

## **COMMISSIONERS**

Jeff Craig - Chair  
Brittney Hamilton - Vice Chair  
Robert Agfalvi  
Charles Brass  
Stephanie Kuxhausen  
Shawna Punzalan - Secretary



## **City of Orting Civil Service Commission MEETING AGENDA**

Monday, September 25, 2023  
7:00 pm  
City Hall Council Chambers  
104 Bridge Street S, Orting, WA  
Zoom - Virtual

---

### **1. CALL MEETING TO ORDER, PLEDGE OF ALLEGIANCE AND ROLL CALL**

This meeting is being held in person and through the platform Zoom. A link for virtual participation can be found on the agenda or on the City's website.

Join Zoom Meeting:

<https://us06web.zoom.us/j/84850218199?pwd=FZo7wMGrFheFaqY5L6ZQfAqvnqTa2.1>

Telephone: 1-253-215-8782 – Meeting ID: 848 5021 8199 and the passcode 642369.

### **2. APPROVAL OF MINUTES**

Motion: To approve minutes from July 24, 2023 meeting.

Motion: To approve minutes from August 28, 2023 meeting.

### **3. CIVIL SERVICE RULES AMENDMENT**

Secretary Punzalan has completed the corrections and changes to Civil Service Rules as reviewed at August 2023 meeting.

Motion: To approve Civil Service Rules as amended August 28, 2023

### **4. CIVIL SERVICE CONFERENCE**

Public Safety Testing is hosting a virtual conference and business meeting October 25-26, 2023. 9:00 am to 12:00 pm each day. Flyer provided for additional information.

### **5. POLIC CHIEF Q&A**

Chief Gabreluk is unable to be attend September meeting.

### **6. NEW BUSINESS**

### **7. ADJOURNMENT**

## **COMMISSIONERS**

Jeff Craig - Chair  
Brittney Hamilton - Vice Chair  
Robert Agfalvi  
Charles Brass  
Stephanie Kuxhausen  
Shawna Punzalan - Secretary



## **ORTING CIVIL SERVICE COMMISSION**

Meeting Minutes  
104 Bridge Street S, Orting, WA  
Zoom - Virtual  
Monday, July 24, 2023  
7:00 pm

### **1. CALL MEETING TO ORDER, PLEDGE OF ALLEGIANCE**

The meeting was called to order at 7:00 pm by Chair Jeff Craig. Commissioner Robert Agfalvi led the Pledge of Allegiance.

### **2. ROLL CALL**

Present: Chair Jeff Craig, Vice-Chair Brittney Hamilton, Commissioner Robert Agfalvi, Commissioner Stephanie Kuxhausen, Secretary Shawna Punzalan

Absent: Commissioner Charles Brass

***Motion: Commissioner Agfalvi made a motion to excuse Commissioner Brass. Seconded by Commissioner Kuxhausen.***

**Motion passed (4-0)**

### **3. APPROVAL OF MINUTES**

Motion: To approve corrected minutes from April 24, 2023 meeting

***Motion: Commissioner Kuxhausen made a motion to approve minutes from April 24, 2023 meeting. Seconded by Vice-Chair Hamilton***

**Motion passed (4-0)**

### **4. ORAL BOARD UPDATE**

Secretary Punzalan updated the board regarding June 20, 2023 Oral Board results.

An Oral Board was held June 20, 2023 including eight (8) entry level applicants, 2 BLEA applicants (1 withdrew) and 1 Lateral applicant (withdrew morning of).

Three Entry Level candidates passed the oral board with a score of 70 or more.

Chief Gabreluk was given a Certified List on May 5, 2023. He has conducted Chief Interview with four of the five candidates on that list. Three of those candidates have returned their background packets to begin the background investigation process.

Five candidates remain eligible on the Certified List and the three candidates who passed the Oral Board examination on June 20<sup>th</sup> have been added to the Preliminary Registry to roll to Certified List as candidates withdraw or disqualify.

## 5. ENTRY LEVEL QUESTION CLARIFICATION

Secretary Punzalan advised the board that question E of Entry Level Oral Board question pool was confusing to most candidates in recent oral board interviews. She requested the board consider striking the question or revising for clarification.

Discussion followed.

***Motion: Commissioner Robert made a motion to accept the amendment of Question E of the Entry Level Oral Board Question Pool. Seconded by Commissioner Kuxhausen.***

**Motion passed (4-0)**

## 6. LATERAL ENTRY

Secretary Punzalan brought concerns to the board from Orting Officers that the time it is taking to process lateral entry applicants has been problematic in hiring qualified lateral entry candidates and requested consideration for streamlining the process.

Discussion followed.

***Motion: Commissioner Kuxhausen made a motion to add “except in the case of Lateral Candidates if it has been longer than thirty (30) days since the previous oral board” to section 8A.62. Seconded by Commissioner Agfalvi***

**Motion passed (4-0)**

## 7. PROMOTIONAL PROCESS

Police Chief Devon Gabreluk has requested Civil Service Secretary to begin opening a Promotional Process for Sergeant (formerly Lieutenant) followed by Commander positions. Commander position may be filled use Washington Association of Sheriffs & Police Chiefs (WASPC) similarly to the process used to fill the Chief role. Secretary Punzalan will confirm this expectation.

Discussion followed regarding lowering the number of days required to allow between position posting and exam date which is currently set at sixty (60). Commissioner Kuxhausen made an offer to assist in researching local area agencies promotional process, timelines and testing options and will report findings at the next Commission meeting.

## 8. NEW BUSINESS

Commissioner Kuxhausen brought up discrepancy in Civil Service Rules and general understanding of the expectation for commissioners to attend Oral Boards. Civil Services rules, as stated in section 8A.6.1, “Civil Service Commissioners are encouraged to attend Oral Board Examinations as observers.” There is risk to an appeal process with an Oral Board exam and any attending commissioner would be required to recuse themselves of that process.

***Motion: Vice-Chair Hamilton made a motion to modify 8A.6.2 to read, “Civil Service Commissioners are not encouraged to attend Oral Board Examinations.” Seconded by Commissioner Kuxhausen***

**Motion passed (4-0)**

***Action: Secretary Punzalan will invite Police Chief Gabreluk to attend the next Civil Service Commission meeting for a Q&A period.***

## 9. ADJOURNMENT

**Motion: Motion to adjourn made by Commissioner Agfalvi. Seconded by Commissioner Kuxhausen.**

**Motion passed (4-0)**

**Next Meeting: August 28, 2023 AT 7:00 PM**

Approved:

---

Chair Jeff Craig

---

Secretary Shawna Punzalan

## **COMMISSIONERS**

Jeff Craig - Chair  
Brittney Hamilton - Vice Chair  
Robert Agfalvi  
Charles Brass  
Stephanie Kuxhausen  
Shawna Punzalan - Secretary



## **ORTING CIVIL SERVICE COMMISSION**

Meeting Minutes  
104 Bridge Street S, Orting, WA  
Zoom - Virtual  
Monday, August 28, 2023  
7:00 pm

### **1. CALL MEETING TO ORDER AND PLEDGE OF ALLEGIANCE**

The meeting was called to order at 7:00 pm by Chair Jeff Craig. Commissioner Robert Agfalvi led the Pledge of Allegiance.

### **2. ROLL CALL**

Present: Chair Jeff Craig, Vice-Chair Brittney Hamilton, Commissioner Robert Agfalvi, Secretary Shawna Punzalan

Absent: Commissioner Charles Brass, Commissioner Stephanie Kuxhausen

***Motion: Vice Chair Brittney Hamilton made a motion to excuse Commissioner Brass and Commissioner Kuxhausen. Seconded by Commissioner Agfalvi***

**Motion passed (3-0)**

### **3. APPROVAL OF MINUTES**

Chair Jeff Craig reviewed minutes from July 24, 2023 and advised secretary that they should have read "Motion to approve *corrected* minutes from April 24, 2023 meeting." Corrected minutes will be presented to commission at September meeting for final approval along with August meeting minutes.

***Action:*** Secretary Punzalan will make change to July 24, 2023 minutes as discussed for final approval.

### **4. PROMOTIONAL PROCESS**

Secretary Punzalan gave an update to commission on current promotional process. Chief Gabreluk requested a certified list for First Line Supervisor promotional candidates. The Police staff were notified on August 18, 2023 that a Promotional Process was open and applications were accepted thru August 24, 2023. A written exam, as required by the Civil Service Commission Rules, is scheduled for 60 day from the close of the promotion posting on October 23, 2023.

Commission discussed the length of study time and confirmed the necessity of the full sixty days to reduce risk of appeals. Civil Service rules regarding length of study time are to remain unchanged.

### **5. RULES AMMENDMENT**

Secretary Punzalan has made all rule amendments as documented in the Civil Service Commission electronic files and multiple scrivener's error corrections.

Commission reviewed corrections at:

- a. 1.2B – add "Commission"
- b. 1.3 – possibly missing chapters
  - i. Added chapter number 41.08
- c. 1.4 – corrected formatting and numbering errors
  - i. SEVERABILITY moved from section 1.3 to create section 1.4
- d. 2.1A – correct meeting details

- i. 7:00 pm at City Hall (removed “in a conference room”)
- e. 4.3 – add Police Commander as exempt from civil service rules.
- f. 5.4.2 – remove “previously called Police Special Entry”
- g. 5.4.3 – clarification edit completed: “Lateral candidates shall have successfully completed the Washington State Criminal Justice Training Commission (CJTC) Basic Academy, have successfully completed the Academy with the Bureau of Indian Affairs or another State’s or Federal Law Enforcement Academy as recognized by the CJTC.”
- h. 6.2.1B - review “Written Test” requirement
  - i. Numbering corrected to 6.2.2 “BLEA CANDIDATES”
  - ii. Removed written test from exam list for BLEA Candidates
- i. 6.2.3 – remove application requirements from examinations list
- j. 6.8.2-4 – amendments per City Attorney documented 4/21/2021
- k. 8B.1.3 – add language to schedule Oral Boards without written exam if appropriate
  - i. Added “or close of application deadline if no written test is required.”
- l. 11.3 – reference review
- m. Appendix D – add First Line Supervisor
- n. Appendix F – review for necessity
- o. Appendix H – added per City Attorney documented 4/21/2021
- p. Appendix Order – can appendixes be re-ordered based on similarities?
  - i. Appendixes reordered as follows:

Prior Appendix:	Now becomes	Appendix
A	→	B
B	→	C
C	→	D
D	→	F
E	→	H
F	→	<i>removed</i>
G	→	G
H	→	A
I	→	E

***Motion: Commissioner Agfalvi made a motion to accept corrections and amendments as indicated as discussed. Seconded by Vice-Chair Hamilton.***

**Motion passed (3-0)**

**Action:** Secretary Punzalan will make all accepted corrections and amendments to Civil Service Commission Rules document and provide at next Commission meeting for approval

**6. POLICE CHIEF Q&A**

Chief Gabreluk was unable to attend August 2023 meeting. He advised Secretary Punzalan he would try to make himself available for the September meeting.

**7. CIVIL SERVICE CONFERENCE**

Secretary Punzalan provided flyers to Commission regarding a virtual Civil Service Commission virtual conference hosted by Public Safety Testing that is scheduled for October 24-26, 2023. Conference participation is not mandatory.

**8. ADJOURNMENT**

Meeting adjourned at 8:04 pm.

