

RULE I
The Civil Service Commission
For Police and Fire

Section 1 Organization

The members of the Civil Service, after appointment by the Mayor, shall proceed to the election of a chairman who shall continue in office until subsequent reorganization of the Commission becomes necessary.

Section 2 Powers and Duties

The Civil Service Commission Shall:

- A) Have all powers and perform all the duties authorized by RCW 41.12 for City Police and 41.08 for City Fire, their amendments and applicable Washington State Statutes.
- B) Adopt rules and regulations which substantially accomplish the purposes of RCW 41.12 and 41.08, and which are not inconsistent with the provisions of this chapter.
- C) Provide for any other matters connected with the general subject of personnel administration, and which may be considered desirable to further carry out the general purposes of RCW Title 41.12 and 41.08, or which may be found to be in the interest of good personnel administration.

Section 3 Rules and Regulations

Rules of the Civil Service Commission shall be adopted by a majority vote of the members of the Commission at any regular or special meeting of the Commission. The Commission or any member thereof may propose a rule or an amendment to a rule at any time; however, all other persons must submit any proposed rule or amendment to the Secretary/Chief Examiner of the Commission at least one week in advance of the meeting at which such person desires to have such proposal considered by the Commission. The rules of the Commission may be amended in the same manner as adopting a rule. The Civil Service Commission has the power to interpret its rules.

The Commission may apply such principles, as it deems desirable, in determining cases, which are not clearly determined by rules adopted by the Commission.

Rules in effect at the time of any event being considered by the Commission shall be applied to such event.

Section 4 **Meetings**

The Commission shall hold regular monthly meetings unless there is no pending business requiring Commission action. Notice as to meeting time and location shall be given at least 7 days prior, unless notice is waived by all affected parties.

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 (Ch. 42.30 RCW). Two members of the commission shall constitute a quorum. 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.

Section 5 **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.

RULE II
SECRETARY/CHIEF EXAMINER

Section 1 Appointment

The Civil Service Commission shall appoint a Secretary/Chief Examiner as the result of a competitive examination determined by the Commission or from among employees already serving departments within the City of Selah, or a qualified adult resident of the City.

Section 2 Qualifications

Must be able to be lawfully employed in the United States, able to read and write the English language, possess a high school diploma or its equivalent, be an employee of the City of Selah or adult resident of the City of Selah, and be able to perform the duties listed in Section 3.

Section 3 Duties

The Secretary/Chief Examiner shall keep the records of the proceedings of the Commission; have charge of and be responsible for the safekeeping of the books, papers, records, and other property of the Commission; provide for the holding of the examinations with the necessary procedural matters; make certifications of those eligible for appointment; generally conduct the correspondence of the commission and perform such other associate duties as may be assigned.

Section 4 Tenure

The Secretary/Chief Examiner shall be subject to suspension or discharge in the same manner and subject to the same limitations as are provided in the case of members of the Police and Fire Departments.

RULE III

Application Procedures, Qualifications and Requirements

Section 1 Announcement of Vacancy

Whenever there is a need, the Secretary/Chief Examiner shall invite, by giving public notice, qualified persons to apply for employment and admission to the examination scheduled to create an eligibility list. Public announcement of the examination shall specify:

- A) The City Department: Police or Fire;
- B) The title and salary range and the position;
- C) A brief outline of the duties of the position;
- D) The minimum qualifications required;
- E) The location where application may be made;
- F) The final date upon which applications will be accepted.

Section 2 Application Requirements

Applications must be made on forms supplied by the Commission, or in such other format as may be prescribed by the Commission.

An incomplete application shall be returned with notice to amend. Failure to submit a completed amended application prior to the test date shall disqualify the applicant for examination.

Any willful false statement made by any person in connection with the application shall be good cause to disqualify the applicant for examination.

All applications and accompanying certificates not returned for correction shall remain on file with the Examiner.

Where it appears the applicant is disqualified for examination the applicant shall be so notified prior to the examination date.

The burden shall be on the applicant for any classification under Civil Service to show possession of the required qualifications.

