

CITY OF RIDGEFIELD
CIVIL SERVICE RULES AND REGULATIONS

APPROVED AND ADOPTED BY THE CITY OF RIDGEFIELD
CIVIL SERVICE COMMISSION ON FEBRUARY 12, 2008

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DEFINITIONS

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

1. **Appointing Authority:** The individual or group of individuals responsible for the appointment, discipline or termination of a person in the classified service.
 - A. **Regular:** An appointment of a person from an eligibility list to a vacant position.
 - B. **Temporary:** An appointment of a person to a position which is not vacant but where the incumbent is on disability leave, administrative leave or for an open existing position for which there is no eligibility list.
2. **Cause:** Any action or inaction which the Civil Service Commission deems appropriate justification for disciplinary action, including termination, suspension or reduction in rank.
3. **Certification:** The process of the Secretary/Examiner relaying to the appointing authority the names of the five persons ranked highest on an eligibility list.
4. **Class:** A position or group of positions designated by the Commission as having similarity in duties and responsibilities, by reason of which the same examination may be used for each position in the group.
5. **Classification Plan:** All class descriptions compiled into one written document by the appointing authority.
6. **Classified Service:** All positions under the jurisdiction of the Civil Service.
7. **Commission:** The Civil Service Commission appointed for the City of Ridgefield.
8. **Eligible:** A person who is ranked on the eligibility list.
9. **Layoff:** The involuntary termination of an employee for lack of work or funds.

10. Permanent Employee: An Employee who has completed the probationary period for the class of their present position.
11. Position: Any employment or office in the classified service.
12. 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.
13. Promotion: The movement of an employee from a position in one class to a position in another class with increased duties and responsibilities requiring greater qualifications.
14. Reduction in Rank: The movement of an employee of one class to another class having diminished responsibilities.
15. Resignation: The voluntary action by an employee of terminating his/her employment.
16. Subscription Testing Service: "Subscribing Testing Service" means a person or organization offering a service that tests and maintains lists of candidates for employment who have successfully completed the Subscription Testing Service process.
17. Suspension: A temporary removal from duty, with or without pay, of an employee for disciplinary purposes or for the purpose of investigation of an accusation brought against an employee.
18. Termination: the involuntary cessation of employment with the city for cause.
19. Transfer: the movement of an employee from one position to another in the same or different class having essentially the same salary range, involving the performance of similar duties and requiring substantially the same basic qualifications.

RULE 1

CIVIL SERVICE COMMISSION

SECTION 1.01 – Organization

The Civil Service Commission, hereinafter referred to as Commission, shall consist of three members. No person shall be appointed as a member who is not a citizen of the United States and a resident of the city for at least one year (RMC Code 2.64.040). The term of office for each commissioner shall be for a period of six years and the terms shall be staggered. The members of the Civil Service Commission, after appointment by the Mayor and confirmation by the city council, shall proceed to the election of the chairman who shall continue in office until subsequent reorganization of the Commission becomes necessary.

SECTION 1.02 – Powers and duties

The Civil Service Commission shall:

- A. Adopt rules and regulations not inconsistent with Washington State Law for regulations of personnel administration within the classified services.
- B. Appoint a Secretary-Examiner in conformity with RCW 41.12.040 and the rules herein.
- C. Maintain minutes of meetings and records of proceedings and actions.
- D. Approve the creation, amendment, and discontinuance of a classification plan as provided by the appointing authority.
- E. Provide for the holding of competitive tests under the supervision of the Secretary-Examiner to determine the relative qualifications of persons for employment in the classified service and prepare a list of eligible candidates for vacancies and certify same.
- F. Conduct all civil suits necessary for the proper enforcement of Chapter 41.12 RCW and these rules and regulations.
- H. Investigate and report on all matters relating to the enforcement and effect of Chapter 41.12 RCW and these rules and regulations.

- I. Exercise such powers and duties as are imposed upon the Commission by Chapter 41.12 RCW.

SECTION 1.03 – Rules and Regulations

- 1.03.01 The Commission may amend these rules or adopt new rules by majority vote of the Commission at any regular or special meeting of the Commission.
 - a. Amendment to these rules shall be first discussed in an open regular or special meeting at least one meeting prior to adoption.
 - b. Upon declaration of emergency, a rule amendment may be adopted at the meeting at which the amendment is first proposed.
- 1.03.02 The Civil Service Commission has the power to interpret civil service rules. The Commission may apply such principles as it deems necessary to carry out the purposes of Washington State law and civil service rules in determining cases which are not clearly defined by the rules adopted by the Commission. Rules in effect at the time of any event being considered by the Commission shall be applied in such event. The Commission may amend and/or add rules at its discretion.
- 1.03.03 The terms and conditions of Civil Service employment are governed by these rules, and applicable statute (and ordinance). No employee shall have a property interest in or as a result of these rules. These rules, and rules the Commission may enact, regulate the mode and appointment of tenure in the Civil Service, and employees are subject to these rules and amendments thereto.

