



# *City of Prosser*

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City of Prosser, WA  
Civil Service Commission  
City Conference Room  
601 7<sup>th</sup> Street

**Regular Meeting**  
**Thursday, April 10<sup>th</sup> at 10:00 a.m.**

1. **Call to Order**
2. **Approval of Minutes – March 6, 2014**
3. **Approval of Police Department Payroll**
  - A. **January 2014**
  - B. **February 2014**
4. **Review, Discuss, and Potential Adopt Changes to the Civil Service Rules.**
5. **Adjournment**







## EARNING ITEM SUMMARY

City Of Prosser  
MCAG #: 0205

01/01/2014 To: 01/31/2014

Time: 16:12:24 Date: 04/01/2014  
Page: 1

### POLICE

Group	Pay Item	Date	Hours	Pay
POLICE	Draw	01/15/2014		9,276.00
	Draw			-9,276.00
	Hourly		188.00	3,386.64
	Salary		1,541.37	55,460.88
	Overtime		209.50	8,857.92
	Overtime Hol (.5		120.00	1,688.08
	Overtime Hol (1.		55.00	2,320.39
	Shift Pay			296.20
	Evidence Pay			50.00
	FTO Pay			150.00
	Education Pay			275.00
	Comp Used		22.00	
	Comp Earned		32.00	
	Hol F Used		8.00	
	Holiday Used		48.00	514.08
	Sick Used		252.33	383.88
	Vac Used		98.00	1,456.56
	Comp Buy Out		40.00	1,125.60
	Sick Buyout		669.00	9,412.83
	Vac Buy Out		311.00	9,104.34
<b>TOTAL POLICE</b>			<b>3,594.20</b>	<b>94,482.40</b>
<b>TOTAL POLICE</b>			<b>3,594.20</b>	<b>94,482.40</b>



## EARNING ITEM SUMMARY

City Of Prosser  
MCAG #: 0205

02/01/2014 To: 02/28/2014

Time 16:13:12 Date: 04/01/2014  
Page: 1

### POLICE

Group	Pay Item	Date	Hours	Pay
POLICE	Draw	02/14/2014		7,305.00
	Draw			-7,305.00
	Hourly		260.50	4,886.23
	Salary		2,014.96	61,006.41
	Overtime		156.50	6,572.31
	Overtime Hol (.5		56.00	821.92
	Overtime Hol (1.		24.00	1,040.72
	Overtime Hol.( 1		8.00	229.60
	Shift Pay			469.90
	Evidence Pay			100.00
	FTO Pay			1,700.00
	Death In Family		24.00	
	Education Pay			275.00
	Comp Used		9.00	
	Comp Earned		22.50	
	Holiday Used		16.00	171.36
	Sick Used		3.50	74.97
	Vac Used		24.00	
<b>TOTAL POLICE</b>			<b>2,618.96</b>	<b>77,348.42</b>
<b>TOTAL POLICE</b>			<b>2,618.96</b>	<b>77,348.42</b>



# Prosser Civil Service Commission

## Civil Service Rule

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## **Prosser Civil Service Rules**

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Adopted/Amended	Date

## SECTION 1 - PURPOSE, EFFECT, AMENDMENT AND ADMINISTRATION

**Section 1.1 Authority and Application.** These rules are created pursuant to the authority granted by PCW 41.14 and PMC 2.110. These rules are applicable to proceedings before the Civil Service Commission and should be read in conjunction with the specific provisions of the RCW 41.14, and the enabling ordinance providing for civil service.

**Section 1.2 Purpose:** The Rules set forth the principles and procedures which are to be followed in the Civil Service program to the end that the Prosser Police Department and its employees may have reasonable assurance that personnel problems will be dealt with on a uniform and equitable basis and that the citizens of the City of Prosser may derive the benefits and advantages which can be expected to result from a competent staff of the Police employees.

**Section 1.3 Effect:** These Rules shall be in force and effect when adopted by the Civil Service Commission and shall have the force and effect of law insofar as they apply to positions covered by said Rules.

**Section 1.4 Amendment:** The Civil Service Commission may initiate, or make recommendations for amendments or revisions to the Civil Service Rules. Amendments or revisions to the Civil Service Rules may be suggested by the Chief of Police, employees of the Police Department or interested citizens. All rules and amendments shall become effective immediately upon adoption by the majority vote of the Commission; unless some later date is specified.

**Section 1.5 Administration:** The Secretary and Chief Examiner shall be charged with the responsibility for the administration of these rules.

## SECTION 2 - POSITIONS COVERED BY THESE RULES

### Section 2.1 Classified and Unclassified:

The Police Department is divided into the Unclassified and Classified services:

The Unclassified service shall consist of the Chief of Police. The Unclassified service is exempt from the provisions of these Rules.

The Classified Service shall consist of:

1. Lieutenant
2. Master Sergeant
3. Sergeant
4. Detective
5. Police Officer
6. Animal Control Officer

### SECTION 3 - DEFINITIONS

**Allocate** shall mean the act of assigning each position to its proper class.

**Appoint** shall mean the act of the appointing authority in assigning to a position such eligible person or persons as have been certified, or are being employed, in such positions.

**Appointing Authority** shall the person or persons authorized to hire, promote or discharge employees on behalf of the City.

**Cause** shall mean good, sufficient or just cause as determined by the Commission; exercised by the appointing authority in good faith and without discrimination on the basis of religion, politics or other protected classification; and in consideration of the total context of a disciplinary action, including procedural fairness and consideration of an employee's work record.

**Certification.** A list of names from an eligible register transmitted by the Civil Service Commission to an appointing authority from which such appointing authority may fill a vacancy.

**Certify.** Verification to the appointing authority that a list of names of candidates for employment had been selected from the list of persons tested and found eligible for employment.

**Class,** under the classification system, shall mean a position, or group of positions, having similar duties and responsibilities, requiring similar qualifications, which can be properly designated by one title indicative of the nature of the work and which carry the same salary range.

**Continuous Service** shall mean employment in the Police Department as a regular or probationary employee in either the classified or unclassified service. All line-of-duty disability leaves, up to six months in duration, and all leaves of absence compensated by the City, shall be included in computing continuous service. However, except as otherwise provided by law, time lost due to unpaid leave of absence, disciplinary suspension, that portion of line-of-duty disability leave exceeding six months in duration or lay-off, shall be subtracted in calculating the length of continuous service. By way of leave for military service as specified in RCW 73.16.030 et seq, RCW 38.40.60, or 38 U.S.C. ss 2021 et seq. shall not be a deduction from length of continuous service.

**Demotion** shall mean the assignment of an employee to a position in a lower class, having lower minimum and maximum salary than the position from which the assignment was made.

**Eligible** shall mean a person listed on an active employment list and who has rights under these Rules to be certified for appointment.

**Eligible List** shall mean an employment list established by open competitive examination.

**Emergency Appointment** shall mean appointments made by the appointing authority in cases of riot, conflagrations, or other emergencies which threaten life or property of the general welfare

of the City, but provided that such appointments may not continue longer than thirty (30) calendar days.

