment and/or job-related conditions. Employees who do not complete the course with a notice of "satisfactory" or grade of "C" or better, or who voluntarily terminate their employment within six months of receiving educational assistance must reimburse the **City of Fernley** for the full amount of the assistance provided.

7.8. Related Forms

- Transitional Duty Letter
- Workers' Compensation Benefits Leave Option Form

8. TRAVEL EXPENSES

8.1. Policy

Employees will be reimbursed for reasonable travel expenses which are required for the performance of their assigned duties, and which are appropriately authorized.

To obtain reimbursement, employees must submit an expense report on a proper claim form and substantiate the amounts claimed as required below.

Reimbursement shall be made only for expenses actually incurred, paid, and authorized under this policy and procedure.

8.2. Allowances

8.2.1. Mileage

The **City of Fernley** will attempt to make a vehicle available to employees to use for official travel. If there are no **City of Fernley** vehicles available and the employee must use a personal vehicle, mileage will be reimbursed at the per mile rate set by the Internal Revenue Service (IRS). If an employee drives a personal vehicle when commercial air travel would be more efficient, the mileage reimbursement will be limited to the cost of the airfare. Employees using a personal vehicle for official travel must have proof of current registration and insurance for that vehicle.

8.2.2. Lodging

Moderate cost lodging should be pre-arranged at a location nearest to the meeting/training site as possible. Reimbursement will be based on the cost of a single room if available. A receipt is required for reimbursement of incurred lodging expenses.

8.2.3. Meals

1. The cost of meals shall be reimbursed as follows, in an amount not to exceed the standard Government Services Administrative rate. Up to a 15% gratuity is allowable.
2. If the cost of meals purchased exceeds these allowances, the employee may apply to the City Manager for a variance on the allowances by submitting such request with the original receipts and an explanation for the expenditures.
3. Except as provided in item 6 below, an employee shall be entitled to reimbursement for the cost of breakfast only if s/he is required to leave his/her normal work location prior to 6 am and return to such location after 10 am.
4. Except as provided in item 6 below, an employee shall be entitled to reimbursement for the cost of lunch only if s/he is required to leave his/her normal work location prior to 10 am and return to such location after 3 pm.
5. Except as provided in item 6 below, an employee shall be entitled to reimbursement for the cost of dinner only if s/he is required to leave his/her normal work location prior to 4 pm and return to such location after 8 pm.
6. No reimbursement shall be allowed for any meal which is provided or made available to an employee as part of the cost of a meeting, class, or other function, regardless of

whether the employee partakes of the provided meal or purchases his/her meal elsewhere.

8.2.4. Other Expenses

Necessary business telephone calls, parking charges, and/or ground transportation will be reimbursed.

8.2.5. Unallowable Expenses

1. The **City of Fernley** does not reimburse for fines and parking tickets, towing or impounding fees, traffic violations, alcoholic beverages, personal entertainment, tobacco, or expenses unrelated to the business purpose of the travel as determined by the City Manager.
2. The **City of Fernley** discourages combining personal travel with business travel due to the public's perception regarding use of **City of Fernley** funds. Employees must clearly disclose any personal travel and/or annual leave to be taken in conjunction with **City of Fernley** travel. An employee's family may accompany the employee on **City of Fernley** business, provided travel is not in a **City of Fernley** vehicle. The **City of Fernley** will not, however, pay any additional expenses so incurred.

8.3. Processing

8.3.1. Claims

All claims with required receipts for travel expenses are to be submitted to the Department Head for approval by the City Manager within ten (10) days following the trip.

8.3.2. Advances

Employees may request an advance to cover anticipated expenses of at least \$50.00. This request must be made not more than three weeks nor less than one week before departure. When advanced funds have been provided, all unused funds must be returned with a claim form submitted to the City Manager within five working days following any trip.

8.4. Related Forms: NONE

9. EMPLOYEE SEPARATION

9.1. Resignation

9.1.1. Notice

Employees are requested to provide at least two weeks' notice, in writing, to their supervisor or manager of their intent to resign their employment. At the sole discretion of the **City of Fernley**, an employee may withdraw a resignation at any time prior to its effective date. An employee's failure to give appropriate notice when resigning may constitute cause for denying re-employment with the **City of Fernley**.

9.1.2. Return of City of Fernley Property

When resigning or being terminated, an employee must return all **City of Fernley** property including clothing, keys, credit cards, employee ID, tools, equipment, and other items of value prior to the last day of employment.

9.1.3. Job Abandonment

The **City of Fernley** may consider employees who are absent from work without approved leave for a period of three consecutive work days to have abandoned their position and, thus, to have resigned. An employee who has completed his/her introductory period and contacts the **City of Fernley** within those three workdays of the first absence may be provided an opportunity to explain his/her absences prior to the **City of Fernley** finalizing the separation. The **City of Fernley** is required to follow due process procedures for termination if the employee has completed their introductory period.

9.1.4. Final Paycheck

The **City of Fernley** shall issue a paycheck by the next payroll following the effective date of resignation or separation. shall issue a paycheck by the next payday following the effective date of resignation if sufficient notice was given by the employee and may issue a paycheck sooner when the employee resigns in good standing. Whenever the **City of Fernley** discharges an employee, the wages and compensation earned and unpaid at the time of such discharge shall become due and payable on the next regular payday.

9.2. Layoffs

The **City of Fernley** may lay off employees because of lack of work; lack of funds; material change in duties or organization; or in the interests of economy, efficiency; or for other appropriate causes, as determined by the **City of Fernley**. In cases where the application of this policy conflicts with a collective bargaining agreement that is in effect between a recognized employee association and the **City of Fernley**, the provisions of the collective bargaining agreement shall govern.

An employee hired for a project of limited duration (e.g., grant funded) will not be afforded rights relative to layoff at the end of the funding period unless, at the time of hire, the **City of Fernley** elected to grant layoff rights to the employee.

~~The order of layoff among employees in the same class within a department will be as follows: employees serving an introductory period will be considered first, and then all other employees will be considered.~~

9.2.1. Alternatives to Layoff

Whenever a layoff is anticipated, the **City of Fernley** will notify employees whose jobs may be affected and explain all available options to them. The **City of Fernley** will make reasonable efforts to integrate affected employees into other available positions. The **City of Fernley** may also utilize options in lieu of layoffs where feasible such as part-time work schedules, reduction in work hours, job sharing, or reductions in class or pay.