SECTION 1.04 – Meetings

- 1.04.01 The Commission shall schedule a regular monthly meeting time and place. The meeting time and/or place may change at the discretion of the Commission. Any meeting may be canceled and/or re-scheduled if there is no pending business requiring Commission action or if necessary for other reasons in the best interest of the Commission.
 - a. At the time of the adoption of these rules, the Commission meeting schedule is the second Tuesday of each month at 7:00 PM in the City Hall Annex.
 - b. The Commission may schedule additional meetings as necessary. Notice of these special meetings shall be provided as required by the Open Public Meetings Act (Chapter 42.30.RCW, as amended).

- c. The Commission shall also schedule and conduct hearings as required. Notice of hearings shall be provided as required by these rules.
 - d. All Commission meetings or hearings, regular or as required, shall be open and public. However, the Commission may meet in executive session as authorized by the Open Public Meetings Act.
- 1.04.02 *Roberts Rules of Order, Newly Revised, 10th edition*, shall be the final authority on all questions or procedure and parliamentary law not otherwise provided by these rules.
- a. By agreement of two commissioners, the rules may be waived or modified for a particular meeting.
 - b. Two members of the Commission shall constitute a quorum.
 - c. No action of the Commission shall be effective unless two members concur. If only two commissioners are present at a meeting, action will be taken as follows:
 - If both commissioners vote yes or both commissioners vote no, the decision is effective and final.
 - If the commissioners vote differently, the issue will be tabled until the next meeting when all three commissioners are present.
 - d. Action taken at any regular scheduled meeting, special meeting or hearing shall not be voided for the sole reason that the procedures outlined in *Roberts Rules of Order* were not followed.
- 1.04.03 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. In addition, a party to a proceeding, at his/her own expense, may have a court reporter record all or part of a proceeding. On appeal or review, costs 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 proceedings shall be arranged by the Secretary.

SECTION 1.05 – Severability

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

SECTION 1.06 – Scope of Civil Service Regulations Application

- 1.06.01 These regulations shall include only full-time, fully paid employees of the Ridgefield Police Department, i.e. only those employees who are paid regularly by the city and who devote their whole time to such duties.

- 1.06.02 All of those employees of the police department now employed in an office or position when these regulations take effect, who have served in said office or position for six months immediately preceding these regulations effective date, are eligible for permanent appointment under Civil Service to the offices, positions, or employments which they have held without examination; said employees are inducted into Civil Service for all intents and purposes.

SECTION 1.07 – Effective Date

The effective date of these rules and regulations is to be from the date that they were first approved and adopted by the Civil Service Commission.

RULE 2

SECRETARY-EXAMINER

2.01 – Selection

The Secretary and Chief Examiner shall be appointed as a result of competitive examination, such examination may be original and open to all properly qualified citizens of the City of Ridgefield, or promotional and limited to persons already in the service of the police, fire or other city department as the commission may decide.

SECTION 2.02 – Duties

The Secretary-Examiner shall:

- A. Attend and take minutes at all meetings of the Commission.
- B. Administer, on behalf of the commission, established functions related to employment, promotion and disciplinary matters of the classified service.
- C. Administer the provisions of Chapter 41.12 RCW and these regulations, except those functions and duties reserved for the civil service commission.
- D. Consistent with these rules, provide for the holding of competitive examinations. In performing these duties, the Secretary may use the services and advice of a qualified professional consultant and/or testing service, as authorized by the Civil Service Commission.
- E. Perform all lawful and necessary duties delegated by the Commission and all functions essential to the effective administration of the civil service system.

SECTION 2.03 – Secretary-Examiner Discipline

The Secretary-Examiner may be subject to suspension, reduction, or discharge in the same manner and subject to the same limitations as are provided in the case of members of the classified service.

SECTION 2.04 – Review of and Appeal from Actions or Decisions of the Secretary-Examiner

There shall be no appeal of any action or decision of the secretary-examiner except as specifically provided herein by these rules. However, the commission shall retain the authority to review or modify any action or decision of the secretary-examiner as the commission deems necessary to carry out the purposes of these rules, city ordinances, and/or state law.

RULE 3

APPLICATION PROCEDURE AND APPLICANTS

SECTION 3.01 – Announcement of Vacancy

Whenever there is found by the Commission to be a need, the Secretary-Examiner shall invite, by giving public notice and actively recruit qualified persons

to apply for employment and for admission to the examination scheduled to create an eligibility list. Public announcement of the examination shall specify:

- A. The title and salary range of the position.
- B. A brief outline of the duties of the position.
- C. The minimum qualifications as required.
- D. The location where applications may be made.
- E. The final date upon which applications will be accepted.

Such notices shall be given the following minimum publicity and any additional publicity deemed necessary by the Commission.

- A. Postings on the bulletin boards at City Hall, police department and the post office.
- B. Publicized through a variety of media outlets.

SECTION 3.02 – Non-Discrimination

The Commission will ensure the examinations and advertisements conform to the regulations of the Equal Employment Opportunity Commission insofar as they are job related and that they do not screen out any qualified persons.