***Motion: Vice Chair Hamilton made a motion to adjourn. Seconded by Commissioner Agfalvi.***

**Motion passed (3-0)**

**Next Meeting: September 25, 2023 AT 7:00 PM**

Approved:

---

Chair Jeff Craig

---

Secretary Shawna Punzalan



# **CITY OF ORTING CIVIL SERVICE COMMISSION**

# **RULES AND REGULATIONS**

*Amended August 28, 2023*

**Last Amended:**

November 19, 2021  
June 27, 2019



# TABLE OF CONTENTS

RULE 1. GENERAL PROVISIONS .....	3
RULE 2. ADMINISTRATION AND OPERATIONS .....	4
RULE 3. SECRETARY .....	5
RULE 4. CLASSIFICATION OF POSITIONS. ....	6
RULE 5. APPLICATION PROCEDURES AND APPLICANTS .....	7
RULE 6. EXAMINATIONS AND SCREENING. ....	8
RULE 7. CERTIFIED ELIGIBILITY REGISTERS .....	12
RULE 8. APPOINTMENTS.....	14
RULE 8A. HIRING PROCESS .....	14
RULE 8B. PROMOTIONAL PROCESS .....	18
RULE 9. PROBATIONARY PERIOD .....	18
RULE 10. MAINTENANCE OF STANDARDS .....	20
RULE 11. DISCIPLINE AND DISCHARGE .....	20
RULE 11A. APPEALS .....	22
RULE 12. RECORDS AND REPORTS.....	24
RULE 13. DEFINITIONS.....	24
RULE 14. AMENDMENTS. ....	30
Appendix A.....	31
Appendix B.....	32
Appendix C .....	34
Appendix D.....	36
Appendix E .....	38
Appendix F.....	39
Appendix G.....	41
Appendix H.....	42

## **RULE 1. GENERAL PROVISIONS**

1.1 **AUTHORITY AND APPLICATION.** These rules are promulgated pursuant to the authority granted by Chapter 41.12 RCW, re: Civil Service for Police, and the City of Orting ordinances. These rules are applicable to all positions and all employees covered by the City's Civil Service System and to all proceedings before the Civil Service Commission. No employee or interested person should read or construe these rules to support or create a property interest of any sort.

1.2 **SCOPE AND PURPOSE.**

- A. These rules govern the continuing administration of the Civil Service System of the City and the terms and conditions of civil service employment in the City. The purpose of these rules is to assure that the Civil Service System in the City is administered in accordance with RCW Chapter 41.12 and ordinances of the City, and that all proceedings before the Commission are conducted in an orderly, fair and timely manner.
- B. The purpose of a Civil Service Commission created pursuant to state law is to establish a system to:
  - 1. Provide for promotion on the basis of merit;
  - 2. Give police officers tenure, and;
  - 3. Provide for a Civil Service Commission to administer the system, and to investigate by public hearings, removals, suspensions, demotions, and discharges by the appointing power to determine whether such action was or was not made for political or religious reasons and whether it was or was not made in good faith for cause.
- C. It is intended to protect the honest and efficient public employee from adverse discriminatory action, whether from political or other improper motive, and thus to secure for the people the services of honest, efficient and experienced public employees. At the same time, it is intended that the administrative officers shall have ample authority to correct where possible, and to remove when necessary, dishonest or inefficient employees without placing upon the administrators an impractical or unfair burden in the discharge of such duties.
- D. The objective and intent of these Rules is to establish personnel policies and procedures that will ensure to the people of Orting the maximum in honest and efficient public service by attracting to and retaining in the City's classified service the most qualified and highest motivated employees available.

1.3 **PRESUMPTION OF VALIDITY.** The Civil Service System implemented by these rules substantially accomplishes the purpose of chapters 41.08 and 41.12 RCW. Variation from state models are based on local conditions and are intended to maintain the purposes of civil service

systems: merit selection, tenure, and an independent Civil Service Commission. These rules are presumed to be valid and shall be upheld unless in direct conflict with the purpose of Chapters 41.08 and 41.12 RCW.

1.4 SEVERABILITY. If any provision of these rules or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of these rules which can be given effect without the invalid provision or application, and to this end, any section or word is declared to be severable.

1.5 COLLECTIVE BARGAINING AGREEMENT. In the event of conflict between these rules and collective bargaining agreement under Chapter 41.56 RCW, the provisions of the collective bargaining agreement shall prevail.

1.6 INTERPRETATION. The Commission has the power and authority to interpret its Rules.

## **RULE 2. ADMINISTRATION AND OPERATIONS.**

2.1 COMMISSION, MEETINGS, QUORUM. The Commission has five (5) members.

- A. In the necessary conduct of its work, the Commission shall hold a regular meeting on the fourth Monday of every month at 7:00 p.m. at Orting City Hall, or on a date and at a location otherwise designated by the Chair and noticed in accordance with the Open Public Meetings Act (Chapter 42.30 RCW, as amended), unless there is no pending business requiring Commission action.
- B. A special meeting may be ordered at any time by the Chair or at the direction of any Commissioner, and notice of special meetings shall be provided as required by the Open Public Meetings Act (Chapter 42.30 RCW, as amended).
- C. The Commission shall conduct hearings and provide notice of hearings as required by these rules.
- D. The presence of three (3) members of the Commission constitutes a quorum. No action of the Commission is effective unless three (3) members concur therein; provided, however, in hearings of appeals on employee discipline or discharge, a majority of a quorum hearing the matter (e.g., 2 of 3 Commissioners) shall be sufficient for ruling.
- E. All Commission meetings or hearings, regular or as required, are open and public, but the Commission may meet in executive session as authorized by the Open Public Meeting Act (Chapter 42.30 RCW, as amended).

2.2 CHAIR & VICE CHAIR. At the first regular meeting in January of each year, the Commission shall elect one of its members to serve as Chair and another member to serve as Vice-Chair. The Chair and Vice-Chair shall serve for a term of one (1) year, unless replaced by a majority vote of all Commissioners. Should a Chair or Vice-Chair resign or be removed from the position before the expiration of his/her term, the Commission, upon appointment of a new member, will elect a new Chair and/or Vice-Chair.

2.3 RULES OF ORDER. Robert's Rules of Order is the final authority on all questions of procedure and parliamentary law not otherwise provided by these rules. But with the concurrence of three (3) Commissioners, such rules may be waived or modified. During the conduct of any

appeal hearing, the Commission will rely on applicable rules of evidence for Washington Courts for guidance, subject to waiver or modification by three (3) Commissioners.

2.4 COMMISSIONERS CHALLENGE. Any challenge to a Commissioner's sitting at a hearing shall be made by an interested party's submitting a written affidavit to the Civil Service Secretary/Chief Examiner at least ten (10) days before the hearing commences or as soon as possible after the party learns of the alleged interest, prejudice or close relationship that is the basis of the challenge. The Commission will review the affidavit and vote on the challenge before proceeding with the hearing. Upon the Commission's finding of cause for disqualification, the challenged Commissioner will take no part in the hearing. Failure to timely raise a challenge constitutes a waiver of the challenge by the party unless, in the exercise of reasonable diligence, a basis for challenge is unknown to a party before the hearing commences.

2.5 MINUTES. The Secretary shall attend all meetings, record votes taken and how the Commissioners voted, and shall prepare the minutes and present them to the Commission for review, edits, and approval at the next regular meeting. The minutes or a true copy thereof shall be open to public inspection.

2.6 REPORTS-APPLICANTS, ELIGIBLES, EMPLOYEES.

- A. Each applicant, eligible and employee shall keep the Commission informed, by written notice to the Secretary, of his/her current address and telephone number and will report any change of name through marriage or otherwise.
- B. Each eligible applicant shall keep the Secretary informed, in writing, regarding his/her availability and any refusal to accept an appointment or promotion and the reasons therefore.

2.7 REPORTS--APPOINTING AUTHORITY. An Appointing Authority shall report to the Secretary in such detail and on such forms as the Secretary may prescribe:

- A. Every appointment, transfer, promotion, demotion, reduction, layoff, reinstatement, discharge, suspension, leave of absence, change of position within a class, or temporary assignment to out-of-class duties for a consecutive period longer than two weeks;
- B. Every refusal or failure to accept appointment by a person whose name has been certified.

### **RULE 3. SECRETARY**

3.1 DUTIES. The Commission Secretary shall keep the records for the commission; preserve all reports made to it; attend and record all meetings of the commission; assist, coordinate and/or facilitate the administration of competitive hiring processes outlined in these Rules; approve the expenditure of funds appropriated for Commission operations; superintend and keep

appropriate hiring records; and perform all lawful and necessary duties delegated by the Commission and all functions essential to the effective administration of the civil service system.

3.2 APPOINTMENT, TERM, ACCOUNTABILITY. The Civil Service Commission may appoint the Secretary from among persons already employed by the City of Orting or may hire an independent contractor for this service. The Secretary, if employed by the City, is an at-will, non-classified employee or an independent contractor, if not employed by the City. The Secretary shall serve indefinitely at the pleasure of the Commission, provided that the Secretary may be subject to suspension, reduction, or discharge as relates to his/her duties for the Commission in the same manner and subject to the same limitations as are provided in the case of members of the classified service.

#### **RULE 4. CLASSIFICATION OF POSITIONS.**

4.1 PROCEDURE AND EFFECT. The Appointing Authority shall classify all positions in the City's Civil Service System, known as the Classified Service. The classification plan so developed shall be transmitted to the Commission, and a current copy shall be maintained by the Secretary. Additional classes may be established and existing classes may be divided, combined, or abolished in the same manner as originally adopted. No reclassification of an existing class to a class having either a greater or lower maximum salary range shall be effective unless recommended by the Appointing Authority and approved by the Commission. Reclassification shall not be used for the purpose of avoiding demotions or promotions.

- A. Responsibilities of the Appointing Authority. The Appointing Authority shall report any and all organizational changes, which may change any part of the classification plan, to the Secretary. However, neither this responsibility, nor anything else in these rules, shall restrict the ability of the Appointing Authority to direct its employees or limit its ability to assign work to deal with emergency situations.
- B. Responsibilities of the Secretary. If directed by the Commission, the Secretary will conduct position classification studies of individual positions or groups of positions as necessary. The Secretary will report to the Commission any changes in the classification plan and the results of any studies.
- C. Responsibilities of the Commission. The establishment of a new classification of more than sixty (60) calendar day's duration must be approved by the Commission. The request must be in writing accompanied by a statement of the duties, responsibilities and qualification requirements for the new or affected classification.

4.2 CLASS OR CLASSIFICATION. Class and Classification, when used as a noun, means a group of positions sufficiently similar with respect to duties and responsibilities so that the same title may reasonably be used for each, the same qualifications may be required, and the same salary range may be applied with equity.

4.3 CLASSIFIED SERVICE. Classified Service means all positions in the City service that are subject to the provisions of these rules as defined by state law and applicable City ordinances, including all full-time paid members of the Police Department except the Police

Chief and Police Commander.

**RULE 5. APPLICATION PROCEDURES AND APPLICANTS**

5.1. ANNOUNCEMENT OF VACANCY. Whenever there is a need, the Civil Service Secretary or his/her designee shall invite, by giving public notice, qualified persons to apply for employment and for admission to the examination scheduled to create a Register. Public announcement of the examinations shall specify:

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

5.2 APPLICATION FORMAT. Applications shall be made on forms supplied by the City or in such other format as may be approved by the City. All applications must be signed by the applicant. Only those applications filed with the Secretary by the date specified need be considered for examination.

5.3 APPLICATION REVIEW. Upon the timely receipt of completed and executed applications, the Civil Service Secretary shall ensure that each applicant has met the minimum standards for employment. For further review (*i.e.*, background investigation), the Civil Service Secretary may forward the application to the Chief of Police, who shall file his findings with the Secretary.

5.4 MINIMUM STANDARDS. In order to identify a level of qualification, the Commission establishes the following as minimum standards. To be considered for examinations or screening, the applicant shall:

- A. Be a citizen of the United States;
- B. Possess a valid driver's license;
- C. Have attained the age of twenty-one (21) years at the time of employment for a Police Department position.
- D. Possess a high school diploma or GED equivalent;
- E. Be in good health;
- F. Possess good moral character;
- G. If the applicant is a relative of an elected City Official, the Mayor, a member of the City Council, then the official will excuse himself or herself from the hiring or promotion process.

5.4.1 MINIMUM STANDARDS FOR "ENTRY LEVEL POLICE OFFICER CANDIDATES": In addition to the above 5.4.A-G, Entry Level Police Officer candidates shall attend or have attended Police Academy, and shall obtain commission status prior to performing duties of a Police Officer. Candidates shall qualify under the Washington Criminal Justice Training Commission's standards for attendance at commission-sponsored schools.

5.4.2 MINIMUM STANDARDS FOR POLICE "BASIC LAW ENFORCEMENT ACADEMY GRADUATE CANDIDATES". In addition to the above 5.4.A - G, Basic Law Enforcement Academy Graduate ("BLEA") candidates shall have successfully completed the Washington State Criminal Justice Training Academy (WSCJT) within the past two (2) years and hold a current and valid certification through the Washington State Criminal Justice Commission as of the date of their employment.

