

Thurston County Civil Service Commission

Civil Service Rules

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s/JR

Jennifer Roberts, Chair

s/JM

John Martin, Commissioner

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1. PURPOSE, AMENDMENT, ADMINISTRATION AND DISTRIBUTION

- 1.1 Purpose:** The purpose of these rules is to supplement the provisions of Chapter 41.14 RCW, which provides for a merit system of employment for Sheriff's Office employees. The rules set forth the principles and procedures that are to be followed in the conduct and administration of the Thurston County Civil Service program. The rules are designed to provide the public, the Sheriff, and employees with reasonable assurance that personnel actions will be carried out uniformly, equitably, and upon the basis of merit principles.
- 1.2 Amendment:** Proposals for amendments to these rules may be submitted in writing to the Commission by a Commissioner, the Sheriff, an employee, or any other interested person. Prior to the adoption, revision, or repeal of any rule, the Commission shall hold at least one public hearing. Notice of such hearing must be given at least ten days prior to the hearing by providing the Sheriff and Sheriff's Office employees with copies of the proposed amendment together with notice of the time, date, and place of such hearing. Notice will be given by transmitting a memo to the Sheriff and sending an email copy to all Sheriff's Office employees.
- 1.3 Administration:** The Chief Examiner is responsible for the administration of these rules and shall keep a record of all proposed amendments to these rules together with any action taken thereon.
- 1.4 Copies of the Rules:** A copy of these rules shall be posted and available to interested parties on the Civil Service website. Upon written request, the Chief Examiner shall provide a hard copy of the rules to any interested party.
- 1.5 Notices:** Whenever these rules require service of a notice or mailing to an applicant or eligible, the notice or mailing may be provided by e-mail-if the applicant or eligible has provided an e-mail address.
- 1.6 Severability:** If any provision of these rules or their application to any person or circumstance is held to be invalid, the remainder of these rules and their application to other persons or circumstances shall not be affected.

2. DEFINITIONS

Definitions of terms used in these rules and regulations: Unless a different meaning is plainly required by the context, the following words and phrases, as used in these rules and regulations, have the meanings indicated.

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

APPOINT. The act of the appointing authority in assigning to a position an eligible applicant who has been certified by the Chief Examiner for assignment in such position.

APPOINTING AUTHORITY. As applied to these rules, Thurston County's elected Sheriff or designee.

BREAK IN SERVICE. A separation from civil service status with a loss of accumulated civil service credit.

CANDIDATE. Any applicant who has completed, or is in the process of completing, a civil service examination.

CANDIDATE ROSTER. A ranked list of candidates for a specific eligibility list who have passed an examination and initial screening for qualifications. The candidate roster is not an eligibility list, nor does a candidate's placement upon a candidate roster imply that the candidate will be moved to an eligibility list.

CERTIFY. The act of the Chief Examiner in supplying the appointing authority with the names of eligible persons to fill a vacant position in the classified service for which certification is requested.

CHIEF EXAMINER. The Thurston County Chief Examiner appointed by the Commission in accordance with RCW 41.14.050, or his or her designee.

CLASS/CLASSIFICATION. 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 salary range. There are three categories of classifications:

A. ENTRY CLASSIFICATION. A classification for which there is no required minimum period of service with the Thurston County Sheriff's Office in a classification immediately lower and are part of a job family. The following are entry classifications:

Deputy Sheriff
Corrections Technician

Corrections Deputy
Support Specialist

Financial Operations Assistant

B. PROMOTIONAL CLASSIFICATION. Any classification for which there is a required minimum period of service in a classification immediately lower and are part of a job family.

Operations Captain
Operations Lieutenant
Operations Sergeant

Corrections Captain
Corrections Lieutenant
Corrections Sergeant

Support Supervisor

C. OTHER CLASSIFICATION. These classifications do not meet the criteria of entry or promotional classifications, and include any new classifications added to the classification plan that are neither entry nor promotional classifications:

Bureau Staff Assistant
Accounting Manager

System Administrator

Business Applications Analyst

CLASSIFIED SERVICE. All positions within the Thurston County Sheriff's Office except those specifically included in the unclassified service.

COMMISSION. The Thurston County Civil Service Commission.