SECTION 3.03 – Application Format

Application 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. All applications filed with the Commission become the property of the Commission and shall not be returned to the applicant.

SECTION 3.04 – Filing time for Applications

Applications for examination of employment will be accepted for a period of time prior to the test as set by the Civil Service Commission in the notices of competitive exam. Final date for the filing of applications shall be included in the examination announcement.

SECTION 3.05 – Qualifications of Applicants

All applicants applying for police officer entry level positions for said Civil Service:

1. Must be a citizen of the United States.
2. Shall be able to read and write the English language.
3. Must be at least twenty-one (21) years old and in ordinary good health.
4. Shall possess a valid Washington Driver's License within two weeks of appointment.
5. Must have graduated from an accredited high school or possess a certificate of equivalency.
6. Shall be required to complete and submit to the employing agency a comprehensive application form.
7. Shall possess complete a personal history statement and submit to a thorough background investigation.
8. Shall first pass a physical agility and/or ability test and then shall successfully pass a written examination and an oral interview, all of which are to be administered by the Civil Service Commission or its representatives.
9. The Civil Service Commission reserves the right to restrict oral interviews to those applicants achieving a satisfactory level of score performance. This performance cutoff level shall be determined by both the applicants' scores and the number of applicants tested.
10. Those applicants ranking in the first five highest positions on the existing eligibility list shall, prior to appointment, have a criminal background check, polygraph examination and background investigation to include but not be limited to credit check, employment references and personal references. Additionally, any applicant upon receiving an offer of employment shall be required to have a thorough physical examination, including drug screening, by a licensed physician or surgeon approved by the Commission and take a psychological examination to ensure that the applicant is free from conditions which might affect the performance of the applicant's duties as a law enforcement officer.

SECTION 3.06 – Non Acceptance of Applicant

The application process is part of the examination. Should the Secretary-Examiner determine that the application is not complete, the application will be denied and the applicant will be advised, in writing, by the Secretary-Examiner.

If the Secretary-Examiner determines that a particular applicant does not meet the minimum qualifications as established by the Commission, the applicant shall be notified by the Secretary-Examiner. This notice shall be given in sufficient time prior to the scheduled examination so that the applicant may be able to supply additional information to the Secretary-Examiner prior to the scheduled examination if he/she so desires. 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, provided that the applicant passes the examination, at the time that they approve the establishment of the eligibility list resulting from the examination. In so determining, the Commission 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 for the examiner or the police department. The Commission's determination shall be final.

SECTION 3.07 – Lateral Entry

Positions may be filled by the use of lateral entry from other police departments. Minimum qualifications for lateral entry in the Ridgefield Police Department are as follows:

- 3.07.01 Applicants shall have successfully completed an approved basic law enforcement academy within the state where they served. However, if there has been a break in full-time law enforcement employment of twenty-four (24) months or greater, the applicant shall be ineligible for lateral entry.
- 3.07.02 Applicants must pass an examination, either written or oral or both, to be given by the Civil Service Commission or its representatives.
- 3.07.03 Applicants for lateral entry must also qualify in accordance with Sections 5 and 6 of these rules and regulations.
- 3.07.04. A candidate who has successfully completed the Washington State Law Enforcement Academy with a break in full-time law enforcement employment of twenty-four (24) months or greater, shall be ineligible for lateral entry.

Lateral applicants must be able to successfully pass each phase of the following hiring process. Disqualification may occur at any level of this hiring process.

- A. Application and questionnaire
- B. Practical skills test

- C. Criminal Background Check and Abstract Driving Record
- D. Oral interview
- E. Chief's interview
- F. Polygraph examination (Per RCW 43.101.95)
- G. Background Investigation – to include but be limited to credit check, employment references, personal references
- H. Psychological examination (Per RCW 43.101.95)
- I. Medical examination

Successful applicants for a lateral entry position shall be placed on a hire list by the Secretary-Examiner in the order they are ranked. A lateral entry position may be started at a higher level of pay that is determined by the hiring authority.

When the appointing authority requests that a position be filled by a lateral entry applicant, the Secretary-Examiner shall provide him/her with the names and other pertinent data of the first five applicants.

For purposes of seniority, time of service shall be from the time that the applicant is actually hired by the City of Ridgefield. For purposes of promotional exams, prior police service within the state shall count as time served with the City of Ridgefield, except that no promotional exam may be taken while an applicant is on probation. Probation period for lateral applicants will be 12 months.

RULE 4

EXAMINATION

SECTION 4.01 – 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.

SECTION 4.02 – Character

The qualifications and fitness of the applicants shall be determined either individually or in a group or groups by one or more of the following methods:

- A. Evaluation of education, training, experience, performance, or qualifications as shown by the application, or by other factual information submitted, or by the record.
- B. Physical tests of strength, stamina, agility or dexterity.
- C. Written tests.
- D. Oral tests of knowledge.
- E. Assessment Center.
- F. Subscription Testing Service

SECTION 4.03 – 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 Secretary-Examiner. Upon approval by the Commission, the Secretary-Examiner may delegate the preparation and/or administration of examinations, or any portion thereof.

