



Civil Service Rules and Regulations

**Approved and adopted by the
La Center Civil Service Commission
at a Regular Meeting on
September 16, 1986**

Table of Contents

I. The Civil Service Commission

Membership	7
Term of Office	7
Quorum	7
Organization	7
Powers and Duties	7
Meetings	8
Rules and Regulations	8
Severability	8
Scope	9
Inconsistency or Conflict	9
Challenge to Commissioner	9
Challenge to Commissioner – Necessity	9
Purpose	9
Presumption of Validity	9
Record of Proceedings	10
Reports: Applicants, Eligibles, Employees	10
Public Records	10

II. Secretary/Examiner

Selection	11
Duties – Secretary	11
Duties – Examiner	11

III. Application Procedure and Applicants

Announcement of Vacancy	12
Non-Discrimination	12
Application Format	12
Filing Time for Applicants	12
Qualification of Applicants	12
Experience – Police Officer Lateral Applicants	13
Physical Examination Requirements	13
Non-acceptance of Applicant	14

IV. Examinations

Scope	15
Character	15

Preparation	15
Promotions	15
Identity of Examinees	16
Weight of Examination	16
Passing Score	16
Veterans' Preference	16
Notification of Grade and Rank	16
Review of Examination paper and Challenges	16
V. Eligibility Lists	
Establishment of Eligibility Lists	18
Duration	18
Permanent Eligibility	18
Removal of Names from Eligibility Lists	
Notification & Appeal	18
Notice of Address Change	19
Revocation of Eligibility List	19
VI. Appointments	
Basis for Appointments	20
Certification of Eligibility	20
Appointment Accepted or Denied	20
Temporary Appointment	20
VII. Probationary Period	
Purpose	21
Duration	21
Dismissal During entrance Probationary Period	21
Unsatisfactory Performance during Promotional Probationary Period	21
Permanent Status	22
Removal from Eligibility List	22
VIII. Pre-disciplinary Hearing	
Pre-disciplinary Hearing Required	23
Pre-disciplinary Hearing – Standard/Notice of Discipline	23
IX. Disciplinary Action	
Tenure of Employment	24
Cause of Disciplinary Action	24

Disciplinary Procedures	24
X. Hearing of Appeals	
Commission Meeting	25
Legal Representation	25
Record of Proceedings	25
Content of Hearing	25
Hearing Procedure	25
Decision Regarding Appeal	26
Notification of Decision	27
Informal Conduct	27
Appeals – Time – Forum	27
Appeals – Notice of Hearing	27
Appeals – Authority of Department	27
Service of Process – Papers	27
Discovery	28
Subpoenas	28
Burden of Proof	29
Evidence	29
Deliberation	30
Remedies	30
Reconsideration	30
Waiver	30
XI. Procedural Investigations	
Investigation Responsibility	31
Citizen Complaints	31
XII. Classification	
Procedure and Effect	32
XIII. Leaves of Absence	
Less than Thirty (30) Days Duration	33
More than Thirty (30) Days Duration	33
Military Leave	33
Expiration or Termination of Leaves of Absence	33
XIV. Layoffs, Reductions in Force	
Layoffs, Reductions in Force	34
Layoffs Out of Order	34

XV. Resignation

Procedure	35
Loss of Rights and Status	35

XVI. Records and Reports

Roster Cards	36
Examination Records	36
Access to Departmental Records	36
Records Open to Public	36
Reports	36
Annual Report	36

XVII. Miscellaneous

Effective Date of Rules	37
Copies of Rules	37
Effect of Rules	37
Repeals and Savings	37
Computation of Time	37
Gender and Number	37
Paragraphs/Section Headings	38

XVIII. Definitions

Applicant	39
Appointment	39
Appointing Authority	39
Certification	39
City or Town	39
Class	39
Classification	39
Classification Plan	39
Classification Service	39
Commission	39
Demotion	40
Eligible	40
Examination	40
Layoff	40
Permanent Employee	40
Position	40
Probation	40
Promotion	40
Quit	40
Reduction in Force	40
Reduction in Rank	40

Reinstatement	40
Resignation	40
Suspension	41
Removal, Termination or Discharge	41
Veterans' Preference	41

I. THE CIVIL SERVICE COMMISSION - Administration/Operation/General Provisions

1.1 Membership. The members of the Civil Service Commission shall serve without compensation. Each must be a citizen of the United States and a resident of the City of La Center for at least three (3) years immediately preceding such appointment, and must be a qualified elector of Clark County. Three (3) members are appointed by the Mayor, pursuant to Chapter 41.12, Revised Code of Washington (RCW).

1.2 Term of Office. If any Civil Service Commissioner resigns before the end of his/her term, a new Commission shall be appointed to serve the remained of such term. Members may be reappointed. The term of office shall be six (6) years; except that the first three (3) members shall be for two (2) years, four (4) years and six (6) years respectively.

1.3 Quorum. Two (2) members of the Commission shall constitute a quorum, and the votes of any two (2) members of such Commission concurring shall be sufficient for the decision of all matters and the transaction of all business to be decided or transacted by the Commission.

1.4 Organization. At the first regular meeting in January of each year, the members of the Civil Service Commission shall elect one (1) of its members as Chairperson to serve for a term of one (1) year. Should the Chairperson resign or be removed, or should a reorganization of the Commission become necessary, the Commission, upon appointment of a new member if required, shall elect a new Chairperson. The Commission functions under the applicable statute and consistent with the rules herein or hereinafter adopted. These rules are promulgated pursuant to Chapter 41.12.040, RCW, and apply to the Civil Service System for the Police Department.

1.5 Powers and Duties. The Civil Service Commission shall:

1.5.1 Adopt rules and regulations that are consistent with State Law for the regulation of personnel administration within the classified service.

1.5.2 Appoint a Secretary and Examiner in conformity with Rule II, Section 2.1.

1.5.3 Maintain minutes of its meetings and records of its proceedings and actions.

1.5.4 Provide for the holding of competitive tests, under the supervision of the Examiner, to determine the relative qualifications of persons for employment in the classified service and prepare lists of eligible candidates for vacancies and certify same.

1.5.5 Hear and determine appeals arising from the administration of Chapter 41.12, RCW, and these rules and regulations.

1.5.6 Investigate and report on all matters relating to the enforcement and effect of Chapter 41.12, RCW, and these rules and regulations.

1.5.7 Have such powers and duties as are imposed upon the Commission by Chapter 41.12, RCW.

1.6 Meetings. Regular meetings of the Civil Service Commission shall be held on the second Tuesday of each month at 8:00 p.m. at City hall or such other place designated by the Commission. Special meetings of the Commission may be held at such times and places as may be determined from time to time by the Commission; provided, that the determination to hold the special meeting, and the specific formal agenda items are the only matters which shall be acted upon by the Commission at such special meeting.

All activities of the Commission shall be conducted in a manner which is in total compliance with what is commonly referred to as the "Open Public Meeting Act of 1971," as amended, of the State of Washington (Chapter 42.30, RCW), and notice of all meetings, regular and special, shall be given the press as contemplated by such statute; provided the press may be excluded from attendance when found necessary and legal under any exemption in such statute. Robert's Rules of Order, Newly Revised, shall serve as a guide on questions of procedure in parliamentary law not otherwise provided for by these rules and regulations.