Section 3 Filing Time for Applications

Applications for examination and employment must be accepted for a period of not less than fourteen- (14) calendar days.

Section 4 Minimum Qualifications for Entry Level Police Officer and Firefighter Applicants

- A) Must be a U.S. citizen;
- B) Minimum of twenty-one (21) years of age prior to hire date;
- C) High school or G.E.D graduate;
- D) Must be clear of any criminal history;
- E) Must possess a valid Washington State motor vehicle operator's license with no history of license revocation; no history of violations including, but not limited to, reckless driving and driving while under the influence of intoxicating liquor or drugs as determined by the Police Chief for Police Officer applicants and the Fire Chief for Firefighter applicants.

Section 5 Police Reserve Officers as an Alternative Option to the Entry Level Application Process

Whenever there is an entry level vacancy within the Police Department, the Chief of Police has the option to request an entry level examination from a pool of the department's reserve officers to fill a vacancy. Minimum qualifications for the police reserve applicant are:

- A) A through E requirements as listed in Rule III, Section 4;
- B) Has completed the Police Reserve Academy;
- C) Successfully completed the CJTC entry level P.T;
- D) Presently serving in a reserve officer capacity and has met all minimum test requirements and reserve officer performance requirements for a minimum of one year.

Section 6 Volunteer Firefighters as an Alternative Option to Entry Level Application Process

Whenever there is an entry level vacancy within the Fire Department, the Fire Chief has the option to request an entry level examination from a pool of the Fire Department's volunteer firefighters to fill the vacancy. Minimum qualifications for the volunteer firefighter applicant are:

- A) A through E requirements as listed in Rule III, Section 4;
- B) Has completed all volunteer firefighter probationary requirements;
- C) Presently serving as a volunteer firefighter for a minimum of three years and has met all minimum test and performance requirements.

Section 7 Lateral Entry (Trained and Experienced Police Officers) as a Supplement to the Entry Level Application Process

Whenever there is an entry level vacancy with the Police Department, the Chief of Police has the option to request lateral entry examination as a supplement to the entry level process to fill the vacancy. Minimum qualifications for the lateral entry applicant are:

- A) A through E requirements as listed in Rule III, Section 4;
- B) Washington State Certified Police Officer or successful completion of an equivalent Police Academy prior to hire;
- C) Must have completed his/her probationary period inclusive of one year of regular full-time service;
- D) Must not have been out of law enforcement for more twenty-four (24) months prior to application date;
- E) Peace Officer Certificate must be in full force without any additional training needed, apart from the Washington State Equivalency Academy.
- F) Must have a minimum of twenty-four (24) months working as a full-time commissioned police officer.

Section 8 Lateral Entry (Trained and Experienced Firefighters) as a Supplemental to the Entry Level Application Process

Whenever there is an entry level vacancy with the Fire Department, the Fire Chief has the option to request a lateral entry examination as a supplement to the entry level process to fill the vacancy. Minimum qualifications for the lateral entry applicant are:

- A) A through E requirements as listed in Rule III, Section 4;
- B) Washington State Certified Emergency Medical Technician prior to hiring;
- C) Must have completed his/her probationary period inclusive of one year of regular full time service with a Fire Department in the State of Washington;

- D) Must not have been out of the fire service for more than twelve (12) months prior to application date.

Section 9 Promotional Qualifications and Requirements for Both the Police Department and Fire Department

As the needs of the City of Selah, the Police Department and the Fire Department may require, promotional examinations may be conducted from time to time. Minimum qualifications for the promotional applicant in both the Police Department and Fire Department are:

- A) Must be a current employee of the department in which the promotion is being offered;
- B) Must have completed at least the probationary period in a position of the classification from which they are seeking a promotion.

Additional time-in-service and/or other requirements may be established as the discretion of the Commission.

RULE IV

Examinations

Section 1 Scope

All examinations shall be practical and shall consist only of subjects that fairly determine the capacity of persons examined to perform the duties of the position to which an appointment is to be made. Examinations offered by the City of Selah Civil Service Commission are:

- A) Entry-Level Police and Fire Fighter
- B) Lateral-Entry Police and Fire Fighter
- C) Promotional

The Commission may allow an entry-level Police or Fire Fighter examination to be conducted jointly with another jurisdiction. Only applicants passing the examination will be considered for appointment as otherwise provided by these rules.