SECTION 4.04 – Promotions

When vacancies occur in any grade, they shall, whenever practical, 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 the number of positions vacant and number of candidates eligible.

To be considered to an examination for promotion, a candidate must have served in the department at least one year in the next lower grade. Exception to 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.

In the event less than three eligible candidates are available from within the Ridgefield Department, or in the event no one attains a passing score on the promotional examination given, the Commission may then direct the Secretary-Examiner to advertise the examination to include personnel outside the City of Ridgefield.

SECTION 4.05– Weight of Examination

The weight of each portion of an examination has been established by the Commission to be: Written - 30% and Oral - 70% for entry level candidates.

For lateral, entry and promotional examinations, the Commission will determine the weight of each portion prior to the examination subject to advanced notice to the applicants.

SECTION 4.06 – Passing Score

The physical agility portion of the testing process will be scored by a pass or fail grade. Each sub-test must be passed with a 70% or higher score before proceeding to the next portion of the examination. Applicants who attain a score of 70% 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. The Commission shall have the right to establish the number of eligible applicants allowed on the list.

The Secretary-Examiner shall give the top 10 applicants certified as a qualified candidate by the Subscription Testing Service.

SECTION 4.07 – Prior Service Credits (ENTRY LEVEL POSITIONS ONLY)

Eligible personnel shall be entitled to credit for prior service in the United States Armed Forces or for prior service with the City of Ridgefield as follows:

- A. **Military Service:** Pursuant to RCW 41.04.005 and RCW 42.04.010, all eligible persons having served in the Armed Forces of the United States and whom received an honorable discharge or a discharge for physical reasons with an honorable record shall be entitled to claim credit pursuant to the applicants **Veterans Preference Declaration** of either five (5) or ten (10) percentage points added to the applicants passing score. Said Veterans Preference Declaration shall accompany the individual's application with the applicable claim block marked.
- B. **Prior Service to the City of Ridgefield:** All persons who have served the City of Ridgefield in the following categories shall be eligible for a credit of 1% for each full year of service for a maximum of 5%, provided that such persons must claim such credit within eight (8) years of the applicant's last day of service to the City of Ridgefield.

1. Volunteer Police Reserves who have previously served the City of Ridgefield and who have resigned there from in good standing.
2. Volunteer Police Reserves who are now serving the City of Ridgefield and have successfully completed State Certification Reserve Academy.

SECTION 4.08 – Notification of Grade or Rank

Lists will be posted in the Ridgefield Clerk's Office within one 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.

SECTION 4.09– Review of Examinations and Challenges

Within ten business days after notice of his/her final score has been mailed, any competitor in a promotional exam may review his/her own examination papers. 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 Secretary-Examiner, within ten business 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 incorrect, the questions unfair, or the examination inept. The postmark date shall be used for determining the 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 re-graded accordingly, the eligibility list reconstructed, 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. (Refer also to Rule 6, Section 5, Revocation of eligibility lists.)

SECTION 4.10 – RE-APPLYING OF APPLICANTS

Applicants, either lateral or entry level, who fail any portion of the testing process, may re-apply after one (1) year.

RULE 5

ELIGIBILITY LISTS

SECTION 5.01 – Establishment of Eligibility Lists

Eligibility lists shall be prepared which rank individuals qualified for certification to appointing authorities based upon the results of the examinations and, when applicable, prior service credits except anyone permanently eligible under Section 5.03.

SECTION 5.02 – Duration of Lists

Entry and lateral eligibility lists shall be valid for one year following certification by the Commission.

The Civil Service Commission may schedule examinations prior to the expiration of the eligibility list, or extend the expiration date of the eligibility list 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, including promotional lists, to certify names for appointments as the needs of the service arise.

SECTION 5.03 – Permanent Eligibility

Individuals shall be permanently ranked on an eligibility list, according to the seniority in grade, until such time as they may receive an appointment, when having been reduced in rank or laid off due to reasons other than cause or due to any other circumstances sufficient for the Commission to order permanent ranking in accordance with seniority.

SECTION 5.04 – Removal from Eligibility List

No name may be removed from an eligibility list, except upon written request of the applicant, upon written notification of another public safety employer or an entity providing subscription testing. 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 they may appear before the Commission to comment prior to any action being taken by the Commission.

If an applicant requests that his/her name be removed from the eligibility list, he/she shall not be eligible for at least one year without special permission from the Commission. Any applicant who rejects appointments two times shall have his/her name removed from the eligibility list. An applicant, who is proven to have falsified his/her application and/or test records, shall have his/her name

removed from the eligibility list and shall be prohibited from taking the examination again for at least five years.

SECTION 5.05 – Notice of Address Change

Each individual on both the entry level and lateral eligibility lists is responsible for notifying the Secretary-Examiner or subscription testing service of any change of address. Failure to do so may cause the removal of the applicant's name from the eligibility list.