1.7 Rules and Regulations. Rules and regulations of the Civil Service Commission can be adopted by a majority vote of the members of the Commission at any regular or special meeting of the Commission. Persons submitting any proposed rule(s) or regulation(s) or amendments(s) must do so, in writing, to the Secretary of the Commission at least five (5) working days in advance of the meeting at which such person desires to have such proposal considered by the Commission. Said proposal will be included on a published meeting agenda. These rules and regulations are applicable to proceedings before the Civil Service Commission and should be read in conjunction with Chapter 41.12, RCW. The Civil Service Commission has the power to interpret and apply its rules and regulations. The Commission may make decisions and apply such principles as it deems necessary to carry out the intent and purposes of State Law and these rules and regulations in determining cases which are not clearly defined by rules and regulations adopted by the Commission. Rules and regulations in effect at the time of any event being considered by the Commission shall be applied to such event.

1.8 Severability. If any of these rules and regulations or portions thereof are hereafter declared by a court of competent jurisdiction or judicial proceedings or rulings of a proper court to be illegal or unconstitutional, the part declared unconstitutional and/or illegal shall be deemed severable and such shall not affect the remaining rules and regulations or remaining portions of the rules and regulations.

1.9 Scope.

1.9.1 Section 3.5C of these Rules and Regulations provides the qualification requirements for temporary, part-time and reserve officers. No other section of these rules and Regulations apply to temporary, part-time and reserve officers. The balance of these Rules and Regulations apply only to fully paid full-time employees of the Police Department.

1.9.2 All of those employees of the Police Department employed in an office or position when the La Center Civil Service System went in effect that being January 1, 1986, who shall have served in said office or position for a period of at least twelve (12) months continuously, immediately preceding such date are eligible for permanent appointment under the La Center Civil Service to the offices, positions, or employment which they have held without examination or other act on their part, and said employees are inducted into the Civil Service in such office or position for all intents and purposes as if such employees had been appointed thereto under Civil Service after examination and investigation.

1.10 Inconsistency or Conflict. Any inconsistency or conflict between State Law, whether statutory or from Case Law, and these rules and regulations shall be resolved in favor of State Law.

1.11 Challenges to Commissioner. Any challenge to a Commissioner sitting at a hearing shall be made by an interested party prior to the commencement of a hearing. The challenged Commissioner shall review any rule on the challenge prior to proceeding with the hearing. Upon the Commissioner's finding of cause for disqualification, the Commissioner shall take no part in the hearing. Failure to timely raise the challenge shall constitute a waiver of the challenge by the party, unless in the exercise of reasonable diligence, a basis for challenge is unknown to a party prior to commencement of a hearing.

1.12 Challenges to Commissioner – Necessity. If, as a result of disqualification pursuant to the challenge of a commissioner, there is no longer a lawfully constituted quorum available, then by reason of necessity, the disqualified Commissioner shall return and proceed with the hearing.

1.13 Purpose. The purpose of these rules and regulations is to assure that the Civil Service System of the City of La Center is administered in accordance with the ordinance of the City of La Center, and all State Civil Service Laws, and that all proceedings before the Commission are conducted in an orderly, fair and timely manner.

1.14 Presumption of Validity. The Civil Service System implemented by these rules and regulations substantially accomplishes the purpose of Chapter 41.12, RCW. These rules and regulations are presumed to be valid and shall be upheld unless in direct conflict with Chapter 41.12, RCW.

- 1.15 Record of Proceedings. The Commission shall keep a record of its proceedings. The record of the Commission shall not include a written verbatim report of proceedings unless ordered. The Commission may retain a court reporter to record all or part of a proceeding. The Commission may use a tape recorder to record all or part of a proceeding. In addition, a party to a proceeding, at his/her own expense, may have a court reported record all or part of a proceeding. On appeal or review, cost of transcription may be recovered by the Commission, or a prevailing party, at the discretion of the reviewing court or the Commission. Upon appeal or review, transcription and certification of a record of proceeding shall be arranged by the Secretary and Chief Examiner.
- 1.16 Reports: Applicants, Eligibles, Employees.
- 1.16.1 Each applicant, eligible and/or employee shall keep the Commission informed, by written notice to the Secretary, of current address and telephone number, and shall report any change of name through marriage or otherwise.
- 1.16.2 Each eligible shall keep the Secretary informed in writing, regarding availability and any refusal to accept the appointment or promotion and the reasons therefore.
- 1.17 Public Records. Public records of the Commission shall be available for inspection and copying during the regular office hours of the Commission's staff. No fee will be charged for inspection of public records. Inspection will be during office hours in a space provided by the Commission staff, and under its supervision, and must be accomplished without excessive interference with the essential functions of the Commission or the City of La Center. Copies will be made available at actual cost or as provided by City Ordinance. These rules and regulations shall be printed for free public distribution.

11. SECRETARY AND EXAMINER AND SPECIAL EXAMINATION BOARD

2.1 Selection. The Secretary and Examiner shall be appointed by the Commission. These positions may be held by the same person. As an optional process for the evaluation and selection of sergeants, a Special Examination Board may be convened, the members of which shall be selected or ratified by the Commission. Members of the Special Examination Board shall be qualified law enforcement professionals from the region plus any suitably qualified members of the public.

2.2 Duties. The Secretary shall:

2.2.1 Attend and take minutes at all meetings of the Commission.

2.3 Duties. The Examiner shall:

2.3.1 Administer, on behalf of the Commission, established functions related to employment promotion and disciplinary matters of the classified service.

2.3.2 Administer the provisions of Chapter 41.12, RCW and these rules and regulations except those functions and duties reserved for the Civil Service Commission.

2.3.3 Consistent with these rules, provide for the holding of competitive examinations.

2.3.4 Perform all lawful and necessary duties delegated by the Commission and all functions essential to the effective administration of the Civil Service System.

2.4 Duties. The Special Examination Board shall:

2.4.1 Administer, on behalf of the Commission, the process for evaluating and testing candidates for the position of sergeant, including the promulgation of tests, evaluation criteria and standards. The Commission may delegate its responsibilities under Section IV (Examinations) of these Rules and Regulations to Special Examination Board for new hires and promotions to the position of sergeant.

2.4.2 Administer competitive testing and evaluation of prospective candidates for sergeant positions, including the scoring, compilation of test results and promulgation of a ranked list of eligible candidates for the position of sergeant.

2.4.3 Perform all lawful and necessary duties delegated or ratified by the Commission and all functions essential to the effective administration of the Civil Service System with regard to the position of sergeant.

2.4.4 Report the results of sergeant examinations, including the recommended eligibility list, to the Commission as soon as practicable following completion of all examinations. The Commission shall be responsible to accept, modify or reject the eligibility list so recommended by the Special Examination Board.

2.4.5 The full and faithful performance of these duties by the Special Examination Board shall be deemed compliant with and fulfillment of the Commission's

responsibilities as provided in Section IV (Examinations) of these Rules and Regulations, including the Commission's objective of merit based hiring.