5.4.3 MINIMUM STANDARDS FOR POLICE "LATERAL"~~CANDIDATES~~. In addition to the above 5.4.A - G, Lateral candidates shall have successfully completed probationary period review with another law enforcement agency and shall have been employed on a full-time basis as an officer by a law enforcement agency for a period of at least one year, and shall not have been out of service for a period of more than four (4) years prior to application for employment with the City of Orting. Lateral candidates shall have successfully completed the Washington State Criminal Justice Training Commission (CJTC) Basic Academy, have successfully completed the Academy with the Bureau of Indian Affairs or another state or Federal Law Enforcement Academy as recognized by the CJTC. Again, all lateral candidates must have successfully passed their required probationary period with another law enforcement agency.

If hired, Lateral candidates may be required to attend the Washington State Criminal Justice Training Commission Basic Academy if the applicant has not previously attended, or sufficient time has lapsed since completion. If the applicant has completed the Washington State Criminal Justice Training Commission Basic Academy and there is a lapse in service, the applicant may be eligible to attend the Equivalency Academy in lieu of attending the Basic Academy again. Such determination will be made by the Police Chief in accordance with Criminal Justice Training Commission rules and guidelines. The Chief of Police may seek a CJTC waiver if the applicant is deemed to qualify for police service.

5.5 NON-ACCEPTANCE OF APPLICANT. After acceptance, the Civil Service Commission may reject an application or, after examination, may disqualify a successful candidate. This action may be taken whenever an applicant or eligible is found to lack any of the minimum standards established for the class of position. Additional causes for rejection and/ or disqualification are as stated in these Rules.

5.6. EFFECT OF CONTINUOUS TESTING SERVICE CONTRACT. Provisions of these Rules regarding advertising, notices, applications, administering and reviewing written or physical tests for an examination process and the like need not be exercised or observed if the Commission has elected to participate in a continuous testing program through a contract with a qualified firm, as approved by the City.

## **RULE 6. EXAMINATIONS AND SCREENING.**

6.1 SCOPE. All examinations (also known as screening methods) shall be practical and shall

consist only of subjects that will fairly determine the capacity of persons examined to perform the duties of the position to which an appointment is to be made.

6.2 METHODS TO SCREEN CANDIDATES FOR EMPLOYMENT. The qualifications and fitness of candidates shall be determined either individually or in a group, by two or more of the following methods:

- A. 6.2.1 "ENTRY LEVEL POLICE OFFICER CANDIDATES." Entry Level Police Officer Candidates shall be screened using the following methods: Written test;
- B. Physical tests of strength, stamina, and agility or dexterity; and
- C. Oral Board Examination, which will include but not be limited to evaluation of education, training, experience, qualifications, knowledge and ability.

Entry level police officer candidates shall be screened in accordance with Appendix A, Police Patrol Officer - Entry Level, which is attached to these Rules and incorporated by reference.

A. "BLEA CANDIDATES." BLEA candidates shall be individually screened using the following methods:

- A. Oral Board Examination, which will include but not be limited to evaluation of education, training, experience, qualifications, knowledge and ability.

BLEA candidates shall be screened in accordance with Appendix B for Basic Law Enforcement Academy Graduate Candidates which is attached to these Rules and incorporated by reference.

6.2.3 POLICE LATERAL CANDIDATES. Lateral candidates shall be individually screened using the following methods:

- A. Oral Board Examination, which will include but not be limited to evaluation of education, training, experience, qualifications, knowledge and ability.

Lateral candidates shall be screened in accordance with Appendix C, which is attached to these Rules and incorporated by reference.

6.3 PREPARATION AND ADMINISTRATION. All examinations shall be prepared and administered by or under the supervision of the Civil Service Commission or designee. The Commission may, at their discretion, delegate the administration of examinations, or any portions thereof, to such qualified and unbiased persons as they deem advisable, including the Secretary. The City of Orting may hire an independent agency/service to administer any, or all, portion(s) of the requirements for application.

6.4 VETERAN'S PREFERENCE. In all competitive examinations, unless otherwise provided in this section, to determine the qualifications of applicants for public offices, positions, or employment, either the state, and all of its political subdivisions and all municipal corporations,



or private companies or agencies contracted with by the state to give the competitive examinations shall give a scoring criteria status to all veterans as defined in RCW 41.04.007, by adding to the passing mark, grade or rating only, based upon a possible rating of one hundred points as perfect a percentage in accordance with the following:

- A. Ten Percent to a veteran who served during a period of war or in an armed conflict as defined in RCW 41.04.005 and does not receive military retirement. The percentage shall be added to the passing mark, grade, or rating of competitive examinations until the veteran's first appointment. The percentage shall not be utilized in promotional examinations;
- B. Five percent to a veteran who did not serve during a period of war or in an armed conflict as defined in RCW 41.04.005 or is receiving military retirement. The percentage shall be added to the passing mark, grade, or rating of competitive examinations until the veteran's first appointment. The percentage shall not be utilized in promotional examinations;
- C. Five percent to a veteran who was called to active military service from employment with the state or any of its political subdivisions or municipal corporations. The percentage shall be added to promotional examinations until the first promotion only;
- D. All veterans' scoring criteria may be claimed upon release from active military service or upon receipt of separation orders indicating an honorable discharge, issued by the respective military department.

6.5 RESERVE AND VOLUNTEER PREFERENCE. Applicants for entry-level positions, who have served as a reserve or volunteer (with the City of Orting) for a minimum of twelve (12) months and have worked two hundred forty (240) hours in that year, shall receive a two percent (2%) scoring criteria for each twelve months of service with the City of Orting. The two percent (2%) scoring criteria will be added to a passing mark, grade, or rating of a competitive examination, not to exceed ten percent (10%).

6.6 EDUCATION AND EXPERIENCE PREFERENCE.

- A. Applicants who have obtained an advanced secondary degree shall receive additional points, to be added to a passing mark, grade or rating of a competitive examination, as follows: Associates of Arts or Sciences degree recipients shall receive an additional four (4) points; Bachelors of Arts or Sciences degree recipients shall receive an additional seven (7) points; and recipients of a Master's degree or higher shall receive an additional ten (10) points. Applicants shall only receive the points allocated to the highest degree received. Applicants shall be required to present proof of receipt of all claimed degrees from the granting institution(s).
- B. Applicants for BLEA and Lateral positions shall receive additional points, to be added to a passing mark, grade or rating of a competitive examination, based upon the number of years of experience as a law enforcement officer with a recognized agency. The additional points shall be identified on Appendices B and C hereto,

adopted by reference herein.

- C. Promotional candidates shall receive additional points, to be added to a passing mark, grade or rating of a competitive examination, based upon the number of years of experience as a law enforcement officer with the City of Orting Police Department. The additional points shall be identified on Appendix D hereto, adopted by reference herein.
- D. Applicants for BLEA and Lateral positions shall be entitled to additional points, to be added to a passing mark, grade or rating of a competitive examination, for any law enforcement related classes or training of at least one-month duration. Applicants may not combine classes or trainings of less than one-month duration to obtain credit. The additional points shall be identified on Appendices B and C hereto, adopted by reference herein.

6.7 PASSING SCORE. A total passing score on an examination shall be seventy percent (70%) not including Veterans, Reserve, and/ or Volunteer credits. Those credits will be added to the score of at least seventy percent by the Secretary of the Commission. The Secretary will query each candidate to determine if they want to claim Veterans or Reserve credits. Veterans must provide proof of service. Each examination must be passed prior to proceeding to the next examination. The physical fitness examination will be pass/fail examination and shall not be included on the aggregate percentage.

6.8 PROMOTIONAL EXAMINATIONS. As the needs of the City and the police department may require, promotional examinations may be conducted on an unscheduled basis. All promotional examinations will be considered open to all qualified full-time members of the Orting Police Department. All applications for a promotional position must meet the following minimum requirements:

6.8.1 In order to be eligible to take the promotional examination for First Line Supervisor, an applicant must have two (2) years full-time experience, and must have graduated from a Basic Law Enforcement School.

6.8.2 Promotional candidates shall be screened based on merit and using the following methods:

- A. Written test; and
- B. Oral Board Examination, which will include but not be limited to evaluation of education, training, experience, qualifications, knowledge and ability.

Promotional candidates shall be evaluated in accordance with Appendix D, which is attached to these Rules and incorporated by reference.

6.8.3 Detective candidates shall be screened using the following methods:

- A. Written test; and/or
- B. Oral Board Examination, which will include but not be limited to evaluation of

education, training, experience, qualifications, knowledge

## **RULE 7. CERTIFIED ELIGIBILITY REGISTERS**

7.1 ESTABLISHMENT OF CERTIFIED ELIGIBILITY REGISTERS. Certified Eligibility Registers shall be prepared by the Civil Service Commission or its designee which rank individuals qualified for certification to appointing authorities based upon the results of examinations and, if applicable, veterans, reserve and volunteer credit.

7.2 DURATION. Certified Eligibility Registers shall be valid for six months following the date of the formal establishment by the commission, but may be extended by the commission for additional six-month periods. These registers, if deemed by the commission to be exhausted, or no longer including valid applicants, may be terminated by the commission and a new register established prior to the six-month expiration.

7.2.1 Certified Eligibility Registers shall become effective upon the approval thereof by the Commission to the effect that the list was legally prepared and represents the relative rating of the names appearing thereon. Certified Eligibility Registers shall be of three kinds; an applicant register from which original appointments are made (which can take three forms, described in this section), promotional registers from which promotional appointments are made, or reinstatement registers. Based on department needs, if recommended by the Appointing Authority and approved by the Commission, original appointments to fill vacancies in the department can be made from any of the following applicant registers: Certified Eligibility Register for Entry Level Candidates, Certified Eligibility Register for Lateral Candidates, or Certified Eligibility Register for BLEA Candidates.

7.2.2 Certified Eligibility Registers for original appointments shall be valid for six months and unless countered by the Civil Service Commission will automatically extend by six months and/ or may be extended by a majority vote of the Civil Service Commission for additional six-month periods for a maximum of three (3) years

7.2.3 Certified Eligibility Registers for Promotional Candidates shall be valid for six months and may be extended by majority vote of the Civil Service Commission for additional six-month periods for a total of two (2) years for positions represented by a collective bargaining agreement and a maximum of three (3) years for positions not represented by a collective bargaining agreement. In the event of a negotiated agreement, all promotional Registers may be extended for a maximum of three (3) years.

7.3 REINSTATEMENT REGISTER. Employees who are placed on reinstatement Registers due to layoff or reduction shall have their names remain effective on the reinstatement Registers as follows:

7.3.1 Employees who have successfully completed the probationary period for a rank shall be maintained on the reinstatement Register for an unlimited period of time; provided, however, that their names may be removed from the Reinstatement Register for cause.

7.3.2 Employees who have not completed the probationary period for the rank shall be

maintained on the reinstatement Register for the rank for a maximum of one (1) year following the effective date of the reduction or layoff; provided, however, that their names may be removed from the reinstatement Register for cause. This register may be extended by the Commission. After the maximum three-year period, their names shall be automatically removed from the Reinstatement Register.

7.4 NEW CERTIFIED ELIGIBILITY REGISTERS TERMINATE EXISTING CERTIFIED ELIGIBILITY REGISTERS FOR THE SAME CLASS. Any Certified Eligibility Register shall be terminated automatically upon promulgation of a Certified Eligibility Register from a new examination for the class.

7.5 REMOVAL OF NAMES FROM CERTIFIED ELIGIBILITY REGISTERS. The name of any person appearing on a Certified Eligibility Register may be removed by the Civil Service Commission or designee if the candidate fails to respond to a notice of certification, if he/ she declines an appointment without reason satisfactory to the commission, or if he/ she cannot be located by postal authorities. In the case of such removal, the Civil Service Commission shall notify the candidate affected in writing at his/her last known address. The name of the person so removed may be reinstated only if satisfactory explanation of the circumstances is made to the Commission. The names of persons on the Certified Register for Promotional Candidates who resign from the service shall be automatically dropped from the Register.

7.6 NOTICE OF ADDRESS CHANGE. Each individual on any Certified Eligibility Register shall be responsible for notifying the Civil Service Commission or designee of a change of address. Failure to do so may cause the removal of his/her name from the Register.