SECTION 5.06 – Revocation of Eligibility Lists

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 whose standing may be affected by the revocation.

RULE 6

APPOINTMENTS

SECTION 6.01 – Basis for Appointments

All appointments within the Ridgefield Police Department, whether entry level, lateral 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.

SECTION 6.02 – Appointing Authority

The appointing authority shall be the City Manager for the Chief of Police, the Civil Service Commission for the Secretary-Examiner, and the Chief of Police for all other positions within that department.

SECTION 6.03 – Certification of Eligibility

Upon requisition by the appointing authority, the secretary-examiner shall first certify those persons on the eligibility list and furnish the top five (5) candidates names from the appropriate eligibility list. If there are no names on the appropriate eligibility list, names for certification shall be taken from the entry level and lateral eligibility lists. The secretary-examiner shall certify, to the appointing authority, the names of the top five (5) ranked individuals from both

the entry level and lateral lists. The appointing authority shall also be furnished with copies of the candidates' applications and any other appropriate information of record of the persons certified. The appointing authority shall then select one of the five (5) persons, so certified, to fill the position from either list, lateral or entry level, if that candidate successfully passed all background investigations.

SECTION 6.04 – Appointments Accepted or Declined

Whenever a candidate whose name has been certified for an appointment fails to answer an inquiry of the Secretary-Examiner or of the appointing authority within ten (10) business days following 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.

SECTION 6.05 – Temporary Appointment

In making temporary appointments, the appointing authority shall make requisition to the Secretary-Examiner and shall indicate the reasons a temporary appointment is required.

Temporary appointments shall be made from a lateral entry list. When there is no lateral entry list from which an appointment can be made, the Commission may allow the appointing authority to make a temporary appointment of a qualified person for a period of up to four months.

Reasons for a temporary appointment shall include, but not be limited, to the following:

- A. A vacancy due to termination or resignation of an officer and such time as is necessary to complete the examination/hiring process.
- B. Training time in which a newly hired officer is participating in the basic academy and/or the department's field officer training program.
- C. Where through illness or injury, a position is vacant.
- D. A specialized assignment in which the department will be without the services of one or more officers.
- E. Any other reason brought before the Commission with sufficient facts as determined by the Commission to be justified.

If, at the end of the four-month temporary appointment, the appointing authority requests an extension, the appointing authority shall present to the Commission,

in writing, the reasons for such extension and the time estimated. The Commission may grant an extension as they deem necessary. No one can serve in a position under the temporary appointment for more than four (4) months, nor do so twice in one position in any one year.

Nothing in this Section shall remove or subvert the examination process as stated in Rules 3 and 4.

SECTION 6.06 – Acting Appointment

Whenever an incumbent in any position in the services has been absent on disability leave, military leave or leave of absence for ten consecutive shifts, and an eligibility list exists for the incumbent's position, the appointing authority may requisition for the person highest on the eligibility list to be appointed thereto. Such appointment shall follow all normal Civil Service Procedures, but provided, if the incumbent in such position returns to work the person so appointed shall revert to his former position, or if the incumbent dies, resigns, is dismissed or advises the service in writing that he will not be returning to work, the person so appointed to the position shall be permanently so appointed.

Time spent in such higher position shall not be credited as probationary service unless and until the person has served there continuously for six months, provided, credit for such shorter periods shall lapse after thirty days from last service in such a position.

SECTION 6.07 – Limit to Acting or Temporary Appointment

No temporary or acting appointment shall continue for a period exceeding four (4) months and no person shall receive more than one two such appointments in any twelve (12) month period. The Commission shall have the right to extend a temporary or acting appointment beyond four months when deemed necessary.

SECTION 6.08 – Project Appointment

Whenever federal or state funding becomes available to appoint any person eligible under the terms of the guidelines provided with the federal or state funding, said appointments may be made for the duration for the available funding. Such appointment may last upward of two (2) years and beyond but have an end in sight. Any person appointed pursuant to this section shall be subject to all rules and regulations contained herein, except that no time spent as a project appointee shall be credited to the probationary period or be utilized for computing any privilege accruing under Civil Service Law or these Regulations.

RULE 7

PROBATIONARY PERIOD

SECTION 7.01 – 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 adjusting to his new position and as an aid in making the decision to reject any employee whose work performance or personal conduct is unsatisfactory.

SECTION 7.02 – Duration For Entry-Level

No position in the Civil Service shall be deemed to be regular full-time until the expiration of the probationary period. The entry-level probationary period shall be for a period of twelve (12) consecutive months, beginning from the date of the officer's successful completion of the Basic Law Enforcement Academy, held at the Washington State Criminal Justice Training Commission in Burien, Washington.

SECTION 7.03 – Duration For Lateral Entry-Level

No position in the Civil Service shall be deemed to be regular full-time until the expiration of the probationary period. The lateral entry-level probationary period shall be for a period of twelve (12) consecutive months from date of hire by the City of Ridgefield.