**Employee** shall mean a person occupying a classified, unclassified, or temporary employee position, and who is paid a salary or wage for services rendered.

**Employee Lists** shall mean a list of all persons who have qualified for appointment to positions within a certain class under the provisions of these Rules, and who have not yet been appointed to such class and who have not been removed from such list in accordance with these Rules.

**Entry Level** shall mean the hiring of individuals who either have not held a police officer certification or such certification has expired and are not eligible to attend the Washington State Criminal Justice Training Equivalency Academy.

**Exceptional Entry** shall mean an alternate method of hiring (police officer position only) individuals, who are qualified for the position, without requiring the same testing process to be followed as required of all other candidates. In order to be considered an exceptional entry candidate the candidate must: a) have completed the testing process and been hired by another agency/department with the State of Washington or another State, from a Civil Service Commission certified eligibility list of like process; and b) must have successfully completed the probationary period with their current or previous law enforcement employer; and 3) must have been continuously employed by their present or previous employer as a law enforcement officer for not less than 12 months in Washington State; and 4) must have graduated from the Washington State Criminal Justice Training Academy for law enforcement or you must be able to challenge the process for an equivalency certification.

**Lateral Entry** shall mean an alternative method of hiring (police officer position only) individuals, who are currently qualified for the position, without requiring the same testing process to be followed as required of all other candidates. In order to be considered a lateral candidate the candidate must: a) have completed the testing process and been hired by another agency/department with the State of Washington, from a Civil Service Commission certified eligibility list of like process; and b) must have successfully completed the probationary period with their current or previous law enforcement employer; and 3) must have been continuously employed by their present or previous employer as a law enforcement officer for not less than 12 months in Washington State and must have been employed as a law enforcement officer within the last 24 months; and 4) must have graduated from the Washington State Criminal Justice Training Academy.

**Position** shall mean a group of current duties and responsibilities, assigned or delegated by competent authority, requiring the full-time or part-time services of an employee.

**Probationary Employee** shall mean any employee who is serving the introductory or training period prior to being permanently appointed to a position. Refer to the terms of the current applicable collective bargaining agreement.

**Promotion** shall mean the assignment of an eligible employee to a position in a higher class,

having a higher minimum and maximum salary than the position which is currently occupied by the employee.

**Provisional Employee** shall mean any employee filling a position without competition, pending the establishment of an employment list.

**Re-Appointment List** shall mean an employment list established by listing former regular or probationary employees who have been separated from the classified service by lay-off.

**Regular Employee** shall mean any employee in the classified service who has been permanently appointed, after serving a probationary period, to a position established by appropriate legislative action and normally involving continuous year-round service.

**Seniority**, for the purpose of these Rules, shall be the length of continuous service as a probationary or regular employee in the specific class involved, and in all higher classes to which such employee has been appointed, as a result of a promotional examination. Where length of continuous service is equal, seniority shall be established by position on the employment list.

**Temporary Appointment** shall mean an appointment made in accordance with Section 10.8 of these Rules.

**Temporary Employee** shall mean any employee occupying a position by virtue of temporary appointment.

## SECTION 4 - ORGANIZATION

**Section 4.1 Commission Created:** There is hereby created a Civil Service Commission, composed of three members who shall be appointed by the Mayor of the City of Prosser. (Prosser Municipal Code 2.110)

**Section 4.2 Qualifications:** No person shall be appointed to the Commission who is not a citizen of the United States, a resident of the County, and an elector of the City wherein he/she resides.

**Section 4.3 Term of Office:** The Commission shall be appointed for a term of six years. The terms shall be served as follows: One to serve for two years, one to serve for four years, and one to serve for six years. The purpose of this offset is to insure continuity between terms. The terms following the founding member will each be six year terms.

**Section 4.4 Removal:** Any member of the Commission may be removed from office for incompetency, incompatibility, or dereliction of duty, or malfeasance of office or other good cause.

No member shall be removed unless charges have been proffered in writing and due notice given and a full hearing has been conducted before the City Council of the City of Prosser.

**Section 4.5 Quorum Requirements:** Two members of the Commission shall constitute a quorum and the votes of any two members concurring shall be sufficient for the decision of all matters and transactions.

**Section 4.6 Vacancies:** Any vacancy in the Commission shall be filled by the Mayor for the unexpired term. Confirmation of the appointment of Commissioners by any legislative body shall not be required.

**Section 4.7 Compensation:** The members of the Commission shall serve without compensation and no member, after appointment, shall hold any salaried public office or engage in City employment other than Commission duties.

**Section 4.8 Expenses:** The members of the Commission shall be reimbursed for necessary expenses incurred while actually engaged in the performance of their official duties as is provided by law for other City officers.

~~**Section 4.9 Political Affiliation:** At the time of appointment, not more than two Commissioners shall be adherents of the same political party.~~

**Section 4.10 Chairman:** The Civil Service Commission shall immediately, after appointment of the Commission, elect one of its members Chairman, who shall hold such position for the remainder of his/her term, or until a successor is appointed.

**Section 4.11 Meetings:** The Civil Service Commission shall hold its regular monthly

meetings on the second Thursday of each month at 10:00 a.m. at the City Hall, Prosser, Washington and such meetings shall be open to the public. If, at any time, any regular meeting falls on a holiday, such regular meeting shall be held on the next business day. A special meeting may be called at any time by the Chairman, or by any majority of members of the Commission, by delivering personally, or by mailing, a written notice to each member of the Commission. A public notice as to this public meeting must be posted to the public at least twenty-four (24) hours before the time of such special meeting and the notice shall specify the time and place of the special meeting and the business to be transacted.

**Section 4.12 Duties:** It shall be the duty of the Civil Service Commission: (in accordance with PMC 2.110)

- To make suitable Rules and Regulations, not inconsistent with the provision of the Civil Service Act for Police, RCW 41.12. Such Rules and Regulations may be changed at any time. If any provision of these Rules and Regulations, or their application to any person or circumstance is held invalid, the remainder of the Rules and Regulations, or the application of the provision to other persons or circumstances, is not affected.
- To give practical tests which consist only of subjects which will fairly determine the capacity of persons examined to perform duties of the position to which appointment is made. Such tests may include tests of physical fitness or manual skill, or both.
- To make investigations concerning, and report upon, all matters touching the enforcement and effect of the provisions of this act, and the Rules and Regulations prescribed hereunder; to inspect all departments, offices, places, positions, and employments affected by the Civil Service Act, and ascertain whether the Civil Service Act and all such Rules and Regulations are being obeyed.
- To hear and determine appeals or complaints respecting the allocation of positions, the rejection of an examinee, and such other matters as may be referred to the Commission.
- To provide for, formulate, and hold competitive tests to determine the relative qualifications of persons who seek employment in any class of position and as a result thereof, establish eligibility lists for the various classes of positions, and provide that persons laid off because of curtailment of expenditures, reduction in force and for like causes, head the list in the order of their seniority, to that end they shall be the first to be re-employed or reinstated in their former job classes.
- To certify to the Appointing Authority, when a vacant position is to be filled, on written request, the names of three persons highest on the eligible list for the class. If there is no such list, to authorize a provisional or temporary appointment list for such class. Such temporary provisional appointment shall not continue for a period longer than four months nor shall any person receive more than one provisional appointment in one year.
- To keep such records as may be necessary for the proper administration of this Act.