7.7 REVOCATION OF REGISTERS. Any Register may be revoked by the Commission when plainly inadequate results have been obtained through the examination or screening process. The Commission may also cause revocation because of fraud, errors, or obviously inappropriate standards prescribed in connection with the examination. Upon a revocation of any of the above reasons, the Commission shall cause a new examination to be held which will result in the creation of an appropriate Register.

7.8 RETURN TO REGISTER AFTER RESIGNATION OR RETIREMENT

7.8.1 A former employee who resigned or retired may request return of his or her name to the proper open eligibility list or register for the class. Such request must be made within one year from the date of resignation or retirement.

7.8.2 Any request for return to register following resignation or retirement must be supported by written recommendation of the Chief of Police.

7.8.3 A former employee whose eligibility is reinstated under this rule shall be certified according to Civil Service rules.

7.8.4 The name of a former employee who resigned or retired may not be returned to a promotional register, unless recommended by the head of the former employing department and approved by the Civil Service Commission within one year from the date of resignation or retirement.

## **RULE 8. APPOINTMENTS.**

8.1 APPOINTING AUTHORITY. The Appointing Authority shall be the Mayor (or his/her designee,) for the Chief of Police, and all other positions within the Police Department.

8.2 PROVISIONAL APPOINTMENT. A provisional appointment may only be made in the absence of an appropriate Certified Eligibility Register. In such a case, the Appointing Authority may select a person meeting the minimum qualifications for nomination to the Civil Service Commission. The Civil Service Commission or designee shall notify the person or persons appearing on the appropriate list indicating the nature of the position and its duration, to learn who may be willing to accept temporary assignment. In the event no person on the Certified Eligibility Register expresses a willingness to accept a temporary appointment, the Appointing Authority may exercise his/her prerogative to initiate provisional appointment.

8.3 TEMPORARY ASSIGNMENT. In making temporary appointments, the Appointing Authority shall make a request to the Civil Service Commission in the manner provided for in regular appointments, but shall indicate the time in which it is estimated that the position will terminate. The Civil Service Commission Designee shall notify the person or persons appearing on the appropriate register indicating the nature of the position and its duration to learn who may be willing to accept a temporary assignment. In the event no person on the Certified Eligibility Register expresses a willingness to accept a temporary appointment, the Appointing Authority may exercise his/her prerogative to initiate a provisional appointment.

8.4 LIMITS ON TEMPORARY APPOINTMENTS. No full-time reserve or temporary appointment shall continue for a period exceeding a continuous six (6) months. No time spent as a full-time reserve or temporary appointee shall be credited to a probationary period, or be utilized for computing any privilege accruing under civil service law or the rules and regulations.

## **RULE 8A. HIRING PROCESS**

8A.1 CERTIFIED ELIGIBILITY REGISTERS. Whenever a vacancy exists, the Appointing Authority may request the names of the top five (5) candidates on any Certified Eligibility Register, and may make an appointment from such Certified Eligibility Register, consistent with the provisions of this rule. The Commission encourages the Appointing Authority to work with the Secretary to ensure that sufficient Certified Eligibility Registers are maintained throughout the year, to avoid potential delays in filling vacancies.

8A.2 APPOINTMENTS MUST BE MADE FROM A CERTIFIED ELIGIBILITY REGISTER. If there is a current, Certified Eligibility Register, the Appointing Authority may appoint from such Certified Eligibility Register. If an appointment occurs, the Appointing Authority must notify the Secretary, who will inform the Civil Service of the selection. If there is not a current, sufficient, Certified Eligibility Register, the Appointing Authority shall request that the Secretary prepare a new Certified Eligibility Register.

8A.3 REQUEST FOR CERTIFIED ELIGIBILITY REGISTER TO FILL POSITION. If the Appointing Authority requests one or more Certified Eligibility Register(s), such request should specify if the request is for Entry-Level, Lateral, BLEA, or Promotional candidates.

8A.4 COMMISSION AUTHORITY. The Civil Service Commission holds authority to

establish a process for, and approve, modify, or reject an Eligibility List or Preliminary Eligibility Register, and/or to delegate authority for certifying a final Certified Eligibility Register. Following compliance with these guidelines, the Secretary shall be empowered to issue a final, Certified Eligibility Register for any new position, as discussed below.

#### 8A.5 PROCESS TO CREATE ELIGIBILITY LIST.

8A.5.1 EXAM RESULTS USED TO GENERATE ELIGIBILITY LIST. Eligibility Lists are generated based on competitive examination results. In the case of Entry Level and BLEA candidates, results for written competitive examinations are reported by the City's exam administrator, Public Safety Testing, Inc. The Civil Service Secretary shall be responsible for obtaining and verifying current lists of eligible candidates from Public Safety Testing for purposes of creating an Eligibility List when requested. In the case of Promotional candidates, results for written competitive examinations are reported by the Civil Service Secretary, who oversees the competitive written examination. Eligibility Lists can be assembled to include applicants who are subject to the same written examination process.

8A.5.2 ELIGIBILITY LIST, CONTACTS AND FOLLOW-UP BY SECRETARY. In the case of Entry Level, and BLEA candidates, the Civil Service Secretary shall contact all qualified applicants on an Eligibility List with a passing score on the written examination and invite such qualified applicants to complete a City employment application form (pursuant to Rule 5 herein) by a date certain, but no later than 10 (ten) days after such request. In the case of Promotional candidates, the Secretary shall invite qualified applicants to complete and submit an application form prior to the written examination, and only those candidates who have submitted a complete application may sit for the written examination.

In all cases, the Secretary shall ask qualified applicants to provide necessary documentation to apply any Veteran's Preference, Reserve or Volunteer points to passing scores earned by qualified candidates, in a manner consistent with state law. The Secretary shall remove any unqualified candidate from the Eligibility List, including but not limited to those candidates who fail to timely submit a complete application. The rank on the Eligibility List is based on final passing scores in the preliminary phases of the examination process. Eligibility Lists are not Certified Eligibility Registers and therefore do not require certification by the Civil Service Commission.

#### 8A.6 ORAL BOARD EXAMINATION OF QUALIFIED CANDIDATES ON ELIGIBILITY LIST.

8A.6.1 Until or unless modified by action of the Commission for a specific hiring process, the Secretary shall set up Oral Board Examinations for the qualified candidates on the Eligibility List. The Secretary shall go down the Eligibility List and take the candidates by order of score from highest to lowest, until at least five (5) qualified candidates are scheduled and confirmed for examination by the Oral Board. For some hiring and/or promotion processes, there may not be five (5) qualified candidates available for the Oral Board Examinations. In such case, the Secretary will schedule Oral Board Examinations with potentially less than five (5) candidates.

## 8A.6.2 COMPOSITION OF ORAL BOARDS

8A.6.2a. COMPOSITION OF ENTRY ORAL BOARD. Until or unless modified by action of the commission for a specific hiring process, the Oral Board shall be made up of 3, 5, or 7 law enforcement officers/administrators. The Composition of the Oral Board may be one (1) Orting Officer (except for examinations) and the remainder of outside agencies. The size of the Oral Board may vary, so long as all candidates for a particular vacancy are examined by the same Oral Board. Civil Service Commissioners are not encouraged to attend Oral Board Examinations as observers. The Civil Service Secretary, in a consultation with the Police Chief, the Mayor, and Civil Service Chair, will appoint qualified persons to service as the Oral Board, and will schedule the Oral Board examinations in an efficient fashion.

8A.6.2b. COMPOSITION OF BLEA CERTIFIED AND LATERAL ORAL BOARD. Until or unless modified by action of the commission for a specific hiring process, the Oral Board shall be made up of 3, 5, or 7 City of Orting officers/administrators. The size of the Oral Board may vary, so long as all candidates for a particular vacancy are examined by the same Oral Board. Civil Service Commissioners are not encouraged to attend Oral Board Examinations as observers. The Civil Service Secretary, in a consultation with the Police Chief, the Mayor, and Civil Service Chair, will appoint qualified persons to service as the Oral Board, and will schedule the Oral Board examinations in an efficient fashion.

8A.6.3 SCORING ORAL BOARD EXAMINATIONS. Candidates shall be given Oral Board Examinations and scored in accordance with Appendix G, which is attached to these Rules and incorporated by reference. 70 out of a possible 100 points is the passing score for the Oral Board Examination portion of the hiring process. The oral questions shall be as approved by the Commission. The average score provided by the Oral Board is added to the written test score for candidates who pass the Oral Board Examination process, for a total possible score of 200 (plus any veterans, reserve/volunteer points already added). Scoring sheets shall be collected and maintained by the Secretary. Note: Failure in one part of the examination process for the position (i.e. written, physical, and/or oral) shall be grounds for declaring the applicant as failing the entire examination.

## 8A.7 PRELIMINARY ELIGIBILITY REGISTER AND CERTIFIED ELIGIBILITY

REGISTER. Following completion of the Oral Board Examination, the Secretary shall verify final scoring totals and create the Preliminary Eligibility Register. The Secretary shall notify each applicant of the results of the Oral Board Examination, his or her final earned rating, and their relative position on the Preliminary Eligibility Register. Within seven (7) calendar days after notice of his or her final score has been emailed to an email address provided by the applicant, any applicant may review his or her examination papers and have his or her score reviewed and corrected if an error is identified. The Secretary shall have discretion to correct clerical and calculation errors. Should an applicant wish to challenge any substantive part of the Oral Board Examination, he or she shall submit to the Secretary, within seven (7) days after notice of his or her final score has been emailed, authoritative written proof of the validity of his or her claim,

which shall detail which portion of the Oral Board Examination process' scope, content, or practicality is challenged.

8A.7a. CIVIL SERVICE COMMISSION, POSSIBLE SPECIAL MEETING (if a timely written protest is filed as permitted above). Any substantive challenges shall be considered by the Commission. At a regular or special meeting called for such purpose, the Secretary shall review the process of creating the Preliminary Eligibility Register. The Commission shall address any written protests, votes to certify, modify or reject the Preliminary Eligibility Register. If the Commission is satisfied as to the validity of any challenges, it shall order an appropriate revision of the examination scores, a restructuring of the Preliminary Eligibility Register, and the emailing of notices to candidates on the Preliminary Eligibility Register indicating the action ordered and its effect on their individual standing.

8A.7b. SECRETARY AUTHORIZED TO ISSUE CERTIFIED ELIGIBILITY REGISTER. If no challenges/appeals are timely filed to any portion of the Oral Board Examination process or final results as calculated and reported by the Secretary, and/ or after the Commission resolves any written protest of the Oral Board Examinations process as addressed above, then the Secretary is given full authority and discretion to issue a Certified Eligibility Register of the top five (5) names of successful applicants to the Appointing Authority, without need for convening another Commission meeting.

8A.8 DISCRETION TO HIRE, OR REQUEST A NEW REGISTER. The Appointing Authority shall have discretion to appoint/hire an applicant from any Certified Eligibility Register. If any register for a particular class of applicants includes less than 5 qualified applicants, the Appointing Authority has discretion to appoint using such register or to ask for another process to generate a new register.

8A.9 ADDITIONAL NAMES TO MAINTAIN 5 QUALIFIED APPLICANTS ON THE CERTIFIED ELIGIBILITY REGISTER. If the Secretary determines that any of the applicants on the Certified Eligibility Register are no longer willing, available, or otherwise qualified for appointment, or that the applicant did not/ does not respond, sufficient additional names shall be Certified and furnished by the Secretary to maintain five (5) qualified applicants on the Certified Eligibility Register, drawing the highest remaining name(s) as ranked on the current Preliminary Eligibility Register, to complete/ maintain five (5) names on the Certified Eligibility Register. Ideally, the Certified Eligibility Register should be up to five (5) candidates, but it can be less, depending upon qualified applicants.

8A.10 BACKGROUND CHECK, FURTHER REVIEW BY APPOINTING AUTHORITY. In all circumstances, the Appointing Authority shall have discretion to conduct an appropriate background investigation and consider the experience, training, education, and other relevant criteria regarding the final, certified applicants appearing on the Certified Eligibility Register. The Appointing Authority has discretion to conduct supplemental interviews and meetings with certified eligible applicants before reaching a determination as to which, if any, of the top 5 applicants on the Certified Eligibility Register to hire.

8A.11 CONDITIONAL OFFER OF EMPLOYMENT. The appointed candidate is given a



conditional offer of employment. The candidate receives a polygraph, a psychological examination, and a background check. If successful they become an employee, subject to successful completion of their probationary status.