SECTION 7.04 – Duration For Promotional Positions

No promotional position shall be deemed to be regular full-time until the expiration of the probationary period. Any promotional appointment probationary period shall be for a period of twelve (12) consecutive months from the date the eligible applicant was first appointed.

SECTION 7.05 – Dismissal During Probationary Period

At any time during the twelve (12) month probationary period, the appointing authority may terminate the appointment of the person certified to him/her if, during the performance tests this afforded, upon observation or consideration of the performance of duty, he/she is found unfit or unsatisfactory. The appointing authority shall forthwith notify the employee and the Commission in writing of any such termination and the reason(s). Such reason(s) need not constitute just cause and shall not otherwise be reviewed by the Commission. For entry-level, lateral level and promotional positions, such action on the part of the appointing authority is not subject to appeal, except upon a claim filed within ten (10) business days of the authority's decision to terminate the appointment. Such claim shall be timely filed with the Civil Service Commission and shall provide

that the basis for the claim is based upon discrimination due to national origin, race, age, political, racial, religion, gender bias, sexual harassment or sexual orientation.

SECTION 7.06 – Regular Full-Time Status

If no action is taken by the appointing authority to terminate or reduce in rank a probationary employee during the probation period, the employee shall be deemed to have satisfactorily completed the probationary period and his/her appointment shall be regular full-time at the end of the specified period.

SECTION 7.07 – Removal from Eligibility Lists

If an appointment is not made regular full-time 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.

SECTION 7.08 – Acting or Temporary Appointments

If an employee's appointment to a position is an acting or temporary appointment, the time during which the employee performs the duties of the position in an acting or temporary capacity shall not be credited toward the employee's completion of a later probationary period for an equivalent position. PROVIDED, however, if the appointing authority presents a request to the Commission at the time of permanent appointment to allow credit for time worked, the Commission may or may not allow credit for time worked.

RULE 8

DISCIPLINARY ACTION

SECTION 8.01 – Tenure of Employment

No regular full-time employee of the Ridgefield Police Department, who has been appointed or inducted into the Civil Service under provisions of Chapter 41.12 RCW and these rules and regulations, shall be suspended, terminated or reduced in rank except for cause.

SECTION 8.02 – Causes of Disciplinary Action

The following may be considered as cause for disciplinary action:

- A. Incompetence, inefficiency, or inattention to or dereliction of duty.

- B. Dishonesty, intemperance, immoral conduct, insubordination, discourteous treatment of the public or a fellow employee, or any other act of 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 these rules and regulations.
- C. Mental or physical unfitness for the position which the employee holds.
- D. Drunkenness or the excessive 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.
- E. Conviction of a felony or a misdemeanor involving moral turpitude.
- F. 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.

SECTION 8.03 – Removal, Suspension, Demotion and Discharge

No person in the classified Civil Service who has been appointed to a position under these rules shall be removed, suspended, demoted or discharged except for cause as defined in Rule 8, Section 2. Such dismissal, demotion or suspension shall be effective upon the filing with the Secretary-Examiner of a written statement by the person's appointing authority stating the reasons for such removal, suspension, demotion or discharge. 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 removed, demoted, suspended, or discharged. Such statement, in addition, shall advise such person that he may, within ten (10) business days of such service, appeal to the Civil Service Commission by filing with the Secretary-Examiner a written request for a Commission investigation.

RULE 9

HEARING OF APPEALS

SECTION 9.01 – Right to Hearing

Any regular full-time Civil Service employee who is suspended, terminated or reduced in rank may petition for a hearing before the Commission.

SECTION 9.02 – Petition for Hearing

A petition for a hearing before the Commission shall be in writing, signed by the petitioner, giving his/her mailing address, the action from which he/she appeals, and, in detail, the facts and reasons upon which his/her case is based. Such petition must be filed with the Secretary-Examiner within ten (10) business days of the receipt of the petitioner of the notice of his/her suspension, termination or reduction in rank.

SECTION 9.03 – Hearing of the Appeal

All appeals shall be heard by two or more of the members of the Commission. The members of the Commission hearing the appeal shall:

- A. Publicly conduct a hearing.
- B. Administer oaths and affirmations, examine witnesses and receive evidence.
- C. Issue subpoenas as provided by law.
- D. Rule upon offers of proof and receive evidence.
- E. Hold conferences for the settlement or simplification of the issues.
- F. Dispose of procedural request for similar matters.

SECTION 9.04 – Notice of the Hearing

After the petition for a hearing is filed with the Secretary-Examiner, the Commission shall schedule a hearing on the appeal at its next regular scheduled meeting. Notice of the time and place of the hearing shall be served on the petitioner at least five (5) business days prior to the hearing.