- Approve payrolls.
- The Commission shall appoint a Chief Examiner who shall also serve as Secretary of the Commission.

**Section 4.13 Chief Examiner:** The Secretary and Chief Examiner shall:

Establish and maintain a roster of all members of the classified service and such other personnel records as the Commission deems advisable or necessary.

Maintain the Classified Plan.

Develop and administer such recruiting and examination procedures as may be necessary to obtain an adequate supply of competent applicants to meet the needs of the Police Department.

Serve as secretary for all meetings of the Commission. This requires the maintenance of accurate minutes, which are the official records of all Commission proceedings. Copies of approved minutes shall be made available to interested parties. The proceedings of the open public meetings of the Commission shall be electronically recorded and such tapes will be maintained by the Chief Examiner.

Insure that a verbatim record is available for all contested proceedings before the Commission.

Prepare and maintain current employment and re-employment registers.

Cooperate with members of the Police Department and Union Representatives on matters pertaining to these Rules.

Whenever the Appointing Authority requests a certified list for a classified position, the Chief Examiner shall furnish such a list in a timely manner, not to exceed 120 days.

Formally respond to correspondence.

Maintain appropriate personnel records as necessary.

Prepare such forms and initiate such other procedures as the Secretary/Chief Examiner may consider necessary, appropriate, or desirable, to carry out the Commission's Civil Service program.

## SECTION 5 - THE CLASSIFICATION PLAN

**Section 5.1 Objective:** The Classification Plan shall provide a complete inventory of all positions in the Classified Service and accurate descriptions and specifications for each class of employment. The plan shall standardize titles, each of which shall be indicative of a definite range of duties and responsibilities and have the same meaning throughout the Classified Service.

**Section 5.2 Composition of the Classification Plan:** The Classification Plan shall consist of:

- A grouping into classes of positions which are of approximately equal difficulty and responsibility, which require the same general qualifications and which can be equitably compensated for within the same range of pay under similar working conditions.
- A class title, descriptive of the work of the class, which shall identify each class.
- Written class specifications for each class of position, containing a description of the nature of the work, and of the relative responsibility of positions in the class, example of the work which are illustrative of duties of positions allocated to the class, requirements of work in terms of knowledge, abilities and skills necessary for performance of the work, and a statement of experience and training desirable for recruitment into the class.

**Section 5.3 Class Titles:** Class Titles shall be used in all personnel, accounting, budgeting, appropriation and financial records. No person shall be appointed to, or employed in, a position in the classified service under a title not included in the Classified Plan. Titles used in the course of departmental routine to indicate level of authority or administrative rank may continue to be used for such purposes.

**Section 5.4 Class Specifications:** The specifications of the classes of positions in the Classification Plan and their various parts shall be used as a guide in the classification of positions and have the following force and effect:

- The specifications are descriptive and not restrictive. They are intended to indicate the kinds of positions that are allocated to the several classes as determined by the duties and responsibilities. Specifications are to be interpreted in their entirety and in relation to others in the Classification Plan. Particular phrases or examples are not to be isolated and treated as a full definition of the class.
- In determining the class to which any position should be allocated, the class specification shall be considered as a whole. Consideration shall be given to the duties, specific tasks, responsibilities, qualification requirements and relationships to other classes, as together affording a statement of the employments that the class is intended to embrace.
- Qualifications commonly required of all incumbents of the different classes, such as acceptable physical condition, freedom from disabling defects, United States citizenship,

suitable age, honesty, sobriety and industry, shall be deemed to be implied as qualification requirements for entrance to each class, even though they may not be specifically mentioned in the specifications.

**Section 5.5 Use of Classification Plan:** The Classification Plan shall be used:

- In preparing public announcements of examinations or vacancies.
- As a guide in preparing examinations which may be used to appraise the qualifications of applicants for work in specific classes.
- In determining promotional sequences.
- In providing uniform job terminology which is clearly understandable to city officers, employees and the general public.
- In setting up appropriate employment lists from which personnel may be certified to fill vacancies.
- As a guide in making appointments and assigning duties.

**Section 5.6 Maintenance of the Classification Plan:** Maintenance of the Classification Plan: The Secretary and Chief Examiner is charged with the responsibility for the proper and continuous maintenance of the Classification Plan, so that it will reflect, on a current basis, the duties being performed by each employee in the classified Service and the class to which each position is allocated. The recommendations of the Appointing Authority shall be given due consideration in all classification actions.

The Secretary and Chief Examiner shall recommend to the Civil Service Commission necessary amendments to the Classification Plan in the form of new classes, revisions of existing classes and the abolition of classes no longer required in the Plan. Upon the Civil Service Commission's approval of the establishment of the new classification, or the abolition of an existing classification, the City Council shall be notified in order that appropriate action may, at the Council's discretion, be taken in regard to compensation for the classes involved. Revisions of Class Specification and re-allocations within the Classifications Plan shall be made as follows:

The Secretary and Chief Examiner shall study the duties and responsibilities of each new position as it is created, and on the basis of this study, place the position in the appropriate class within the Classification Plan for the duties performed.

Changes in the duties and responsibilities of a position involving either the addition of new assignments, or the taking away or modification of existing assignments, shall be reported to the Secretary and Chief Examiner by the Appointing Authority. If these are determined to be permanent, are more than minor changes, and justify a re-allocation to a different classification, the Secretary and Chief Examiner shall place such position in its appropriate class.

The Secretary and Chief Examiner shall periodically review the classification of positions, and upon the basis of that investigation, make appropriate changes in allocations, or recommend changes in the Classification Plan, subject to the limitation of the annual budget.

**Section 5.7 Status of Employees Affected by Reclassification:** The status of regular or probationary employees affected by re-classification or re-allocation occurring in the administration of the Classification Plan shall be resolved in the following manner:

Any employee with permanent Civil Service status whose position is allocated to a lower class, shall be assigned to a vacant position having the same classification as that in which the employee has permanent Civil Service status, or the employee shall be granted status in the lower class without further examination and the employee's name shall be placed on the appropriate re-employment list, without limitation of time for the higher class in which the employee holds permanent Civil Service status.

Incumbents of positions which are re-allocated to a class which the Secretary and Chief Examiner determines to be substantially equivalent to the positions occupied by such personnel at the time re-allocation action is taken, shall be given regular status in the positions to which they are allocated.

**Section 5.8 Allocation Appeals:** The Appointing Authority, or any employee who believes his/her position has been improperly allocated or re-allocated to a class, may appeal to the Civil Service Commission. Such appeal shall be in writing and set forth the reasons therefore. The appellant and the Appointing Authority shall be given a reasonable opportunity to be heard by the Commission. Any decision of the Civil Service Commission, under this provision, which allocates a position to a different class in the Classification Plan, shall be retroactive to the date the appeal was filed.

