

CHELAN COUNTY CIVIL SERVICE COMMISSION

CIVIL SERVICE RULES

Updated: 8/2009, 1/2011, 5/2013, 07/2017, 4/2018, 6/2021, 4/2022

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**CHELAN COUNTY CIVIL SERVICE COMMISSION
CIVIL SERVICE RULES**

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RULE 1 AUTHORITY AND PURPOSE

1.01 RULES PRESCRIBED

In accordance with the provisions of RCW 41.14 of the laws of the State of Washington, the Civil Service Commission of the Chelan County Sheriff's Office hereby adopts the following rules and regulations for carrying out the purposes of RCW 41.14 and County resolutions. These rules shall have the force and effect of law.

1.02 PURPOSE

The rules are prescribed for the purpose of carrying out the provisions of the law, assuring the continuance of the civil service system, promoting efficiency in the dispatch of public business, selecting and promoting employees on the basis of merit, and assuring fair and impartial treatment for all classified civil service employees.

1.03 EMPLOYMENT PRACTICES (Revised 1/00 & 07/17)

No person in the classified civil service or seeking admission thereto shall be appointed, reduced, or removed, or in any way favored or discriminated against in employment or opportunity for employment because of race, creed, color, religion, sex, marital status or political opinions/affiliations, because of physical or sensory disabilities as prescribed in RCW 49.60 or any other legally protected characteristic. The Civil Service Commission adopts the Equal Employment Opportunity Policy and Procedures of Chelan County, and the Chelan County Workplace Harassment Policy (Resolution 2002-78).

1.04 SEVERABILITY

If any rule, section, paragraph, sentence, clause or phrase of these rules is declared unconstitutional, illegal or void for any reason, such decision shall not affect the validity of the remaining portion of these rules. The Commission hereby declares that it would have prescribed and adopted these Rules and each rule, section, paragraph, sentence, clause and phrase hereof regardless of the fact that any one or more rules, sections, paragraphs, sentences, clauses or phrases be declared unconstitutional, illegal, or void.

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RULE 2 DEFINITIONS (4/09 & 07/2017)

Unless otherwise required by the context, words used in these Rules shall be understood to have the following special meanings:

ACTUAL SERVICE means time under civil service appointment engaged in the performance of the duties of a position or positions including paid absences and successfully completed probationary time.

ALLOCATE means to locate or place a position in the appropriate classification on the basis of similarity of duties and responsibilities or required qualifications.

APPLICANT means a person who has filed an application to take a civil service examination.

APPLICANTS FOR PROMOTION from within the Chelan County Sheriff's Office shall be those individuals certified by the Sheriff (or designee) to the Chief Examiner as having the required minimum qualifications necessary to take a promotional exam.

APPOINTING AUTHORITY means the person, board or commission to make appointments to and separations from a position.

APPOINTMENT - PROVISIONAL means the appointment of a person to a position in the absence of certified eligibility list for the classification not to exceed a period of 6 months.

APPOINTMENT - REGULAR means the tendering of an offer and acceptance of same by a person on an eligibility list, either on a permanent or temporary basis.

BREAK IN SERVICE means any interruption in continuous service, except for absences on approved leave or absences to serve in the armed forces of the United States. Re-employment does not make the service continuous.

BUSINESS DAYS means calendar days exclusive of Saturdays, Sundays, and legal holidays.

CANDIDATE means a person who has completed a civil service examination or is in the process of doing so.

CERTIFY means the referral to the Appointing Authority by the Secretary-Chief Examiner of those individuals who have been placed on an employment register as eligible for appointment to a specific classification.

CHAIRMAN means person of either sex and is synonymous with chairperson.

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CLASSIFICATION means a group of positions sufficiently similar in respect to duties and responsibilities so that the same title may be applied to each position, the same qualifications may be required, and approximately the same salary range may be applied with equity.

CLASSIFICATION DESCRIPTION means a descriptive and explanatory guide reflecting distinctive characteristics of representative duties, responsibilities, and authority normally assigned to positions allocated to the classification and for which similar desirable qualifications, knowledge, abilities and skills are needed. Classification specifications are normally generic descriptions of the general kind and levels of work performed and are not intended to list all functions performed in all positions of the classification.

CLASSIFIED CIVIL SERVICE means all offices and positions in the service of the county under civil service.

COMMISSION means the Chelan County Civil Service Commission.

CONTINUOUS SERVICE means employment without interruption except for absences on approved leave or absences to serve in the armed forces of the United States.

COUNTY means Chelan County.

DEMOTION means the reassignment of an employee from a higher to a lower classification because of incapacity, non-feasance or malfeasances of office.

DEPARTMENT means a major, functional unit of the government of Chelan County.

DISCHARGE means termination from service for cause.

ELIGIBILITY LIST means a list of names of persons who have passed a civil service examination for a specific classification.

EMPLOYEE means a person occupying a classified, unclassified, or temporary position, and who is paid a salary or wage for services rendered. The following defines the type of employees covered under these Rules:

EMPLOYEE – PROBATIONARY is any employee who is serving an initial probationary period following appointment to a specific position or classification.

EMPLOYEE – REGULAR is any employee who is retained in a position after successful completion of a probationary period, and who is assigned to a regularly funded full- or part-time position.

EMPLOYEE – PROVISIONAL is any employee appointed to a position for a limited amount of time, not to exceed 6 calendar months (13.02).

EMPLOYEE – TEMPORARY is any employee occupying a position on a temporary basis, with a specified period of time of employment not to exceed 4 calendar months (13.01).

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EMPLOYMENT REGISTER means a listing of all persons who have qualified for appointment to positions within a certain classification under the provisions of these Rules, and who have not yet been appointed to such classification and who have not been removed from the register in accordance with these Rules.

EXAMINATION means the process of testing the fitness and qualifications of applicants for positions in a specific classification.

LATERAL means a person having previous law enforcement experience who has successfully completed the Washington State Criminal Justice Training Basic Academy or is qualified to take the Washington State equivalency course.

LAYOFF means separation from a permanent position due to lack of funds, lack of work, or abolishment of the position.

OFFICIAL BULLETIN BOARD is the bulletin board of the Chelan County Courthouse upon which all official notices of the Commission are posted.

OPEN EXAMINATION means an examination open to the public, not limited to applicants from among regular employees in the Chelan County Sheriff's Office.

PERMANENT means continuing for an indefinite period. In reference to employment status, it means the employee has successfully completed a probationary period for a specific classification.

POSITION means any group of duties and responsibilities in the classified civil service of the department requiring the full or part-time employment of one person.

PROBATION OR PROBATIONARY means the status of an employee during a trial period following an appointment. This trial period is a working test during which an employee is required to demonstrate by performance of the duties fitness for the position to which the person has been certified and appointed.

PROBATIONER means an employee who has probationary status.

QUALIFIED FEDERAL, STATE, COUNTY, OR MUNICIPAL LAW

ENFORCEMENT AGENCY shall include the Federal Bureau of Investigation, the United States Treasury Department, Department of Homeland Security, United States Marshals, State Highway Patrol, a law enforcement agency of a county, or a law enforcement agency of a municipality.

REDUCTION means the reassignment of an employee from a higher to a lower classification in lieu of layoff or for other reasons not associated with demotion. Such reduction may be at the employee's request with the concurrence of the appointing authority and the Commission.

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REINSTATEMENT means reappointment after a break in service due to layoff to a position in a classification in which status was formerly held; or reappointment after voluntary resignation in accordance with Rule 16.10(b), to a position in the deputy classification.

REINSTATEMENT REGISTER means a list of names of persons laid off from permanent positions arranged in order of their right to reinstatement; this does not include persons who have applied for reinstatement through Rule 16.10(b).

SENIORITY means the total amount of continuous service in a position or positions of a specific classification. For purposes of layoff in a lower classification, seniority in such classification shall include any service in a higher classification.

SEPARATION means leaving a position and includes resignation, discharge or layoff.

TEMPORARY means employment on a basis other than permanent or probationary.

TRANSFER refers to the change of an employee from one position to a similar position in the same classification within the department, without examination.

VETERAN'S PREFERENCE means additional points in examinations based on military service, as provided and defined by the Laws of the State of Washington.

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RULE 3 ADMINISTRATION

3.01 ELECTION OF CHAIRMAN

At the first regular meeting in January of each year, the Commission shall elect one of its members as chairman to serve for a term of one year or until his/her successor is duly elected and qualified.

3.02 DUTIES OF CHAIRMAN

The chairman shall preside at all meetings of the Commission and act as spokesperson for the Commission.

3.03 CHAIRMAN PRO TEM

The chairman shall designate one of the Commissioners to act as Chairman pro tem during the absence of the chairman. If no such designation has been made, the two Commissioners present shall agree who shall act as chairman pro tem.