Section 2 Examinations

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

- A) Written tests;
- B) Oral tests of knowledge or ability;
- C) Interview covering general qualifications, education, training, and/or experience;
- D) Physical tests of strength, stamina, ability, or dexterity;
- E) Evaluation of education, training, experience, or qualifications as shown by the application, or by other information submitted, or by the record; and
- F) Assessment Center.

Section 3 Preparation

All examinations shall be prepared and administered under the supervision of the Secretary/Chief Examiner following the general direction of the Civil Service Commission. The Secretary/Chief Examiner may, at the Examiner's discretion, delegate the preparation and/or administration of examinations, or any portion

thereof, to such qualified and unbiased consultants as approved by the Commission.

Section 4 Identity of Examinees

The identity of individuals taking competitive written examinations shall be concealed from the examiners by the use of an identification number, which shall be used on all test papers. In non-written examinations every precaution shall be taken to ensure that the identity of examinees, if by necessity it must be disclosed, shall not be used in any manner which may be prejudicial to the examinees.

Section 5 Passing Score

A total passing score on an examination shall be 70%. The Commission may establish a total passing score other than 70%, if it determines that such a change is necessary to reflect the difficulty of the examinations. Passing scores, on portions of the examinations, if such are appropriate due to the nature of the total examination process, shall be established by the Secretary/Chief Examiner. Each such portion or sub-test must be passed prior to proceeding to the next portion or sub-test.

Section 6 Veterans' Credit and Additional Points before Certification

The Selah Civil Service Commission will adhere to veterans' preference credit in accordance with RCW 41.04 and 73.16 as it now exist or may hereafter be amended.

Before certification for entry-level Police Officer positions, there shall be additional points given based upon the following criteria:

- A) Spanish/English bilingual
5 points
- B) Graduate of the Washington State Law Academy or possess an Associate of Arts or Bachelor of Arts degree in the area of law Enforcement.
5 points
- C) Satisfactory attainment of the Rank of Reserve First Class for a minimum of one year with another jurisdiction.
5 points

- D) Satisfactory attainment of the rank of Reserve First Class with the City of Selah Police Department for a minimum of one year.
10 points

Candidates may use the points from options B, C or D, but may not combine them, except in combination with Option A.

To obtain the points in C, or D, candidates must have graduated or served within the past five years.

Before certification for entry-level Firefighter positions, there shall be additional points given based on the following criteria:

- A) Satisfactory attainment of the rank of Volunteer Firefighter with the Selah Fire Department for a minimum of 3 years.
10 points
- B) Spanish/English bilingual
5 points

The points will be added after Veterans preference points. DD214 must be provided.

Section 7 Notification of Grade and Rank

All applicants will be notified of their grade and position on the eligibility list.

Section 8 Pre-Employment Screening Authorized

After establishment of the eligibility list, the appointing authority of the respective Police Department or Fire Department may employ one or more of the following pre-employment screening examinations to those individuals certified to the appointing authority:

- A) Character background investigation;
- B) Polygraph examination;
- C) Medical examination, including a drug test;
- D) Physical tests of strength, stamina, agility or dexterity;
- E) Psychological tests conducted under fully competent guidance;
- F) Other such screening under the direction of the appointing authority as may be approved by the Commission.

RULE V

Eligibility List

Section 1 Establishment of Eligibility Lists

Eligibility lists shall be prepared which rank individuals qualified for certification to appointing authorities based upon the results of examinations, and if applicable, veterans' credit or as outlined in additional points before certification, except that anyone permanently eligible for a class shall continually be ranked #1 until receiving an appointment to a position within the class as outlined below.

Section 2 Duration

No name shall remain on a register of eligibility more than one year from the date of the establishment of the register, unless the Commission shall otherwise order.