111. APPLICATION PROCEDURE AND APPLICANTS

3.1 Announcement of Vacancy. Whenever there is found by the Commission to be a need the Examiner shall invite, by giving public notice, and actively recruit qualified persons to apply for employment and for admission to the examination schedules to create an eligibility list. Public announcement of the examination shall specify:

- 3.1.1 The title and salary range of the position
- 3.1.2 A brief outline of the duties of the position
- 3.1.3 The minimum qualifications as required
- 3.1.4 The location where application may be made
- 3.1.5 The final date upon which applications will be accepted
- 3.1.6 Application fee not to exceed Ten Dollars (\$10.00), payable when application requested.

Such notice shall be give the following minimum publicity and any additional publicity deemed necessary by the Commission.

Promotional Exams and Internal Exams ~ Post on the bulletin boards at City Hall, Police Department and Post Office.

Entrance Exams ~ Publicize as required by promotional exams plus local newspaper advertisement.

Lateral Entry Exams ~ All of the above plus appropriate professional newsletters.

3.2 Non-Discrimination. The Commission will assure that examinations conform to regulations of the Equal Employment Opportunity Commission in that they are job related and that they do no screen out any qualified members of legally protected classes.

3.3 Application Format. Applications must be made on forms supplied or approved by the Commission or in such other format as may be prescribed by the Commission. All applications must be signed by the person applying.

3.4 Filing Time for Applications. Applications for examination and employment will be accepted for a period of **not less** than fifteen (15) calendar days. Final date for filing of applications shall be included in the examination announcement.

3.5 Qualifications of Applicants. An applicant for any position under Civil Service must be a United States Citizen who can read and write the English Language; must be a graduate from an accredited high school (or have a General Education Diploma); be at least age twenty one (21) at the time of the examination; be in good health; be of

good moral character and of temperate and industrious habits. Before hiring, the applicant will be fingerprinted, and police records and Department of Motor Vehicle Records will be checked. Conviction of a felon or of a misdemeanor involving drugs, alcohol, theft, or sex offenses will be grounds for rejection of the applicant and removal of name from the eligibility list.

An applicant must agree to satisfactorily complete Washington State Training Academy within the first twelve (12) months of his/her appointment to the La Center Police Department.

- 3.5.A Experience – Police Officer Lateral Applicants. In addition to the above, lateral entry applicants must have a minimum of two (2) years of experience as a commissioned, full-time general authority law enforcement officer with a municipal, county or state law enforcement agency.

The applicant must have successfully completed a state law enforcement academy training program.

An applicant who has completed a state law enforcement academy other than the Washington State Law Enforcement Academy must successfully challenge the regular Washington State Law Enforcement Academy within one (1) year from the hire date.

An applicant who has completed the Washington State Law Enforcement Academy Training with a break in continuous law enforcement officer employment of more than twenty four (24) months, but less than thirty seven (37) months, must challenge the regular Washington State Law Enforcement Academy Program through participation in the basic equivalency process within one (1) year from the hire date.

An applicant who has successfully completed the Washington State Law Enforcement Academy with a break in continuous law enforcement officer employment of thirty seven (37) months or more, or an applicant who has successfully completed a state law enforcement academy other than the Washington State Law Enforcement Academy with a break in continuous law enforcement officer employment greater than (24) months, shall be ineligible for lateral entry.

- 3.5.B Qualifications for Internal Positions. In addition to the qualification requirements enumerated in Section 3.5, all applicants for internal positions shall be Reserve Officers in good standing with the La Center Police Department Reserve Program. Applicants for internal positions will be subject to the same testing procedures, review and scrutiny as are applicants for entry level positions, including psychological testing, polygraph examination and background investigations.

- 3.5.C Qualifications for Temporary, Part-time and Reserve Officers. Starting August 10, 2009 to be eligible for employment as a temporary, part-time or reserve officer, and individual shall submit to and successfully pass a third-party criminal background and

motor vehicle records check, and take and successfully pass psychological, polygraph and physical agility tests, and shall possess a current valid law enforcement certificate or reserve academy graduation certificate. Conviction of a felony or misdemeanor involving drugs, alcohol, theft or sex offenses shall be grounds for rejection of the applicant and removal of the person's name from those eligible for temporary, part-time or reserve officer status.

- 3.6 Physical Examination Requirements. All applicants including those for lateral entry for entrance must conform to the minimum medical and health standards as adopted by this Commission. Prior to the appointment, medical examinations shall be certified by the examining physician to the Commission on forms to be furnished by the Commission.

Rejection on the grounds of physical condition is not limited to the minimum medical and health standards adopted by this Commission. the medical examiner may make any appropriate inquiry or any examination of any applicant, and may recommend rejection for any cause or defect which would, in his/her opinion, interfere with proper performance of the duties of such person in such employment.

- 3.7 Non-acceptance of Applicant. If the Examiner determines that a particular applicant does not meet the minimum qualifications as established by the Commission, the applicant shall be notified by the Examiner. This notice shall be sufficiently prior to the scheduled examination so that the applicant may supply additional information to the Examiner prior to the examination if desired. Should the matter not be settled prior to the examination, the applicant shall be allowed to compete in the examination and the Commission shall make the final decision as to whether or not his/her name shall be included on the eligibility list (if he/she passes the examination) at the time it approves the establishment of the eligibility list resulting from the examination. In so determining it shall follow the statutory rule guidelines, and the applicant shall be entitled to present argument and evidence as to his/her qualifications which shall be considered by the Commission along with any reports from the Examiner and/or affected department. The Commission's determination shall be final.

IV. EXAMINATIONS

- 4.1 Scope. All examinations shall be practical, impartial and shall consist only of subjects which will determine the capacity of persons examined to perform the duties of the position to which an appointment is to be made.
- 4.2 Character. The qualifications and fitness of applicants shall be determined either individually or in a group or groups by one or more of the following methods:
- 4.2.1 Written tests; application tests.
 - 4.2.2 Oral and/or performance tests of knowledge, skill and ability.
 - 4.2.3 Physical tests of strength, stamina, agility or dexterity.
 - 4.2.4 Evaluation of education, training, experience, performance, or qualifications as shown by the application, or by other factual information submitted, or by the record.
 - 4.2.5 Such other job-related criteria as determined in advance by the Commission and posted in the examination announcement.
- 4.3 Preparation. All aspects of the preparation and administration of examinations shall be under the direction of the Civil Service Commission and carried out by the Examiner. Tests shall not be given until they have been approved by the Civil Service Commission. The Examiner may delegate the preparation and/or administration of examinations, or any portion thereof, to such qualified and unbiased consultants as deemed advisable, provided each such delegation must be approved in advance by the Commission.
- 4.4 Promotions. When vacancies occur in any grade, they shall, whenever practicable, be filled by promotion from the next lower grade or grades of the department in which the vacancy exists, except as may be determined in advance by the Commission. Such

exceptions would take into consideration number of positions vacant and number of candidates “eligible”.