8A.12 RECORDS. The Secretary shall retain records generated as part of the hiring process.

## **RULE 8B. PROMOTIONAL PROCESS**

8B.1 Once the Civil Service Commission receives a request from the Appointing Authority to conduct a promotional testing process, the Secretary shall adhere to the following:

8B.1.1. The Secretary shall post the announcement, and shall provide at least five (5) days for those interested to respond in writing of their intent to enter the promotional process on an application form issued by the Secretary. The time period for submission of applications may be extended at the discretion of the Secretary, except all potential applicants shall receive the same amount of time and shall be notified of the deadline for submission at the time the promotional testing process is announced.

8B.1.2. Upon receiving the aforementioned applications, the Secretary shall order the proper number of written tests. Upon receiving the testing material, the Secretary shall establish a written test date to occur no sooner than sixty (60) days from the closure of the application period described herein. Notice of the written testing date and the materials recommended for officers to obtain to aid in their study, will be provided to all applicants and publicly noticed at the Police Station at least sixty (60) days prior to the written test.

8B.1.3. The oral examination shall be set no sooner than two weeks but no later than four weeks from receipt of the test scores from the written testing agency or close of application deadline if no written test is required. Notice of the oral examination shall be provided to all applicants at least five (5) days in advance of the oral examination.

8B.1.4 Upon completion of each testing phase (written and oral), applicants' scores shall be totaled and the applicants shall be notified of their individual score and rank.

8B.2 PROMOTION EXAMINATION APPEALS. An applicant who believes that there is an irregularity in the content or procedure of the exam may file an appeal with the Commission's Secretary. All appeals must be in writing and must include a description of the specific item the applicant believes was in error, the reasons why the applicant believes the item is in error, and the correction the applicant believes should be made. In order to be considered valid, the Civil Service Secretary must receive the appeal within fourteen (14) days of the administration of that step (i.e., written examination, oral examination) of the exam process. The appeal shall be conducted in accordance with chapter 11A APPEALS of these Civil Service Rules.

## **RULE 9. PROBATIONARY PERIOD**

9.1 PURPOSE. The 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.

9.2 DURATION, ENTRY LEVEL AND NEW APPOINTMENTS. Police Department employees shall have a twelve-month probation period following successful completion of Criminal Justice Training Commission Basic Academy and field training. At any time during the probation period the Appointing Authority may terminate an appointment if, during this period, upon observation or consideration of the performance of duty, he/she is found unfit or unsatisfactory. Inability to attend or complete the basic or equivalency academy will be considered grounds for termination. 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. The Civil Service Rules defer to union contract language for the length of any probationary period.

9.3 DURATION, FOR PROMOTIONAL APPOINTMENTS. At any time during the 12-month probationary period, the Appointing Authority may terminate a promotional appointment if, during the performance test period thus provided, upon observation or consideration of the performance duty, he/she is found unfit or unsatisfactory. Such action by the Appointing Authority is not subject to appeal; 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 the classification from which he or she was promoted, unless they were discharged from employment in the police department for just cause. As provided in Rule 11.3, any regular employee (also known as "permanent employee") who is a member of the classified service may appeal their discharge from employment to the Commission.

9.4 OUTSIDE EMPLOYMENT. No permanent employee shall hold a job with an outside employer or be self-employed without first having secured written approval from the Police Chief or from the Appointing Authority. No approval for outside employment shall be granted unless injuries or illnesses related to outside employment are covered by Worker's Compensation Act of the State of Washington or other comparable insurance. A certificate verifying insurance coverage will be filed with the commission.

9.5 ACTION NOT REQUIRED. If no action is taken by the Appointing Authority to terminate or reduce in rank a probationary employee during the probation period and the employee is deemed to have satisfactorily completed the probationary period and his/her appointment shall be made permanent.

9.6 REMOVAL FROM REGISTER. If any appointment is not made permanent because of 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 Register for that position.

9.7 NO RIGHTS TO APPEAL. Probationary employees have no rights to appeal their separation from employment (for entry level and original appointments, including lateral hires) or termination of a promotional appointment to the Civil Service Commission. *See State Ex Rel. Swartout v. Civil Serv. Comm'n*, 25 Wn.App 174, 605 P.2d 796, *cert. denied*, 449 U.S. 992 (1980). The purpose of a probationary period is to allow the appointing official an opportunity to evaluate the competency of the probationer before his/her appointment is made permanent. This principle applies equally to novice police officers, promotional appointees, lateral hires, and those experienced police officers who voluntarily resign from the force but subsequently apply for reemployment. The Civil Service Commission only holds authority to hear appeals from an

employee who has achieved "permanent status" (also called "regular employee" or "regular status") in their police department position, not employees who have not completed their probationary period for appointment to a particular classification. This preserves the general scheme of the civil service system with respect to probationary employees, whether entry level, original, lateral, or promotional, allowing the Appointing Authority to discharge the probationer (or cancel the promotional appointment) before the appointment is made permanent, provided that an employee removed from a promotional appointment shall have the right to revert to a lower position in his/her last held permanent classification, unless they were discharged from employment with the police department for just cause.

#### **RULE 10. MAINTENANCE OF STANDARDS**

10.1 **PURPOSE.** In order to promote a well-balanced, efficient and competent Police Department, it is expected that all personnel within the classified service shall maintain the standards of qualification they had to meet for initial employment.

10.2 **MENTAL FITNESS.** Each member of the department's classified service shall be ready to accept assignments of training which shall be designed to increase, or at a minimum, maintain his/her level of competency, efficiency, and attention to duty.

10.3 **PHYSICAL FITNESS.** Each member of the department's classified service shall be able to meet the physical fitness standards of that department upon entry.

10.4 **FITNESS TO BE MAINTAINED.** Any member of the department who fails to maintain an acceptable level of mental and physical fitness may be subject to discipline, including a possible reduction in rank, or dismissal from the department.

#### **RULE 11. DISCIPLINE AND DISCHARGE.**

11.1 **GENERAL PROVISIONS.** Any regular employee may be disciplined for just cause. For the purposes of these rules, "discipline" shall be defined as a suspension, demotion, or discharge.

11.2 **JUST CAUSE.** The tenure of everyone holding office, place, position, or employment as a member of the City's classified service, expressly excluding the Chief of Police, shall be only during good behavior, and any such person may be removed or discharged, suspended without pay, demoted, or reduced in rank, or deprived of vacation or other special privileges or benefits by the Appointing Authority for Just Cause, which means and includes any of the following:

- A. Incompetence, inefficiency, or inattention to or dereliction of duty. This includes, but is not limited to, the failure or inability to adequately perform the duties or responsibilities of the position, rank or office of the employee;
- B. Insubordination, including but not limited to violation of any lawful and reasonable regulation, policy, rule, order or directive made or given by a superior officer;
- C. Dishonesty, use of illegal drugs, intemperance, immoral conduct, discourteous treatment of the public, discourteous treatment of a fellow employee, or any other act of omission or commission tending to injure the public service; or any other

willful failure on the part of the employee to properly conduct himself/herself;

- D. Mental or physical unfitness for the position which the employee holds;
- E. Intoxication or use of intoxicating liquors, narcotics or any other habit-forming drug, liquid, or preparation to such extent that the use thereof impairs the employee's performance, or 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 the Civil Service;
- F. Failure to obtain and/or maintain any certification, commission, or license required by law or these rules as a condition of employment for the position held;
- G. Theft, including time-theft;
- H. Conviction of a felony, or of a misdemeanor involving moral turpitude;
- I. Any other cause, misconduct, act or failure to act which in the judgment of the Appointing Authority is grounds for or warrants discipline or discharge; and
- J. Any other cause, misconduct, act or failure to act which in the judgment of the Commissioners is grounds for or warrants discipline, or is sufficient to show the offender to be an unsuitable or unfit person to be employed in the public service.

11.3 GROUND FOR DISCIPLINARY APPEALS. Any regular employee who is a member of the classified service who is disciplined or discharged may appeal such action to the Commission. Consistent with Rule 11A.5, the basis of such appeal shall be that the challenged action was not in good faith for just cause. Employees serving a probationary period have no right to appeal the Appointing Authority's decision to cancel such appointment during their probationary period.

11.4 PROCEDURE and TIME LIMIT FOR FILING APPEAL. The following procedures must be followed for filing a disciplinary appeal:

- A. Notices of appeal must be in writing and filed in the Commission office;
- B. The notice of appeal must contain a brief description of the facts giving rise to the appeal, the date of the discipline, a concise statement of the reasons for the appeal, the desired remedy, the mailing and street address where service of process may be made upon the appealing employee and must be signed by the appealing employee;
- C. The notice must be filed within the time period as specified within the applicable collective bargaining agreement (CBA) of the action that is the subject of the appeal. If the filing period for appeals is not addressed in an applicable CBA, then any notice of appeal must be filed within ten (10) days of receiving written notice of the action that is the subject of the appeal.
- D. Procedures outlined in Rule 11A. shall be followed for appeals filed under this

rule.

11.5 ELECTION OF REMEDIES. Employees who choose to appeal a disciplinary action or discharge through the grievance procedure provided under an applicable collective bargaining agreement shall not have recourse through the appeal process established by these rules.

## **RULE 11A. APPEALS**

11A.1 INITIAL REVIEW OF NOTICE OF APPEAL. The Secretary shall review all notices of appeal to determine whether the employee has timely filed an appeal, whether the notice is complete as required under these rules and whether the action appealed is a final action. The Secretary may dismiss an appeal if it is not timely or the notice is not complete. If an action is not final, the Secretary may stay the appeal until the action is final. Any procedural decision of the Secretary shall be subject to review by the Commission.

11A.2 SPECIAL COUNSEL MAY BE APPOINTED. The Commission may appoint a qualified attorney to serve as Special Counsel and/ or Hearing Officer to assist the Commission with any appeal, who shall hold all powers and may perform the duties of the Secretary described in these Rules while serving the Commission in handling a pending appeal. Such Special Counsel/Hearing Officer shall have authority to make orders on preliminary matters, to conduct pre-hearing conferences with participants to address discovery or scheduling issues, and other matters to make the appeal process fair and efficient. Any preliminary orders shall be subject to review by the Commission, which shall be addressed as the appeal hearing opens, or at such other time as determined by the Commission.

11A.3 NOTICE OF HEARING. Notice of Hearing. Upon receipt of a notice of appeal, the Secretary shall forward a copy of the notice to other affected parties. The Secretary will then schedule a hearing at the earliest possible Commission meeting with not less than fourteen (14) calendar days' notice to each party.

11A.4 AUTHORITY OF SECRETARY, SPECIAL COUNSEL. The Commission's

Secretary or Special Counsel/Hearing Officer shall have the authority to make and issue orders addressing preliminary matters, including without limitation, motions for continuance, protective orders, and other similar procedural issues commonly involved in a prehearing process for a quasi-judicial matter.

11A.4.1 The Secretary or Special Counsel may conduct prehearing settlement conferences in order to encourage resolution of contested matters.

11A.4.2 The Commission may authorize the Secretary to investigate any reports or appeals relating to the enforcement or application of the Civil Service Rules or those rules that do not involve a disciplinary proceeding.

11A.4.3 Upon request of any party at least seven (7) calendar days prior to an appeal hearing, the Secretary may issue a subpoena commanding the person to whom it is directed to attend, at a specified time and place, and give testimony or produce designated books, documents or things under the person's control. The party requesting the subpoena is responsible for having the subpoena properly served as provided in the

Washington Superior Court Civil Rules and for providing copies of subpoenas to the opposing party.

11A.5 HEARING PROCEDURE. An appeal hearing before the Commission shall be conducted as follows:

- A. Burden of Proof. In any appeal of a disciplinary or discharge decision, the Appointing Authority shall have the burden of proof to show by a preponderance of the evidence that the challenged action was in good faith for cause. In any other appeal properly brought before the Commission, the appellant shall have the burden of proof and the standard of review shall be a preponderance of the evidence; in other words, any challenged decision must be supported by a preponderance of the evidence.
- B. Any party to an appeal has the right to appear before the Commission with or without legal counsel.
- C. All competent and relevant evidence shall be admissible. In passing on admissibility of evidence, the Commission shall give consideration to, but shall not be bound to follow the rules of evidence governing civil proceedings in the superior courts of the State of Washington.
- D. Each party with legal standing will have an opportunity to present their arguments, call witnesses, provide testimony, introduce documentary and other tangible evidence, cross-examine witnesses and respond to questions of the Commission.
- E. Witnesses shall be examined orally, under oath or affirmation, and shall be subject to cross-examination by opposing parties and the Commission.
- F. The order and formality of the hearing shall be determined by the Commission.