The Commission may establish an integrated register of eligibility providing persons on the current register are afforded the choice to either retain their current score or withdraw from the register upon re-testing for a new score and standing on the integrated register.

Section 3 Permanent Eligibility

Individuals may be permanently ranked number 1 on an eligibility list, unless they receive an appointment, but may be removed for appropriate reasons, such as having been reduced in rank or laid off due to cause as determined by the Commission.

Section 4 Removal of Names from Eligibility List

No name may be removed from an eligibility list without the consent of the Commission. When consideration of such action is to be made by the Commission, the individual 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 an action being taken by the Commission.

Sub-Section A) Good Cause

1) Any willful false statement in connection with the application or pre-employment processing.

- 2) Failure to pass a qualifying pre-employment background character investigation; medical examination; drug test; physical agility test and/or other such testing under the direction of the Chief of Police or the Fire Chief as may be approved by the Commission.
- 3) Failure to respond for pre-employment processing as directed by the Chief of Police or the Fire Chief .
- 4) Failure to appear for an appointment tendered by the Chief of Police or Fire Chief, unless excused by the Commission.
- 5) Acceptance of a probationary appointment.
- 6) Voluntarily requests name be removed from the register.
- 7) Failure to notify the Secretary/Chief Examiner of a change of address and to provide the Secretary/Chief Examiner with a current mailing address.

Sub-Section B) Notification and Appeal

- 1) No name may be removed from an eligibility list without the consent of the Commission.
- 2) An individual who may be affected shall be notified in writing of the intention to remove their name from the register and that they may appear before the Commission and appeal the removal of their name.
- 3) To appeal, the individual must provide written notice of appeal to the Commission within 10 calendar days of receipt of written notice that such removal is being considered or within 10 calendar days after mailing of the written notice to the individuals last known address, whichever time is shorter.

Section 5 Revocation of List

An eligibility list may be revoked and another list prepared only when the commission deems it advisable on account of fraud, errors, or of obviously inappropriate standards prescribed in connection with the examination and of plainly inadequate results obtained. No list may be revoked without prior written notice to all persons whose standing may be affected by the revocation.

RULE VI

Certification and Appointments

Section 1 Basis for Appointments

All appointments within the Police and Fire Department, whether entry-level, lateral-entry, or promotional, shall be made solely on merit, efficiency, and fitness, which shall be ascertained by open competitive examination and impartial investigation.

Section 2 Appointing Authority

The appointing authority shall be the Mayor for the Chief of Police; Mayor/Fire Commissioner Chair for the Fire Chief; the Civil Service Commission for the Secretary/Chief Examiner; and the Chief of Police for all other positions in the Police Department or Fire Chief for all other positions within the Fire Department.

Section 3 Certification Process

The Secretary/Chief Examiner shall maintain the eligibility list, which ranks individuals qualified for certification to the Chief of Police or the Fire Chief.

Upon requisition by the Chief of Police or the Fire Chief, the Secretary/Chief Examiner shall certify the names of the five highest ranked individuals, if there be so many eligible, on the appropriate eligibility list. The Chief of Police or the Fire Chief shall also be furnished copies of the applications and any other appropriate information of record on the persons certified.

The Chief of Police or the Fire Chief or their designees may conduct a series of pre-employment screening examinations of the candidates as may be approved by the Commission.

The Chief of Police or the Fire Chief may request a candidate be removed from the eligibility list for cause as described in Rule 5, Section 4 sub-section A, by providing documentation substantiating the request to the Secretary/Chief Examiner.

The Chief of Police or the Fire Chief shall notify the affected candidate of the request to remove his/her name from the eligibility list. Further, such notice shall advise the candidate of his/her right to appeal such action to the Commission and include the process for appeal pursuant to Rule 5, Section 4 Sub-Section B.

Once a candidate certified to the Chief of Police or the Fire Chief has been removed from the eligibility list by consent of the Commission, the Chief of Police or the Fire Chief may request the name of an additional candidate to maintain the pool of five certified candidates.

Upon such requisition by the Chief of Police or the Fire Chief the Secretary/Chief Examiner shall certify the name of the next highest ranked individual on the appropriate eligibility list.