- 4.4.1 To be admitted to an examination for promotion a candidate must have served in the department at least two (2) years in the next lower grade. This does not apply to the examination for Chief of Police. Exception to the length of service or grade requirements of this subsection may be made in advance by the Commission after consideration is given to the number of positions vacant and the number of candidates eligible to take the exam in order to assure that each examination is competitive.
- 4.4.2 Eligibility to take the examination for the position of Chief of Police, will be extended to include personnel outside of the City of La Center holding the equivalent rank and time in grade required of members of the La Center Department, who hold a full-time, fully-paid, position in a fully-paid department, which such department to be that of a governmental jurisdiction at least comparable in size, organizational complexity or commonly defined economic characteristics (i.e., retail or industrial square footage, etc.) to the City of La Center, Washington.
- 4.4.3 In the event less than three (3) eligible candidates are available from within the La Center Department, or in the event no one attains a passing score on the promotional examination given, the Commission may direct the Examiner to advertise the examination to include personnel outside the City of La Center.
- 4.5 Identity of Examinees. The identity of the individuals taking competitive written examinations shall be concealed from the Examiner(s) by use of an identification number which shall be used on all test papers.
- 4.6 Weight of Examination. The weight of each portion of an examination shall be established by the Commission prior to the date set for the examination and published in the examination announcement.
- 4.7 Passing Score. Each sub-test must be passed (70% or higher) before proceeding to the next portion of the examination. Applicants who attain a score of seventy (70) per cent or higher on the **total** examination shall have their names entered in the eligible register for such position in the order of their respective final scores with the highest score being first.
- 4.8 Veterans' Preference. In all competitive entrance examinations, unless otherwise provided herein, preference shall be given to all veterans pursuant to chapter 41.04, RCW.
 - 4.8.1 This shall apply to all applicants who in time of war or in any expeditions of the armed forces of the United States, have served in and been honorably discharged,

from the armed forces of the United States, including the Army, Navy, and Marine Corps and the American Red Cross.

- 4.8.2 Evidence for veterans' preference shall be the examinee's DD Form 214; or other suitable evidence.
- 4.9 Notification of Grade and Rank. Lists will be posted in the City Clerk/Treasurer's office within one (1) day following certification by the Commission. Each examinee shall be notified by mail of the results of the examination and, if he/she received a passing score of his/her relative position on the eligibility list. Written notice will be mailed to the address appearing on the examinee's application or at such other address as the examinee may have subsequently provided in writing to the Examiner.
- 4.10 Review of Examination Papers and Challenges. Within ten (10) days after notice of his/her final score has been mailed, any competitor in a promotional examination may review his/her own examination papers with the Examiner. Should a candidate wish to challenge the grading of any questions or challenge the fairness of a question or contend that the examination was inept, he/she shall submit to the Examiner, within ten (10) days after notice of his/her final score has been mailed, a written statement clearly pointing out his/her contentions and stating why he/she believes the grading was wrong, the question unfair, or the examination inept. (The postmark date shall be used for determining mailing date). All such written challenges shall be considered by the Commission and other candidates shall be given notice of such consideration. If the Commission is satisfied as to the validity of the challenges, after hearing from all interested persons, it shall order that the examinations be regarded accordingly, the eligibility list restructured, and notices mailed to everyone on the eligibility list indicating the action ordered and its effect on their individual ranking on the eligibility list; or the Commission may order a new test and set aside the results of the one given. (See also 5.6 Revocation of Eligibility List).

V. ELIGIBILITY LISTS

- 5.1 Establishment of Eligibility Lists. An eligibility list shall be prepared which ranks individuals qualified for certification to appointing authorities based upon the results of examinations and, when applicable veterans' preference, except that anyone permanently eligible (see 5.3) for a class shall continually be ranked No. 1 until receiving an appointment to a position within that class. A separate eligibility list will be prepared for police officer lateral entry applicants.
- 5.2 Duration.
- 5.2.1 Promotional eligibility lists shall be valid for eighteen (18) months following the date of formal establishment by the Commission. Entrance level and police lateral entry eligibility lists shall be valid for one (1) year following certification.
- 5.2.2 The Civil Service Commission may schedule examinations prior to the expiration of the eligibility list, or extend the expiration date of the eligibility lists if it is deemed to be in the best interests of the service. It is the intent of the Commission to establish and maintain, insofar as possible, appropriate eligibility lists to certify names for appointments as the needs of the Police Department arise.
- 5.3 Permanent Eligibility. Individuals may be permanently ranked on an eligibility list, according to seniority in grade, until such time as they may receive an appointment for appropriate reasons (such as having been reduced in rank or laid off due to other than cause as determined by the Commission) or due to any other circumstances sufficient for the Commission to order permanent ranking in accordance with seniority.
- 5.4 Removal of Names from Eligibility Lists.

Notification and Appeal. No name may be removed from an entry level or police officer lateral entry eligibility list (except upon written request of the eligible) without the consent of the Commission. When consideration of such action is to be made by the Commission the individual(s) who may be affected shall be notified that such action is to be considered and that he/she (they) may appear before the Commission to comment prior to any action being taken by the Commission.

An applicant may request that his/her name be removed from an eligibility list by filing a written statement with the Examiner.

An applicant who rejects appointment two (2) times will have his/her name removed from the eligibility list.

An eligible applicant, including a lateral entry police officer, who is proved to have falsified his/her application and/or test records shall have his/her name removed from an eligibility list by the Commission and shall be prohibited from taking the examination again for at least two (2) years. If an individual requests that his/her name be removed from an eligibility list, he/she shall not be eligible for at least one (1) year without special permission from the Commission.

(See also 5.5 regarding failure to advise current address; 6.3 regarding failure to repond; and 7.6 regarding dissatisfaction with performance.)

- 5.5 Notice of Address Change. Each individual on an eligibility list is responsible for notifying the Examiner of a change of address. Failure to do so may cause the removal of his/her name from the eligibility list.
- 5.6 Revocation of Eligibility List. An eligibility list may be revoked within thirty (30) days of Certification by the Commission and another list prepared if the Commission deems it advisable on account of errors or of obviously inappropriate standards prescribed in connection with the examination or of plainly inadequate results obtained there from. If a list is revoked, written notice will be sent to all persons who standing may be affected by the revocation. (See also 4.10 Review and Challenges.)

VI. APPOINTMENTS

- 6.1 Basis for Appointments. All appointments within the Police Department, whether entry level or promotional, shall be made solely on the basis of merit, efficiency, and fitness, which shall be ascertained by open competitive examination and impartial investigation.
- 6.1.1 The appointing authority of the La Center Police Department may appoint from either the entry level list or the police officer lateral entry list, based on the appointing authority's assessment of the needs of the Department.
- 6.2 Certification of Eligibility. Upon requisition by the appointing authority, the Examiner shall certify the names of the five (5) highest ranked individuals on the appropriate eligibility list for consideration for appointment. The appointing authority shall also be furnished copies of the application and any other appropriate information of record on the person certified.
- 6.3 Appointment Accepted or Declined. Whenever a candidate whose name has been certified for appointment fails to answer an inquiry of the Examiner or of the appointing authority within ten (10) business days next succeeding the postmark date of such notification, he/she shall be deemed to have declined appointment and his/her name shall be removed from the eligibility list. If the applicant accepts the appointment and presents himself/herself for duty within such time as the appointing authority shall prescribe, he/she shall be deemed appointed, upon taking the oath of office.
- 6.4 Temporary Appointment. A temporary appointment may be made to fill a current or anticipated vacancy or absence, including disability or military leave. If an eligibility list exists, the person highest on the list shall be considered first. If no eligibility list exists, the City shall establish a list. Temporary or provisional appointment of an officer shall not continue for a period longer than six (6) months plus up to one (1) extension not to

exceed four (6) months, for a maximum total of ten (12) months for any one person serving in a temporary or provisional position. After serving the maximum of ten (12) months of temporary duty, a person is not eligible for another temporary appointment for at least twelve (12) months. Under no circumstances shall a person serve in a temporary or provisional position for more than four (4) months without first having passed all normal review examinations for regular (permanent, full-time) police officers, including an independent (third-party) background check and psychology examination.