## SECTION 6 - RECRUITMENT

**Section 6.1 Announcement of Examinations:** Public notice of examination shall be given at least ten (10) work days in advance of the last date for filing of applications by publication in one or more newspapers of general circulation, published in Benton County, (specifically, the Prosser Record Bulletin and others by choice) by posting announcements on bulletin boards of the City buildings and in such other places, and in such other manner as the Secretary and Chief Examiner may deem advisable.

**Section 6.2 Filing of Applications:** All applicants for positions in the Classified Service must file written application on the form prescribed by the Civil Service Commission. All applications shall be filed in the Commission's Office during office hours and within the time limit fixed in the official announcement of examination. Defective applications shall be returned to the applicant with a notice to amend the same. Amendments or corrections must be made within the time limit established for this purpose.

### **Section 6.3 General Requirements for Filing of Applications:**

No person shall be admitted to any examination for a position in the Classified Service until that person has filed an application on a form provided by the Commission.

Every person making application must meet the requirements as shown in the announcement of examination for the particular position for which the person is applying.

The Civil Service Commission may prescribe such limits of age and such other specific requirements, physical or otherwise, as in their judgment are required by the nature of the work to be performed, and in accordance with all applicable laws.

An applicant for a position of any kind under Civil Service must be a citizen of, the United States.

Within ninety (90) days of appointment, Police Officer appointees will establish a residence within the specific response time as required by the Appointing Authority.

Applicants may be required to participate in psychological or psychiatric testing and/or examination, as directed by the Commission/Appointing Authority, prior to permanent appointment to the Police Department.

**Section 6.4 Rejection of Application:** The Secretary/Chief Examiner may reject any application or applicant for cause, among which the following would be sufficient:

That the applicant lacks any of the minimum qualifications set forth in the examination announcement.

That the applicant is not within the prescribed age limits.

That the applicant does not meet the physical requirements of the position to which he seeks appointment, is addicted to the excessive use of drugs or intoxicating beverages, has been guilty of a crime or of infamous or disgraceful conduct, or has been dismissed from previous employment for delinquency or misconduct.

That the applicant has made false statement(s) in the application with regard to any material fact.

That the applicant, after notification, did not promptly appear at the time and place designated for the examination.

That the applicant had been removed from an employment list for cause in accordance with Section 8.3 of these Rules within one (1) year of making application.

**Section 6.5 Postponement and Cancellation of Examinations:** Any examination may be postponed or canceled at the discretion of the Civil Service Commission. In either case, each applicant shall be notified of the postponement or cancellation.

## SECTION 7 - EXAMINATIONS

**Section 7.1 Examinations shall be impartial:** All examinations shall be impartial and relate to those matters which will test fairly the capacity and fitness of the candidate to discharge efficiently the duties of the position to be filled. Examinations may include written, oral, physical or performance tests or any combination of these. The examination may take into consideration such factors as education, experience, aptitude, knowledge, character, physical fitness or any other published qualifications or attributes which, in the judgment of the Civil Service Commission, enter into the determination of the relative fitness of applicants.

### Section 7.2 Examination Process

The Secretary/Chief Examiner shall formulate, validate and conduct complete examinations for entrance and promotion in accordance with the principles and requirements of equal employment opportunity laws. The goal of recruitment, and of all steps of the examination process, shall be to serve the dual purpose of providing the best possible candidate for positions while ensuring that equal opportunity laws applicable to the City are met.

Examination procedures will be modified to accommodate disabled persons consistent with the provisions of the Americans with Disabilities Act.

Tests shall be open to all persons who applications demonstrate the required qualifications and who may be appointed to a position in the class for which a list is to be established, except as otherwise provided in these Rules. The Commission shall approve such requirements as the Appointing Authority establish as minimum qualifications and requirements for each classification. These may relate to experience, training, physical condition and health, and other factors which relate to the ability of a candidate to perform effectively the duties of a classification.

**Who May Compete:** Examinations designed to establish entrance lists shall be open to all persons who meet minimum qualifications and other requirements of the class as stated in the specifications and as set forth in the announcement.

**Competition in Promotional Examinations:** Promotional examinations shall be open to current employees who have acquired regular status, meet the minimum qualifications and tenure as stated in the job description and as set forth in the announcement.

### Section 7.3 Examination Administration

**Scheduling of Examinations:** Examinations shall be scheduled at such a time or times as the Secretary/Chief Examiner of the Commission may approve. The Secretary/Chief Examiner may postpone an examination or an individual's taking of an examination if the best interest of the City is served thereby.

**Preparing and Conducting Examinations:** The Chief Examiner shall obtain from an appropriate

source, prepare or cause to be prepared all examinations, and the testing process shall be approved by the Commission prior to the holding of the examination.

**Testing Fees.** Reasonable testing fees may be established by the Chief Examiner.

**Section 7.4 Character of Examinations.** Tests shall be job related and competitive and must be designed to determine the qualifications, fitness, competency and ability of candidates to perform the duties of the class for which a list is to be established. They may be written, oral, in the form of a demonstration of skill, an evaluation of training and experience, a physical abilities test where necessary for the duties of the position, or any combination of such types. They may take into consideration education, experience, aptitude, capacity, knowledge, character, length and quality of service, and other qualifications to determine the relative fitness of the candidates, and shall not be related to political or religious preference. Applicants will be required to pass a background investigation. Once conditionally offered employment, applicants may be required to pass a pre-placement medical examination administered by a licensed physician, a physical abilities test, a psychological exam, drug test and/or a polygraph exam.

**Section 7.5 Identity of Examinees Concealed:** The identity of all persons taking a competitive written test shall be concealed from the examiners by use of an identification number which shall be used on all examination papers. This number shall be used from the beginning of the examination until the papers have all been rated. Any papers carrying the name of the applicant, or any other identification number to the Secretary/Chief Examiner or any member of the Examiner's staff, directly or indirectly, shall be disqualified and the candidate so notified.

**Section 7.6 Rating Examinations:** Appropriate scientific techniques and procedures shall be used in rating results of examinations and in determining the relative ratings of the competitors. Examination grades shall be expressed on a scale of 100 for maximum possible attainment. On the Entry-level examination, the written will be 50% and the Oral Board will be 50%. A scoring method shall be allowed for lateral entry and exceptional entry (entry level position only) which will substitute education, experience and training for a written examination. Specific points will be allowed for each area with a total score of one hundred (100) possible. All other computations will be consistent with Rule VII.

Whenever oral tests are given, the weight of such oral tests shall in no event carry more than 50% for all entrance examinations and 50% for all promotional examinations. This will make the written examination and the oral board scores equal value, 50% each, towards the final score. In case of promotional examinations, service credit shall be in addition to passing grade.

**Section 7.7 Minimum Grades:** Any candidate who fails to attain at least a minimum grade of 70% on each section shall be considered to have failed the examination and shall not be examined on other parts, if any are planned..

**Section 7.8 Promotional Opportunities:** Promotional Opportunities: Vacancies in higher positions in the classified service shall be filled by the promotion of employees in the service. Eligibility for promotions will be required as follows:

Police Officer, to be eligible for promotion to Sergeant, must have a minimum of three (3) years in a continuous service as an Officer with the Prosser Police Department prior to promotional exam.