Section 4 Appointment of Classification

Whenever a candidate whose name has been certified for appointment accepts the appointment and presents him or herself for duty within such time, as the Police and Fire Chief shall prescribe, the candidate shall be deemed to be appointed.

Section 5 Acting Appointment

An acting appointment may only be made when the Commission determines, that no appropriate list exists. As soon as possible following the determination, the Secretary/Chief Examiner shall cause an examination to be held which will result in the creation of an appropriate eligibility list.

Section 6 Temporary Appointment

In making temporary appointments, the appointing authority shall make requisition to the Secretary/Chief Examiner, in the manner provided for regular appointment, but shall indicate the estimated time at which the position will terminate. The Secretary/Chief Examiner shall notify the person or persons appearing on the appropriate list, or lists, indicating the nature of the position and its duration, to learn who may be willing to accept temporary appointment. The Commission shall certify the name of the person ranked highest on such list or lists.

Section 7 Limits to Acting or Temporary Appointment

No temporary or acting appointment shall continue for period exceeding four (4) consecutive months.

RULE VII

PROBATIONARY PERIOD

Section 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.

Section 2 Duration

Police Department Employee:

- A) The probationary period for an entry level employee shall be considered complete after twelve (12) months of satisfactory service following successful completion of the Washington State Basic Law Enforcement Academy;
- B) The probationary period for a lateral entry employee shall be considered complete after twelve (12) months of satisfactory service;
- C) The probationary period for a promoted employee shall be considered complete after twelve (12) months of satisfactory service.

Fire Department Employee:

- A) The probationary period for an entry level employee and lateral entry employee shall be considered complete after twelve (12) months of satisfactory service;
- B) The probationary period for a promoted employee shall be considered complete after twelve (12) months of satisfactory service.

Section 3 Dismissal During Entrance Probation Period

At any time during the new employee is probationary period as defined in Section 2 of the rule, the appointing authority may terminate the appointment of the person certified to them if, during the performance test thus afforded, upon observation or consideration of the performance duty, he/she is found unfit or unsatisfactory. Provided, however, that the appointing authority shall forthwith notify the Commission in writing of any such termination of employment. Such action by the appointing authority is not subject to appeal.

Section 4 Unsatisfactory Performance during Promotional Probationary Period

At any time during the one year promotional probationary period the appointing authority may terminate the promotional appointment of the person certified to them if, during the performance test thus afforded, upon observation or consideration of the performance duty, he/she is found unfit or unsatisfactory. Provided, however, that the appointing authority shall forthwith notify 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 their last held permanent class. Such action on the part of the appointing authority is not appealable.

Section 5 Action Not Required

If the appointing authority takes no action to terminate or reduce in rank a probationary employee during the probation period and the employee holds the position for one year; the employee shall be deemed to have satisfactorily completed the probationary period.

Section 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.

Section 7 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.

RULE VIII

Discipline and Discharge

Section 1 Tenure of Employment

No full-time employee of the Police or Fire Department, who shall have been permanently appointed or inducted into Civil Service under provisions of Chs. 41.12, 41.08 RCW and these rules and regulations, shall be suspended, terminated, or reduced in rank except for cause.

Section 2 Cause for Disciplinary Action

The following may be considered as cause for disciplinary action:

- A) Incompetence, inefficiency, 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 themselves; or any willful violation of the provisions of Ch. 41.08, 41.12 RCW or of these rules and regulations;
- C) Mental or physical unfitness for the position which the employee holds;
- D) Dishonest, disgraceful, immoral or prejudicial conduct;
- E) Drunkenness or use of intoxicating liquors, narcotics, or any other habit forming drug, the use of which 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;
- F) Conviction of a felony or a misdemeanor involving moral turpitude;
- G) 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 3 Procedure to Instigate Disciplinary Action

Disciplinary action shall only be instigated against an employee upon written accusation of the appointing authority, or any citizen or taxpayer; a written statement of which accusation, in general terms, shall be served upon the accused and a duplicate filed with the Commission.