3.04 SECRETARY-CHIEF EXAMINER (07/17)

The Commission shall appoint a Secretary-Chief Examiner through a competitive examination process, open to all properly qualified citizens of the County, provided that no appointee of the Commission, either as Chief Examiner or as an Assistant to the Chief Examiner, shall be an employee of the Sheriff's Department. The Secretary/Chief Examiner position shall be located in Human Resources, and shall carry out the following responsibilities in addition to acting as Secretary of the Commission:

- a. Be responsible to the Commission.
- b. Serve as secretary for all meetings of the Commission. Keep the official minutes and other records of the Commission and certify to the same as required. The Secretary/Chief Examiner will formally respond to correspondence and maintain appropriate records as necessary.
- c. Administer and enforce the provisions of these rules and to carry out the purpose of RCW 41.14.
- d. Make recommendations to the Commission relative to matters of policy and for necessary amendments to these rules.
- e. Report to the Commission from time to time as directed concerning the details of the work to be performed.

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- f. Prepare for testing in an orderly fashion, including the following duties:
 - 1. Determine the examinations to be conducted, the subjects to be covered in each examination, methods of testing, and the relative weights to be given to the various parts of the examination, except as provided otherwise by these rules or collective bargaining agreements.
 - 2. Order appropriate tests from independent firms, as necessary, with the approval of the Commission.
 - 3. Prepare and post bulletins advertising examinations.
 - 4. Make arrangements for the examinations, making recommendations for the appointment of such experts, special examiners, and other persons as may be deemed necessary to be selected by the Commission.
 - 5. Review all questions relating to the eligibility of applicants.
 - 6. Grade, or have graded, all written examination papers and oral interview examinations, and establish an eligibility list of successful candidates.
 - 7. Prepare a complete report of each examination for submission to the Commission. As necessary, prepare a report on all appeals from the Secretary-Chief Examiner's rulings or appeals from any part of the examination.

- g. Certify, in the name of the Commission, payrolls or accounts in accordance with the state laws.
- h. Prepare and maintain current employment registers.

- i. Cooperate with members of the Sheriff's Department and the Union representatives on matters pertaining to these Rules.

- j. Perform all other functions necessary for the proper implementation of these Rules and the provisions of the state law and county laws and resolutions relating to civil service and such additional duties as may be assigned from time to time by the Commission.

3.05 SECRETARY PRO TEM

In the absence of the Secretary-Chief Examiner, the Commission shall appoint a Secretary pro tem to act as Secretary to the Commission until the return of the Secretary-Chief Examiner.

3.06 AMENDMENTS OF RULES

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. In all fairness to employees of the Sheriff's Office under purview of these rules, amendments or changes to these rules will be discussed in an open regular or special meeting at least one meeting prior to adoption, whenever practicable.

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3.07 EFFECTIVE DATE OF THESE RULES

All rules and amendments shall become effective immediately upon their adoption by the Commission unless some later date is specified therein.

3.08 COPIES OF RULES

A copy of these rules and a copy of all subsequent rules or amendments shall be sent as soon as practicable after adoption to each affected department of the county. A copy shall be maintained in the office of the Commission for public inspection, and copies shall be available for free public distribution as required by state law.

RULE 4 MEETINGS OF THE COMMISSION

4.01 REGULAR MEETINGS (07/17, 04/22)

Regular meetings shall be held, on the ~~last~~ first Wednesday of each month at ~~9:30~~ 11:00 a.m., unless there is no pending business requiring Commission action.

4.02 ADJOURNED REGULAR MEETINGS

The Commission may adjourn any regular or adjourned meeting to a time and place specified in the order of adjournment. When so adjourned, the adjourned meeting is a regular meeting for all purposes.

4.03 SPECIAL MEETINGS (07/17)

A special meeting may be ordered at any time by the chairman or by any Commissioner with written notice delivered by email, mail, or personal delivery to each member of the Commission.

4.04 PUBLIC MEETINGS (07/17)

All meetings of the Commission shall be open and public, and all persons shall be permitted to attend any meetings of the Commission except as otherwise provided in Rule 4.05. An opportunity for open public comment will be at the end of each meeting.

4.05 EXECUTIVE SESSIONS

The Commission may hold executive sessions to consider the employment or dismissal of an officer or employee, or to hear complaints or charges brought against such officer, or employee by another officer, person or employee, unless such officer or employee requests a public hearing. The Commission also may exclude witnesses and others as provided in Rule 5.09.

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4.06 RULES OF ORDER

Except as otherwise provided herein, Robert's Rules of Order - Newly Revised, shall guide the Commission in its proceedings.

4.07 QUORUM

If two members of the Commission are present or a second Commissioner is available by phone, it shall constitute a quorum. The concurrence of two members shall be required for any action.

4.08 COMMUNICATIONS

Communications and requests to the Commission insofar as practicable shall be in writing. The substance of each request and the actions of the Commission thereon shall be noted in the minutes.

4.09 MINUTES

The Secretary-Chief Examiner or the Secretary pro tem shall record in the minutes the time and place of each meeting, the names of the Commissioners present, names of others present, all official acts of the Commission, and the votes of the Commissioners except when the action is unanimous. When requested, a Commissioner's dissent or approval with reasons shall be recorded. The minutes shall be written and presented for correction and approval at the next regular meeting. The minutes or a true copy thereof, certified by the Secretary or the Secretary pro tem, shall be open to public inspection.

RULE 5 HEARINGS

5.01 RIGHT TO A HEARING

Any person entitled to a hearing before the Commission under state law or these Rules or adversely affected by an action or decision of the Secretary-Chief Examiner or other Commission, made without notice to and opportunity for such person to be heard, may petition for a hearing before the Commission.

5.02 RIGHT TO A HEARING - PROBATIONARY EMPLOYEE (12/91 & 07/17)

Any employee who has been placed on probation by the disciplining department may only appeal to the Commission the questions of his/her probationary status and whether the procedures for discharge of probationers, as found in these rules, were properly followed.

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5.03 TIME WITHIN WHICH PETITIONS MUST BE FILED (07/17)

Unless otherwise provided in these rules, a petition for hearing before the Commission must be filed within the following time limits:

- a. In a discharge or reduction matter, ten business days after mailing of notice of discharge or reduction.
- b. In an appeal from any ruling of the Secretary-Chief Examiner concerning any aspect of any examination, ten business days after notice of such ruling or, if no notice of ruling is given, ten business days after receipt by the Commission of the report of examination under Rule 8.
- c. In all other matters, not later than ten business days after the ruling or order issue.

The Secretary-Chief Examiner or the Commission may extend the time for filing a petition where good cause for the delay is demonstrated, and it is shown that other parties are not likely to suffer substantial hardship from such delay.

5.04 HEARING BOARD OR OFFICERS

On receiving a petition which complies with the foregoing rule, the Commission shall determine whether the matter will be heard before the entire Commission or at least two named members of the Commission.

5.05 NOTICE

The Commission or the hearing board shall set the matter for hearing and shall give the petitioner at least five business days' notice in writing of the date and place of such hearing. In discharge or reduction hearings, similar notice shall be given to the appointing authority/Sheriff.

5.06 RIGHTS OF PETITIONER

When a hearing is granted, the petitioner shall attend, unless excused by the Commission at the petitioner's request, or by the Secretary-Chief Examiner, and shall be entitled to:

- a. Be represented by counsel at such hearings.
- b. Testify under oath.
- c. Subpoena witnesses to testify.
- d. Cross-examine all witnesses appearing against the petitioner.
- e. Impeach any witness before the Commission or hearing board.
- f. Present such affidavits, exhibits, and other evidence as the Commission deems pertinent to the inquiry.

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- g. Argue the case.

The appointing authority/Sheriff, the secretary-chief examiner, and any other person whom the Commission or hearing board finds to be interested in the matter shall be entitled to the same privileges.

5.07 FAILURE OF PETITIONER TO APPEAR (07/17)

Unless good reason has been provided to the Commission in advance, failure of the petitioning employee or representing counsel to appear at the time and place set for the hearing shall be deemed a withdrawal of the petition and a consent to the action or ruling being appealed.

5.08 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 is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions. The rules and privilege of official or judicial notice shall be effective to the same extent as in civil actions. Irrelevant and repetitious evidence shall be excluded. Oral evidence shall be taken only under oath or affirmation.

5.09 EXCLUSION OF WITNESSES

The Commission or the hearing board may, at its discretion, exclude witnesses not under examination except the secretary-chief examiner, the petitioner or person to be discharged or reduced, the appointing authority/Sheriff, and counsel. When hearing testimony of scandalous or indecent conduct, all persons not having a direct interest in the hearing shall be excluded.

5.10 TESTIMONY OF PETITIONER

In all hearings, the petitioning employee may be allowed to testify and may be cross-examined as to any matter relevant to the hearing.