9.2.2. Order of Layoffs

~~The order of layoffs among employees in the same class withing a department will be as follows: employees serving an introductory period will be considered first, and then all other employees will be considered.~~

1. If the City determines that it is necessary to reduce the work force, the City shall determine whether layoffs shall be implemented on a City-wide basis; or in one or more departments, work groups, or job classifications. When the scope of the layoff is determined, affected employees shall be selected for layoff based on merit and length of City service. The factors to be considered in selecting which employees will be laid off include, but are not limited to, prior performance, productivity, efficiency, qualifications, attitude, attendance, punctuality, and length of service. If the City determines that general performance and other factors are essentially equal between two or more employees to be affected by the layoff, length of service with the City shall determine which employee or employees will be retained.
2. Part-time, seasonal and introductory employees of the affected department shall be laid off before any regular employees. Non-introductory employees due to be laid off shall be given written notice of such layoff at least thirty (30) calendar days prior to the effective date. A copy of the notice shall be provided to the union.
3. Upon being laid off, an employee with City Manager, or designee, approval may elect to transfer or demote to any available position within the City for which the employee possesses the qualifications and ability to perform the work.
4. The names of regular employees laid off shall be placed on the reemployment list within the department. Qualifications, length of service, and ability to perform the work shall be the determining factors for returning to work. The city will notify all laid off employees of all City job vacancies.
5. Employees who are re-employed within one (1) calendar year after they are laid off will be entitled to the reinstatement of accrued and unused sick leave remaining to their credit at the time of their layoff.

6. The City and the Union, if applicable, shall discuss alternatives to any layoff, including reduced workweek, leaves of absence, voluntary layoff, and/or other issues that may minimize mandatory layoffs. The term “discuss” shall not require the City to negotiate alternatives to layoff with the Union.

9.2.3. Designation of Employees to be Laid Off

In the event of a layoff, the Human Resource Manager shall provide the City Manager a list designating the class, position, and names of employees to be laid off. The Human Resource Manager shall be responsible for providing the rationale for selecting particular employees within the same job class for layoff. The City Manager shall review the list for conformance to **City of Fernley** policy.

9.2.4. Layoff Notice

Upon confirmation of the layoff list, the City Manager shall provide each affected employee with a written notice of layoff. Such written notice of the layoff shall either be delivered in person or mailed to the affected employees at least 14 days prior to the expected date of layoff.

9.2.5. Reinstatement

Persons who have been laid off shall be placed on one or more reinstatement lists. All employees laid off from positions in the same class shall be placed on a single reinstatement list without regard to department. A laid-off employee may request and receive placement on a reinstatement list for any job class in which s/he previously held post-introductory status. When a vacancy occurs in the same job class for which a reinstatement list exists, the City Manager shall fill the vacancy using the appropriate reinstatement list.

9.2.6. Reinstatement Process

The most recently laid-off employee on the applicable reinstatement list who is qualified for the position and is willing to accept employment in the class and department where a vacancy exists shall be reinstated. The City Manager may select the most appropriately qualified employee based upon the same considerations described under *Order of Layoffs* section. An employee reinstated to a position in the same class and department as held prior to the layoff will not be required to serve an additional introductory period, provided the required introductory period had been served prior to layoff.

9.2.7. Duration of Reinstatement List

The names of persons laid off shall be maintained on a reinstatement list for one year from the date of layoff. Persons on this list who are hired in positions in the same or (should they apply for and be selected for a vacancy) higher class from which they were laid off shall, upon such hire, be removed from the reinstatement list. An employee who refuses reinstatement to the same position from which the layoff occurred shall be removed from the reinstatement list. Persons reinstated to a position in a lower class from which they were laid off or called to work as a casual worker shall remain on the reinstatement list for the designated period of time the reinstatement list is active.

9.3. Related Forms

- Employee Separation Checklist

10. PERFORMANCE MANAGEMENT

10.1. Statement

The **City of Fernley** performance management system is designed to be a formal, objective, consistent, and ongoing process to assess the on-the-job effectiveness of each employee by communicating to the employee his/her status and the objectives and standards of performance which s/he is expected to achieve. The **City of Fernley** views performance management as an ongoing process that focuses on the future and continued improvement.

10.1.1. Purpose

The performance management process exists to ensure timely and periodic two-way communication between employees and supervisors regarding job performance. This process is designed to:

1. Clarify the **City of Fernley** goals and link them to performance expectations.
2. Assist employees in reaching their full potential by identifying training needs and developing specific plans for continual improvement.
3. Identify and document performance achievements and deficiencies.
4. Provide ongoing opportunities for supervisors to coach and encourage personal development and improved job performance.

10.1.2. Ongoing Communication Regarding Performance

It is the policy of the **City of Fernley** and the responsibility of each supervisor to routinely provide employees with accurate, constructive feedback regarding job performance expectations, accomplishments, deficiencies, and opportunities for growth. Recognizing that periodic formal performance evaluations cannot take the place of ongoing communication and feedback, the **City of Fernley** encourages frequent, ongoing discussions of job performance and expectations between employees and supervisors. Performance evaluations, whether formal or informal, do not create a contract or other right to continued employment.

10.1.3. Frequency of Performance Evaluations

Formal performance evaluations are to be conducted a minimum of once a year. Additionally, supervisors shall conduct formal evaluations at the following times:

1. For new employees, no later than five months after initial hire and at 11 months after hire.
2. Six months following transfer to a new position within the same class.
3. When there is a significant change (either improvement or deterioration) in performance or behavior affecting the job.
4. Within three months following an evaluation documenting that the employee's performance needs substantial improvement. (The **City of Fernley** encourages frequent, ongoing meetings between the employee and supervisor.)

5. At any other more frequent interval as the supervisor deems appropriate. In addition, informal performance communications (feedback) should occur routinely and regularly throughout an evaluation cycle.