VII. PROBATIONARY PERIOD

- 7.1 Purpose. A probationary period is an integral part of the examination process. It shall be utilized as an opportunity to observe the employee's work, to provide special training, to assist the employee in adjustment to his/her new position, and as an aid in making the decision to reject any employee whose work performance or personal conduct is unsatisfactory.
- 7.2 Duration. Entrance level and police officer lateral entry employment is subject to a probationary period of twelve (12) months actual service. In determining such twelve (12) months "service" time spent in training schools away from the department shall be included and sick or disability leave time or military service time shall not be included. Promotion or demotion to any other position within the classified service is subject to a twelve (12) month probationary period. The Civil Service Commission hereby finds and determines that the twelve (12) month probationary period is necessary to provide an adequate opportunity to determine the efficiency and competency of Police Department Employees in a City the size of La Center.
- 7.3 Dismissal During entrance Probationary Period. At any time during the entrance probationary period the appointing authority may terminate the appointment of the person certified to him/her if, during the performance test thus afforded, upon observation or consideration of the performance of duty, he/she is found unfit or unsatisfactory. Provided, however, that the appointing authority shall forthwith notify the employee and the Commission, in writing, of any such termination of employment. The reasons for termination need not constitute just cause and shall not otherwise be reviewed by the Commission except that any employee alleged to be probationary may appeal to the Commission. Questions

of his/her probationary status and whether the procedures for discharge of probationers, as found herein were properly followed. Such action by the appointing authority is not otherwise subject to appeal.

- 7.4 Unsatisfactory Performance During Promotional Probationary Period. At any time during the promotional probationary period the appointing authority may terminate the promotional appointment of the person certified to him/her if, during the performance test thus afforded, upon observation or consideration of the performance of duty, he/she is found unfit or unsatisfactory. Provided, however, that the appointing authority shall forthwith notify the employee and the Commission, in writing, of any such termination of a promotional appointment. The appointed employee shall have the right to revert to a position in is/her last held permanent class. The reasons for termination need not constitute just cause and shall not otherwise be reviewed by the Commission except that any such alleged promotional probationary employee may appeal to the Commission the questions of his/her promotional probationary status and whether the procedures for discharge of probationers, as found herein, were properly followed. Such action on the part of the appointing authority is not otherwise subject to appeal.
- 7.5 Permanent Status. If no action is taken by the appointing authority to terminate or reduce in rank a probationary employee during the probationary period, the employee shall be deemed to have satisfactorily completed the probationary period and his/her appointment shall be permanent at the end of the specified period.
- 7.6 Removal from Eligibility List. If an appointment is not made permanent because of the department's dissatisfaction with the employee's performance during the probationary period and the employee is terminated or reduced in rank, he/she shall no longer be on the eligibility list for the position.

V111. PRE-DISCIPLINARY HEARING

- 8.1 Pre-disciplinary Hearing Required. The appointing authority shall provide and arrange for a pre-disciplinary hearing prior to demotion, suspension or discharge of a subordinate.
- 8.2 Pre-disciplinary Hearing – Standards/Notice of Discipline.
- 8.2.1 An employee shall be provided, in writing, with a notice of the charge and an explanation of the department's evidence. The employee shall be given an opportunity to respond to the charges, orally, or in writing, as to why the department's proposed action should not be taken.
- 8.2.2 The employee may have legal counsel or union representation present at a pre-disciplinary hearing.
- 8.2.3 The department's explanation of the department's evidence at the pre-disciplinary hearing shall be sufficient to apprise the employee of the basis for the proposed action. This rule, however, shall not be construed to limit the employer at a subsequent hearing or hearings from presenting a more detailed and complete case including presentation of witnesses and documents not available at the pre-disciplinary hearing.
- 8.2.4 Should the appointing authority determine to discipline following the pre-disciplinary procedure, written notice of discipline shall be given to the employee. Such notice shall include the charges against the employee and a general statement of the evidence supporting the charges.

- 8.2.5 The Commission may consider, on appeal, any basis for disciplinary action not previously presented to the employee.

IX. DISCIPLINARY ACTION

- 9.1 Tenure of Employment. No full time employee of the Police Department, who shall have been permanently appointed or inducted into Civil Service under provision of Chapter 41.12 RCW and these rules and regulations, shall be removed, suspended, demoted/reduced in rank, discharged, or deprived of vacation privileges or other special privileges, except for cause.
- 9.2 Cause of Disciplinary Action. The following are declared to illustrate adequate causes for disciplinary action, however, discipline may be made for any other good cause:
- 9.2.1 In competency, inefficiency, or inattention to or dereliction of duty.
 - 9.2.2 Dishonesty, intemperance, immoral conduct, insubordination, discourteous treatment of the public or a fellow employee, or any other act or omission or commission tending to injure the public service; or any other willful failure on the part of the employee to properly conduct himself/herself; or any willful violation of Chapter 41.12 RCW or these rules and regulations.
 - 9.2.3 Mental or physical unfitness for the position which the employee holds.
 - 9.2.4 Dishonest, disgraceful, immoral or prejudicial conduct.
 - 9.2.5 Drunkenness or use of intoxicating liquors, narcotics, or any other habit forming drug, liquid or preparation to such extent that the use thereof interferes with the efficiency or mental or physical fitness of the employee, or which precludes the employee from properly performing the function and duties of any position under Civil Service.
 - 9.2.6 Conviction of a felony or a misdemeanor involving moral turpitude.

9.2.7 Any other act or failure to act which in the judgment of the Civil Service Commission is sufficient to show the offender to be an unsuitable and unfit person to be employed in the public service.

9.3 Disciplinary Procedures. All disciplinary action shall be effective upon the filing, with the Secretary, of a written statement by the person's appointing authority stating the reasons for such disciplinary action. Such written statement of reasons shall be phrased in general terms, and a duplicate of the copy filed shall be served upon the person thus disciplined. Such statement, in addition, shall advise such person that he/she may, within ten (10) days of such service, appeal to the Civil Service Commission by filing with its Secretary, a written request for a Commission investigation.

X. HEARING OF APPEALS

10.1 Commission Meeting. At the next regular Commission meeting after filing of an appeal, or at an earlier special meeting if the Chairman or two (2) members call one, the Commission shall meet with the person thus demanding an investigation and his/her attorney if he/she has retained one and shall set a date or dates for a formal hearing into the removal, dismissal, demotion or suspension. If such appellant or his/her attorney shall at this time move for a new or more specific statement, the Commission may grant or deny such motion and, if granted, shall require the appointing authority to prepare a Bill of Particulars and file the original thereof with the Secretary and mail a copy thereof, by regular mail, to the appellant or his/her attorney not less than ten (10) days before the date of hearing.

10.2 Legal Representation. The City Attorney shall, upon request of the appointing authority, assist in the preparation of the written statement of reasons for removal, demotion, suspension or discharge and shall represent the appointing authority and the affected department at all sessions of said Civil Service Commission Hearings. The Commission, if it needs legal assistance or advice before or during the hearing may also retain private legal counsel and pay for such counsel out of the Civil Service Budget or if no funds are there available shall apply therefore to the City Council.