5.11 BURDEN OF PROOF

In discharge or reduction hearings, the burden of proof shall be on the appointing authority/Sheriff. In all other types of hearings, unless in conflict with state or federal law, the burden of proof shall be on the petitioner.

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5.12 FINDINGS AND DECISION

Formal findings of fact are not required. If such hearing is not before the full Commission, written findings shall be submitted to the Commission for its approval. If the Commission declines to accept such findings, it must hold a hearing de novo, after which it may adopt the findings made by the hearing board or make its own findings.

The Commission shall announce its decision as soon as possible after the hearing and enter the same in its minutes.

Unless the decision provides otherwise, it shall be effective immediately. Notice of the decision shall be mailed promptly to the petitioner and to any interested party. Except for the correction of clerical errors, such decision shall be final and conclusive.

5.13 REPORT OF HEARINGS

Hearings will be recorded by the Secretary/Chief Examiner.

5.14 TRANSCRIPTS OF HEARINGS

A transcript of the hearings will, upon request and approval of the Commission, be furnished to the petitioner or appointing authority/Sheriff at the requesting party's expense.

RULE 6 CLASSIFICATION

6.01 CLASSIFICATION PLAN

Recommendations for new classification specifications and revisions of existing classification specifications shall be considered by the Commission at a regular Commission meeting and, if approved, shall be as set forth in Rule 21.

Classification specifications shall be prepared and maintained by the Sheriff for all classifications in the Chelan County Sheriff's Office. Such specifications, or true copies thereof, shall be open to public inspections and available for free public distribution. Each such specification shall describe the classification generally, distinguish it from other classifications, and give examples of typical duties assigned to positions in the classification. It shall also contain a statement of those minimum requirements not otherwise provided in these rules for applicants for positions in the classification. Any changes in classification shall be sent to the Chelan County Commissioners, and to the incumbent of that position, if any.

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6.02 REVIEW AND APPEALS (07/17)

If the appointing authority/Sheriff or any employee is affected by any classification action, he or she may request the Commission and Secretary-Chief Examiner to review such action. Such request shall be made in writing within thirty days of notification of such action.

After notification of the results of such review, the employee or appointing authority/Sheriff so affected may appeal to the Commission. Such appeal shall be made not later than five business days after date of notification of the results of the review and shall be made in accordance with Rule 5.

6.03 EFFECT OF CLASSIFICATION CHANGES ON INCUMBENT (07/17)

Whenever a position is reclassified to a higher classification, the incumbent shall not continue in the position, except for a reasonable adjustment period approved by the Commission unless the incumbent gains eligibility for the new classification and receives an appointment thereto in accordance with these rules.

Whenever a position is reclassified to a lower classification, the incumbent may elect to retain the position in the lower classification. If the incumbent declines to retain the position in the lower classification, a layoff list shall be created, and the position filled by reduction in lieu of layoff in accordance with the provision of the rule for layoff. Any person reduced involuntarily to fill a position reclassified downward shall be placed on a reemployment list in accordance with the provisions of the rule for re-employment. If the position cannot be filled by reduction in lieu of layoff, it shall be filled by certification from an appropriate eligibility list for the lower classification.

Whenever the title of a classification is changed without a change in duties or responsibilities, the incumbent shall have the same status in the retitled classification as held in the former classification.

6.04 UNCLASSIFIED POSITIONS (Revised 3/10)

The unclassified position appointments authorized by state law must include selections from the following positions up to the limit of the number of positions authorized by state RCW 41.14.070: Undersheriff or Chief of Administration, Chief Criminal Deputy or Chief of Operations, Chief Civil Deputy, and administrative assistant or administrative secretary. The initial selection of specific positions to be exempt shall be made by the Sheriff, who shall notify the Civil Service Commission of his/her selection. Subsequent changes in the designation of which position or positions are to be exempt may be made only with the concurrence of the Sheriff and the Civil Service Commission, and then only after the Commission has heard the issue in open meeting.

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6.05 REINSTATEMENT TO CLASSIFIED POSITION

In compliance with RCW 41.14.290, any classified employee having civil service status in a position may take an appointment in an exempt position in the same county and maintain the right to return to his or her regular position or to a like position at the conclusion of such appointment. Such employee must apply to return to classified service within thirty calendar days of either:

- a. Termination of employment in such exempt position.
or
- b. Termination of employment in any other exempt position in which the employee subsequently serves provided there was no break in service with the county of more than thirty calendar days.

6.06 CLASSIFICATION SENIORITY (New 10/2012)

Employees promoted to a higher classification or appointed to a position within the Sheriff's Office shall continue to accrue classification seniority. Classification seniority, including any time spent promoted or appointed to a higher classification or position, shall be taken into account when reinstating an employee to a prior classified position, per the CCDSA Collective Bargaining Agreement.

RULE 7 APPLICATIONS AND APPLICANTS

7.01 QUALIFICATIONS OF APPLICANTS (Revised 7/18/95, 4/12/05, 07/17)

In order to apply for examination, at the time of filing an application, candidates shall meet the minimum qualifications stated in the classification specifications for that position:

- a. Be a citizen of the United States and able to read and write the English language.
- b. Have attained a minimum age of eighteen years of age, except for the position of Field Deputy which requires a minimum age of twenty-one years on the date of hire. Unless otherwise provided in these rules, an individual may qualify to take the entrance examination for an entry level classification providing the individual will pass the minimum birth age during the life of the eligibility list established by that examination. A successful candidate will have delayed eligibility until the required minimum age is attained. (Revised 2/1/90)
- c. File a completed application form as prescribed by the Commission giving fully, truthfully, and accurately all the information required. A certification as to the

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truth and completeness of the information contained in the application and applicant's signature shall be required of each applicant.

- d. Be a high school graduate or possess a GED.
- e. Provide proof, to the Commission, of education (high school diploma/GED certificate, college degree or transcript), military service discharge document (if claiming veterans' preference), and proof of citizenship.
- f. Meet minimum medical and health standards adopted by the Civil Service Commission.
- g. Successfully pass a background investigation, and all other examinations required

**7.01(a) QUALIFICATIONS OF PROMOTIONAL APPLICANTS (Revised
10/2/07 and 07/17)**

Candidates applying for promotional examination shall meet all minimum requirements at the time of examination.

7.02 FILING TIME FOR APPLICATION

Applications must be received at the office of the Commission not later than 5:00 p.m. on the last day for filing as advertised for each specific examination.

Applications will be subject to amendment not later than 5:00 p.m. of the last day for filing. Burden of proof of meeting requirements shall lie with the applicant.

In case of any dispute as to the time of filing, the Commission's official time recorded on the application shall be conclusive.

The time for filing applications may be extended or reopened by the Secretary-Chief Examiner as ordered by the Commission and as the needs of the service require, provided notice is immediately posted.

7.03 NON-ACCEPTANCE OF APPLICANT

The Secretary-Chief Examiner, subject to the right of any person aggrieved to appeal to the Commission as provided in Rule 5, may refuse to accept an application or to examine an applicant or may withhold the name of any person from the eligibility list who:

- a. Does not meet the requirements set forth in these rules or in the bulletin announcing the examination.

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- b. Is deemed by competent medical authority to be physically or mentally unfit to perform the duties of the position.
- c. Has been convicted of a felony involving moral turpitude.
- d. Has made any materially false statement.
- e. Has attempted any deception
- f. Suppresses or conceals information of acting suitably
- g. Refuses to furnish all information required to complete the application.
- h. Is knowingly a member of any organization that is included in the official list of subversive organizations, or who is knowingly a member of any organization which, to his/her knowledge, now advocates the overthrow of the government of the United States or of this state by force or violence or other unlawful means, or who now advocates the support of a foreign government against the United States in the event of hostilities.

7.04 NOTICE OF NON-ACCEPTANCE (07/17)

The person against whom action is taken under Rule 7.03 shall be notified within three business days of the reasons therefore. Oral notice at the time of filing the application shall be sufficient except where written notice is requested. Written notice via email or mailed postage prepaid to the address shown on the application shall be effective on mailing.

7.05 APPEALS

Any person aggrieved by any ruling of the Secretary-Chief Examiner concerning an examination or the eligibility or disqualification of applicants, or the withholding of names from certification, may appeal to the Commission in writing within five business days after notice of such ruling as provided in Rule 5.

7.06 ADMISSION TO EXAMINATION PENDING APPEAL

The Secretary-Chief Examiner shall admit to the examination any person whose application was not accepted, pending final disposition of the appeal; such admission shall be without prejudice.

7.07 AMENDMENT OF APPLICATION

The Secretary-Chief Examiner shall permit any applicant, whether or not the application has been accepted, to amend the application or to file an amended application prior to closing date and time for acceptance of applications.