10.1.4. Written Record

Performance evaluations should not be considered as discipline. Supervisors will conduct evaluations in a private meeting with the employee. Formal evaluations will be in writing, utilizing the approved performance evaluation form. All information on the form shall be consistent with the information communicated verbally during the performance evaluation meeting with the employee. Employees will be allowed an opportunity to comment on the evaluation, sign the forms, and receive a copy. A copy of the evaluation, along with any written comments by the employee, will be placed in the employee's personnel file.

10.1.5. Personnel Actions Resulting from Performance Evaluations

Personnel actions, whether positive or adverse, are based on an assessment of the overall performance and behavior of the employee, rather than on a single performance evaluation.

Substandard performance or violation of a policy or procedure which necessitates disciplinary action is not part of the performance evaluation process and will be addressed as provided in the *Disciplinary Actions and Appeals* section of these policies.

10.1.6. Employee Involvement

The **City of Fernley** strongly encourages employee participation in the performance evaluation process. Opportunities for participation include the following:

1. Supervisors providing employees with an opportunity to present a self-evaluation which the supervisor may then consider prior to and discuss during the evaluation meeting.
2. Discussions between the supervisor and the employee for the purpose of establishing performance expectations or goals for the next evaluation period.
3. If requested by the employee, a discussion with the next level supervisor to review any disagreements over a performance evaluation.

10.2. Procedure

10.2.1. Steps in the Performance Evaluation Process

As part of the performance evaluation process, supervisors will:

1. Establish and communicate a written performance plan at the beginning of the evaluation period which states expectations the employee must meet.
2. Review notes taken on the employee's performance since the last formal evaluation and the employee's self-evaluation, if provided.
3. Complete a performance evaluation form comparing the employee's actual performance with the established performance expectations and standards.
4. Schedule a meeting with the employee.
5. During the evaluation meeting:

- a. Use specific examples to provide a candid, objective, constructive, and complete description of how the employee performed during the evaluation period. Discuss both the “what’s” and “how’s” of the employee’s performance, strategies for improvement, and the employee’s own goals for personal growth.
- b. Jointly establish new performance expectations and goals for the next performance evaluation period.
- c. Obtain appropriate signatures and employee comments.
- d. Review any areas of disagreement. If the employee does not agree with all or part of the performance evaluation, s/he should be referred to the next level manager or to the process in their collective bargaining agreement.
- e. Continue to monitor performance, providing feedback, as well as coaching and counseling, throughout the evaluation cycle.

10.2.2. Documentation of Performance Evaluations

Supervisors must use the **City of Fernley** approved performance evaluation form and ensure that the completed and signed form becomes a permanent record in the employee’s personnel file.

10.3. Related Forms

- Employee Performance Review
- Let’s T.A.L.K.® Preparation Form
- SMART Goals Form

11. DISCIPLINARY ACTIONS AND APPEALS

11.1. Discipline and Appeal

11.1.1. Justification for Discipline

Disciplinary action, up to and including termination, may be taken against an employee for unsatisfactory performance or for misconduct including, but not limited to, the following:

1. Conduct unbecoming an employee in the **City of Fernley** service, or discourteous treatment of members of the public or a fellow employee, or any other act of omission or commission that impacts negatively on the public's perception of the integrity or credibility of the **City of Fernley** or erodes the public confidence in the **City of Fernley**.
2. Falsification of or making a material omission on forms, records, or reports including applications, time cards, and other **City of Fernley** records.
3. Absence from work without permission or without notification to an appropriate supervisor/manager, habitual absence or tardiness, or misuse of sick leave.
4. Unauthorized possession, removal, or use of the **City of Fernley** property including, but not limited to, funds, records, keys, confidential information of any kind, equipment, supplies, or any other materials.
5. Insubordination, refusing to follow directions, or other unprofessional conduct directed toward a supervisor/manager.
6. Harassment or other prohibited behavior directed toward another employee, member of the public, vendor, or anyone doing business with the **City of Fernley**, or anyone present on premises owned or controlled by the **City of Fernley**.
7. Actual or threatened physical violence including, but not limited to, intimidation, overt or subtle threats, harassment, stalking, or any form of coercion, except as may be required of a peace officer in the course of his/her duties.
8. Possession or inappropriate use of drugs prohibited substances, or alcohol on property owned or controlled by the **City of Fernley** or while on duty or during an on-call status.
9. Possession, bringing, or aiding others in bringing unauthorized firearms, weapons, hazardous biological material or chemicals, or other dangerous substances onto property owned or controlled by the **City of Fernley**.
10. Violation of safety or health policies or practices or engaging in conduct that creates a safety or health hazard to other employees, the public, vendors, or him/herself.
11. Dishonesty, including intentionally or negligently providing false information, intentionally falsifying records, employment applications, or other documents.
12. Violating or failing to comply with federal, state, or local law or the **City of Fernley** policies, rules, regulations, and/or procedures.
13. Unsatisfactory work performance.

11.1.2. Forms of Disciplinary Action

Disciplinary action includes, but is not limited to, one or more of the following:

1. Verbal warning
2. Written reprimand

3. Suspension* (See note below)
4. Pay reduction* (See note below)
5. Demotion (See NRS 62G.060 for juvenile court employees)
6. Termination (Reference: Public Hearing for Dismissed Employees of Counties, Cities and Incorporated Towns, and Unincorporated Towns and NRS 62G.060 for juvenile court employees)

Employees' signed copies of the above items 1-6 must be placed in employees' master personnel file, and a copy provided to employees.

***Note:** Exempt employees are subject to the following rules regarding disciplinary pay reductions and unpaid suspensions:

- Pay reductions imposed as a penalty may only be made in cases of violations of safety rules of major significance, including those rules related to the prevention of serious danger in the workplace or to other employees. An example would be violating a rule that prohibits smoking around flammable material. Deductions can be made in any amount.
- Unpaid suspensions may be imposed for infractions of workplace conduct rules, such as rules prohibiting sexual harassment, workplace violence, drug or alcohol use, or for violating state or federal laws. The suspension must be for serious misconduct, not for performance issues. Suspensions must be in full-day increments and must be imposed pursuant to a written policy applicable to all employees.
- Suspensions for performance issues must be made in full-week increments.