Section 4 **Appeal Rights**

Any full-time permanent employee so suspended, terminated, or reduced in rank may file a petition or appeal in the manner delineated in Rule IX of these rules and regulations.

Section 5 **Pre-Disciplinary Hearings**

The Police Chief for Police Employees and the Fire Chief for Fire Employees shall provide for a pre-disciplinary hearing prior to demotion, suspension, or discharge. The employee may have legal counsel (or union representation, if applicable) at this hearing. The Department's explanation of their evidence shall be sufficient to apprise the employee of the basis for the proposed action. This shall not limit the employee from presenting a more detailed and complete case, including witnesses and documents not available at the pre-disciplinary hearing, in subsequent actions.

RULE IX

Hearing of Appeals

Section 1 Right to a Hearing

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

Section 2 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 which he/she appeals, and, in detail, the facts and the reasons upon which his/her case is based. Such petition must be filed with the Secretary/Chief Examiner within ten (10) working days of the receipt by the petitioner of the notice of his/her suspension, termination, or reduction in rank.

Section 3 Hearing of the Appeal

The appeals will be heard before the entire Commission. The Commission shall:

- A) Publicly conduct the 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; and,
- F) Dispose of procedural requests for similar matter.

Section 4 Notice of the Hearing

Within ten days after the petition for a hearing is filed with the Secretary/Chief Examiner, the Commission shall cause a hearing on the appeal to occur. Notice of time and place of the hearing shall be served on the petitioner at least five working days prior to the hearing.

Section 5 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 or other individual or groups of individuals assigned to hear the appeal;
- E) Present such affidavits, exhibits, and other evidence as is deemed pertinent to the hearing; and,
- F) Argue his/her case.

Section 6 Rights of the Appointing Authority

The appointing authority that 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 5 above.

Section 7 Evidence

Hearings shall be informal and need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it possesses probative value commonly accepted by a reasonable prudent person in the conduct of their affairs, but the Commission may exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence. Hearsay evidence may be sufficient in itself to support a finding unless it would be admissible over objection in civil actions, the rules of privilege and of 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 in determining an appeal.

Section 8 Testimony of the Petitioner

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

Section 9 Transcripts of Hearing

A stenographic reporter may be provided by the Commission to make an official transcript of the hearing. Copies of the transcript shall be available from the reporter; however, except in the case of judicial review, they shall not be provided at the expense of the Commission.

Section 10 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 ten (10) working days after the conclusion of the hearing.

Section 11 Petition for Judicial Review

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

RULE X
Procedural Investigation

Section 1 Investigative Responsibility

The Civil Service Commission shall make investigations as deemed necessary to insure that the intent of Ch 41.08, 41.12 RCW and these 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.

Section 2 Citizen Complaints

The Commission must make a like investigation upon 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.

RULE XI
Classification

Section 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. Further, they shall allocate every position in the classified service to one of the classes established in the plan.

RULE XII
Leaves of Absence

Section 1 Leave of Absence

Leave of absence may be granted to any person under Civil Service in accord with the provisions of the City of Selah and the contract with Teamsters Local No.524 for Police Officers.

Leave of absence may be granted to any person under Civil Service in accord with the provisions of the City of Selah Personnel Rules and Regulations for Firefighters.

Section 2 Military Leave

Military leave of absence shall be granted by the appointing authority in accordance with the provisions of the applicable chapters of the Revised Code of Washington (RCW 38.40.060)

RULE XIII
Transfers, Layoff, and Reductions in Force

Section 1 Transfers

Transfers are allowable and do not require an examination when they are from one position to another position within the same and comparable class. The transfer of an employee, from a 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 the 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 shall be deemed a reduction in rank and may be accomplished only in the manner provided in these rules and regulations.

Section 2 Layoff and Reduction in Force

Whenever the appointing authority contemplated a reduction of staff because of shortage of funds, the appointing authority thereof shall send lack of work, or reorganization, notice to the Secretary/Chief Examiner. When it is determined which positions are to be abandoned, employees holding positions within the class shall be laid off in opposite order to their length of service. The Civil Service Commission shall investigate any complaint by a permanent employee 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 permanent employee or employees. Notice of lay-off shall be given the employee concerned and the Secretary/Chief Examiner at least four weeks before the effective date thereof. Permanent employees laid off shall have their names placed on the eligible list of the class to which their position was allocated in accordance with these rules and regulations.