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7.08 APPLICATIONS NOT RETURNED

All applications, when completed and filed, become the property of the Commission and will not be returned to the applicant.

RULE 8 COMPETITIVE EXAMINATIONS

8.01 ORDERING EXAMINATIONS

The Secretary-Chief Examiner shall order an examination whenever necessary. Such order shall specify the classification for which the examination is ordered. The order shall be reported to the Commission and be subject to its review.

8.02 PERIODIC EXAMINING PROGRAMS

Notwithstanding anything to the contrary in these rules, a periodic examining program may be ordered and administered by the Secretary-Chief Examiner with the approval of the Commission for both entrance and promotional examinations to establish eligibility lists.

8.03 NOTICE OF EXAMINATION

A written notice of each examination shall be posted and/or advertised by the Secretary-Chief Examiner.

8.04 TIME AND PLACE OF EXAMINATIONS

Whenever applicants are required to appear for an examination, the time and place shall be designated in the official bulletin or the applicants shall be notified in person or by mail, email or by telephone. The Secretary-Chief Examiner, when he/she finds the good of the service require it, may, at his/her discretion, have an examination given in more than one session and/or at more than one place, either within or outside of Chelan County.

8.05 POSTPONEMENT OR CANCELLATION OF EXAMINATIONS (07/17)

The administration of an examination or any part thereof may be postponed or canceled at any time. Notice of such postponement or cancellation shall be posted on the official bulletin board and mailed, emailed or telephoned to the applicants. In an emergency, where time does not permit such notice, an examination may be postponed or canceled or the place of examination changed by posting a notice on the official bulletin board as soon as possible and in a conspicuous location at the place and time originally set for the examination.

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8.06 LATE APPLICANTS

Whenever applicants are required to assemble for a test and the examination has started, no applicant will be admitted after the designated time.

8.07 PARTS AND WEIGHTS

Each examination shall embrace one or more parts to which a raw score, rank order or percentage weight shall be assigned. One or more of the following options shall be utilized in scoring an examination:

- a. A raw score (actual number of questions answered correctly) shall be the sole indicator of final score of a written examination.
- b. A rank order list shall be the final result of an assessment type of examination or written and oral examinations. The rank ordering shall be determined by the number of points earned in each section. The Commission shall have the latitude and flexibility of recommending individuals for promotion in addition to not recommending individuals for promotion, thus not including those individuals on the eligibility list who do not receive recommendations.
- c. A percentage weight shall be determined by multiplying the weight assigned to one or more parts of an examination and the sum of the resulting products shall be called the weighted average.

8.08 PASSING GRADES (Revised 3/23/94, 12/13/94, 4/15/03, 3/10/09, 7/17, 4/2022)

- a. A final minimum passing score shall be 70% unless otherwise specified by the Commission. On internal promotional assessment center examinations, a minimum passing score of 75% shall be required unless otherwise specified by the Commission.
- b. Where an examination consists of two or more parts, a minimum score of 70% shall be required each part of such examination unless otherwise specified by the Commission. Any applicant who fails to attain such minimum score shall be considered as having failed the entire exam and shall not be entitled to take the balance of the exam. The minimum score required and the part of the exam to which it is applicable shall be stated in the official bulletin or announced at the time of the examination.
- c. All candidates under a continuous testing format who are taking the oral examination only may be limited to a specific number of openings for the oral examination period. Candidates will be scheduled on a first come first served

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basis for available interview times. Additional oral examinations are scheduled throughout the year as needed for anticipated openings. Passing scores on all portions of the examination process must be achieved in order to be eligible for placement on an eligibility list.

8.09 VETERANS' CREDIT

In all competitive examinations for entrance into the county service, in addition to all other credits, a percentage credit of the final earned average score in such examinations shall be given to all persons passing the examination who have, or who shall have, served in the armed forces of the United States as defined in RCW 41.04.005 and 41.04.010; proof of such service to be filed with the Secretary-Chief Examiner prior to publication of the eligibility list.

The percentage, if any, for veteran's credit, shall be added to the weighted average or final score, except that such credit shall not be added unless the weighted average is at least equal to the passing grade determined for the examination.

8.10 LATERAL ENTRY (Revised 6/17/92, 2/20/96, 5/11/99, 1/18/00, 6/6/00, 4/15/03, 5/9/06, 2/19/08, 4/14/09, 1/11/11)

Lateral entry may be offered at the time examination notices are posted, or as a continuous testing process, at the discretion of the Commission. Minimum qualifications: Applicants for Field Deputy must have been employed continuously for 12 months as a full-time employee of a public law enforcement agency in a comparable position in the last two years and have successfully completed a probationary period; and have successfully completed the Washington State Criminal Justice Training Basic Academy, or be qualified to take the Washington State equivalency course.

Other positions shall have their lateral requirements defined in their job description if appropriate.

All applicants must successfully pass the Civil Service examination process for Lateral Field Deputy and meet all minimum requirements for the position, including background investigation, polygraph, peace officer certification, physical examination, or other interviews and examinations required as part of the hiring process.

8.11 BILINGUAL CERTIFICATION (Revised 3/23/94 and 2/2/96)

Consideration of a candidate's bilingual ability may be offered, at the discretion of the Commission, at the time of posting of an examination. An examination for these candidates shall be conducted, upon receipt of such a request, as part of the testing process. This examination shall be graded as pass/fail. Failure to pass this part of the examination shall not affect the candidate's eligibility for placement on an eligibility list following successful completion of all other aspects of the testing process.

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Upon successful completion of the bilingual examination, and successful completion of the remaining phases of the testing process, candidates will become eligible for placement on a separate "Bilingual Certification List." This placement shall be in addition to placement on the regular eligibility list and shall be in order of scores.

8.12 ACADEMY TRAINED EIGIBILITY LIST (New 12/2012)

Candidates who have completed the Basic Law Enforcement Academy, but have not completed the time in service requirement to qualify as a lateral candidate, may be considered for testing and placement on a separate Academy Trained eligibility list. Academy trained testing may be offered at the time examination notices are posted, or as a continuous testing process, at the discretion of the Commission. Minimum qualifications: Applicants for Academy Trained Field Deputy must have successfully completed the Washington State Criminal Justice Training Basic Law Enforcement Academy, or be qualified to take the Washington State equivalency course.

All applicants must successfully pass the Civil Service examination process for Academy Trained Field Deputy and meet all minimum requirements for the position, including background investigation, polygraph, peace officer certification, physical examination, or other interviews and examinations required as part of the hiring process.

8.13 ADDITIONAL ELIGIBILITY LISTS (Revised 2/96 and 1/00, 07/17, 6/20)

The regular eligibility list will contain all passing candidates from that examination including candidates from other eligibility lists, in order of scores. A separate lateral list, if offered and candidates are available, will comprise a list of those meeting the Lateral Entry minimum qualifications in order of scores and on a continuous testing basis. A separate bilingual certification list, if offered and candidates are available, will comprise a list of those meeting the bilingual certification requirements in order of scores. A separate First Class Reserve list, if offered and candidates are available, will be comprise of a list of those meeting the First Class Reserve list requirements in order of scores. A separate Police Corps list, if offered and candidates are available, will be comprise a list of those meeting the minimum requirements for that program. A separate Academy Trained list, if offered and candidates are available, will be comprised a list of those meeting the minimum requirements in order of scores.

A separate list, from a contracted outside testing agency, if offered, and candidates are available, will be comprise a list of those meeting the entry level minimum qualifications in order of scores and on a continuous testing basis. The appointing authority may request eligible names from the regular list of candidates following the "Rule of Five." An additional five names, if available, will be offered to the appointing authority from each of the additional lists.

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8.14 PHYSICAL ABILITY TESTING (Revised 6/17/92)

Candidates for Field Deputy shall be required to pass a Physical Ability Test in accordance with the Washington State Basic Law Enforcement Academy requirements for Field Deputy. Once employed the Field Deputy applicant must successfully complete the Washington State Basic Law Enforcement Academy.

8.15 POLICE CORPS (Adopted 11/9/99)

The Civil Service Commission recognizes the Police Corp program as established under the United States Police Corps Act under Title XX as a qualified testing and eligibility program that provides a process equal to the existing initial exam processes used by this Commission in the evaluation of candidates. Candidates qualified under this program shall be certified as eligible for appointment on a separate eligibility list. Candidates may be required to pass additional testing as required by the Civil Service Commission and appointing authority and if appointed are subject to the same probationary status, policies, rules, and regulations as required of other candidates under Civil Service employment.

8.16 NOTIFICATION ANNOUNCEMENT AND PUBLICATION OF TEST RESULTS

After all the parts of an examination have been completed and scored, the Secretary-Chief Examiner shall publish an eligibility list.