11.1.3. Due Process

Prior to taking disciplinary action involving suspension, reduction in pay, demotion, or termination against any regular employee, the **City of Fernley** will take action intended to ensure that the employee is afforded due process. Due process in regard to employment-related disciplinary action includes, among other actions, making certain the employee is provided notice of the reason for the disciplinary action and is given the opportunity to provide a response to the proposed disciplinary action prior to an appropriate supervisor making a final decision regarding the disciplinary action. Employees who are covered by collective bargaining unit may exercise their rights under either this policy or applicable collective bargaining contract, but not both.

1. Written Notice

In situations where the proposed disciplinary action involves a suspension, a reduction in pay, a demotion, and/or termination, written notice of the proposed disciplinary action will be hand-delivered or sent certified mail to the employee. The notice will include the following information:

- The nature of the disciplinary action proposed;
- The effective date of the proposed disciplinary action;

- A statement of the proposed disciplinary action with documentation, statements, and/or other evidence supporting the proposed disciplinary action;
- A statement advising the employee of his/her right to file a written response, or to submit a written request for a pre-disciplinary conference with the Department Head within five work days of receipt of the notice of proposed disciplinary action; and
- A statement that the employee's failure to file a written response or request a pre-disciplinary conference in a timely manner, or to appear at the pre-disciplinary conference after requesting such, will constitute a forfeiture of the employee's rights to any further appeal. (Reference: *Public Hearing for Dismissed Employees of Counties, Cities and Incorporated Towns, and Unincorporated Towns* section).

2. Employee Review

If the employee requests, s/he will be given the opportunity, as soon as practical, to review the documents or other evidence, if any (except for confidential and privileged documents), on which the proposed disciplinary action is based. If the employee requests, the **City of Fernley** will provide a copy of the documents used to support the proposed disciplinary action, including names of witnesses.

3. Conference Prior to Implementation

When the employee requests a conference after receipt of the proposed disciplinary process, but prior to any disciplinary action being imposed, the Department Head will schedule a meeting with the employee and his/her representative (if the employee requests a representative be present) in a timely manner to review the reason for and basis of the proposed disciplinary action. At this conference, the employee will also be provided with an opportunity to present relevant information which may impact the nature or severity of the proposed disciplinary action.

4. Implementation of Discipline

No later than five work days from receipt of the employee's written response or conclusion of the pre-disciplinary conference, the Department Head will issue a written decision to the affected employee. The written decision will inform the employee that:

- The proposed disciplinary action will be implemented; or
- The proposed disciplinary action will be modified, with an explanation; or
- The proposed disciplinary action is rescinded, with an explanation.

5. Appeal

- The affected employee may appeal the disciplinary action to the City Manager by filing a written appeal with the Human Resource Manager within five work days of the date of receipt of written notification of the disciplinary action. The written appeal must state the basis of the appeal and contain a specific admission or denial of each of the material statements in the decision. If an employee fails to file a

written appeal conforming to these requirements within the prescribed time limit, s/he is deemed to have waived the right to appeal. (Reference: *Public Hearing for Dismissed Employees of Counties, Cities and Incorporated Towns, and Unincorporated Towns*)

- After an employee has submitted a timely appeal to the Human Resource Manager a date will be set for a disciplinary appeal hearing. At such hearing, the employee will have the right to be represented by an attorney or other representative retained by the employee, to present evidence and argument in response to the disciplinary action, and to question and cross-examine adverse witnesses. The hearing may be conducted informally without conforming to the formal rules of evidence and such informality of the hearing process shall not invalidate the decision rendered. The City Manager will issue to the parties a decision following such hearing within five work days. The decision of the City Manager is final and may only be appealed as provided for in a collective bargaining agreement if applicable, and/or as provided under NRS 245.065 (Counties) or NRS 268.405 (Cities) or NRS 269.083 (Unincorporated Towns).

*If the final decision-maker served or could have served as a witness in the behavior/conduct leading up to the intended disciplinary action, or otherwise has a conflict related to the situation, an alternative decision-maker who does not come under the authority of the final decision-maker will be selected in collaboration with the **City of Fernley** legal counsel and/or his/her designee which may include outside legal counsel retained by the City of Fernley. The alternative decision-maker will be a person who is a functional equivalent for the decision-maker, but who does not otherwise have a conflict, whether perceived or actual. The selection of the alternative decision maker is final, and appeals will not be allowed.

11.1.4. Public Hearing for Dismissed Employees of Counties, Cities and Incorporated Towns, and Unincorporated Towns

Statutes for counties (NRS 245.065), cities and incorporated towns (NRS 268.405), and unincorporated towns (NRS 269.083) provide for a public hearing for a dismissed employee other than a department head, city/county manager or city/county administrator who has been employed for 12 months or more. Such dismissed employee is not required to utilize an established pre-disciplinary conference and appeal process before requesting a public hearing. The employee may request a written statement specifically setting forth the reasons for the dismissal within 15 days of the date of dismissal and the **City of Fernley** shall furnish the statement within 15 days after the request is received. The employee must request in writing the public hearing within 30 days of receipt of written notification of dismissal. The public hearing will occur within 15 days of receipt of such request.

11.1.5. Administrative Leave During Disciplinary Proceeding

By notifying the employee in writing, the **City of Fernley** may place an employee on administrative leave, with or without pay pending an investigation of alleged misconduct or performance deficiencies, prior to or during a disciplinary proceeding, or during the review

of the employee's response to a proposed disciplinary action. The notice of administrative leave will include a statement that the leave is not a disciplinary action. An employee placed on administrative leave without pay who is later reinstated without punitive disciplinary action being imposed will be reimbursed for any pay lost during the administrative leave.

11.2. Related Forms

- Intent to Discipline Form
- Sample Last Chance Agreement – Performance and Behavior
- Sample Last Chance Agreement – Drugs and Alcohol
- Verbal Written Warning Form
- Written Reprimand Form

12. DISPUTE RESOLUTION

12.1. Definition of Dispute

Subject to the exclusions listed below, a dispute is any disagreement between the **City of Fernley** and an employee pertaining to the application of the **City of Fernley** personnel policies, or an allegation by an employee that the **City of Fernley** has failed to provide a condition of employment established by the **City of Fernley**. The term “dispute,” as used herein, shall exclude the following:

1. Disciplinary action.
2. Complaints for which the **City of Fernley** provides an alternate dispute resolution process.
3. Any impasse or dispute in collective bargaining negotiations.
4. Any matter within the scope of representation for employees in a recognized bargaining unit.
5. Any matter which may be or has been grieved under an applicable collective bargaining agreement.
6. Termination of an introductory employee.
7. Termination of an at-will employee.