A Sergeant, to be eligible for promotion to Lieutenant or Master Sergeant, must serve a minimum of three (3) years in satisfactory service as a Sergeant with the Prosser Police Department and have demonstrated administrative ability.

Burden of proof shall be upon the applicant to show the Commission he possesses the qualifications prescribed for in the position for which he applies.

To be eligible for promotional examinations, employees must be in good standing in the Department. Good standing requires a rating of effective and competent or better on the employee's most recent evaluation.

Duration for the promotional list will be for a period of one year from the date of certification by the Commission.

**Section 7.9 Announcement for Promotional Examination:** All promotional examinations shall be published at least ten (10) work days in advance of the last date for filing of applications by posting announcements on bulletin boards in the corridors of the City buildings, and in such other places and in such other manner as the Secretary/Chief Examiner may deem advisable. The provisions of Section 6.1 shall not apply.

**Section 7.10 Appeal of Test Results:** Where the nature of the examination permits, the Secretary/Chief Examiner shall, upon request, permit the promotional candidate to review that candidate's test answers, the test questions and the answer key. Such review shall be requested within three (3) business days immediately following the examination. During this period, any candidate may review the candidate's own test materials in the presence of the Secretary/Chief Examiner or the Examiner's authorized representative, and discuss any answers to which the candidate takes exception. No notes shall be made by the candidate. Should a candidate, after such review and discussion, wish to challenge any answer contained in this key, the candidate shall submit to the Secretary/Chief Examiner, within an additional five (5) working day period, in writing, authoritative proof of the validity of such claim. All such written challenges shall be considered by the Secretary/Chief Examiner. If the Secretary/Chief Examiner is satisfied as to the validity of such proposed changes, they shall be made part of the examination answer key. The original examination answer key, together with any changes, shall constitute the final answer key. No further requests for changes in the examination answer key will be considered. The final examination answer key shall be used in scoring all examination papers.

**Section 7.11 Notification of Results:** Each applicant taking the examination shall be given notice of the results thereof, and if successful, of the applicant's own final earned ranking and relative position on the employment list. Until all phases of the examination process are completed, passing scores will be kept confidential, and individual passing phase scores will not be released until the employment list is completed. The applicant may, upon request, personally

inspect the applicant's own examination papers within ten (10) working days after the posting of the employment list resulting from the examination. An error in grading or ranking, if called to the attention of the Secretary/Chief Examiner within the inspection period, shall be corrected..

**Section 7.12 Failure to Pass Promotional Examination:** An applicant failing a phase of the examination process and not completing the entire examination process may, upon request, inspect the applicant's own examination papers within three (3) business days of notification of failure to pass that phase of the examination. An error in grading or ranking, if called to the attention of the Secretary/Chief Examiner within the inspection period, shall be corrected.

**Section 7.13 Service Credit in Promotion Examinations:** Regular employees in the Classified Service who receive a passing grade on examinations for promotional appointment in the Classified Service shall have a credit for continuous service added to such grade. Service credit shall be computed in the following manner:

- One-half of one point shall be added for each full year of continuous service, up to a maximum of twenty years, as a regular employee in the Classified Service.

**Section 7.14 Veteran's Preference:** Veterans qualifying under provisions RCW Chapter 41.04 will have an appropriate preference added to the candidate's final earned passing examination score. Preference applies only to initial employment and not to promotions. Veteran's preference will not be given under the following conditions:

- The candidate fails to attain passing score on the examination.
- More than eight (8) years have passed since the candidate's release from active duty.

**Section 7.15 Reserve Officer Credit** In the graded examination for police officer, candidates who receive a passing grade and who have served satisfactorily at least two (2) consecutive years as a police reserve in the Prosser Police Department shall have five percent (5%) of their final examination grade added to their final cumulative score.

## SECTION 8 - EMPLOYMENT LISTS

**Section 8.1 Posting of Employment Lists:** The Secretary/Chief Examiner shall establish and maintain such employment lists for the various classes of positions in the Classified Service as are necessary to meet the needs of the Service. Candidates receiving a passing grade in examinations shall be notified and take rank upon the proper employment list in the order of their relative grades, provided that lateral lists will not be "ranked" except at the time the Appointing Authority elects to draw from said list. The lateral entry list shall be a continuously maintained list of names of persons requesting to be considered for an entry level position. A ranking of names shall occur when the Appointing Authority requests to draw from the list. Scoring shall be by first using the "in lieu of written test" criteria and then by processing the top candidates through an oral board. For each position requested to be filled in this manner, three (3) similarly obtained names will be presented to the Appointing Authority consistent with the "Rule of 3." Ties in grades shall be resolved in open competitive entrance examination by date of application and in promotional examinations, by seniority.

**Section 8.2 Duration of List:** The names of eligible shall not remain on an employment list for an entry level position for more than twelve (12) consecutive calendar months. However, names of eligible may remain on the list for more than twelve (12) consecutive calendar months if the life of such list is extended by action of the Commission or the eligible successfully competes in subsequent examinations in accordance with Section 9.5 of these Rules, in which case, the eligible's name may remain for twelve (12) consecutive calendar months after each successful competition. The term of eligibility of each promotional list, and of the names appearing thereon, shall be neither less than, nor more than, two years. Lateral entry lists shall be indefinite with the individual names remaining on the list for two (2) years, unless hired from the list or removed as provided by the Civil Service Rules or removed for cause as provided in Section 8.3 of these Rules.

**Section 8.3 Removal from Employment List:** The Secretary/Chief Examiner may, at any time, remove the name of an eligible from an employment list for any one or more of the following causes:

- Written correspondence from the eligible requesting removal from the employment list.
- Failure to respond to notice to appear for employment interview within the time limited in such notice.
- Declination of permanent appointment.
- For attempted deception or fraud in connection with any application or test.
- For willfully, or corruptly, making any false statement, certification, mark, grading, or report in regard to any test for appointment held or made under the provisions of these Rules.
- In any case where the Secretary/Chief Examiner finds that an eligible is, or has in any

manner, become disqualified for the position for which the eligible is listed, in accordance with Section 6.4 of these Rules.

- Failure to notify the Secretary/Chief Examiner of changes in address.
- Appointment to a permanent position through certification from an employment list for another class at the same or higher salary. Any person whose name is so removed may be reinstated, for the duration of that person's eligibility, to the list(s), other than the one from which the appointment was made, by making written application for such action to the Secretary/Chief Examiner within five (5) working days from the date of removal.
- If a person's name has been certified three times for appointment to an entry level position, and such person has not been appointed, such name will be dropped from the employment list.
- Any person may be removed from an entry level list for cause as determined by the Civil Service Commission.
- Failure to satisfactorily complete any phase of the Appointing Authority's background investigation including, but not limited to, polygraph, psychological profile, employment check, neighborhood check, credit check and physical examination. Such failure shall be documented by the Appointing Authority to the Secretary/Chief Examiner prior to removal from the list.