11A.6 RECORD OF PROCEEDINGS. The Commission shall audiotape hearings and shall prepare written minutes of action taken. The Commission or a party to an appeal may retain a court reporter to record all or part of the appeal hearing at the expense of the party requesting the reporter. The Commission or any party to the appeal may obtain a transcript from the court reporter at its own expense.

11A.7 DISQUALIFICATION OF COMMISSIONERS. Any party to an appeal may request that a Commissioner be disqualified from sitting at the appeal hearing if there is a reasonable belief that the Commissioner would not be impartial in accord with the appearance of fairness act. A request for disqualification must be made prior to the commencement of the hearing, or, if the cause for disqualification is not known prior to hearing, as soon as the cause for disqualification becomes known. It is within the Commission's sole discretion to approve or deny such a request. Failure to make a timely request shall constitute a waiver of the right to make such a request. If, as a result of the disqualification, there is no longer a lawfully constituted quorum, the appeal hearing shall be set over until a quorum is available.

11A.8 DELIBERATIONS. Deliberations by the Commission shall be subject to Chapter 42.30 RCW. The Commission may deliberate in closed (executive) session when taking a disciplinary

or other quasi-judicial case under advisement. No person other than the members of the Commission, the Secretary and legal counsel to the Commission may be present during the deliberations. No person shall attempt to convey any information or opinion to the Commission concerning any matter on appeal other than in open hearing.

11A.9 DECISION. In any appeal, the Commission shall issue a decision as soon as practicable. The decision shall be made by a majority vote of the Commission. The decision shall be in writing and shall include findings of fact, conclusions of law and an order. In any disciplinary appeal, the Commission's decision must determine whether the challenged action was or was not made for political or religious reasons and whether it was or was not made in good faith for cause; and The Commission shall notify each party, or counsel of record for each party, of the decision.

11A.10 REMEDIES. Consistent with applicable law, the Commission may issue such remedial orders as deemed appropriate.

11A.11 WAIVER. Upon stipulation of all parties to the proceeding, or upon a showing that the purposes of the rules or City ordinances would be better served, the Commission may waive any of the requirements outlined in this rule.

11A.12 APPEALING COMMISSION'S DECISION. The Employee or Appointing Authority may appeal the decision of the Commission to the Pierce County Superior Court. Such appeal shall be served on the Commission Secretary within thirty (30) days after the entry of the decision and shall be processed according to the provisions of RCW Chapter 41.12. All costs associated with preparing the record for judicial review shall be the responsibility of party appealing the decision.

## **RULE 12. RECORDS AND REPORTS**

12.1 ROSTER. The Civil Service Commission shall have access to a roster for the classified service showing name, title of positions held, changes in employment status, leaves, and other information that may be considered pertinent.

12.2 ACCESS TO PUBLIC RECORDS. The Civil Service Commission shall have access to all departmental and institutional public documents and records, the examination of which will aid it in the discharge of its duties.

12.3 RECORDS OPEN TO THE PUBLIC. All Civil Service records shall be open to the public during office hours and may be inspected upon application to the Commission.

12.4 DESTRUCTION OF RECORDS. Roster and the minutes of the Civil Service Commission shall be permanently kept. All other records pertaining to personnel including applications, correspondence, examinations, and reports may be destroyed after two years.

12.5 CORRESPONDENCE. All correspondence to the Civil Service Commission shall be directed to the Secretary of the Civil Service Commission, PO Box 489, Orting, WA 98360.

## **RULE 13. DEFINITIONS.**

*For purposes of these Rules, and in the Commission's administration of the City's Civil Service System for Police, the following words and phrases shall have the meanings provided below, unless the context in which they are used clearly indicates otherwise.*

13-A

**APPOINTING POWER OR AUTHORITY:** The Mayor of the City, or the Mayor's designee.

13-B

**BASIC LAW ENFORCEMENT ACADEMY (“BLEA”) GRADUATE CANDIDATE.** An Academy Graduate candidate must have successfully completed the Washington State Criminal Justice Training Academy (WSCJT) within the past two (2) years and hold a current and valid certification through the Washington State Criminal Justice Commission as of the date of their employment. A candidate who graduated from the WSCJT within the past two (2) years and began, but did not complete, probationary period review with another agency prior to application to the City of Orting does not qualify as an Academy Graduate candidate.

13-C

**CERTIFIED ELIBILITY REGISTER:** The Certified Eligibility Register is the list of qualified candidates established for employment, promotion, or reemployment, certified by the Civil Service Commission or its designee for submission to the Appointing Authority to fill a vacancy. The rank on the Certified Eligibility Register is based on final passing examination scores, plus any bonus points.

**CITY:** The City of Orting, Washington.

**CLASSIFIED SERVICE:** Classified Service means all positions in the City police service which are subject to the provisions of these rules as defined by state law and applicable City ordinances, including all full-time paid members of the Police Department except the Police Chief.

**COMMISSION:** The Civil Service Commission herein created, and “Commissioner” means any of the five (5) or more members of the commission.

**COMPETITIVE EXAMINATION:** Is and means the same term as "Written Score".

13-D

**DERELICTION OF DUTY:** The willful neglect to perform one's duty or duties.

**DISCHARGE:** The involuntary cessation of employment with the City for cause. The Commission prefers the term "discharge", but the terms discharge, separation, or termination shall mean the same thing as used in these Rules.

**DISCIPLINARY ACTION:** The discharge, suspension or reduction in rank of an employee within the Police Department.

**DISCRIMINATION:** A willfully unjust or harmful distinction in favor or treatment to



perform one's duty or duties, based on race, age, sex, religion, creed, national origin, disability, sexual preference, or other classification the City may so identify by general ordinance.

**DISGRACEFUL CONDUCT:** Fraudulent, deceiving, or cheating behavior or untrustworthiness.

13-E

**ELIGIBILITY LIST:** The Eligibility List is the initial list of qualified candidates for employment, promotion, or reemployment. The rank on the Eligibility List is based on passing written examination scores, the completion of an application, a passing grade on physical examination (if any), and any bonus points

13-F

**FULL TIME EMPLOYEE:** A person on a regular monthly salary and who devotes all of his/her work time to police duty and whose work as a police officer constitutes his/her regular employment.

13-G

**GOOD BEHAVIOR:** Behavior that is orderly and lawful.

**GOOD CAUSE:** For purposes of these Rules, Good Cause is and means the same as the term "Just Cause".

13-I

**IMMORAL CONDUCT:** Any form of behavior contrary to good morals, or conduct, which is deemed corrupt, falsifier, flagrant, engaged in malfeasance, misfeasance, or shameless acts/conduct.

**INCOMPATIBILITY OF DUTY:** Being incapable of existing or being exercised together.

**INCOMPETENCY:** Lack of ability, legal qualification, or fitness to discharge the required duty.

**INEFFICIENCY:** The quality of being incapable or indisposed to do the things required.

**INSUBORDINATION:** Refusal to obey/carryout an order that a superior officer is entitled to give and have obeyed, or a willful disregard of express or implied directions of the employer.

**INTEMPERANCE:** A lack of moderation or restraint in the use of intoxicants which disqualifies the person from properly attending to his or her work.

13-J

**JUST CAUSE:** As provided in Rule 11.2, Just Cause (or "Cause") means and includes any of

the following:

- A. Incompetence, inefficiency, or inattention to or dereliction of duty. This includes, but is not limited to, the failure or inability to adequately perform the duties or responsibilities of the position, rank or office of the employee;
- B. Insubordination, including but not limited to violation of any lawful and reasonable regulation, policy, rule, order or directive made or given by a superior officer;
- C. Dishonesty, use of illegal drugs, intemperance, immoral conduct, discourteous treatment of the public, discourteous treatment of a fellow employee, or any other act of omission or commission tending to injure the public service; or any other willful failure on the part of the employee to properly conduct himself/ herself;
- D. Mental or physical unfitness for the position which the employee holds;
- E. Intoxication or use of intoxicating liquors, narcotics or any other habit forming drug, liquid, or preparation to such extent that the use thereof impairs the employee's performance, or 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 the Civil Service;
- F. Failure to obtain and/ or maintain any certification, commission, or license required by law or these rules as a condition of employment for the position held;
- G. Theft, including time-theft;
- H. Conviction of a felony, or of a misdemeanor involving moral turpitude;
- I. Any other cause, misconduct, act or failure to act which in the judgment of the Appointing Authority is grounds for or warrants discipline or discharge; and
- J. Mental or physical unfitness for the position which the employee holds;
- K. Intoxication or use of intoxicating liquors, narcotics or any other habit-forming drug, liquid, or preparation to such extent that the use thereof impairs the employee's performance, or 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 the Civil Service;
- L. Failure to obtain and/ or maintain any certification, commission, or license required by law or these rules as a condition of employment for the position held;
- M. Theft, including time-theft;
- N. Conviction of a felony, or of a misdemeanor involving moral turpitude;
- O. Any other cause, misconduct, act or failure to act which in the judgment of the Appointing Authority is grounds for or warrants discipline or discharge; and

- P. Any other cause, misconduct, act or failure to act which in the judgment of the Commissioners is grounds for or warrants discipline, or is sufficient to show the offender to be an unsuitable or unfit person to be employed in the public service.

#### 13-L

LATERAL: A Commissioned Police Officer with experience and certifications as defined in Rule 5.4.3. Lateral Police Officer candidates must meet the minimum standards applicable to all candidates for appointment as a police officer as set forth in Rule 5.4.A - G, and Lateral Police Officer candidates may be screened in accordance with Appendix C for Lateral Police Officers, which is attached to these Rules and incorporated by reference. Lateral candidates must have worked in the law enforcement field within the last five year period, successfully completed probationary period review with another law enforcement agency, and shall not have been out of service for a period of more than one year prior to application for employment with the City of Orting, Lateral candidates must have successfully completed the Washington State Criminal Justice Training Commission (CJTC) Basic Academy or another state's recognized (by CJTC) academy, or have successfully completed a Federal Law Enforcement Academy (those recognized by the CJTC), or have successfully completed the Academy with the Bureau of Indian Affairs.

#### 13-M

MALFEASANCE: The doing of an act, which is wholly wrongful and unlawful.

MISFEASANCE: The doing of a lawful act in an unlawful manner or the wrongful exercise of lawful authority.

#### 13-P

PERMANENT EMPLOYEE: Permanent Employee means an employee who has attained permanent status. For purposes of these Rules, the term Permanent Employee means the same as Regular Employee.

PERMANENT STATUS: Permanent status means the status of an employee who has acquired rights to a hearing upon discipline or discharge by reason of the successful completion of his or her probationary period. For purposes of these Rules, the term Permanent Status means the same as Regular Status.

POLITICAL REASON: A reason of a strictly partisan and political nature arising from or caused by a person's partisan political beliefs or adherence to a political party.

PRELIMINARY ELIGIBILITY REGISTER: The Preliminary Eligibility Register is the list of eligible names established for employment, promotion, or reemployment. The rank on the Preliminary Eligibility Register is based on final passing examination scores, plus any bonus points, but is not certified by the Civil Service Commission or its designee.

PROBATION: The working examination period during which the employee is required to demonstrate his or her ability and capacity to perform the duties of the position to which they have been appointed.

**PROMOTION:** The movement of an employee from a position in one class to another class requiring greater qualifications and providing a higher maximum rate of pay.

**PROVISIONAL APPOINTMENT:** Limited appointments when there is no current register of eligible candidates.

### 13-Q

**QUASI-JUDICIAL:** A type of action taken and discretion exercised by the Civil Service Commission where it is obliged to investigate or ascertain facts and draw conclusions from them as the foundation for official actions. "Quasi-judicial" proceedings affect individual parties, like an individual employee who raises an appeal of a disciplinary decision that is subject to appeal before the Civil Service Commission. In contrast, "Legislative actions", such as Civil Service Commission deliberations and votes to amend rules or general hiring procedures, establish public policy and rules applicable to groups of people. Quasi-judicial hearings, unlike legislative hearings, involve the legal rights of specific parties, and the decisions made as a result of such hearings must be based upon and supported by the "record", i.e. sufficient evidence and/ or sworn testimony developed at the hearing. These Civil Service Rules include provisions designed to ensure that quasi-judicial appeals and hearing procedures will include appropriate notice, opportunity for parties to be heard, and that Commissioners will be fair and impartial.