12.2. No Retaliation

The **City of Fernley** shall not restrain, coerce, retaliate, interfere with, or discriminate against any employee based on the employee’s use of the dispute resolution process.

12.3. Time Limits

1. The time limits set forth herein are essential to the dispute resolution process and shall be strictly observed. The time limits may be extended by written agreement, signed by the employee and the **City of Fernley**.
2. If, at any stage of the dispute resolution process, the employee is dissatisfied with the decision rendered, the employee shall be responsible for submitting the dispute to the next designated level within the delineated time limits. If the employee fails to submit the dispute to the next designated level within the time limits imposed, the dispute resolution process shall be considered terminated, the dispute shall be considered settled on the basis of the last decision, and the dispute shall not qualify for further appeal or reconsideration.
3. If the appropriate **City of Fernley** representative fails to respond within the time limits specified, the employee has the right to proceed to the next step within the prescribed time limits. Any such failure by a **City of Fernley** representative shall not constitute an admission of the validity of the dispute.

12.4. Dispute Resolution Process

12.4.1. Step 1. Discussion with Immediate Supervisor

1. The employee shall first discuss the dispute informally with the immediate supervisor. The discussion shall be held within ten work days of the action causing the dispute or of the date the action reasonably could have been expected to be known to the employee. In no event shall any dispute be accepted for consideration more than six months from the date of the initial occurrence causing the dispute, regardless of the date the action became known to the employee (except as otherwise provided by law).
2. The immediate supervisor shall verbally respond to the employee within ten work days of the informal discussion between the employee and supervisor. Additionally, the immediate supervisor must document the verbal response.

12.4.2. Step 2. Formal Written Notice of Dispute

1. In the event the employee believes the dispute has not been satisfactorily resolved at Step 1, the employee may submit the dispute, in writing, to the Department Head within five work days after receipt of the immediate supervisor's verbal response. The employee shall file one copy with the Human Resource Manager. If the written notice of dispute is not presented within the time limits provided herein, it shall be waived. The written notice of dispute shall:
 - Fully describe the dispute and how the employee was adversely affected.
 - Set forth the section(s) of the written policy or rule allegedly violated and state the specific nature of the violation.
 - Indicate the date(s) of the incident(s).
 - Specify the remedy or solution to the dispute sought by the employee.
 - Identify the employee and be signed by the employee.
 - Identify the person, if any, chosen by the employee to be his/her representative.
2. No modifications in the alleged basic violation shall be made subsequent to the filing of a dispute, unless mutually agreed to by both the **City of Fernley** and the employee. However, corrections in citations can be made at any time by the employee or the employee's representative.
3. The Department Head shall meet with the employee to discuss the dispute and shall deliver a written decision to the employee within ten work days of the meeting outlining the reasons behind the decision.
4. Any dispute resolved at this step shall be subject to the review and confirmation of the City Manager before the resolution is effective. Such review will occur within 14 work days and the confirmation shall be final and binding.

12.5. Related Forms: NONE

13. DEFINITION OF TERMS

The terms used in these policies shall have the meanings defined below:

Administrative Leave: Authorized leave for administrative purposes, such as for conducting an investigation which may be with or without pay, at the option of the **City of Fernley**.

Adulterated Specimens: A specimen is considered adulterated if it contains a substance that is not a normal constituent or contains an endogenous substance at a concentration that is not a normal physiological concentration.

Alcohol: The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol including methyl and isopropyl alcohol.

Alcohol Use: The drinking or swallowing of any beverage, liquid mixture, or preparation (including any medication) containing alcohol.

Allocation: The assignment of a single position to its proper classification on the basis of the duties performed and responsibility assigned.

Anniversary Date: The date the employee is hired, appointed, promoted, reclassified, or reallocated (as defined below) upward. This is the date an employee becomes eligible for consideration for a salary increase. The anniversary date may be adjusted as specifically provided elsewhere in the personnel policies. (Note special provisions regarding military leave.)

Annual Wage Increase: (to include but not limited to step, salary or GWI – general wage increase) will be determined based upon budgetary resources and compliance with the current negotiated collective bargaining agreement.

Applicant: A person, including a current employee, who is applying for any position with the **City of Fernley**. (May also be referred to as “candidate”)

Appointing Authority/City of Fernley: The governing board, any elected official, or appointed official acting under the expressed authority of the governing board.

Appointment: The offer of and acceptance by a person to a position in accordance with the provisions of this manual.

At-will: Employment status wherein the employee may be terminated at any time, with or without cause. An employee in an at-will status has neither a property right nor an expectation of continued employment with the **City of Fernley** and is not covered by the provisions of the discipline, layoff, or dispute resolution sections of these personnel policies.

Authentication: For purposes of FMLA, providing the health care provider with a copy of the medical certification and requesting verification that the information contained on the certification form was completed and/or authorized by the health care provider who signed the document; no additional medical information may be requested.

Board: The governing body of the **City of Fernley**.

Casual Worker: An employee hired on an as-needed basis, either as a replacement for employees who are out on short- and long-term absences or to meet **City of Fernley** additional staffing needs during peak business periods.

Child: (Son or daughter) For purposes of FMLA, a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing In Loco Parentis; leave to care for a child with a serious health condition is limited to a child who is either under age 18, or age 18 or older and “incapable of self-care because of a mental or physical disability”; exigency leave and caregiver leave applies to a child of any age.

Clarification: For purposes of FMLA, contacting the health care provider to understand the handwriting on the medical certification or to understand the meaning of a response.

Class: A group of like positions assigned to the same title and pay grade based on similar duties and responsibilities and minimum qualifications. A class may only have one position allocated to it if there are no similar positions within the organization.