10.3 Record of Proceedings. The Commission shall cause minutes to be taken of its proceedings by such clerical assistance as it may have available, but need not have a stenographic transcript. If appellant desires a stenographer, he/she must make necessary arrangements with a court reporter and bear the expense of same.

10.4 Content of Hearing. The hearing investigation shall be confined to a determination of the question of whether such removal, suspension, demotion or discharge was, or was not made for political or religious reasons and/or was not made in good faith for cause.

10.5 Hearing Procedure.

10.5.1 At the commencement of the hearing the Chairperson or such member as the members of the Commission may have chosen to be presiding officer shall require the City Attorney to make an opening statement on behalf of the department and shall invite appellant or his/her attorney to make an opening statement, or not to make such statement, as appellant shall choose.

10.5.2 The department, after opening statement shall call the appointing authority and/or such other witnesses as they or the City Attorney shall desire to call, and may call such persons in such order as the City Attorney shall choose. Before testifying, each person shall be sworn by the Commission Chairperson or member chosen as presiding officer. Upon conclusion of direct testimony he/she shall be subject to cross-examination by appellant or his/her attorney. The members of the Commission may interrupt to question at any time and the Commission may call witnesses on its motion.

10.5.3 Upon conclusion of all testimony submitted by the department, appellant may testify under oath and may call such witnesses to be sworn and testify in his/her behalf as he/she may desire. Witnesses may be subpoenaed by the Commission at his/her or the department's request. Such appellant's witnesses shall present direct testimony upon questioning by appellant or his/her attorney and be subject to cross-examination by the City Attorney. The members of the Commission may interrupt to question at anytime and may call witnesses on its own motion.

10.5.4 Objections to questions may be raised by either the City Attorney or appellant's attorney upon direct or cross-examination by the other, and such objections shall be immediately passed upon by the Chairperson or presiding officer, but technical rules of evidence need not be observed.

10.5.5 During presentation of their respective cases, the department and the appellant each may offer such documentary and other physical evidence as they may think proper and relevant and the Commission may accept or reject such evidence. Either the City Attorney or appellant's attorney may object to offered evidence and such objection shall be immediately passed upon by the Chairperson or presiding officer but technical rules of evidence need not be followed.

- 10.5.6 At the conclusion of testimony the Commission shall require the City Attorney to present argument, and shall invite the appellant's attorney to present argument, to the Commission, either for or against removal, demotion, suspension or dismissal involved.
- 10.6 Decision Re: Appeal. The Commission, after argument, shall take the matter under advisement and within five (5) days shall consider the matter in a private session. Upon reaching conclusion it shall, as soon as practicable, prepare a written decision. If the Commission finds that the action of the appointing power was taken for political or religious reasons and/or was not made in good faith or for cause, then it shall order the immediate reinstatement or reemployment of such person in the office, place, position or employment from which he/she was removed, suspended, demoted or discharged, which Commission action may or may not be retroactive, as the Commission may provide. In all other cases, it shall affirm the action of the appointing authority; provided in lieu of either action in the case of dismissal the Commission may direct a suspension without pay for a given period and subsequent restoration to duty or a demotion in classification, grade or pay.
- 10.7 Notification of Decision. The above mentioned written decision by the Commission shall be filed with the Secretary and duplicates shall at the same time be mailed to the City Attorney and to the appellant or his/her attorney. At the next regular meeting the City Attorney, or if the Commission finds for an appellant, then the appellant's attorney, shall present appropriate findings to the Commission and the Commission shall accept or reject such findings after notice and hearing thereon.
- 10.8 Informal Conduct. No informality in the conduct of any hearing hereunder shall invalidate any decision made by the Commission. All hearings shall be conducted under and subject to all provisions of Chapter 41.12, RCW.
- 10.9 Appeals-Time-Forum. A notice of appeal shall be filed at the Commission Office within ten (10) days of the action that is the subject of the appeal. The notice of appeal shall be in writing and shall include the mailing address and street address, for service of process, and other papers may be made upon the appellant. Notice of appeal shall also contain a brief description of the facts giving rise to the appeal, and a concise statement of the reasons for the appeal.
- 10.10 Appeals – Notice of Hearing. Prior to any formal hearing before the Commission, each part shall be afforded not less than twenty (20) days notice of such hearing. Subsequent hearings on the same appeal shall have one (1) weeks notice unless waived by the parties, except that continued hearings do not require such notice. All parties may agree to waive the notice provisions and time limits provided by this section.

10.11 Appeals – Authority of Department. The exercise of jurisdiction by the Commission over a matter does not preclude the party from withdrawing, modifying or otherwise compromising the matter prior to the matter going to hearing. Upon resolution of a matter prior to hearing any party may request the dismissal of the matter. A “stipulation” signed by both parties should be submitted to the Commission prior to such dismissal.

10.12 Service of Process – Papers.

10.12.1 The Commission shall cause to be served all orders, notices and other papers issued by the Commission, together with any other papers that the Commission is required by these rules to serve. Every other paper shall be served by the party filing the notice, document or paper.

10.12.2 All notices, documents or papers served by either the Commission or a party shall be served upon all counsel of record at the time of such filing and upon parties not represented by counsel. Service of papers shall be by a personal service, or by registered or certified mail, returned receipt requested, or by regular mail with written acknowledgment of such mailing attached to the papers so served.

10.12.3 Service upon parties shall be regarded as complete when personal service has been accomplished, or if by mail, upon deposit in the mails properly addressed with the postage pre-paid.

10.12.4 Papers required to be filed with the Commission shall be deemed filed upon actual receipt of the papers by the Commission at the Commission’s Office. All papers served or filed upon or with the Commission, except the original appeal notice, shall be served with the original and three (3) copies. Briefs and memorandums must be filed with the Commission at least three (3) days prior to any hearing involving matters discussed in said brief or memorandum. Documentary evidence is not required to be filed but should be provided at the hearing.

10.12.5 An appellant or petitioner is responsible for notifying the Commission, in writing, of any change in mailing or street address and telephone number. Failure to so notify the Commission shall constitute a waiver of service and notice requirements under these rules.

10.13 Discovery.

10.13.1 Parties to a proceeding are required to provide each other reasonable access and discovery to all relevant information

concerning the matter before the Commission. Any question concerning relevancy or access shall be resolved by order of the Commission.

10.13.2 Upon the failure of any party to comply with an order of the Commission compelling discovery, the Commission shall schedule the matter before the Commission for review and determination of appropriate sanction.

10.14 Subpoenas.

10.14.1 Every subpoena shall identify the Commission and the title of the proceedings, if any, and shall command the person to whom it is directed to attend, at a specified time and place and give testimony or produce designated books, documents, or things under that person's control.

10.14.2 Upon application of any party or his/her representative, the Secretary shall issue to such party subpoenas requiring the attendance and testimony of witnesses or the production of evidence in such proceedings. The party requesting the subpoena is responsible for having said subpoena properly served. Said request for subpoena shall be submitted to the Commission Office at least five (5) days prior to the hearing.