8.17 INSPECTION OF RATING STANDARDS AND SCORING KEY (Revised 3/23/94)

The applicants shall be allowed a period of five business days following the posting of an eligibility list in which each may indicate a desire or request the opportunity in writing to inspect the scored answer sheets and any rating standards and scoring keys by which the applicant has been rated during any part of the examination. Appropriate arrangements will be made by the Secretary-Chief Examiner to comply with said request providing such materials are not the property of an outside agency.

Should any examination or portion of any examination be conducted using test materials which are the property of an outside agency, then the proprietary rules of that agency shall apply to inspection of answer sheets, rating standards, or scoring keys. The Secretary-Chief Examiner shall submit any questions raised by applicants within the five-day period to the outside agency for review.

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**8.18 PROTESTS AGAINST RATINGS TO THE SECRETARY-CHIEF
EXAMINER (Revised 3/23/94)**

If the applicant believes an error has been made in the application of the written test scoring key, or in the rating given on any part of the examination, or that any other error has been made, the applicant may make a protest in writing stating specifically where it is believed errors have been made. Each protest shall give specific authoritative references or opinions of recognized experts where such exist. No protest may be made after the seventh day following the inspection provided for in Rule 8.16. Upon receipt of a written protest or request for re-scoring or re-rating, a review of the protest shall be made by the Secretary-Chief Examiner, who shall review all such protests or requests and recommend to the Commission any necessary corrections in grades and ratings.

Upon receipt of a written protest or request for re-scoring or re-rating involving tests which are the property of an outside agency, the Secretary-Chief Examiner shall review the protest and the response of the outside agency and recommend to the Commission any necessary corrections in grades and ratings.

8.19 REPORT OF EXAMINATION

After the expiration of the five-day period as provided in Rule 8.16, the seven-day period provided in Rule 8.17, and the review as provided in Rule 8.17, the Secretary-Chief Examiner shall submit a report of each examination to the Commission. The report shall include applicants' names, grades, and all protests in connection with the examination and the disposition of such protests.

8.20 APPEALS TO COMMISSION

Any person aggrieved may appeal to the Commission and the ruling of the Secretary-Chief Examiner pursuant to Rule 5 within seven business days after notice of such ruling. No correction made by the Secretary-Chief Examiner under Rule 8.18 or by the Commission shall affect any appointment made from a certification made prior to the correction.

8.21 CORRECTION OF CLERICAL ERRORS

Any clerical error may be corrected by the Secretary-Chief Examiner upon discovery at any time during the life of the eligibility list, but no such correction shall affect an appointment made from a certification made prior to the correction.

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8.22 PERMANENT RECORD OF EXAMINATION

The Commission shall preserve the following as a permanent record of each examination:

- a. The report of examination (as provided in Rule 8.18) containing the names and scores of all applicants on each part of the examination and in the total examination.
- b. A summary or narrative statement of the examination showing the method of testing used or the general nature of the examination, the weights of the various parts, the time and place each part was given, the minimum scores required, if any, and the names of the examiners.

8.23 OTHER RECORDS OF EXAMINATION (07/17)

All original records prepared or received in connection with any examination shall be retained for a period of at least 90 days after the date of publication of the eligibility list. Such records may then be destroyed if no longer required for administrative purposes.

8.24 EXAMINATIONS TO BE IMPARTIAL

All examination shall be fair and impartial. So far as practicable, written examinations shall be so conducted that the identity of the applicants will not be known to the examiners or other persons scoring the answers. So far as practicable, different parts of an examination shall be scored separately without the examiners or other persons scoring a part of the examination knowing the applicant's scores in the other parts of the examination. No person shall reveal before the completion of an examination, any information about such examination except in the official bulletin or by announcement to all applicants or candidates equally.

8.25 RETESTING (6/2021)

Any person who competes in an examination for a particular classification shall not be eligible to compete in another examination for the same classification, or Lateral within six months of the first examination unless otherwise authorized by the Commission.

RULE 9 MEDICAL STANDARDS FOR EMPLOYMENT

9.01 MEETING THE MEDICAL STANDARDS (Revised 8/94 and 7/95, 07/17)

An individual shall be eighteen years of age, except for the position of Field Deputy which requires a minimum age of twenty-one years.

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Upon receiving a conditional offer of employment, a candidate must undergo a medical examination conducted by a qualified physician. A qualified physician is defined as a medical doctor (MD), licensed to practice medicine in the state of Washington, and approved by the appointing authority. The job description for the position and a description of essential tasks, shall be provided to the physician.

The examination must include a medical history and physician's examination, and shall provide either a physician's certification of fitness or statement of inability to perform the tasks required of the position safely and effectively.

The following Laboratory test may also be required or deemed necessary by the Commission or examining physician:

Laboratory tests:

- Blood chemistry (Chem 20 or equivalent)
- Complete blood count (CBC)
- Complete urinalysis (not dipstick)
- Serology (RPR or equivalent)
- Tuberculosis (Mantoux)
- Electrocardiogram (EKG) (Resting)
- Chest X-Ray
- Drug Screen (THC and Cocaine Metabolite)

Candidates shall also be required to successfully pass a polygraph test and a psychological test.

9.02 FAILURE TO MEET MEDICAL STANDARDS (Revised 8/94)

An applicant found unable to perform the essential tasks of the position safely and effectively by the physician shall not be employed.

An applicant who has failed to meet the applicable medical standards may present new or additional medical evidence related to the case in order to be reconsidered for appointment within the duration of the eligibility list.

9.03 REVIEW OF MEDICAL FINDINGS (Revised 8/94)

If found to be unable to perform the essential tasks of the position by the physician, the applicant may appeal the decision to the Commission within seven business days to the Commission (Under Rule 5).

When appeal is received, the Commission then shall establish a medical review board composed of the Commission and a physician, other than the physician who conducted the medical examination, to hear the appeal.

The medical review board shall follow the guidelines published by the Washington State Criminal Justice Training Commission regarding potentially disqualifying conditions, and any

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other conditions brought to their attention by the examining physician, which may adversely impact the ability of a candidate to perform the essential tasks of the position safely and effectively.

9.04 AMERICAN DISABILITIES ACT

All conditions deemed to disqualify a candidate from employment shall be evaluated in relation to one or more essential tasks of the position. If the actual condition, judged case by case, does not reasonably suggest a current inability to perform an essential task, or if reasonable accommodation can be made, it shall be disregarded in accordance with the Americans with Disabilities Act, which prohibits discrimination against otherwise qualified disabled persons.

If the medical review board finds that the candidate is currently unable to perform the essential tasks of the position safely and effectively the candidate shall be disqualified from employment.

9.05 SPECIAL MEDICAL RE-EVALUATION

With the approval of the Commission, the Secretary-Chief Examiner or the Sheriff may require a medical or psychological re-evaluation of the employee at any time. Such re-evaluation shall be concerned only with the medical and psychological conditions related to the satisfactory performance of the required duties or with protecting the health, safety and welfare of the employee or the public.

Any layoffs resulting from the restoration, reduction, or reassignment of an employee under this rule will be in accordance with the provisions of the rule for layoff.

9.06 PARTIALLY OR FULLY INCAPACITATED EMPLOYEES

Whenever, upon re-evaluation, an employee who has previously qualified is found to be unable to perform the duties of the position satisfactorily due to a medical incapacity of a continuing nature:

- a. The employee may submit a request to the Sheriff or supervisor for voluntary reduction or reassignment to another position for which the employee has the qualifications. Any voluntary reduction or reassignment under this Rule must be with the approval of the Civil Service Commission. Any such reassignment shall not constitute a promotion.
- b. The Sheriff may reassign the employee to another position for which the employee is qualified, or may reduce the employee to a lower level position for which the employee is qualified, subject to the employee's right to appeal as provided in these Rules.

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- c. If there is not a suitable position in which the employee can perform satisfactorily, the appointing authority/Sheriff may discharge the employee, subject to the employee's rights of appeal as provided in these Rules; said discharge to be without prejudice as to re-employment should the condition improve, or the employee may be retired on disability as provided by the applicable retirement programs.

RULE 10 ELIGIBILITY LISTS

10.01 ELIGIBILITY LISTS CREATED

The Secretary-Chief Examiner shall publish eligibility lists resulting from examinations as provided for in Rule 8.

10.02 ORDER OF NAMES ON ELIGIBILITY LISTS

The names of applicants who pass an examination shall be entered upon the eligibility list for the classification in order of their grades, including veteran's credits or other applicable credits, and without preference as to priority of time of examination.

10.02(a) ORDER OF NAMES ON LATERAL LIST (Revised 11/2012)

The names of applicants meeting the minimum qualifications of a lateral candidate, who pass an examination and qualify for placement on the Lateral Eligibility List will be placed on the Lateral Eligibility List in order of their scores.