RULE XIV

RESIGNATION

Section 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, it is agreed to permit a shorter period of notice. The appointing authority may make or cause to be made such investigation as they deem 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 2 Loss of Rights and Status

Any person in the Civil Service employ of the City who separates him or her self from such service will be entitled to no privileges upon seeking to re-enter the service, except such as allowed applicants for original entrance.

RULE XV

RECORDS AND REPORTS

Section 1 Roster Cards

The Secretary/Chief 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 Fire and Police Departments 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.

Section 2 Examination Records

The Secretary/Chief Examiner shall maintain examination records on each employee in the classified service. Such records shall include the date and title of the examinations, rating earned, and the grade obtained.

Section 3 Access to Departmental Records

The Secretary/Chief Examiner shall have access to all departmental records, the examination of which will aid him/her in the discharge of his/her duties.

Section 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/Chief 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.

Section 5 Reports

The appointing authority shall report to the Secretary/Chief Examiner in writing and upon forms prescribed by the Commission, all appointments and all changes whatsoever in the status of personnel, supplying the name of the new appointee or employee, the title of their position and date of commencement of service, and any change recommended or made therein and shall report from time to time, as may be required by the Secretary/Chief Examiner.

The Chief Examiner may require additional data governing the classified service, including reports of employee performance and productivity, upon such forms or in such manner as may be approved by the Civil Service Commission.

Any performance report or rating shall be available for inspection by the employee concerned who may discuss it with the official making the report or rating and may file a statement in explanation for any report or rating. This statement shall be appended to the report or rating and shall be made a part of the employee's record.

RULE XVI
Definitions

Section 1 Definitions

- A) Acting Appointment – The temporary appointment of an individual to a position in a class for which they are not on an appropriate eligibility list.
- B) Appointing Authority – The individual or group of individuals responsible for appointment, discipline, and termination.
- C) Cause – Any action or inaction which the justification for disciplinary action, including termination, suspension, or reduction in rank.
- D) Certification – The process of the Secretary/Chief Examiner relaying to the appointing authority upon requisition, the names of the individuals ranked highest on an eligibility list.
- E) Class – A group of positions sufficiently similar in duties, responsibilities, authority and minimum qualifications to permit combining them under a single title, and to permit the application of common standards for selection and compensation.
- F) Classification – The process of assigning positions to classes.
- G) Classification Plan – All class descriptions compiled into one written document.
- H) Classified Service – All positions under the jurisdiction of the Civil Service Commission, which shall include all commissioned officers of the police department as classified in RCW 41.12.050.

All positions under the jurisdiction of the Civil Service Commission, which shall include all commissioned employees of the Fire Department as classified in RCW 41.08.050.

- I) Eligible – A person ranked on an eligibility list.

- J) Layoff – The involuntary termination of any employee for reasons other than cause.
- K) Permanent Employee – An Employee who has completed the probationary period for the class of his/her present position.
- L) Position - A group of current duties and responsibilities assigned by competent authority requiring the employment of one person.
- M) 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.
- N) Promotion – The movement of an employee from a position in one class to another class imposing increased duties and responsibilities, requiring greater experience and qualifications, and providing a higher maximum rate of pay.
- O) Reduction in Force – Layoff necessitated by the need to reduce personnel.
- P) Reduction in Rank – The movement of an employee from one class to another class, having a lower maximum rate of pay.
- Q) Resignation – The voluntary action by an employee terminating their employment.
- R) 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 the employee.
- S) Temporary Appointment – An appointment of a person ranked on an eligibility list to a position of limited duration.
- T) Termination – The involuntary cessation of employment with the City for Cause.
- U) 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.

- V) Lateral Entry – Entry into the Police Department by an experienced Washington State Certified Police Officer. Entry into the Fire Department by an experienced career Firefighter or Fire Officer.