SECTION 9.05 – Rights of the Petitioner

When a hearing is granted, the petitioner shall attend, unless excused by the Commission, and shall be entitled to:

- A. Be represented by counsel at such hearing.
- B. Testify under oath.
- C. Subpoena witnesses to testify for him/her.
- D. Cross-examine all witnesses appearing against him/her and all employees of the Commission whose actions are in question or who have investigated any of the matters involved in the case and whose reports are offered in evidence before the Commission or other individual or group of individuals assigned to hear the appeal.
- E. Present such affidavits, exhibits and other evidence as is deemed pertinent to the hearing.
- F. Argue his/her case.

SECTION 9.06 – Rights of the Appointing Authority

The appointing authority who instigated the suspension, termination or reduction in rank against the petitioner shall be entitled to rights equal to those of the petitioner as delineated in Section 9.05 above.

SECTION 9.07 – Evidence

Hearings shall be informal and need not be conducted to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it possesses probative value commonly accepted by reasonable prudent persons in the conduct of their affairs, but the Commission may exclude incompetent, irrelevant, immaterial and unduly repetitious evidence. Hearsay evidence may be admitted for any purpose but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege and of official or judicial notice shall be effective to the same extent as in civil actions. Oral evidence shall be taken only under oath or affirmation. Only the evidence presented at the hearing will be considered by the Commission in their determination and ultimate ruling upon the appeal.

SECTION 9.08 – Testimony of Petitioner.

The petitioner may be required to testify and may be cross-examined as to any matter relevant to the hearing.

SECTION 9.09 – Burden of Proof

At any hearing on appeal from a demotion, suspension or termination, the disciplinary authority shall have the burden of showing by a preponderance of the evidence that its action was for cause. At any other hearing, the petitioner or appellant shall have the burden of proof by a preponderance of the evidence.

SECTION 9.10 – Transcripts of Hearings

The Commission shall cause minutes to be taken of the proceedings by such clerical assistance as it may have available but need not have a stenographic transcript. If the petitioner requests a transcript of the hearing, he must make necessary arrangements with a court reporter and bear the expense of same.

SECTION 9.11 – Decision of the Commission

Decisions of the Commission shall be accompanied by the Findings of Fact and Conclusions of the Commission and shall be rendered in writing within five (5) business days after the conclusion of the hearing. When an appeal is not heard by the Full Commission, the individual or group of individuals hearing the appeal shall file with the Commission within three (3) business days after the hearing, Findings of Fact and Conclusions and a recommended decision for the Commission's consideration. Within two (2) business days thereafter, the Commission shall at a regular or special meeting, announce its decision. The decision shall be considered final for purposes of review except as otherwise provided in Sections 9.12 and 9.13 below.

Section 9.12 – Petition for Reconsideration

In an appeal heard by less than a quorum of the Commission, any person aggrieved by any resultant decision of the Commission may file a petition for reconsideration with the Commission. Such petition shall be filed within fifteen (15) business days of the date of issuance of the Commission's decision and shall be accompanied by a transcript of the hearing which shall be furnished by the petitioner at his/her sole cost and expense. The petition shall contain all of the petitioner's arguments for reconsideration, and copies of the petition shall be served by certified mail, return receipt requested, upon all parties to the hearing. Upon receipt of the petition and transcript, the Commission shall upon ten (10) business days notice to the petitioner, and to all parties to the appeal, hold a regular or special meeting at which the Commission shall consider the petition and written arguments of all parties submitting the same to the Commission, and shall determine whether to reconsider its decision. If the Commission determines not to reconsider its decision, its decision not to reconsider shall be deemed its final decision for purposes of judicial review. If the Commission decides to reconsider its decision, it shall, at the meeting at which such decision is made,

enter Findings of Fact and Conclusions and its final decision, which for purposes of judicial review shall be deemed to be the final decision of the Commission.

Section 9.13 – Petition for Judicial Review

Any person aggrieved by any final decision of the Commission may file for review in an appropriate court of law. Such petition shall be filed within thirty (30) business days of the date of issuance of the Commission’s final decision. If the petition is granted, the court shall hear the matter without a jury, on the record of the hearing and briefs of the parties.

RULE 10

PROCEDURAL INVESTIGATIONS

SECTION 10.01 – Investigative Responsibility

The Civil Service Commission shall make investigations concerning and report upon all matters touching the enforcement and effect of the provisions of these rules and regulations and/or RCW 41.12 prescribed hereunder; inspect all institutions, departments, offices, places, positions, and employments affected by these rules and regulations or RCW 41.12, and ascertain whether the rules and regulations or RCW 41.12 hereunder are being obeyed. Such investigations may be made by the Commission or by any Commissioner designated by the Commission for that purpose. Not only must these investigations be made by the Commission, but the Commission must make like investigation on petition of a citizen duly verified, stating that irregularities or abuses exist, or setting forth in concise language, in writing, the necessity for such investigation. In the course of such investigation the Commission or designated commissioner, or chief examiner, shall have the power to administer oaths, subpoena and require the attendance of witnesses and the production by them of books, papers, documents, and accounts appertaining to the investigation, and also to cause the deposition of witnesses residing within or outside the State to be taken in the manner prescribed by law for like depositions in civil actions in the Superior Court; and the oaths administered hereunder and the subpoenas issued hereunder shall have the same force and effect as the oaths administered by a superior court judge in his or her judicial capacity; and the failure upon the part of any person so subpoenaed to comply with the provisions of this section shall be deemed a violation of these rules and regulations and RCW 41.12, and punishable as such.