Class Series: Two or more classes which are similar as to the fundamental type of work, but which differ as to degree of responsibility and difficulty, and which have been arrayed in a progression of level of responsibility and complexity of duties.

Class Specification: A description of the essential characteristics of a job class, and the factors and conditions that make it unique from other classes, described in terms of duties, responsibilities, and qualifications.

Compensatory Time Off: Time off granted to an employee in lieu of monetary payment for overtime worked.

Contraband: Any item such as illegal drugs, prohibited substances, drug paraphernalia, or other related items whose possession is prohibited by policy.

Conflicting Employment: Outside employment that interferes with the employee’s ability to perform his/her assigned job.

Conviction: A finding of guilt, including a plea of no contest or imposition of sentence or both, by any judicial body charged with the responsibility to determine violations of federal or state laws.

Corrective Action: Action taken to improve unacceptable behavior or performance; correction action may include coaching sessions, counseling sessions, training, and disciplinary actions including verbal warnings, written reprimands, suspensions, demotions, pay reductions, and discharge.

Date of Hire/Hire Date: The actual date an employee first renders paid service in a regular position.

Day: Calendar days unless work days are specified.

Demotion: Involuntary movement of an employee from one job class to another job class having a lower maximum base rate of pay, as a result of disciplinary action.

Department Head/Department Manager: An elected official or appointed official who is directly responsible to the City Manager or City Council, for overall administration of an office or department of the **City of Fernley**.

Diluted Specimens: Diluted specimens have creatinine and specific gravity values that are lower than expected for human urine as determined by U.S. Department of Health and Human Services.

Disability-Related Inquiry: A question (or series of questions) likely to elicit information about a disability. Generally, disability-related inquiries are not allowed during the hiring process. Examples of disability-related inquiries not permitted include:

- Asking whether the employee/applicant currently has or has ever had a disability, how s/he became disabled, or inquiring about the nature or severity of an employee's/applicant's disability;
- Asking an employee/applicant a broad question about his/her impairments that is likely to elicit information about a disability;
- Asking an employee/applicant whether s/he is currently taking any prescription drugs or medication;
- Asking about an employee's/applicant's genetic information;
- Asking about an applicant's prior workers' compensation history; and
- Asking an employee's/applicant's coworker, family member, health care provider, or other person about the employee's/applicant's disability.

Discharge: Termination, separation, dismissal, or removal from employment for cause.

Discipline/Disciplinary Action: A formal form of corrective action to improve unacceptable behavior or performance; discipline may include verbal warnings, written reprimands, suspension (generally without pay), involuntary demotion, reduction in pay, or discharge.

Discrimination: Employment decisions or actions which are inappropriately taken because of the applicant's or employee's protected class membership.

Dispute: Any disagreement between the **City of Fernley** and an employee pertaining to the application of the **City of Fernley** personnel policies, or an allegation by an employee that the **City of Fernley** has failed to provide a condition of employment established by the **City of Fernley** compensation plan.

Domestic Partner: Persons who are registered as domestic partners with the state of Nevada per NRS 122A.200 or have a legal union validly formed in another jurisdiction that is substantially equivalent.

Drug Test: A test to determine the presence of illegal drugs/prohibited substances or their metabolites that includes specimen collection and testing by a U.S. Department of Health and Human Services (DHHS)-certified laboratory. Both a screening test and a confirmation test must be used to establish a positive test result.

Eligible List: A list of names of persons who have satisfactorily completed an examination for a position and are qualified for employment.

Employee: A person employed in a budgeted position on a full- or part-time basis. For purposes of those sections of these policies covering discipline, hiring, layoff, and dispute resolution; the term employee excludes elected officials, department heads, at-will employees, contracted employees, casual/temporary/seasonal workers, and others specified in Personnel Policies and other key positions. Elected officials are further excluded from policies for which there are specific provisions provided in federal, state, and local laws, charters, resolutions, and ordinances.

Regular Full-time Employee: A person who has successfully completed an initial introductory period in a regular budgeted position with a normally scheduled workweek of at least 40 hours.

Regular Part-Time Employee: A person who has successfully completed an initial introductory period in a regular budgeted position which requires a minimum number of hours per week (typically 20 hours), but less than full-time employment.

Introductory Employee: A person who serves in an at-will status for a specified period of time during which s/he is evaluated by the **City of Fernley** to ensure that s/he has demonstrated fitness for a position by actually performing the duties of the position.

Exempt Employee: An employee who is exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act. (Such determination is made on the basis of duties and responsibilities performed and the method of pay computation.)

Non-Exempt Employee: An employee who is subject to the minimum wage and overtime provisions of the Fair Labor Standards Act.

City of Fernley Premises: All **City of Fernley** property and facilities, the surrounding grounds and parking lots, leased space, **City of Fernley** equipment/vehicles, offices, desks, cabinets, closets, etc.

Equal Employment Opportunity (EEO) Officer: The staff member assigned the responsibility and authority to receive, investigate, and resolve complaints of alleged discrimination/harassment. This individual also has the responsibility to provide training to the **City of Fernley** and assure appropriate notices are posted.

Essential Function: A fundamental job duty of the position held or desired. A function is essential if the job exists to perform that function, a limited number of other employees are available to perform the function, or the function requires special skill or expertise. (Marginal functions associated with any job should not be considered essential functions.)

Examination/Test: Any measure, combination of measures, or procedures used as a basis for any employment decision. Examinations include the full range of assessment techniques from traditional paper and pencil tests, performance tests, assessment centers, introductory periods, and evaluation of physical, educational, and work experience qualifications through informal interviews and scored application forms. Open examinations are open to all

applicants, internal and external. Promotional examinations are open only to selected categories of employees of the **City of Fernley**.

Full-Time: Work which requires hours of work as established by the **City of Fernley** as full time. A full-time employee is regularly scheduled to work a normal workweek of 40 hours.

Note: For the purpose of determining eligibility for benefits and layoff, collective bargaining agreements may provide alternate definitions of full time.

Grade: The designation of a salary range for a class.

Illegal Drugs: Any controlled substance or drug under Federal or Nevada law, which is illegal to sell, possess, cultivate, transfer, use, purchase, or distribute.