**Section 8.4 Restoration of Names to Employment Lists:** Whenever any person's name is removed from an employment list for any one or more of the causes mentioned in the preceding section, that person shall immediately be notified thereof, unless location attempts are unsuccessful. Such person may, within five (5) working days from date of removal, make a written request to the Secretary/Chief Examiner for restoration of his/her name to such list for the duration of that person's eligibility. The request shall set forth the reasons for the conduct resulting in removal of the name from the list, and shall further specify the reasons advanced for restoration of the name. The Secretary/Chief Examiner, after full consideration of the request, may restore the name to the employment list or may refuse such request. The person shall be notified of the Secretary/Chief Examiner's action.

**Section 8.5 Good Standing While on Promotional List:** An employee must be in good standing in the Department at the time the employee's name is placed on the promotional list and must remain in good standing in the Department up to, and including, the date of the employee's actual selection for promotion. An employee who is not in good standing will not be placed on the promotional list. Similarly, an employee who fails to maintain good standing in the Department shall be removed from the promotional list. Good standing requires a rating of effective and competent or better on the employee's most recent written evaluation.

## SECTION 9 – SUBSCRIPTION TESTING SERVICES

**Section 9.1 Subscription Testing Services Authorized.** The secretary, following approval by the Commission, may enter into contracts with one or more Subscription Testing Services.

**Section 9.2 Subscription Testing Service – Defined.** “Subscription Testing Service” means a person or organization offering a service that tests and maintains lists of candidates for employment who have successfully completed the Subscription Testing Service process.

**Section 9.3 Process Verification.** The Secretary shall verify that the Subscription Testing Service provides qualified testing resources that are content valid and job-related.

### **Section 9.4 Certification**

All applicants certified as a qualified candidate by the Subscription Testing Service shall be reviewed and approved by the Commission prior to referral to the Appointing Authority. Following qualification of candidates pursuant to the procedure set forth in the contract with the Subscription Testing Service, candidates may be certified as eligible for appointment to the Appointing Authority.

By motion or other approval, the Commission may delegate to the Secretary the review and approval of candidates. Upon such delegation, the secretary shall verify that candidates for placement on the eligible register meet the minimum eligibility requirements for employment.

Candidates qualified for appointment pursuant to the procedures established in this Rule shall be placed in a separate register, entitled “Contract Register.” Provided, however, that candidates rejected by the Commission for 1) not satisfying any test requirement; 2) not completing probation; or 3) following certification, not responding to the Appointing authority for consideration, shall be removed from the eligible register.

**Section 9.5 Additional Testing.** Candidates qualified pursuant to a Subscription Testing Service shall be subject to such additional testing as may be required by the Commission or the Appointing Authority. Such testing shall include, but not be limited to, background, polygraph, psychological, and medical testing.

## SECTION 10 - APPOINTMENTS

**Section 10.1 General Provisions:** Vacancies in the Classified Service shall be filled by re-employment, re-appointment, promotional appointment, original appointment or demotion. Whenever the Appointing Authority wishes to fill a vacancy, a requisition for an employee shall be submitted to the Secretary/Chief Examiner on the prescribed form. Insofar as practicable, each vacancy shall be anticipated sufficiently in advance to; permit the Secretary/Chief Examiner to determine who may be available for appointment or, if necessary, to establish a class or list of eligible.

When vacancies are to be filled by appointment from employment lists, the lists shall be used in the following order:

By appointment of eligible from re-employment or re-assignment lists (Rule of 1) (This means last person laid off is first person re-hired).

By appointment of eligible from promotional lists (Rule of 3) (Rule of 3 to mean the top 3 persons on the eligibility list).

By appointment of eligible from eligible lists (Rule of 3) or by appointing from a lateral entry list at the option of the Appointing Authority.

**Section 10.2 Requisitions:** Whenever the Appointing Authority requires the services of a person to fill a vacancy in the Classified Service, a written request shall be made to the Secretary/Chief Examiner stating the number of employees desired, together with the class titles of the vacant positions and any other information the Secretary/Chief Examiner may desire.

**Section 10.3 Certification:** Upon receipt of written requisition, the Secretary/Chief Examiner shall certify to the Appointing Authority the names of the three persons highest on the employment list for the class. If more than one vacancy is to be filled, an additional name shall be certified for each additional vacancy.

The Secretary/Chief Examiner is also permitted to provide to the Appointing Authority a draft or uncertified list of the three persons highest on the employment list for the class, with the understanding that the scores of those individuals provided are preliminary and subject to change and contingent upon the Commissions certification.

The Appointing Authority shall forthwith appoint a person from those certified to the vacant position or positions. Certification of names from the lateral entry list shall be consistent with Section 8.1.

With respect to those names of persons currently in the Classified Service and placed on an employment list for a promotional position, such names, certified but not appointed, shall remain on the employment list for the duration of the list, regardless of the number of times certified to the Appointing Authority.

**Section 10.4 Notice of Certification of Eligibility:** Eligible certified in response to a properly executed requisition shall be notified by the Secretary/Chief Examiner to appear for an interview with the Appointing Authority within such time as may be designated by the Secretary/Chief Examiner.

**Section 10.5 Continuous Testing and Merging of Entry-Level Lists:** A continuous or periodic examination may be ordered and administered by the Chief Examiner for any examination other than promotional.

**Section 10.6 Provisional Appointment:** In situations where an employment list is not available for a particular position, an urgency to fill, or other special condition prevents using the normal recruitment/examining process, the Secretary/Chief Examiner may authorize an Appointing Authority to arrange a provisional appointment, subject to the following conditions:

Prior to, or concurrent with selection of a provisional appointee, the Appointing Authority shall advertise the vacancy to insure that all qualified applicants under their purview are afforded ample opportunity to submit application for the vacancy.

Upon completion of the above, the request to authorize the provisional appointment shall be submitted to the Secretary/Chief Examiner for approval prior to the time the selected appointee reports to work. All such requests shall contain justification to support the action. An appointment to this status is limited to thirty (30) days after establishment of a new eligible list, or a maximum of one hundred and twenty (120) days in any twelve (12) consecutive months when there is no list available.

All persons appointed on a provisional basis must possess the qualification for the position filled.

Provisional appointments shall be used only in unusual circumstances and shall not be allowed to substitute for, or to circumvent, the normal competitive selection process.

No provisional appointment shall continue for more than one hundred and twenty (120) days.

No provisional appointment shall be continued for more than thirty (30) calendar days, after an appropriate eligible list has been established.

The Appointing Authority shall advise the appointee in writing of the provisional status of the appointment.

**Section 10.7 Emergency Appointment:** Within limitation of the annual budget, emergency appointments may be made by the Appointing Authority in cases of riot, conflagrations, or other emergency which threatens life, property or the general welfare of the City. Such appointments may not continue longer than thirty (30) calendar days. Emergency appointees need not be taken from employment lists.

**Section 10.8 Temporary Appointment:** Within the limitation of the annual budget,

temporary appointments may be made by the Appointing Authority as follows:

- Work performed in the absence of an employee on leave.
- Extra work required at a work load peak or special projects, or cyclic work loads not to exceed one hundred twenty (120) calendar days.
- Temporary appointees shall, insofar as practical, be taken from employment lists.