10.14.3 Service of subpoena shall be made by serving a copy of a subpoena on the person named therein.

10.14.4 The person serving the subpoena shall make proof of service by filing the subpoena at the Commission Office; and if such service has not been acknowledged by the witness, the person serving the subpoena shall make an affidavit of service. Failure to file proof of service does not affect the validity of service.

10.14.5 Upon a motion promptly made by a party or by the person to whom the subpoena is directed, and upon notice to the party on whose behalf the subpoena was issued the Commission may:

- (1) Quash or modify the subpoena if it is unreasonable or requires evidence not relevant to any matter in issue, or
- (2) Condition denial of a motion to quash or modify upon just and reasonable conditions.

10.15 Burden of Proof.

At any hearing on appeal from a removal, dismissal, demotion or suspension, the disciplinary authority shall have the burden of knowing that its action was in good

faith for cause. At any other hearing, the petitioner or appellant shall have the burden of proof by a preponderance of the evidence.

10.16 Evidence.

10.16.1 Subject to other provisions of these rules and regulations, all competent and relevant evidence shall be admissible. In passing upon the admissibility of evidence, the Commission shall give consideration to, but shall not be bound to follow, the rules of evidence governing civil proceedings in the Superior Court of the State of Washington.

10.16.2 Witnesses in any hearing may be examined orally, under oath or affirmation, and shall be subject to cross examination by opposing parties and the Commission.

10.16.3 When objection is made to the admissibility of evidence, such evidence may be received subject to a later ruling. The Commission may exclude inadmissible evidence and may order cumulative evidence discontinued, at its discretion, either with or without objection. A party objecting to the introduction or exclusion of evidence shall state the grounds of such objection at the time such evidence is offered or excluded. No such objection shall be deemed waived by further participation in the hearing.

10.16.4 At any hearing before the Commission when documentary exhibits are to be offered into evidence, copies shall be furnished to the opposing party, to each Commission member and to the Secretary and Chief Examiner.

10.16.5 Parties are encouraged to stipulate to the admissibility of documentary exhibits. To further this end, parties will make request of other parties for such stipulation no later than three (3) days in advance of the hearing, barring unusual circumstances. The party of whom the request is made shall respond no later than one (1) day prior to the hearing.

10.17 Deliberation. The Commission may deliberate in closed or executive session when taking a disciplinary case under advisement. Deliberation by the Commission shall otherwise be subject to Chapter 42.30 RCW. No person other than the Secretary and Chief Examiner and legal counsel to the Commission shall be present during deliberation. No person shall attempt to convey any information or opinion to the Commission concerning any matter on appeal, other than in open hearing.

- 10.18 Remedies. The Commission may issue such remedial orders as deemed appropriate.
- 10.19 Reconsideration. A party may move for reconsideration by the Commission only on the basis of fraud, mistake, or misconception of facts. Such motion must be filed with the Commission within ten (10) days of the decision of the Commission. Such motion for reconsideration shall be decided on affidavit, absence special showing that testimony is necessary.
- 10.20 Waiver. Upon stipulation of all parties to a proceeding, and upon assuring that the purpose of these rules and regulations or ordinances of the City of La Center would be better served, the Commission may waive the requirements of any of these rules and regulations.

XI. PROCEDURAL INVESTIGATIONS

- 11.1 Investigative Responsibility. The Civil Service Commission and/or special Hearing Examiner shall make investigations as deemed necessary to insure that the intent of Chapter 41.12, RCW and its rules and regulations are being adhered to. The Commission shall have such necessary powers to enable it to conduct such investigations, including, but not limited to, the right of access to work sites, the power to administer oaths and subpoenas, and the ability to require the attendance of witnesses and/or the production of any pertinent documents.
- 11.2 Citizen Complaints. The Commission may make like investigation into the operation of the Civil Service System, on petition of a citizen, duly verified, stating that irregularities or abuses exist and setting forth in concise language, in writing, the necessity for such investigation.

XII. CLASSIFICATION

- 12.1 Procedure and Effect. The appointing authority shall provide for the classification of all positions in the classified service, including the assignment to each class or position of the appropriate title and experience, knowledge, capacity, skill, education and other qualifications, such as the minimum prerequisites for appointment established by these rules and regulations. Further, the appointing authority shall allocate every position in the classified service to one of the classes established in the plan. The classification plan so developed shall be transmitted to the Civil Service Commission for review. The class titles so established shall be used in all personnel, budget, account and other financial documents and communications of the City. Additional classes may be established and existing classes may be divided, combined, or abolished in the same manner as originally adopted.

XIII. LEAVES OF ABSENCE

- 13.1 Less than Thirty (30) Days Duration. Leaves of absence not exceeding thirty (30) days and without pay may be granted by the appointing authority to any person under Civil Service, provided that such appointing authority shall give notice of such leave to the Commission via the Secretary.
- 13.2 More than Thirty (30) Days Duration. Leaves of absence in excess of thirty (30) days duration may be granted by the Civil Service Commission upon written request of the employee and upon written endorsement by the appointing authority.
- 13.3 Military Leave. Military leaves of absence shall be granted by the Commission in accordance with the provisions of the applicable chapters of the Revised Code of Washington.
- 13.4 Expiration or Termination of Leaves of Absence. The Commission may terminate any leave of absence other than military leave, by written notice to the employee concerned, whenever the conditions require such action. The employee shall then be required to return to duty within fourteen (14) calendar days. The employee shall be returned to the same class or position as he/she occupied when leave of absence was granted. An employee who fails to return to duty upon termination or expiration of leave shall be considered as absent without leave and subject to disciplinary action.

XIV. LAYOFFS, REDUCTIONS IN FORCE

- 14.1 Layoff, Reductions in Force. Whenever the appointing authority contemplates a reduction of staff because of shortage of funds, lack of work, or reorganization, notice thereof shall be sent by the appointing authority to the Secretary. When it is determined which positions are to be abandoned, employees holding positions within that class shall be laid off in opposite order to their length of service. Any complaint by a permanent employee filed, in writing, with the Secretary, alleging that a layoff was made in bad faith, shall be investigated by the Civil Service Commission. If the Commission finds that the layoff was not made in accordance with these rules and regulations it may order the reinstatement of the permanent employee or employees. Notice of layoff shall be given the employee concerned and the Secretary at least four weeks before the effective date thereof. Permanent employees laid off shall have their names placed on the eligibility list of the class to which their position was allocated in accordance with these rules and regulations. (See 5.3 re: right to permanent eligibility.)
- 14.2 Layoff, Out of Order. The Commission may grant permission for layoff out of the regular order, upon showing by the appointing authority of the department of a necessity therefore in the interest of efficient operation of the department, after giving any employee or employees affected an opportunity to be heard.

XV. RESIGNATION

15.1 Procedure. An employee may resign from a Civil Service position by presenting his/her resignation, in writing, to the appointing authority. To resign in good standing, an employee shall give at least two (2) calendar weeks notice, unless, because of extenuating circumstances, the appointing authority agrees to permit a shorter period of notice. The appointing authority may make or cause to be made such investigation as he/she deems warranted, for the purpose of verifying reasons for each resignation. An employee's resignation and the circumstances pertinent to it shall be recorded in his/her personnel file.

15.2 Loss of Rights and Status. Any person who is a Civil Service employee of the City who separates himself/herself from such service will be entitled to no privileges upon seeking to re-enter the service, except such as allowed applicants for original entrance.