Incomplete or Insufficient Certification: For purposes of FMLA, a medical certification is considered incomplete if the **City of Fernley** receives a certification, but one or more of the applicable entries have not been completed. A medical certification is considered insufficient if the **City of Fernley** receives a complete certification, but the information provided is vague, ambiguous, or non-responsive.

In Loco Parentis: For purposes of the FMLA, a relationship in which a person has put him/herself in the situation of a parent by assuming and discharging the obligations of a parent to a child, with whom he or she has no legal or biological connection, including day-to-day responsibilities to care for or financially support a child.

Introductory Period: A trial or working test period which is an integral part of the examination and selection process during which an employee serves in an at-will status and is required to demonstrate fitness for the position for which s/he was hired by actually performing the duties of the position.

Invalid Specimens: An invalid specimen is one that contains an unidentified adulterant, contains an unidentified interfering substance, has an abnormal physical characteristic, or has an endogenous substance at an abnormal concentration that prevents the laboratory from completing testing or obtaining a valid drug test result.

Key Employee: A salaried FMLA-eligible employee who is among the highest paid 10 percent of all the employees employed by the **City of Fernley** within 75 miles of the employee's worksite.

Layoff: A separation from the **City of Fernley** service because of a shortage of funds, lack of work, abolishment of a position, reorganization, or for other reasons not reflecting discredit on an employee and for reasons outside of the employee's control.

Leave Without Pay: Authorized leave in a non-paid status.

Legal Drugs: Prescription drugs and over-the-counter drugs that have been legally obtained and are being used in the manner, combination, and quantity for which they were prescribed or manufactured.

Length of Service: Length of service with the City shall start on the date of employment and consist of the entire length of employment. Length of service will be broken when (a.) an

employee is discharged for cause; (b.) an employee voluntarily terminates employment; (c.) an employee is laid off due to lack of work; (d.) if an employee has an approved Leave of Absence (non-paid), the length of time associated with such leave shall be deducted from the employee's total length of service. Length of service shall be inclusive of the original hire dates with the City prior to 7/1/2000.

Major Life Activities: For the purposes of the ADA, functions such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, concentrating, thinking, communicating, reading, sitting, reaching, interacting with others, working, and the operation of a major bodily function, including but not limited to, functions of the immune system, special sense organs and skin, normal cell growth, digestive, bowel, bladder, neurological, brain, genitourinary, cardiovascular, hemic, lymphatic, musculoskeletal, respiratory, circulatory, endocrine, and reproductive functions.

Manager: An employee, or an elected official who has been authorized to select, train, schedule, and evaluate the work of other employees, and to make decisions or effectively recommend actions related to the hiring, evaluation, and discipline of assigned employees. This person may also serve as the department head.

Medical Examination: A procedure or test usually given by a health care professional or in a medical setting that seeks information about an individual's physical or mental impairments or health. Medical examinations include, but are not limited to:

- Vision tests conducted and analyzed by an ophthalmologist or optometrist;
- Blood, urine, and breath analyses to check for alcohol use;
- Blood pressure screening and cholesterol testing; nerve conduction tests;
- Range-of-motion tests that measure muscle strength and motor function;
- Pulmonary function tests;
- Psychological tests designed to identify a mental disorder or impairment; and
- Diagnostic procedures such as x-rays, CAT scans, and MRI's.

Next of Kin: For purposes of FMLA, the nearest blood relative other than the covered servicemember's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made, and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember's next of kin and may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin.

Parent: For purposes of FMLA, includes a biological, adoptive, step or foster father or mother, or any other individual who stood In Loco Parentis to the employee or covered servicemember.

Personnel Action: Any action taken with reference to appointment, compensation, promotion, transfer, layoff, dismissal, or any other action affecting an employee's employment status.

Position: A group of duties and responsibilities requiring the ongoing services of one or more employees, which is listed in the authorized position list contained in the currently approved **City of Fernley** budget or established by formal action of the City Council.

Positive Drug or Alcohol Test: Any detectable level of drugs or its metabolite (in excess of trace amounts attributable to secondary exposure) in an employee's urine or blood. With respect to alcohol, a blood alcohol concentration of 0.02 or higher constitutes a positive test.

Prohibited Substances: Medical and recreational marijuana; prescription drugs not legally obtained, not being used in the manner, combination, or quantity prescribed, or by the individual for whom prescribed; over-the-counter medications used contrary to manufacturer instructions; or consumer products not meant for human consumption.

Promotion: The movement of an employee from one class to another class having a higher maximum base rate of pay, usually as a result of some type of examination.

Protected Class/Protected Class Membership: individuals or groups of individuals protected from employment discrimination, harassment, and retaliation by federal and/or state laws. Protected classes include race, color, religion, age, gender, pregnancy, sexual orientation, national origin, ancestry, disability, veteran status, domestic partnership, genetic information, gender identity or expression, political affiliation, membership in the Nevada National Guard, and any other class that becomes protected by federal and/or state law.

Rate of Pay: An employee's salary as shown in the **City of Fernley** compensation plan.

Reallocation: A change in the classification and pay grade of a class to a higher or lower pay grade.

Reasonable Accommodation: A modification or adjustment:

- To a job application process that enables a qualified applicant with a disability or a qualified female applicant with a condition relating to pregnancy, childbirth or a related medical condition, to be considered for the position such qualified applicant desires; or
- To the work environment, or to the manner or circumstances under which the position held or desired is customarily performed, that enable a qualified individual with a disability, a female employee with a condition relating to pregnancy, childbirth or a related medical condition, or an employee who is or has a family or household member who is a victim of an act which constitutes domestic violence, to perform the essential functions of that position; or

- That enables a qualified individual with a disability or a female employee who has a condition relating to pregnancy, childbirth or a related medical condition, to enjoy equal benefits and privileges of employment as are enjoyed by other similarly situated employees.

Reclassification: The change of a position to a different job class which results from changes in duties and responsibilities.

Reduction in Pay: Disciplinary action by a City of Fernley moving an employee to a lower pay level in the same class and same pay grade.

Regular Employee: See “Regular Full-Time Employee” and “Regular Part-Time Employee” listed under “Employee.”