10.02(b) ORDER OF NAMES ON BILINGUAL CERTIFICATION (Revised 3/23/94)

The names of applicants who pass an examination and qualify for placement on the Bilingual Certification list will be placed on the Bilingual Certification List in order of their examination grades on the regular examination including veteran's credits or other applicable credits, in addition to their placement on the regular eligibility list, or any other list established by the Commission.

10.02(c) ORDER OF NAMES ON ACADEMY TRAINED LIST (New 11/2012)

The names of applicants meeting the minimum qualifications of an Academy Trained candidate who pass an examination and qualify for placement on the Academy Trained list in order of their scores

10.03 TIE SCORES (Revised 1/16/96)

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Whenever two or more applicants in an examination have the same final grade, those candidates will be given the same standing on the eligibility roster. Upon request for certification of names to fill a vacancy, the names of the five persons standing highest on the eligibility list will be submitted to the appointing authority.

Candidates with tied scores shall be submitted with equal standing in addition to the other names submitted for hiring.

10.04 DISCLOSURE OF NAMES OR PERSONS ON ELIGIBILITY LIST

The eligibility list, including the names of all those who passed the examination, shall be open to public inspection.

10.05 DURATION OF ELIGIBILITY LISTS (Revised 6/20/95 and 3/11/03)

An entry-level eligibility list shall be in effect for one year from the date of publication or until there is an insufficient number of candidates willing to accept the position to provide the appointing authority with five names. The Commission may extend the period of eligibility as it deems necessary.

A promotional-level eligibility list shall be in effect for two years from the date of publication or until there is an insufficient number of candidates willing to accept the position to provide the appointing authority with five names. The Commission may extend the period of eligibility as it deems necessary.

An eligibility list which has been extended shall be terminated automatically upon publication of an eligibility list from a new examination for the classification.

10.06 CONTINUOUS OR PERIODIC EXAMINATIONS (Revised 5/8/89, 1/18/00, 5/8/01)

A continuous or periodic examination may be ordered and administered by the Chief Examiner for lateral or other candidates as needed. Successful candidates will be placed on a continuous eligibility list in order of their scores for a period not to exceed one year from their individual testing date.

As other candidates are examined, they will be added to this list in order of their scores for an eligibility period not to exceed one year from their individual testing date. Rank order on the list will be determined by the scores of qualifying candidates during their period of eligibility and may change as other candidates are added or removed from the list.

The top five candidates will be submitted to the hiring authority, when openings occur, in addition to candidates from the regular eligibility list, or the bilingual certification list.

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10.07 CANVASS OF ELIGIBILITY LISTS

Whenever the Secretary-Chief Examiner believes the needs of the service require, he/she shall ascertain the availability for employment under certain specified employment conditions of persons whose names appear on an eligibility list.

**10.08 REJECTION OF CANDIDATE - DROPPED FROM LIST (Revised 7/95)
(07/17)**

The name of any person may be removed from the eligibility list for any of the reasons in Rule 7.03, including, but not limited to, the following:

- a. Is addicted to the use of intoxicating liquors or narcotics or habit-forming drugs.
- b. Is addicted to gambling.
- c. Refuses to execute any oath as prescribed by law.
- d. Fails to be present for fingerprinting as required by the Commission.
- e. Has assisted in preparing, conducting or scoring any examination for which the candidate applies or who has in any other manner secured confidential information concerning such examination which might give an unfair advantage over other applicants in the examination.
- f. Fails to be present for or fails to pass the medical examination prescribed by the Commission (See Rule 9).
- g. Fails to pass the pre-employment polygraph examination.
- h. Fails to pass the pre-employment psychological examination.
- i. Fails to successfully pass a background investigation.

10.09 EFFECT OF APPEALS

No appeal shall affect the eligibility list or an appointment made from a certification during the pendency of the appeal. When the appeal is terminated, the Secretary-Chief Examiner shall add the name of the appellant to the eligibility list at the appropriate place if it has been determined the appellant is entitled to be on the eligibility list.

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RULE 11 CERTIFICATION AND APPOINTMENT

11.01 CERTIFICATION FROM ELIGIBILITY LIST (Revised 6/17/92, 2/20/96)

Upon request for certification of names to fill a vacancy, the Secretary-Chief Examiner shall certify to the appointing authority/Sheriff the names of five persons standing highest on the appropriate eligibility list or lists and willing to accept the position for which certification is made.

In the absence of an appropriate eligibility list, the appointing authority may authorize provisional appointment for a period not to exceed six calendar months. As outlined in Rule 13, no person shall receive more than one provisional appointment or serve more than four calendar months as a provisional appointee in any one fiscal year.

11.02 PRIORITY OF LISTS

When a reinstatement list exists for the classification in which a vacancy exists, it shall be exhausted before any certification can be made from an eligibility list.

**11.03 WITHHOLDING NAMES FROM CERTIFICATION OR REMOVING
NAMES FROM ELIGIBILITY LISTS (Revised 07/17)**

The name of a candidate may be withheld from certification or removed from an eligibility list when the candidate:

- a. Expresses unwillingness or inability to accept appointment or refuses an offer of appointment.
- b. Fails to respond within five business days after inquiry regarding availability for permanent employment or request to appear for interview regarding such employment.
- c. Fails to be present for duty at the time agreed upon after having accepted an appointment.
- d. Cannot be reached in time for appointment when immediate temporary employment is required, but this shall apply to only such immediate temporary employment.
- e. Fails to present a license, registration, certificate, or any credential required; the name of any such candidate may be restored to certification when the particular requirement has been met.

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- f. Fails to maintain a record of a current address with the Commission as evidenced by the return of a properly addressed unclaimed letter, or other evidence.
- g. Is not qualified to perform the duties of the classification based upon a finding by the Commission.
- h. Willfully violates any of the provisions of the rules or any applicable law.
- i. Is not qualified for any reason enumerated in Rules 7.03 and 10.07.

11.04 RESTORATION TO CERTIFICATION

When the name of person has been withheld from an eligibility list or from certification or has been removed from the list, it may be restored to its original position by the Secretary-Chief Examiner or by the Commission on successful appeal by the appellant taken within ten business days after notice of the decision, but only under the following circumstances:

- a. Where the withholding or removal was because of the unwillingness or inability of the candidate to accept appointment or failure to respond to inquiry as to availability to appear for interview, or to present a good and valid reason for such unwillingness, inability or failure, and where the employee now certifies to the Commission a willingness to accept appointment.
- b. Where the withholding or removal was for a reason stated in Rule 7.03 to 10.07 and such reason no longer exists.

11.05 EFFECT OF REMOVAL, WITHHOLDING, OR RESTORATION

The removal or withholding of a name shall automatically advance all of the names below on the eligibility list.

Should any person whose name is removed or withheld file an appeal of this removal or withholding within the stipulated time allowed for filing of such appeals, no permanent appointment shall be made from those names under the name removed pending the disposition of the appeal, unless said appeal cannot be concluded within sixty days.

The acceptance or refusal by a candidate of temporary appointment shall not affect his/her certification from the eligibility list for permanent employment.

11.06 APPOINTMENT OF CANDIDATES

In filling vacancies by appointment from an eligibility list, the five persons standing highest on the appropriate list willing to accept the position and certified in accordance with these Rules

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shall be considered for appointment. The appointing authority/Sheriff shall make the appointment from among these five persons.

**11.07 WITHHOLDING OF NAME FROM PROMOTIONAL ELIGIBILITY
LISTS (New 4/13)**

If a candidate expresses an unwillingness or inability to accept a promotional opportunity at the time it is offered, the candidate's name will be removed from the applicable eligibility list; however, the candidate will have 10 days from the date notified of the removal of his or her name, to notify the Secretary/Examiner of his or her desire to remain on the list for future consideration and the reason he/she are unable to accept the current promotion. The Secretary/Examiner will present the request to the Civil Service Commission at the next meeting. If the candidate is approved to remain on the list, his or her name will be withheld from submission to the Sheriff as eligible for consideration in filling the current vacancy. The Sheriff shall receive the names of five candidates who are able and willing to accept a promotion, should it be offered, for his consideration in filling an opening. This does not apply to entry level candidates.

RULE 12 PROBATION

12.01 PROBATIONARY PERIOD

After each permanent appointment from an eligibility list, an employee shall serve a complete period of probation before appointment or promotion is complete.

No new probationary period results from a reduction of an employee who previously completed a probationary period.

12.02 LENGTH OF PROBATIONARY PERIOD

The period of probation shall be one year, 12 months of employment, except for the position of Entry Level Field Deputy which shall be 18 months. There will be no credit granted towards satisfaction of the probationary period for any time not actually worked, i.e., vacation, sick leave or leave of absence.

12.03 INTERRUPTION OF PROBATIONARY PERIOD

Whenever the probationary period of an employee in a position in one classification is interrupted due to his/her appointment to a position in another classification and the employee subsequently returns to a position in the first classification during the second probationary period, the probationary period for the first appointment shall continue until completed.