### 13-R

**REDUCTION IN RANK:** The movement of an employee from one class to another class having a lower maximum rate of pay.

**REGISTER:** The ranked list of eligible applicants after the examination process.

**REGULAR EMPLOYEE:** Regular employee means an employee who has attained regular status. For purposes of these Rules, the term Permanent Employee means the same as Regular Employee.

**REGULAR STATUS:** Regular status means the status of an employee who has acquired rights to a hearing upon discipline or discharge by reason of the successful completion of his or her probationary period. For purposes of these Rules, the term Permanent Status means the same as Regular Status.

**RELATIVE:** A relative shall be considered to be a father, mother, spouse, brother or sister (full, half or in-law), son or daughter (blood, foster, step, adopted or in-law), aunt, uncle, niece, nephew, or first cousin.

**REGISTER:** A rank ordered group of candidates for a civil service classification, created after a testing or screening process.

**RELIGIOUS REASON:** Reason arising from or caused by a person's religious beliefs or adherence to a particular religion or religious denomination.

### 13-S

**SECRETARY:** The chief administrative officer of the commission who serves as Secretary and chief examiner.

**SUSPENSION:** A temporary removal from duty with or without pay of an employee for disciplinary purposes or for the purpose of investigation of accusations brought against an employee.

13-T

**TEMPORARY APPOINTMENT:** Limited appointment when there is a temporary vacancy, or other short-term need.

13-W

**WRITTEN SCORE:** The final total score of a written test/ exam given to candidates approved by the Civil Service Commission.

#### **RULE 14. AMENDMENTS.**

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. Unless, upon emergency declared by all Commissioners present, amendment of these rules shall be first discussed in an open regular or special meeting prior to adoption. Upon declaration of emergency, a rule amendment may be adopted at the meeting at which the amendment is first proposed.

## **Appendix A**

### **Orting Civil Service Commission**

The Commission finds it worthwhile to confirm the proper reading, interpretation and application of Civil Service Officer Classifications and Sub-Set positions. The following positions are subject to Civil Service rules per Civil Service definition rule 4.3

Patrol Officer

School Resource Officer (SRO)

Community Services Officer (CSO)

Detective

Sergeant – First Line Supervisor

## Appendix B

### POLICE PATROL OFFICER – ENTRY LEVEL SCREENING LIST AND POINT SYSTEM

CANDIDATE NAME:		
HOME ADDRESS:		
EMAIL ADDRESS:		
PHONE #:	PREFERRED:	ALT:

- YES: \_\_\_\_\_ NO: \_\_\_\_\_ 1. COMPLETED CITY APPLICATION FORM.
- YES: \_\_\_\_\_ NO: \_\_\_\_\_ 2. MINIMUM QUALIFICATIONS VERIFIED BY PUBLIC SAFETY TESTING, INC (PST, THE CITY’S CONTINUOUS TESTING SERVICE PROVIDER
- YES: \_\_\_\_\_ NO: \_\_\_\_\_ 3. ACHIEVED A PASSING SCORE OF 70% OR HIGHER ON WRITTEN EXAMINATION.
- YES: \_\_\_\_\_ NO: \_\_\_\_\_ 4. VETERAN (MUST PROVIDE DD2-14).
- YES: \_\_\_\_\_ NO: \_\_\_\_\_ 5. RESERVE (VERIFY START DATE FOR RESERVE STATUS).

WRITTEN SCORE (WS)<sup>1</sup>: \_\_\_\_\_

IF WS PASSING (ABOVE 70 POINTS), ADD VET AND RES BONUS POINTS: VET PREFERENCE (VP) (WS X .05 or .10)<sup>2</sup> \_\_\_\_\_

RESERVE PREF (RP) (WS X .02 PER ((12 MONTH/240 HOURS)) \_\_\_\_\_

ORAL BOARD EXAMINATION SCORE (OS)<sup>3</sup>: \_\_\_\_\_

TOTAL BASE SCORE (WS + VP + RP + OS): \_\_\_\_\_  
(max 200)

1 Written score provided by PST. Maximum score available is 100 points. A score of 70 points is deemed passing.

2 Per RCW 41.04.010, veterans’ points shall be added to a passing score, using the following matrix: (1) Ten percent to a veteran who served during a period of war or in an armed conflict as defined in RCW 41.04.005 and does not receive military retirement; (2) Five percent to a veteran who did not serve during a period of war or in an armed conflict as defined in RCW 41.04.005 or is receiving military retirement; or (3) Five percent to a veteran who was called to active military service from employment with the state or any of its political subdivisions or municipal corporations.

3 Oral scores provided by City’s Oral Board, utilizing the Civil Service Commission’s Oral Board Scoring Form (Appendix G to the Civil Service Rules). Maximum score available is 100 points. A score of 70 points is deemed passing.





**Appendix C**  
**POLICE PATROL OFFICER – BASIC LAW ENFORCEMENT ACADEMY GRADUATE**  
**(PREVIOUSLY CALLED “POLICE SPECIAL ENTRY”)**  
**SCREENING LIST AND POINT SYSTEM**

CANDIDATE NAME:			
HOME ADDRESS:			
EMAIL ADDRESS:			
PHONE #:	PREFERRED:	ALT:	
DATE OF BIRTH:			
YEARS AS A FULL TIME OFFICER:	YEARS: _____	LOCATION: _____	_____
	YEARS: _____	LOCATION: _____	_____
	YEARS: _____	LOCATION: _____	_____
	VERIFIED BY: _____		

- YES: \_\_\_\_\_ NO: \_\_\_\_\_ 1. COMPLETED CITY APPLICATION FORM.  
MINIMUM QUALIFICATIONS VERIFIED BY CIVIL SERVICE  
YES: \_\_\_\_\_ NO: \_\_\_\_\_ COMMISSION SECRETARY.  
ACHIEVED A PASSING SCORE OF 70% OR HIGHER ON  
YES: \_\_\_\_\_ NO: \_\_\_\_\_ WRITTEN EXAMINATION.  
YES: \_\_\_\_\_ NO: \_\_\_\_\_ 4. VETERAN (MUST PROVIDE DD2-14).  
YES: \_\_\_\_\_ NO: \_\_\_\_\_ 5. RESERVE (VERIFY START DATE FOR RESERVE STATUS).

WRITTEN SCORE (WS)<sup>1</sup>: \_\_\_\_\_  
IF WS PASSING (ABOVE 70 POINTS), ADD VET AND RES BONUS  
POINTS: VET PREFERENCE (VP) (WS X .05 or .10)<sup>2</sup> \_\_\_\_\_  
RESERVE PREF (RP) (WS X .02 PER ((12 MONTH/240 HOURS)) \_\_\_\_\_  
ORAL BOARD EXAMINATION SCORE (OS)<sup>3</sup>: \_\_\_\_\_

**TOTAL BASE SCORE (WS + VP + RP + OS):** \_\_\_\_\_  
(max 200)

1 Written score provided by PST. Maximum score available is 100 points. A score of 70 points is deemed passing.  
2 Per RCW 41.04.010, veterans' points shall be added to a passing score, using the following matrix: (1) Ten percent to a veteran who served during a period of war or in an armed conflict as defined in RCW 41.04.005 and does not receive military retirement; (2) Five percent to a veteran who did not serve during a period of war or in an armed conflict as defined in RCW 41.04.005 or is receiving military retirement; or (3) Five percent to a veteran who was called to active military service from employment with the state or any of its political subdivisions or municipal corporations.  
3 Oral scores provided by City's Oral Board, utilizing the Civil Service Commission's Oral Board Scoring Form (Appendix G to the Civil Service Rules). Maximum score available is 100 points. A score of 70 points is deemed passing.

**BONUS POINTS:**

YEARS OF LAW ENFORCEMENT EXPERIENCE:

0 – 1                    3 POINTS  
1 – 2                    6 POINTS  
2 – 4                    9 POINTS  
4 – 6                    12 POINTS  
6+                        15 POINTS

BONUS POINTS: \_\_\_\_\_  
(max 15)

EDUCATION/DEGREE EARNED:

AA/AS                    4 POINTS  
BA/BS                    7 POINTS  
MASTERS OR HIGHER    10 POINTS

BONUS POINTS: \_\_\_\_\_  
(max 10)

OTHER EDUCATION:

LAW ENFORCEMENT RELATED CLASSES OR TRAININGS OF AT  
LEAST ONE MONTH DURATION (DOES NOT INCLUDE ANY  
SHORT-TERM CLASS OR TRAINING OF LESS THAN A FULL  
MONTH'S DURATION. CANDIDATES MAY NOT COMBITE SUCH  
SHORT-TERM EVENTS FOR CREDIT)

.5 POINT FO EACH MONTH

BONUS POINTS: \_\_\_\_\_  
(max 5)

TOTAL BONUS POINTS: \_\_\_\_\_  
(max 30)

---

**GRAND TOTAL SCORE<sup>1</sup>:** \_\_\_\_\_  
(BASE SCORE + BONUS POINTS)

VERIFIED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

<sup>1</sup>Minimal passing score is 140 points, but candidates must have received a 70 on both the written and oral examination in order to be deemed passing. Total score may exceed 200 points if candidate received maximum veteran's and reserve preference points, and bonus points.

## Appendix D

### POLICE PATROL OFFICER – LATERAL SCREENING LIST AND POINT SYSTEM

CANDIDATE NAME:		
HOME ADDRESS:		
EMAIL ADDRESS:		
PHONE #:	PREFERRED:	ALT:
DATE OF BIRTH:		
YEARS AS A FULL TIME OFFICER:	YEARS: _____	LOCATION: _____
	YEARS: _____	LOCATION: _____
	YEARS: _____	LOCATION: _____
	VERIFIED BY: _____	

- YES: \_\_\_\_\_ NO: \_\_\_\_\_ 1. COMPLETED CITY APPLICATION FORM.
- YES: \_\_\_\_\_ NO: \_\_\_\_\_ 2. MINIMUM QUALIFICATIONS VERIFIED BY CIVIL SERVICE COMMISSION SECRETARY.
- YES: \_\_\_\_\_ NO: \_\_\_\_\_ 3. ACHIEVED A PASSING SCORE OF 70% OR HIGHER ON WRITTEN EXAMINATION.
- YES: \_\_\_\_\_ NO: \_\_\_\_\_ 4. VETERAN (MUST PROVIDE DD2-14).
- YES: \_\_\_\_\_ NO: \_\_\_\_\_ 5. RESERVE (VERIFY START DATE FOR RESERVE STATUS).

WRITTEN SCORE (WS) <sup>1</sup>: \_\_\_\_\_

IF WS PASSING (ABOVE 70 POINTS), ADD VET AND RES BONUS

POINTS: VET PREFERENCE (VP) (WS X .05 or .10)<sup>2</sup> \_\_\_\_\_

RESERVE PEF (RP) (WS X .02 PER ((12 MONTH/240 HOURS)) \_\_\_\_\_

ORAL BOARD EXAMINATION SCORE (OS) <sup>3</sup>: \_\_\_\_\_

TOTAL BASE SCORE (WS + VP + RP + OS): \_\_\_\_\_

(max 200)

<sup>1</sup> Written score provided by PST. Maximum score available is 100 points. A score of 70 points is deemed passing.

<sup>2</sup> Per RCW 41.04.010, veterans' points shall be added to a passing score, using the following matrix: (1) Ten percent to a veteran who served during a period of war or in an armed conflict as defined in RCW 41.04.005 and does not receive military retirement; (2) Five percent to a veteran who did not serve during a period of war or in an armed conflict as defined in RCW 41.04.005 or is receiving military retirement; or (3) Five percent to a veteran who was called to active military service from employment with the state or any of its political subdivisions or municipal corporations.

<sup>3</sup> Oral scores provided by City's Oral Board, utilizing the Civil Service Commission's Oral Board Scoring Form (Appendix G to the Civil Service Rules). Maximum score available is 100 points. A score of 70 points is deemed passing.