COMMISSIONER. Any one of the members of the Thurston County Civil Service Commission.

CONTINUOUS SERVICE. Employment in the classified service as a regular or probationary employee that is uninterrupted except for authorized leave of absence, disability or family medical leave, or separation due to layoff; however, time lost due to layoff, disability leave, or approved absence in excess of 30 days without pay shall not be included in the determination of length of continuous service except as otherwise provided by these rules or required by federal or state statute.

CONTINUOUS TESTING. A written examination or standardized physical ability test conducted on a continuous or periodic basis.

DEMOTION. The assignment of an employee from a promotional classification to a class which is immediately lower in the same job family, or the assignment of an employee from a position in one class to a position in a different class having a lower maximum salary range.

ELIGIBLE. A person listed on an active eligibility list that has rights under these rules to be certified for appointment.

ELIGIBILITY LIST. A list of eligibles who have qualified for appointment to positions within a certain class under the provisions of these rules, who have met all specific testing standards required for placement on that specific list, and who have not yet been appointed to such class or removed from such list in accordance with these rules.

EMPLOYEE. A person occupying a position within the classified service who is paid a salary or wage for services rendered.

EMPLOYMENT STANDARDS. Standards set by state law and personal conduct standards

approved by the Commission including, but not limited to, behavior, drug and alcohol use/abuse, driving record, criminal history, financial responsibility, and employment history.

EXTRA HELP. A temporary appointment above normal staffing levels during a short term, non-emergency situation requiring additional staff. Reasons for extra help include but are not limited to leaves, boat patrol, special events, training, and unforeseen service needs.

JOB FAMILY. A series of related classifications that require increasing levels of knowledge, abilities, responsibilities and a period of service within the Thurston County Sheriff's Office and the lower classification in order to meet eligibility requirements for the next higher classification.

LEOFF. Acronym for the Washington Law Enforcement Officers and Fire Fighters retirement system.

PART-TIME EMPLOYEE. An eligible person hired off of an eligibility list into the classified service of the Sheriff's Office that is either:

- A. Regular Part-Time:** an employee hired in a regular, county-budgeted position who is budgeted to work set hours on a regular, recurring basis for a minimum of twenty hours and less than forty hours per week, and is subject to the rights, responsibilities, and rules of civil service; or
- B. Non-Regular Employee:** an employee, limited to the classification of Corrections Deputy, hired into a part-time employee pool rather than a county-budgeted position, who works on an as-needed, intermittent basis to fill in for Corrections Deputies in regular positions or to supplement corrections shift strength as needed. Non-regular employees shall not be used to eliminate or delay filling regular positions with regular employees. Non-regular employees shall not be considered regular employees for the purpose of civil service administration, but are subject to the rights, responsibilities, and rules of civil service except that Civil Service Rules 6.10, 8.8, 8.9, 8.10, 8.11 and 8.13 do not apply.

PRE-EMPLOYMENT SCREENING STANDARDS. Employment standards approved by the Commission that are used to screen applicants for qualifications prior to performing a full background investigation, completion of all testing, or placement on an eligibility list.

PRELIMINARY RANKING EXAMINATION. An examination used to narrow and rank the field of applicants in the first phase of a multi-phased examination process.

POSITION. A group of current duties and responsibilities described by a job specification that has been assigned or delegated by the appointing authority and that requires the full time or part time service of an employee.

PROBATIONARY EMPLOYEE. Any employee who is serving a probationary period.

PROBATIONARY PERIOD. A trial employment period prior to regular employment to test the actual performance of duties and to determine the employee's fitness for the position.

PROMOTION. The assignment of an employee to a position in a class immediately higher than the employee's prior position, and which requires a minimum period of service in that lower classification.

PROMOTIONAL LIST. An eligibility list established by a promotional examination.

PROVISIONAL APPOINTMENT. A non-competitive appointment to fill a classified position pending establishment of an eligibility list for the class.

PROVISIONAL EMPLOYEE. Any employee filling a position by provisional appointment.

RECALL LIST. An eligibility list established by listing former regular or probationary employees who have been separated from the classified service by layoff and current employees who have been reclassified in accordance with Rule 4.8.

RECLASSIFY / RECLASSIFICATION. The change of a position from one classification to a different classification.