Regular Position: An authorized position which appears in the authorized position list contained in the **City of Fernley** budget documents or its amendments approved by the City Council. (Normally a regular position consists of duties which must be performed at least 20 hours per week on a regular, year-round basis.)

Reinstatement: The restoration of a laid-off employee or an employee rejected during a promotional introductory period to a position in a class in which the employee formerly served as a regular employee.

Reinstatement List: A list of names of persons who have been laid off and are available for reinstatement (rehire without examination).

Reprimand: A written notice to an employee stating specific performance and/or behavioral deficiencies and the improvements in behavior and/or performance which the employee must make, and that further disciplinary action will follow if the employee does not make the required improvements. (A performance evaluation form shall not be considered a reprimand.)

Resignation: A notice by an employee that s/he intends to separate from the **City of Fernley** service. The **City of Fernley** may require that resignations be in writing.

Salary Range: The minimum and maximum salary set for each classification, grade, or level as designated by the position compensation plans. (Also see Grade.)

Seasonal Employee: See Casual Worker.

Son or Daughter of a Covered Servicemember: For purposes of FMLA, a biological, adopted, or foster child, stepchild, legal ward, or a child for whom the covered servicemember stood In Loco Parentis, and who is of any age.

Son or Daughter on Covered Active Duty or Call to Covered Active Duty Status: For purposes of FMLA, employee’s biological, adopted, or foster child, stepchild, legal ward, or a child for whom the employee stood In Loco Parentis who is on covered active duty or call to covered active duty status, and who is of any age.

Spouse: A husband or wife of a person, regardless of gender.

Step: A specific rate of pay within the salary range established for a class. (Also see Rate of Pay.)

Substance Abuse Professional (SAP): A licensed physician, or a licensed or certified psychologist, social worker, employee assistance professional, state-licensed or certified marriage and family therapist, drug and alcohol counselor (certified by an organization listed at <https://www.transportation.gov/odapc/sap>) with knowledge of and clinical experience in the diagnosis and treatment of drug- and alcohol-related disorders.

Substituted Specimens: Substituted specimens have creatinine and specific gravity values that are so diminished or so divergent that they are not consistent with normal human urine as determined by U.S. Department of Health and Human Services.

Supervisor: An employee, or an elected official who has been authorized to select, train, schedule, and evaluate the work of other employees, and to make decisions or effectively recommend actions related to the hiring, evaluation, and discipline of assigned employees. This person may also serve as the department head or manager.

Suspension: The temporary separation from service, with or without pay, of an employee for disciplinary reasons.

Temporary Employee: See Casual Worker.

Transfer: A lateral change of an employee from one position to another position in the same class or to a different class in the same salary range.

Transitional Duty: A temporary assignment of an employee who is unable to perform the essential functions of his/her job but has been cleared by a health care provider to perform other assignments for the **City of Fernley**.

Volunteer: An individual who performs hours of service for a public agency for civic, charitable, or humanitarian reasons, without promise, expectation, or receipt of compensation for services rendered. An individual is not considered a volunteer if the individual is otherwise employed by the same public agency to perform the same type of services as those for which the individual proposes to volunteer.

Warning: Verbal notice or counseling of an employee specifying required changes in work performance or on-the-job behavior.



CITY OF FERNLEY

City Council AGENDA REPORT

Meeting Date: May 4, 2022

REPORT TO: Mayor and City Council

REPORT FROM: Daphne Hooper, City Manager

FINANCIAL IMPACT:

Yes: X

No:

CURRENTLY BUDGETED:

Yes: X

No:

FUND/ACCOUNT:

General Fund

ACTION REQUESTED: Resolution

AGENDA ITEM: (For Possible Action):

(For possible action) Adopt Resolution 22-013 to commit up to \$125,000 for buildings, parks, and streets vehicles.

AGENDA ITEM BRIEF:

Adoption of Resolution 22-013 committing up to \$125,000 for building, parks, and streets vehicles that were ordered in FY2022. However, due to a supply chain issue the vehicles will not be delivered until FY2023.

RECOMMENDED MOTION:

I move to adopt Resolution 22-013 committing up to \$125,000 for building, parks, and streets vehicles.

BUSINESS IMPACT (per NRS Chapter 237):

N/A

See attached report for background, analysis, alternatives.

ALTERNATIVES:

The council may request additional information or not authorize funding.

BACKGROUND:

City council approved appropriations for building, parks, and streets vehicles in the FY2022 budget. With the

current supply chain issues, the vehicles ordered early in the fiscal year will not be delivered until after June 30, 2022. To ensure funding is set aside for the vehicles delivered in FY2023, City Council may commit up to \$125,000 for the purchase of the vehicles. Appropriations will be included in the final budget for FY2023.

RELEVANT LAWS, STATUTES, AND REGULATIONS:

N/A

FINANCIAL IMPLICATIONS:

Without the committed funds and appropriation in the FY2023 budget, vehicles approved in the tentative FY2023 will be cut from the budget.

ATTACHMENTS:

1. Resolution 22-013 Commit fund balance for vehicles

CITY OF FERNLEY
RESOLUTION #22-013

RESOLUTION TO COMMIT UP TO \$125,000 FOR BUILDING, PARKS AND STREETS VEHICLES

WHEREAS, City Council approved appropriations for building, parks and streets vehicles in the 2022 budget; and

WHEREAS, with the current supply chain issues, such vehicles may not be delivered until after fiscal year 2022; and

WHEREAS, City Council wishes to commit up to \$125,000 for the purchase of such vehicles in 2023; and

WHEREAS, City Council wishes to include appropriations for such vehicles in the 2023 budget; and

WHEREAS, upon delivery of the vehicles to the City, whether in fiscal year 2022 or in fiscal year 2023, this resolution shall expire at such time.

NOW THEREFORE BE IT RESOLVED that the City of Fernley City Council authorizes \$125,000 to be committed for the purpose of purchasing building, parks and streets vehicles in fiscal year 2023.

PASSED, APPROVED AND ADOPTED this ____ day of May, 2022, by the following vote of the council:

AYES: _____ NAYS: ____ ABSTENTIONS: _____ ABSENT: _____

FERNLEY CITY COUNCIL

By: _____
Roy Edgington, Mayor

ATTEST:

Kim Swanson, City Clerk