XVI. RECORDS AND REPORTS

- 16.1 Roster Cards. The Secretary/Examiner shall maintain a service or roster card for each employee in the classified service showing the name, title or position held, the division within the department to which assigned, the salary, changes in employment status, leaves and all other information that may be considered pertinent. Access to these records shall be restricted to the appointing authority, the employee, and members of the Civil Service Commission.
- 16.2 Examination Records. The Secretary Examiner shall maintain examination records on each employee in the classified service. Such records shall include the date and title of the examinations, ratings earned and the grade obtained.
- 16.3 Access to Departmental Records. The Civil Service Commission, Secretary/Examiner, and appointing authority shall have access to all departmental records, the examination of which will aid them in the discharge of their duties.
- 16.4 Records Open to the Public. The minutes of all Civil Service Commission meetings shall be open to the public during office hours and may be inspected upon application to the Secretary/Examiner. Access to other Commission records shall be governed by any applicable chapters of the Revised Code of Washington and/or federal laws or regulations.
- 16.5 Reports. For the purpose of certification to the City authorities for the payment of salaries, and in order that the Commission may keep a proper record

of changes in the classified service, each appointing officer shall immediately report, in writing, to the Commission through the Secretary/Examiner:

16.5.1 Every probationary or temporary appointment made by him/her.

16.5.2 Every refusal or neglect to accept an appointment by a person who has been duly certified.

16.5.3 Every suspension or other disciplinary action made by him/her of any officer or employee with the reasons therefore.

16.5.4 Every separation from service and whether the separation was caused by death, dismissal or resignation, and such resignation to be in writing filed with the Commission.

16.5.5 Every office created or abolished in any department.

16.5.6 Every leave of absence granted to a member of any department.

16.6 Annual Report. The Secretary/Examiner shall prepare an annual report, for submission to the Civil Service Commission, the Mayor and the City Council summarizing transactions affecting personnel in the classified service.

XVII. MISCELLANEOUS

17.1 Effective Date of Rules. All rules and regulations and amendments thereto shall become effective immediately upon their adoption by the Commission, unless some later date is specified therein.

17.2 Copies of Rules. A copy of these rules and regulations and a copy of all subsequent rules and regulations or amendments shall be sent as soon as practicable after adoption to each affected department of the City. A copy shall be maintained in the Office of the Commission for public inspection and a copy shall be available for free public distribution as required by State Law.

17.3 Effect of Rules. The terms and conditions of Civil Service employment are governed by these rules and regulations, and applicable statutes and City Ordinances. No employee shall have a property interest in or as a result of these rules and regulations. These rules and regulations, and future rules and regulations the Commission may enact, regulate the mode and appointment of tenure in the Civil Service, and employees are subject to these rules and regulations and amendments thereto.

17.4 Repeals and Savings. All matters shall be subject to these rules and regulations, and to that extent, all previous Civil Service rules and regulations are hereby repealed.

17.5 Computation of Time.

17.5.1 In computing any period of time prescribed or allowed by these rules and regulations or by any applicable statute, the day of the act, or even from which the designated period of time begins to run shall not be included. The last day of the periods so computed shall be included, unless it is a Saturday, Sunday or a legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday nor a legal holiday. When a period of time prescribed or allowed is five (5) days or less, intermediate Saturdays, Sundays and legal holidays shall be excluded from the computation.

17.5.2 Any period of time, except for the ten (10) day time limitation on appealing action of the appointing authority set forth in Section 10.9, may be extended by the Secretary and Chief Examiner for no more than fourteen (14) days upon written notice to the Commission and a showing of good cause. A motion for extension of time must be filed with the Commission Office prior to the running of the applicable time period.

17.6 Gender and Number. As used in these rules and regulations, the masculine, feminine or neuter gender, and the singular or plural number, shall be deemed to include the others whenever the context so indicates.

17.7 Paragraphs/Section Headings. Paragraph and section headings have been included for the convenience and ease of reading these rules and regulations, and shall not be considered a part of these rules and regulations for any purpose relating to construction or interpretation of the terms herein.

XVIII. DEFINITIONS

18.1 Definitions. The following are definitions of terms appearing in these rules and regulations:

18.1.1 Applicant. Anyone who has filed an application to take a Civil Service Examination.

18.1.2 Appointment. The appointment of an individual to a position covered by Civil Service. There are two types of appointments:

(1) Permanent: An appointment of a person from an eligibility list to a vacant position.

(2) Temporary: An appointment of a person to a vacant position other than from an eligibility list, or a person appointed to fill an emergency or short-term need, for the purpose of performing work in the classified service.

18.1.3 Appointing Authority. The Chief of Police is responsible for appointment, discipline, and termination.

18.1.4 Certification. The process of the Civil Service Commission or the

Secretary/Examiner relaying to the appointing authority, upon requisition, the names of the individuals ranked highest on an eligibility list.

- 18.1.5 **City or Town.** The City of La Center.
- 18.1.6 **Class.** A group of positions sufficiently similar in duties, responsibilities, authority and minimum qualifications to permit combing them under a single title, and to permit the application of common standards for selection and compensation.
- 18.1.7 **Classification.** The process of assigning positions to classes.
- 18.1.8 **Classification Plan.** All class descriptions compiled into one written document.
- 18.1.9 **Classified Service.** All positions under the Jurisdiction of the Civil Service Commission.
- 18.1.10 **Commission.** The Civil Service Commission. The term Commissioner means any one member of said Commission.
- 18.1.11 **Demolition.** Removal of an employee from a higher to a lower class of employment.
- 18.1.12 **Eligible.** A person ranked on an eligibility list.
- 18.1.13 **Examination.** The process of testing the fitness and qualifications of all applicants for positions in a specific class.
- 18.1.14 **Layoff.** The involuntary termination of an employee for reasons other than cause.
- 18.1.15 **Permanent Employee.** An employee who has completed the probationary period for the class of his/her present position.
- 18.1.16 **Position.** A group of current duties and responsibilities assigned by competent authority requiring the employment of one person.
- 18.1.17 **Probation.** A working test period during which an employee is required to demonstrate his/her ability and capacity to perform the duties of the position to which he/she has been appointed.

- 18.1.18 **Promotion.** The movement of an employee from a position in one class to a position in another class imposing increased duties and responsibilities requiring greater qualifications and providing a higher maximum rate of pay.
- 18.1.19 **Quit.** Any voluntary separation of an employee from the City Civil Service without acceptance of a resignation by the appointing authority.
- 18.1.20 **Reduction in Force.** Layoff necessitated by the City's need to reduce manpower level.
- 18.1.21 **Reduction in Rank.** The movement of an employee from one class to another class having a lower maximum rate of pay.
- 18.1.22 **Reinstatement.** Reappointment of the regular employee to a position in a class in which he/she was a regular employee.
- 18.1.23 **Resignation.** The voluntary action by an employee of terminating his/her employment.
- 18.1.24 **Suspension.** A temporary removal from duty, with or without pay, of an employee for disciplinary purposes or for the purpose of investigation of accusations brought against an employee.
- 18.1.25 **Removal, Termination or Discharge.** The involuntary cessation of employment with the City for cause.
- 18.1.26 **Veterans' Preference.** Preference in examinations and employment based on military service as provided and defined by applicable laws.