SECTION 10.02 – Citizen Complaints

The Commission may make like investigations into the operation of the Civil Service System, on petition of a citizen, duly verified, and stating that

irregularities or abuses exist and setting forth in concise language, in writing, the necessity for such investigation.

RULE 11

CLASSIFICATION

SECTION 11.01 – 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. Further, the appointing authority shall allocate every position in the classified service to one of the classes established in the plan. The classification plans so developed shall be provided to the Civil Service Commission for review. The class titles so established shall be used in all personnel, budget, accounting 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.

RULE 12

LEAVES OF ABSENCE

SECTION 12.01 – Less than 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-Examiner.

SECTION 12.02 – More Than 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.

SECTION 12.03 – Military Leave

Military leaves of absence shall be granted by the Commission in accordance with the provisions of the applicable chapters or RCW.

SECTION 12.04 – 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 he 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.

RULE 13

LAYOFFS AND REDUCTIONS IN FORCE

SECTION 13.01 – Reductions of Work Force

Whenever the appointing authority contemplates a reduction in staff because of shortages of funds, lack of work or reorganization, notice thereof shall be sent by the appointing authority to the Secretary-Examiner. 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. When it is determined which classified positions are to be eliminated, employees in those positions shall be laid off based upon length of service; i.e. those having the shortest length of service shall be laid off first. The Civil Service Commission shall investigate any complaint by a regular employee filed in writing with the Secretary-Examiner alleging that a layoff was made in bad faith. If the Commission finds that the layoff was not made in accordance with these rules and regulations, it may order the reinstatement of the regular employee or employees to their previously held rank. Notice of layoff shall be given to the employee concerned and the Secretary-Examiner at least four weeks before the effective date thereof. Regular employees laid off shall have their names placed on the eligibility list in accordance with these rules and regulations.

If a particular classification is eliminated, officers shall have rights with respect to seniority to any previous position held.

SECTION 13.02 – Transfers

Transfers are allowable and do not require examinations when they are from one position within the same or comparable class. The transfer of an employee from one position in a class with a lower maximum rate of pay to a position in a class with a higher maximum rate of pay shall be deemed a promotion and may be accomplished only in a manner provided in these rules and regulations for making promotional appointments. A transfer of an employee from a position in a class with a higher maximum rate of pay to a position of a lower maximum rate

of pay shall be deemed a reduction in rank and may be accomplished only in the manner provided in these rules and regulations.

RULE 14

RESIGNATION

SECTION 14.01 – Resignation

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 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 it 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.

SECTION 14.02 – Loss of Rights and Status

Any person in the Civil Service employ of the City who separates himself from such service will be entitled to no privileges upon seeking to re-enter the service, except those privileges entitled to an applicant upon initial application or entry into service.

RULE 15

RECORDS AND REPORTS

SECTION 15.01 – Examination of Records

The Secretary-Examiner shall maintain examination records on each employee in the classified service during the probationary period. Such records shall include all examinations taken, grade obtained, ratings earned and background information. Upon the completion of the probationary period and the employee is hired, all records will be turned over to the City Clerk.

SECTION 15.02 – Access to Department Records

The Civil Service Commission, Secretary-Examiner and appointing authority shall have access to all records on each employee, the examination of which will aid them in the discharge of their duties.

SECTION 15.03 – Records Open to the Public

The minutes of all Civil Service Commission meetings shall be open to the public during normal office hours and may be inspected upon application to the Secretary-Examiner. Access to all other Commission records shall be governed by any applicable chapters of the RCW and/or federal laws or regulations.

SECTION 15.04 – 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 authority shall immediately report in writing to the Commission through the Secretary-Examiner:

In order that the Commission may keep a proper record of changes in the classified service, each appointing authority shall immediately report in writing to the Commission through the Secretary-Examiner:

- A. Every probationary or temporary appointment made by him/her.
- B. Every refusal or failure to accept an appointment by a person who has been duly certified.
- C. Every suspension or other disciplinary action made by him/her or any officer or employee with the reasons therefore.
- D. Every separation from service and whether the separation was caused by death, dismissal, retirement, or resignation and such resignation to be in writing and filed with the Commission.
- E. Every office that is created or abolished in any department and the reason therefore.
- F. Every leave of absence that is granted to a member of any department.

SECTION 15.05 – Certification of Payroll

Upon compiling payroll or claims containing the names of any person or persons to be paid for services rendered in the classified service, and before payment is made, the paying officer of the city shall submit the payroll or claims to the Secretary-Examiner, or other duly authorized agent, for examination to determine whether the names appearing thereon have been appointed, employed, promoted, reduced in rank, or in any other way affected in a manner inconsistent with these rules and regulations.