**Section 10.9 Reinstatement:** Any person who has received permanent appointment to a position in the classified service, who is laid off because of curtailment of services or funds or for any reason beyond the employee's control, may be reinstated to a position within the same class with the same or similar duties to those previously performed. Prior to making such certification, the commission may require such employee to pass a qualifying examination.

If such reinstatement is from a lay-off beyond the employee's control, the reinstated employee's period of continuous service shall include the period of continuous service prior to such lay-off. In all other cases of reinstatement, the reinstated employee's period of continuous service shall begin upon such reinstatement.

**Section 10.10 Demotion for Physical or Medical Incapacity:** When an employee becomes physically or medically incapacitated for the performance of the duties of his/her position, the employee may, upon request of the Appointing Authority, or upon the employee's own initiative and with the approval of the Civil Service Commission, be given status and appointed to a position, the duties of which the employee is able to perform, in a class carrying a lower compensation without regard to previous status in the lower class, provided however, that the Appointing Authority can reasonably accommodate such request and is in compliance with the Americans with Disabilities Act.

**Section 10.11 Probationary Period:** The probationary period shall be regarded as an integral part of the examination process and shall be utilized for closely observing the employee's work, for securing the most effective adjustment of the new employee to the position, and of rejecting any employee whose performance or adjustment is not satisfactory. Any loss of time during the probationary period, such as leave of absence without pay, or a lay-off, disability leave, or demotion in lieu of lay-off, shall extend the probationary period for a like amount of time. The probationary period shall also be extended for a like amount of time in the event of any detail or temporary assignment during the probationary period in which the employee is unable to fully perform all of the required elements of the employee's regular assignment, due to the employee's temporary physical or mental disability, including, but not limited to, pregnancy disability.

All appointments, except those made from re-employment or re-appointment lists, shall be probationary for a period of one year after appointment. Appointments made from re-employment or re-appointment lists shall be probationary for the period of probation remaining unserved at the time of the lay-off. The Appointing Authority shall make such periodic reports during the probationary period as the Secretary/Chief Examiner, on the prescribed form, the name of each employee who satisfactorily completes the probationary period. Probationary

employees shall be subject to all provisions of these Rules and are on a trial basis during which they may be discharged without cause and without recourse. If an employee, promoted to a higher class as a result of certification from a promotional list, is found unsuited for work of the class during the probationary period, the employee shall be reinstated to the position or other position in the class from which the employee was promoted, provided that the employee had regular status in that class

**Section 10.12 Medical Examination for Entry Level Applicants:** Applicants for entry level positions in the Classified Service may be required to undergo a medical and/or psychological examination to determine physical and mental fitness to perform work in the position to which appointment is to be made.

Appointees to entry level classifications in the Classified Service may be required to satisfactorily complete a medical and/or psychological examination prior to actual employment to determine physical and mental fitness to perform work in the appointed position.

Where an applicant or appointee for an entry level position in the Classified Service shall be reported by the examining physician, or other health care professional, to be physically or mentally unfit to perform in the position to which appointment is, or has been, made, the Appointing Authority shall determine if such applicants or appointees are physically and/or mentally fit to perform work in the classification in question. Such applicant or appointee for an entry level position shall have a period of three (3) working days, from the date of notification by the Secretary/Chief Examiner of the medical disqualification, to demand, in writing, that the Secretary/Chief Examiner consider the opinion of the examining physician or other health care provider relied upon by the Appointing Authority, along with a report of an examining physician chosen by the entry level applicant. The cost of the applicant or appointee's physician's examination and report shall be borne by the applicant or appointee.

The determination of the Secretary/Chief Examiner as to the physical or mental fitness of the applicant to perform the duties of the position after duly considering the written reports of the Appointing Authority's physician and the applicant's or appointee's physician shall be based solely upon the existence of the medical condition(s) as indicated by the diagnosis and whether the medical condition(s) diagnosed is disqualifying pursuant to the standards set forth in the Washington Association of Sheriffs and Police Chiefs, Washington State Law Enforcement Medical/Physical Standards Manual currently in use by the Secretary/Chief Examiner.

**Section 10.12A Medical Referral of Employees:** Employees may be required by the Appointing Authority to undergo medical and/or psychological examinations while employed, if the Appointing Authority has cause to question the employee's physical and/or mental fitness to perform assigned duties: Provided that if an employee objects to such an examination, the employee may only be required to undergo such an examination with the prior approval of the Civil Service Commission. The purpose of any such examination shall be to assess and render an opinion as to the physical and/or mental fitness of the employee to perform the work of the classification in which the employee is employed. The examination shall be conducted by a physician or other health care professional designated by the Appointing Authority.

Upon receipt of the examining physician's report, the Appointing Authority may terminate the inquiry and restrict or limit access to the report in such manner as the Appointing Authority deems appropriate.

Following the examination, if the Appointing Authority recommends a negative change in the employee's status as a result of the report, the Appointing Authority shall provide a copy of the examining physician's, or other health care professionals, report to the employee.

If the Appointing Authority determines that the employee is unfit to perform work in the classification to which appointment has been made, such employee shall be given a reasonable opportunity to be examined by a physician or other health care professional of the employee's choice, at the employee's expense, and the report of such physician or other health care professional, if any, shall be reviewed and considered by the Appointing Authority prior to any final decision by the Appointing Authority regarding the fitness of the employee for duty in the classification in which the employee is employed.

An employee who is determined by the Appointing Authority to be physically or and/or mentally unfit for service shall be demoted or separated from the Classification Service in accordance with these Rules. In the event the employee objects to the Appointing Authority's decision following the Appointing Authority's review and consideration of the employee's requested reports, the question of the employee's physical or mental fitness to perform duties of the Classified Service may be finally determined by the Civil Service Commission in accordance with the Civil Service Rule 10.4.

**Section 10.13**      **Leave of Absence Without Pay:** The Appointing Authority has the power to grant leaves of absence without pay for up to thirty (30) days. Leaves beyond thirty (30) days must also be approved by the Civil Service Commission. All temporary employment caused by leaves of absence shall be filled from the appropriate employment lists.

## SECTION 11 - SEPARATION AND DISCIPLINE ACTION

**Section 11.1 Resignation:** Any employee wishing to leave the Classified Service in good standing shall file with the Appointing Authority and the Secretary/Chief Examiner, at least five (5) consecutive work days before leaving, a written resignation stating the effective date of the resignation and the reason for such resignation. Failure to comply with this procedure may be considered cause for denying such employee future employment in the Classified Service. Unauthorized absence from work for a period of five (5) consecutive days may be considered by the Appointing Authority as a voluntary resignation.

**Section 11.2 Lay-off:** The Appointing Authority may lay off any employee in the Classified Service whenever such action is made necessary by reason of shortage of work or funds, the abolition of a position because of changes in organization, or other reasons outside the employee's control, which do not reflect discredit on the services of the employee. However, no regular or probationary employee shall be laid off while there are temporary or provisional employees serving in the same class of position for which the regular or probationary employee is eligible and available.