**BONUS POINTS:**

YEARS OF LAW ENFORCEMENT EXPERIENCE:

0 – 1            3 POINTS  
1 – 2            6 POINTS  
2 – 4            9 POINTS  
4 – 6            12 POINTS  
6+               15 POINTS

BONUS POINTS: \_\_\_\_\_  
(max 15)

EDUCATION/DEGREE EARNED:

AA/AS                    4 POINTS  
BA/BS                    7 POINTS  
MASTERS OR HIGHER    10 POINTS

BONUS POINTS: \_\_\_\_\_  
(max 10)

OTHER EDUCATION:

LAW ENFORCEMENT RELATED CLASSES OR TRAININGS OF AT  
LEAST ONE MONTH DURATION (DOES NOT INCLUDE ANY  
SHORT-TERM CLASS OR TRAINING OF LESS THAN A FULL  
MONTH'S DURATION. CANDIDATES MAY NOT COMBITE SUCH  
SHORT-TERM EVENTS FOR CREDIT)

.5 POINT FO EACH MONTH

BONUS POINTS: \_\_\_\_\_  
(max 5)

TOTAL BONUS POINTS: \_\_\_\_\_  
(max 30)

---

**GRAND TOTAL SCORE<sup>1</sup>:** \_\_\_\_\_  
(BASE SCORE + BONUS POINTS)

VERIFIED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

<sup>1</sup>Minimal passing score is 140 points, but candidates must have received a 70 on both the written and oral examination in order to be deemed passing. Total score may exceed 200 points if candidate received maximum veteran's and reserve preference points, and bonus points.

# Appendix E

## DETECTIVE PROMOTION SCREENING LIST AND POINT SYSTEM

CANDIDATE NAME:	
HOME ADDRESS:	
EMAIL ADDRESS:	
PHONE #:	PREFERRED: <span style="float: right;">ALT:</span>
DATE OF BIRTH:	
YEARS AS A FULL TIME OFFICER:	VERIFIED BY: _____

- |            |           |   |
|------------|-----------|---|
| YES: _____ | NO: _____ | 1. COMPLETED PROMOTION APPLICATION FORM.                      |
| YES: _____ | NO: _____ | 2. CITY OF ORTING TIME OF EMPLOYMENT VERIFIED BY ORTING HR.   |
| YES: _____ | NO: _____ | 3. ACHIEVED A PASSING SCORE OF 70% OR HIGHER ON WRITTEN EXAM. |
| YES: _____ | NO: _____ | 4. FIRST PROMOTION.   |

WRITTEN SCORE<sup>1</sup> (WS) (if applicable) \_\_\_\_\_

ORAL INTERVIEW SCORE (OS)<sup>2</sup>: \_\_\_\_\_

IF OS PASSING (ABOVE 70 POINTS), ADD VET AND RES BONUS POINTS:  
 VET PREFERENCE (VP) (OS X .05 or .10)<sup>3</sup> \_\_\_\_\_

---

<sup>1</sup> Written scores provided by IPMA-HR or similar independent testing company. Maximum score available is 100 points. A score of 70 points is deemed passing.

<sup>2</sup> Oral scores provided by City's Oral Board, utilizing the Civil Service Commission's Oral Board Scoring Form (Appendix G to the Civil Service Rules). Maximum score available is 100 points. A score of 70 points is deemed passing.

<sup>3</sup> Per RCW 41.04.010, veterans' points shall be added to a passing score, using the following matrix: Five percent to a veteran who was called to active military service from employment with the state or any of its political subdivisions or municipal corporations. The percentage shall be added to promotional examinations until the first promotion only.

## Appendix F

### FIRST LINE SUPERVISOR PROMOTION SCREENING LIST AND POINT SYSTEM

CANDIDATE NAME:	
HOME ADDRESS:	
EMAIL ADDRESS:	
PHONE #:	PREFERRED: <span style="float: right;">ALT:</span>
DATE OF BIRTH:	
YEARS AS A FULL TIME OFFICER:	VERIFIED BY: _____

- |            |           |   |
|------------|-----------|---|
| YES: _____ | NO: _____ | 1. COMPLETED PROMOTION APPLICATION FORM.                      |
| YES: _____ | NO: _____ | 2. CITY OF ORTING TIME OF EMPLOYMENT VERIFIED BY ORTING HR.   |
| YES: _____ | NO: _____ | 3. ACHIEVED A PASSING SCORE OF 70% OR HIGHER ON WRITTEN EXAM. |
| YES: _____ | NO: _____ | 4. FIRST PROMOTION.   |

WRITTEN SCORE<sup>1</sup> (WS) \_\_\_\_\_

ORAL INTERVIEW SCORE (OS)<sup>2</sup>: \_\_\_\_\_

IF OS PASSING (ABOVE 70 POINTS), ADD VET AND RES BONUS POINTS:  
 VET PREFERENCE (VP) (OS X .05 or .10)<sup>3</sup> \_\_\_\_\_

<sup>1</sup>Written scores provided by IPMA-HR or similar independent testing company. Maximum score available is 100 points. A score of 70 points is deemed passing.

<sup>2</sup>Oral scores provided by City's Oral Board, utilizing the Civil Service Commission's Oral Board Scoring Form (Appendix G to the Civil Service Rules). Maximum score available is 100 points. A score of 70 points is deemed passing.

<sup>3</sup> Per RCW 41.04.010, veterans' points shall be added to a passing score, using the following matrix: Five percent to a veteran who was called to active military service from employment with the state or any of its political subdivisions or municipal corporations. The percentage shall be added to promotional examinations until the first promotion only.

**BONUS POINTS:**

YEARS OF EXPERIENCE AS AN  
PORTING POLICE OFFICER:

2 – 4            5 POINTS

4 – 6            10 POINTS

6+                20 POINTS

MAX: 20 POINTS \_\_\_\_\_

EDUCATION/DEGREE EARNED:

AA/AS            4 POINTS

BA/BS            7 POINTS

MASTERS or HIGHER    10 POINTS

MAX: 10 POINTS \_\_\_\_\_

**TOTAL BONUS POINTS:**

**MAX: 30 POINTS \_\_\_\_\_**

---

**GRAND TOTAL SCORE:  
(WS + OS + VP + TOTAL BONUS POINTS)**

**MAX: 200 POINTS<sup>1</sup> \_\_\_\_\_**

VERIFIED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

<sup>1</sup>Minimal passing score is 140 points, but candidate must have received a 70 on both the written and oral examination in order to be deemed passing. Total score may exceed 200 points if candidate received maximum veterans' preference points, and experience/education bonus points.

# Appendix G

## PORTING CIVIL SERVICE COMMISSION ORAL BOARD EVALUATION

**Instructions:** Using the following rating scale, please evaluate the candidate's answers to the oral questions posed by the Civil Service Commission Chair or his/her designee, by providing an overall score for each of the listed criteria. Candidates scoring less than an average seven (7) (averaged across all oral board member's evaluations) will fail the oral examination.

**Rating Scale:**

1-6 Unacceptable/Fail	8 Good
7 Satisfactory/Passing	9 Very Good
	10 Outstanding

Candidate Name: \_\_\_\_\_

Position Sought: \_\_\_\_\_ Date of Oral Interview: \_\_\_\_\_

Criteria for Evaluation	Points Awarded (Circle one number per criteria)									
1. Effective verbal communications	1	2	3	4	5	6	7	8	9	10
2. Ability to respond to stressful situations	1	2	3	4	5	6	7	8	9	10
3. Ability to use good judgment in hypothetical situations	1	2	3	4	5	6	7	8	9	10
4. Demonstrated emotional stability and initiative	1	2	3	4	5	6	7	8	9	10
5. Applicable education and training	1	2	3	4	5	6	7	8	9	10
6. Demonstrated cultural competency	1	2	3	4	5	6	7	8	9	10
7. Knowledge of the position	1	2	3	4	5	6	7	8	9	10
8. Conscientiousness and dependability	1	2	3	4	5	6	7	8	9	10
9. Positive interpersonal relations	1	2	3	4	5	6	7	8	9	10
10. Demonstrated leadership	1	2	3	4	5	6	7	8	9	10

Comments: \_\_\_\_\_

Oral Board Scorer: \_\_\_\_\_ Signature: \_\_\_\_\_

For Civil Service Commission Secretary Use Only

Total Score: \_\_\_\_\_ Verified By: \_\_\_\_\_ Date Verified: \_\_\_/\_\_\_/\_\_\_



# Appendix H

## Veteran's Scoring Criteria Status Declaration

Name \_\_\_\_\_ Date \_\_\_\_\_  
Last First M.I.

- RCW 41.04.010 provides for a veterans' scoring criteria status (formerly called a "preference") to be added to the passing grade of certain veterans.  
<http://app.leg.wa.gov/rcw/default.aspx?cite=41.04.010>
- See also RCW 41.04.007. "Veteran" defined for certain purposes.  
<http://app.leg.wa.gov/rcw/default.aspx?cite=41.04.007>

**1. I certify that:**

I have been released from active military service or I am in receipt of separation orders; AND I have received an honorable discharge or discharge for physical reasons with and honorable record.

( ) Yes ( ) No

**\*IF YOU ANSWERED "NO" TO ABOVE, STOP HERE AND SUBMIT THIS FORM.**

**2. Have you been appointed to a position with a state, county or municipal government or other political subdivision of the State of Washington *after* you were eligible for veteran's points?**

( ) Yes ( ) No

If "Yes": Job Title \_\_\_\_\_

Employer: \_\_\_\_\_ Date appointed: \_\_\_\_\_

**\*IF YOU ANSWERED "YES" TO ABOVE, STOP HERE AND SUBMIT THIS FORM.**

**3. Scoring Criteria Status Claimed (Check if you are eligible):**

- ( ) Ten percent (10%) to a veteran who served during a period of war or in an armed conflict as defined in RCW 41.04.005 and does not received military retirement. The percentage shall be added to the passing mark, grade, or rating of competitive examinations until the veteran's first appointment. The percentage shall not be utilized in promotional examinations.
- ( ) Five percent (5%) to a veteran who did not serve during a period of war or in an armed conflict as defined in RCW 41.04.005 or is receiving military retirement. The percentage shall be added to the passing mark, grade, or rating of competitive examinations until the veteran's first appointment. The percentage shall not be utilized in promotional examinations.
- ( ) Five percent (5%) to a veteran who was called to active military service from employment with the state or any of its political subdivisions or municipal corporations. The percentage shall be added to promotional examinations until the first promotion only.

I certify that to the best of my knowledge, I am entitled to the veteran's scoring criteria status as set forth in RCW 41.04.010, and that by falsely claiming veteran's scoring criteria status, I will be disqualified from employment with \_\_\_\_\_ (agency name). I also understand that, if employed, any misrepresentation of facts regarding my receiving veteran's scoring criteria status is sufficient cause for dismissal.

**Please sign below and attach a copy of your DD Form 214 or other form of verification.**  
(DD Form 214WS Worksheet, USDVA Verification Letter, Statement of Military Service).

**Applicant Signature** \_\_\_\_\_ **Date:** \_\_\_\_\_

## 42nd Annual Civil Service Conference

### Event

10.24.23-10.26.23 | 9:00 a.m. to noon PDT (each day)

Virtual Event

Please join us for the 42nd Annual Civil Service Conference, hosted in partnership with [Public Safety Testing](#) and taking place on October 24-26, 2023, from 9:00 a.m. to noon each day.

Public Safety Testing's Annual Business Meeting will occur during Day Three of the conference on Thursday, October 26.

Planned topics include:

- Basic Training for New Commissioners & Essentials Refresher for Commissioners and Staff
- Register Management in a Contentious Environment
- New Model Civil Service Rules for Washington State Local Governments
- Updates at the Washington CJTC
- Public Safety Testing's Annual Business Meeting

The conference is complimentary for our guests and hosted via Zoom.

**About the Conference.** For more than four decades, the Civil Service Conference has provided civil service commissioners, secretaries and examiners, other local human resources officials, and legal counsel with practical information on best practices and emerging issues.

### Contact

P. Stephen DiJulio

Matthew Kelly

Alyssa A. Melter

### Related Services

Labor & Employment  
Litigation

Labor, Employment &  
Immigration

Public Finance & Municipal  
Government

Public Records & Open  
Government