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**12.04 PROBATIONARY PERIOD FOR REINSTATED DEPUTIES (Adopted
4/14/09)**

Upon reinstatement through the process described in 16.10(b) the reinstated deputy will be subject to a probationary period of 12 months.

RULE 13 TEMPORARY APPOINTMENTS

13.01 TEMPORARY APPOINTMENTS (Revised 10/22/02, 6/2/21)

Temporary appointments must be submitted to and approved by the Commission. The temporary appointee must meet the minimum job requirements for the position and complete the Civil Service application prior to assuming the job duties. If an eligibility list is available for the position, names must be requested from the Chief Examiner, and temporary appointments must be offered first to candidates on the eligibility list, in order of scores. No person shall attain permanent status from a temporary appointment. Permanent status can only be achieved by submission through the regular Civil Service process under the Rule of five. All temporary candidates must be informed that acceptance of a temporary appointment does not change their order of submission for a permanent position. Refusal to accept a temporary appointment will not disqualify a candidate for consideration as a permanent employee. No person shall receive more than one temporary appointment or serve more than four (4) calendar months as a temporary appointee in any one fiscal year without approval from the Civil Service Commission.

13.02 PROVISIONAL APPOINTMENTS (Revised 5/16/96, 1/13/09)

A provisional appointment without examination may be made when there is no eligibility list or persons on the list are not available or cannot be contacted, or when the appointing authority/Sheriff certifies and supports with adequate facts that an emergency exists. Such provisional appointment must be approved by the Commission and the provisional appointee must meet the requirements and file application for examination for the classification. Such appointment may continue only until such time as the position can be filled from an eligibility list. No person shall receive more than one provisional appointment or serve more than six months as a provisional appointee in any one fiscal year. The six (6) month period will be continuous calendar months beginning the month the provisional deputy is hired. The provisional appointment may be extended by the Commission beyond six (6) months upon application of the appointing authority/Sheriff, as long as the Commission continues to advertise and test for the position.

An emergency exists when:

- a. Life, health or property is in jeopardy.

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- b. The immediate employment of a currently available applicant is imperative because of extreme recruitment difficulties.
- c. The work program of the department will be impaired if the positions are left vacant, and the work cannot be deferred or reassigned.
- d. A vacancy will result in failure to perform legally required functions or to meet deadlines imposed by law.

13.03 EXTRAORDINARY APPOINTMENTS

A temporary appointment may be made by the Sheriff to cover a Military Leave of Absence (15.02), from trained and certified law enforcement personnel available other than candidates from the current eligibility list.

RULE 14 ASSIGNMENTS, TRANSFERS AND REASSIGNMENTS

14.01 ASSIGNMENTS

The assignment of a candidate to a position, or of an employee from one position to another position within the classification and department for which he/she has been certified by the Secretary-Chief Examiner pursuant to these rules, is a matter of departmental administration, except as provided in Rule 16.

14.02 HIRING ASSIGNMENTS-CAMPUS SECURITY (4/2018)

The initial two **Campus Security** employee(s) transferring from the jail to the Sheriff's office shall not be subject to Civil Service testing requirements for initial hiring. Thereafter, the Sheriff shall hire all campus security personnel according to Civil Service or other hiring requirements. Both the initial hires and all subsequent hires into the Campus Security positions shall be subject to the Civil Service statutes and regulations.

RULE 15 LEAVES OF ABSENCE

15.01 LEAVES OF ABSENCE WITHOUT PAY (Revised 10/94)

Leaves of absence without pay from regular duties for the purpose of recovering from a prolonged illness, an injury, pregnancy, child bearing, education or training, or assisting another public agency, may be granted by the appointing authority/Sheriff in accordance with the provisions of the Family Leave Act. If the leave requested does not fall under the provisions of the Family Leave Act, and if the leave is in the best interests of the County, a leave of absence for up to one year may be granted.

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15.02 MILITARY LEAVES OF ABSENCE

Military leaves of absence shall be granted by the Sheriff in accordance with provisions of the Laws of the State of Washington.

15.03 FAMILY AND MEDICAL LEAVE (Revised 10/94, 07/17 and 07/17)

It shall be the policy of the Commission to adhere to the policies of the Family and Medical Leave Act as adopted by Chelan County (County Code 1.20.830 Family and Medical Leave).

1. ELIGIBILITY

To be eligible, an employee must have been employed by Chelan County for at least 12 months and have provided at least 1,250 hours of service during the preceding 12 months to be eligible for family leave.

2. LEAVE ENTITLEMENT

An eligible employee shall be entitled to family leave of up to 12 work weeks during any 12 month period, (commencing with the first day leave is used), for one or more of the following reasons:

- a. Care for a newborn or adopted child or foster care.
- b. Care for a spouse, child or parent who has a serious health condition.
- c. Care for self, if the employee has a serious health condition that makes the employee unable to perform the functions of the position.

3. LEAVE ENTITLEMENT – FMLA MILITARY LEAVE (1/09)

Eligible employees are entitled to up to 12 weeks of leave because of “any qualifying exigency, in compliance with Chelan County Code 1.20.830

**15.04 EXPIRATION OR TERMINATION OF LEAVES OF ABSENCE
(Revised 07/17)**

The Sheriff may terminate any leave of absence by written notice to the employee concerned whenever the conditions or reasons justifying the leave no longer exist, unless, upon appeal of the employee to the Commission, it is found that the termination is not justified. Upon termination or expiration of leave, the employee shall return to duty forthwith. The employee shall be returned to an equivalent position with classification of position as occupied when the leave of absence was granted. An employee who fails to return to duty upon termination or expiration of leave shall be considered absent without leave and subject to disciplinary action. No such disciplinary action may be taken by the Sheriff prior to a Commission decision if an appeal has been filed.

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15.05 REPORTS OF LEAVES OF ABSENCE

All leaves of absence granted shall be reported to the Commission promptly and in writing.

**RULE 16 DISCHARGE, DEMOTION, SUSPENSION, AND OTHER
DISCIPLINARY ACTIONS**

**16.01 CAUSES FOR DISCHARGE, DEMOTION, SUSPENSION, AND OTHER
DISCIPLINARY ACTIONS**

An employee may be discharged or suspended without pay from the Sheriff's Office or demoted or deprived of vacation or other privileges for any of the following reasons:

- a. Incompetency, inefficiency or inattention to or dereliction of duty.
- b. Dishonesty, intemperance, insubordination, discourteous treatment of the public or a fellow employee; any other action of omission or commission tending to injure the public service; any other willful failure on the part of the employee to conduct himself/herself properly; or any willful violation of the provisions of the Chelan County Civil Service Rules.
- c. Physical or emotional unfitness for the position the employee holds.
- d. Use of intoxicating liquors, narcotics or any other habit-forming drug to such an extent that the use thereof interferes with the efficiency or physical fitness of the employee, or precludes the employee from performing properly the functions and duties of his/her position under Civil Service.
- e. Conviction of a felony or a misdemeanor involving moral turpitude.
- f. Directly or indirectly receiving or soliciting political contributions or campaigning for any party or political purpose while on duty or in uniform.
- g. Use of police equipment for personal business or pleasure.
- h. 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.

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**16.02 CONDITIONS OF DISCHARGE, DEMOTION, SUSPENSION AND
OTHER DISCIPLINARY ACTIONS**

A permanent employee may be discharged, demoted or suspended from the Sheriff's Office without pay, or deprived of vacations or other privileges upon formal notification of the reasons for such action. Such notice shall state the specific rules and grounds and the particular facts upon which the disciplinary action is based, and the employee shall be allowed ten (10) business days from the date of service of such notice in which to reply thereto in writing and request a hearing before the Commission. Such notice of disciplinary action shall state the time allowed for requesting a hearing before the Commission. A copy of such notice and a copy of the reply, if any, must be filed in duplicate with the Commission. The appointing authority/Sheriff shall submit to the Commission evidence showing the employee has been served with the notice of disciplinary action, either personally or by certified or registered mail addressed to his last known address and the date of such service.

16.03 HEARING ON REASONS FOR DISCIPLINARY ACTION (07/17)

If the permanent employee to be discharged, demoted, suspended or otherwise disciplined pursuant to Rule 16.02 so requests, the Commission shall proceed in accordance with Rule 5. A public hearing pursuant to Rule 5 shall be held by the Commission whenever a timely request for a hearing has been filed.

16.04 CRIMINAL ACTS (Revised 07/17)

Where the facts alleged in the notice of disciplinary action constitute a crime and the employee has requested a hearing under Rule 16.03 within the time allowed in Rule 5, the employee may at any time up to one day before the date of the hearing request a continuance for cause of the civil service hearing, to determine whether a criminal charge will be filed or until after termination of the criminal case.