Lay-off of probationary or regular employees shall be made in inverse order of seniority in the class of work involved. Whenever seniority does not establish a definite seniority differential, the order of lay-offs shall be determined by the relative standing on the employment list from which appointed. In lieu of lay-off, a regular or probationary employee may request demotion to a position in a lower classification within the same promotional series, thereby filling the position held by the employee with the least seniority in the lower classification. No employee so demoted shall displace a regular employee except in the order of seniority as determined in these Rules.

The names of regular or probationary employees laid off, or demoted in lieu of lay-off, shall be placed in order of seniority on the re-employment/re-appointment list for the class from which the lay-off took place. The period of eligibility for re-employment by appointment from the re-employment/re-appointment list will be without limitation from the date of layoff.

**Section 11.3 Discharge, Demotion or Suspension of Permanent Employees:** The tenure of every person holding office, place, position, or employment under the provisions of this chapter 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 privileges or other special privileges for any of the following reasons:

- Incompetency, inefficiency, or inattention to, or dereliction of, duty.
- Dishonesty, intemperance, immoral conduct, insubordination, discourteous treatment of the public or a fellow employee, or any other action, omission or commission tending to injure the public service or any other willful failure on the part of the employee to properly conduct him/herself.
- Mental or physical unfitness for the position which the employee holds.

- Dishonest, disgraceful or prejudicial conduct.
- Drunkenness or use of intoxicating liquors, narcotics, or any other habit-forming drug, liquid, or preparation to such extent that the use thereof interferes with the efficiency or mental or physical fitness of the employee, or which precludes the employee from properly performing the function and duties of any position under Civil Service.
- Conviction of a felony, or misdemeanor, involving moral turpitude.
- Any other act, or failure to act, which, in the judgment of the Civil Service Commission, is sufficient to show the offender to be an unsuitable and unfit person to be employed in the public service.

**Section 11.4 Removal, Suspension, Demotion - Procedure - Appeal:** No person in the Classified Service who has been permanently appointed or inducted into the Civil Service, shall be removed, suspended, or demoted except for cause, and only upon written accusation of the Appointing Power or any citizen or taxpayer. A written statement of which accusation, in general terms shall be served upon the accused and a duplicate filed with the Commission. Any person so removed, suspended or demoted may, within ten (10) days from the time of his/her removal, suspension or demotion, file with the Commission a written demand for an investigation. Whereupon the Commission shall conduct such investigation. The investigation shall be confined to the determination of the question of whether the removal, suspension or demotion was made in good faith for cause. After such investigation, the Commission may affirm the removal, or if it finds that removal, suspension or demotion was not made in good faith for cause, shall order the immediate reinstatement or re-employment of such person in the office, place, position or employment from which the employee was removed, suspended, or demoted, which reinstatement shall, if the Commission so provides, be retroactive, and entitle such person to pay or compensation from the time of removal, suspension or demotion.

The Commission, upon such investigation, in lieu of affirming a removal, may modify the order by directing the suspension without pay, for a given period, and subsequent restoration to duty, or demotion in classification, grade, or pay. The findings of the Commission shall be certified, in writing to the Appointing Authority, and shall be forthwith enforced by such officer.

All investigations made by the Commission pursuant to this section shall be by public hearing, after reasonable notice to the affected employee of the time and place thereof. At which hearing the affected employee shall be afforded an opportunity to appear in person and be represented by counsel and present a defense. If order of removal, suspension or demotion is concurred with by the Commission or a majority thereof, the affected employee may appeal therefrom to the Superior Court of the County wherein he/she resides. Such appeal shall be taken by serving the Commission, within thirty (30) days after the entry of its order, a written notice of appeal, stating the grounds thereof, and demanding that a transcript of the record and of all papers on file in the office of the Commission affecting or relating to its order, be filed by the Commission, with the court. The court shall thereupon proceed to hear and determine the appeal in a summary manner. Such hearing shall be confined to the determination of whether the order of removal, suspension

or demotion made by the Commission was, or was not, made in good faith for cause, and no appeal shall be taken except upon such ground or grounds. The decision of the Superior Court may be appealed to the Supreme Court or the Court of Appeals.

**SECTION 12 - DISCRIMINATION**

**Section 12.1 Discrimination:** Appointment or promotion to any position in the Classified Service shall be made solely on merit, efficiency and fitness and no such appointment or promotion shall be withheld or denied because of race, color, creed, national origin, political affiliation or belief, sex, marital status, age or presence of any mental, physical or sensory handicap, unless based upon a bonafide occupational qualification, nor shall any person be dismissed, demoted or reduced in grade for such reason.

## SECTION 13 - POLITICAL ACTIVITY

**Section 13.1 Political Activity:** No member of the Classified Service shall be required to contribute to any political fund or render any political service to any person or party, whatsoever, and no member of the Classified Service shall be removed, reduced in grade or salary, or otherwise prejudiced for refusing to do so.

No public officer, whether elected or appointed, shall discharge, promote, demote, or in any manner, change the official rank, employment, or compensation of any member of the Classified Service, or promise or threaten to do so, for giving, or withholding, or neglecting to make any contribution of money, or service, or any other valuable thing, for any political purpose.

Members of the Classified Service shall have the right to vote and to express their opinions on all political subjects and candidates and to hold any political party office or participate in the management of a partisan political campaign. Nothing in this rule shall prohibit a member of the Classified Service from participating fully in campaigns relating to nonpartisan offices, constitutional amendments, referenda, initiatives and similar issues.

A Classified Civil Service employee shall not hold a part-time public office in a political subdivision of the State of Washington when the holding of such office is incompatible with, in conflict with, or substantially interferes with the discharge of the employee's official duties.

## SECTION 14 - SEVERABILITY CLAUSE

**Section 14.1 Severability Clause:** If any section or part of a section of these Rules is held by any court to be invalid or unconstitutional, the same shall not invalidate or impair the validity, force and effect of any other section or part of a section of these Rules unless it clearly appears that such other section, or part of a section, is wholly or necessarily dependent for its operation upon the section or part of a section so held invalid or unconstitutional.



**PROSSER CIVIL SERVICE COMMISSION**  
601 7<sup>th</sup> Street  
Prosser, WA 99350  
(509) 786-2332

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**HEARING REQUEST**

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

I, \_\_\_\_\_, hereby request a hearing before the Prosser Civil

Service Commission pertaining to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

My title at the time of this request is:

\_\_\_\_\_  
\_\_\_\_\_

I feel the action taken was not in accordance with the Civil Service Rules and Regulations. The reason(s) I feel this/these action(s) is/are not appropriate are:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I do understand that this is a formal hearing and that I may bring legal representation with me. I would like my hearing at the earliest possible date. When contacted, if I need more time to prepare my case, I will request it in writing to the Prosser Civil Service Commission.

Thank you,

\_\_\_\_\_  
Signature

Approved:

\_\_\_\_\_  
Chief of Police Date

\_\_\_\_\_  
Prosser Civil Service Commission Date