16.05 DECISION

After receiving evidence presented in hearings on disciplinary actions:

- a. The Commission may affirm the disciplinary action.
- b. If the Commission finds the disciplinary action was made for political, religious or racial reasons, or not in good faith for cause, or the reasons are otherwise not sufficient to justify such action, the Commission shall order immediate reinstatement of the employee without any loss of pay;
- c. In lieu of affirming the disciplinary action, may modify the disciplinary action by directing a suspension without pay for a given period, and a subsequent restoration of duty or demotion in classification or pay.

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The findings of the Commission shall be certified in writing to the appointing authority/Sheriff and shall be forthwith enforced by said official.

16.06 PROBATIONARY PERIOD FOLLOWING FIRST APPOINTMENT

An employee who has not yet completed his first probationary period may be discharged in accordance with Rule 16.08 by the Sheriff with the concurrence of the appointing authority by written notice served on the employee and a copy filed with the Commission specifying the grounds and the particular facts on which the discharge is based.

16.07 PROBATIONARY PERIOD FOLLOWING SECOND APPOINTMENT

Nothing in Rule 16.06 or elsewhere in these rules shall be construed to permit the discharge from the Sheriff's Office without a hearing of an employee during the probationary period in a second appointment, where, before such appointments, the employee completed the probationary period in another classification. "Second" refers to any appointment of a permanent employee that starts a new period of probation under Rule 12.

Such employee shall be considered a permanent employee for such purposes and under such circumstances may be discharged from county service only pursuant to preceding applicable sections of this Rule with the right to a hearing, if requested.

During the probationary period in the second appointment, such an employee may be demoted, pursuant to Rule 16.06, without a hearing to a position in the classification in which the employee was last employed before such second appointment. In the event of such demotion and if no vacancy exists in the classification and department in which the employee served the first appointment, a vacancy may be created by layoff or reduction in accordance with Rule 17.

16.08 CONSENT OF COMMISSION

In the case of a probationary employee, the consent of the Commission must be secured for a discharge or demotion under Rule 16.06 or 16.07. The Commission shall consent if it believes the grounds and facts alleged, if true, justify the discharge or demotion of a probationer and that no fraud or discrimination exists because of political or religious opinion, racial extraction, or union affiliation.

If the Commission has consented prior to the filing of an answer by the employee, and such answer alleges fraud or discrimination as above stated and requests a hearing, the Commission shall immediately set aside its consent. The hearing shall be limited to the question of fraud or discrimination. After such hearing, the Commission may consent to the discharge or demotion or may order the employee reinstated and, unless said order otherwise provides, it shall be effective as of the date of the discharge or demotion.

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No consent need be secured for the discharge or demotion of a temporary employee.

16.09 TIME FOR DISCHARGE OF PROBATIONER (Revised 12/03/91)

The appointing authority, by assigning in writing to the Commission the reasons therefor, may discharge any probationer. Such reasons need not constitute just cause and shall not otherwise be reviewed by the Commission except as provided in Rule 5.01b.

16.10 RESIGNATIONS AND REINSTATEMENT (Revised 7/13/94)

Resignations shall be in writing and shall be directed to the appointing authority/Sheriff. A resignation shall be effective on the date designated therein and, if no date is designated, it shall be effective immediately. A resignation, once it has become effective or has been accepted by the appointing authority/Sheriff, may be withdrawn only with the consent of the appointing authority/Sheriff and the Commission.

A resignation claimed to have been obtained by duress or fraud may be treated by the Commission as a notice of discharge, provided the employee notified the Commission that such resignation was not voluntary and demands a hearing within ten business days after the filing with the secretary-chief examiner of a report showing such resignation.

16.10(b) REINSTATEMENT

In the event anyone holding permanent positions in the classified service resigns in good standing and, at a time no longer than one year from the date of resignation, re-applies for employment in the same classified service position, the Civil Service Commission may, at its own discretion and with the approval of the appointing authority, place the individual's name(s) at the top of the appropriate existing Basic, Lateral, or Selective Certification List for consideration during the remaining life of said list. The persons will be entitled to all privileges as allowed any applicant for original entrance and the opportunity to be reinstated at their previous rating (excluding supervisory positions) at the appointing authority's discretion. Said persons(s) would not be eligible for promotional exams for a period of one year.

RULE 17 LAYOFFS AND REINSTATEMENT REGISTER

17.01 LAYOFFS

The Sheriff may lay off or reduce an employee when necessary due to lack of funds, lack of work, or abolishment of the position.

17.02 EMPLOYMENT STATUS AND ORDER OF LAYOFF

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Whenever it becomes absolutely necessary through lack of finances or for any other reasonable and just cause to reduce the number of employees of this unit, such reductions shall be carried out in the following order:

- a. Temporary Appointees:
 1. Civilian personnel
 2. Commissioned officers
- b. Probationers (first appointment):
 1. Civilian personnel
 2. Commissioned officers
- c. Permanent Employees:
 1. In the order of length of service, the one with the least service being laid off first.

17.03 LAYOFF OUT OF ORDER

The Sheriff may lay off out of the regular order, upon showing of necessity, thereof, in the interest of efficient operation of the department, after giving any employee or employees affected an opportunity to be heard.

17.04 REDUCTION IN LIEU OF LAYOFF (Revised 1/11/11)

At the time of any layoff, certified employees shall be given an opportunity to accept reduction to the next lower classification in the department; provided, that an employee so reduced shall be entitled to credit for any previous regular service in the lower classification and to any other service credit.

Employees who accept reduction in lieu of layoff shall be placed on a reinstatement list for the classification from which the layoff took place.

17.05 TRANSFER IN LIEU OF LAYOFF (Revised 5/2003)

Transfer in lieu of layoff may be made to a different position within the department upon showing the transferee is capable of satisfactorily performing the duties of the position, and upon mutual agreement of the appointing authority and the employee. A certified employee or probationer shall not be displaced. This transfer may be made up to six months prior to a pending layoff, with approval of the civil service commission, provided that written notice of the impending layoff is given to the employee and the civil service commission.

17.06 REINSTATEMENT LIST

The names of persons laid off or reduced in accordance with these Rules shall be entered upon a reinstatement list in inverse order of layoff. Lists from different times for the same classification of position shall be combined into a single list. Such list shall be used by the Sheriff when a vacancy arises in the same or lower classification of position before certification is made from an

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eligibility list. When a vacancy occurs, the Sheriff shall appoint the person highest on the reinstatement list who is available who was laid off from a position in the department.

17.07 NAME DROPPED (Revised 1/11/11, 07/17)

Employees who accept a reduction in lieu of layoff shall remain on the reinstatement list indefinitely. Laid off employees shall remain on the reinstatement list for a maximum of two years. Persons reduced or reinstated in a lower classification or reinstated on a temporary basis shall be continued on the list for the higher classification until such list expires.

Names of persons appointed to permanent positions of the same level as that from which laid off shall, upon such appointment, be dropped from the list.

17.08 RESTORATION TO REINSTATEMENT LIST

The name of any person who has been appointed to a permanent position from a reinstatement list and subsequently is separated from the service without delinquency or fault on his/her part shall be restored to the reinstatement list. This restoration shall have the effect of extending the time the employee's name is carried on the reinstatement list

RULE 18 CERTIFYING SALARY ACCOUNTS

18.01 CERTIFICATION OF ACCOUNTS (Revised 5/14/96, 07/17)

The Secretary/Chief Examiner shall certify the salary account/payroll for each employee in the Sheriff's Office of the County when it is satisfied that the employee has been appointed and is performing service and in accordance with the provisions of Chapter 41 of the state law and of these rules.

This certification will be done by the Secretary/Chief Examiner; or, in the absence of the Secretary/Chief Examiner, the County Administrator; or by the County Commissioners.

RULE 19 REPORTS REQUIRED,

19.01 REPORTS FROM THE APPOINTING AUTHORITY/SHERIFF

The appointing authority/Sheriff shall report immediately to the Secretary-Chief Examiner in detail every appointment, suspension, separation, reinstatement, layoff, transfer, demotion, reduction, reassignment, refusal or failure to accept an appointment on the part of a candidate certified for appointment and changes of duties or of compensation.

19.02 OTHER REPORTS

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The Secretary-Chief Examiner may require such other information as necessary for the proper administration of the Civil Service System.

RULE 20 PERFORMANCE EVALUATION

20.01 PERFORMANCE EVALUATION

The Sheriff shall evaluate the comparative efficiency and performance of each employee during the employee's one year probation period following an appointment or a promotion in relation to standards for the efficient performance of the work. The Sheriff shall maintain a file of such evaluations and make the same available for inspection by the secretary-chief examiner or other members of the Commission when requested to do so and available for examination by the employee when reasonably requesting the same.