REHIRE LIST. An unranked list of persons who resigned voluntarily, left employment due to being laid off, or were reclassified or reallocated from the Sheriff's Office.

REGULAR EMPLOYEE. Any employee in the classified service who has completed a probationary period in a regular county budgeted position.

REDUCED IN RANK/CLASSIFICATION. As part of a disciplinary action, the appointing authority may elect to demote an employee to a classification with a lower salary range.

SELECTIVE CERTIFICATION. Certification of names from an eligibility list for a position as requested by the appointing authority based on specific bona fide occupational qualifications that are necessary for sexual privacy, medical or psychological treatment, or undercover law enforcement.

SHERIFF. The elected Thurston County Sheriff.

SUSPENSION. The temporary removal of an employee from duty.

TRANSFER. An internal movement within the Thurston County Sheriff's Office from one classification to a different classification without a break in service.

UNCLASSIFIED SERVICE. Consists of the positions of Sheriff, Undersheriff, Chief Deputy, Sheriff's Executive Aide, or such equivalent positions as designated in accordance with RCW 41.14.070. The unclassified service is exempt from the provisions of these rules.

VACANCY. An approved, budgeted position that is not occupied.

WORKING DAYS. For the purpose of any notice period provided for herein, means Monday through Friday, excluding legal holidays.

3. ORGANIZATION

- 3.1 Chair:** On an annual basis, the Commission shall elect one commissioner to serve as chair. The chair shall serve for a calendar year and continue to serve until a successor is selected.
- 3.2 Meetings:** The Commission will establish the time and place of the regular monthly meetings. Notice of the regular meeting schedule shall be transmitted at least annually by a memo to the Sheriff and will be posted on the Thurston County Civil Service website. Special meetings and executive sessions may be called in accordance with provisions of Chapter 42.30 RCW.
- 3.3 Chief Examiner:** The Chief Examiner shall, subject to direction by the Commission:
- A.** Prepare such forms and initiate such procedures as may be considered necessary, appropriate, or desirable to fulfill the Commission's responsibilities and duties.
 - B.** Maintain the classification plan provided for in rule four (4).
 - C.** Provide for the establishment and maintenance of such records as the Commission deems advisable or necessary.
 - D.** Certify or refuse to certify the payroll pursuant to the Commission's instructions.
 - E.** Develop and administer such recruiting and examination programs as may be necessary to obtain an adequate supply of competent applicants, and prepare eligibility lists based upon results of competitive examinations.
 - F.** Act as secretary to the Commission at its regular and special meetings by taking, transcribing, and maintaining minutes of such meetings; submitting the same for approval of the Commission and the signature of the chair; and performing such other duties related to meetings as may be assigned by the Commission.
 - G.** Perform such other duties, not inconsistent with Chapter 41.14 RCW or these rules, as the Commission may direct.
- 3.4 Continuation of Business:** If the Chief Examiner is unavailable, the Commission or chair may delegate the responsibility to perform duties of the Chief Examiner to a Thurston County employee other than an employee of the Sheriff's Office, provided that the Commission shall be briefed on the duties performed at its next regular meeting.

4. THE CLASSIFICATION PLAN

- 4.1 Classification and Appointments - General:** The Commission shall classify positions pursuant to RCW 41.14.070 within the classified service. The classification plan shall standardize titles, each of which shall be indicative of a range of comparable duties and responsibilities and shall have the same meaning throughout the classified service.
- 4.2 Classification of Positions:** The Chief Examiner will review the duties of each position and determine placement into an appropriate classification in accordance with the character, difficulty, and responsibility of its designated duties.
- 4.3 Classification Titles:** Classification titles shall be used in all personnel, accounting, budgeting, and financial records. No applicant or employee shall be appointed to or employed in a position in the classified service under a title not included in the classification plan.
- 4.4 Classification Specifications:** The classification specifications shall be used as a guide in the classification of positions and have the following force and effect:
- A.** The specifications are descriptive and not restrictive. They are intended to indicate the type and level of duties and responsibilities that may be performed by a particular class. Specifications are to be interpreted in their entirety and will identify distinguishing features from other class specifications.
 - B.** In determining the classification to which a particular position should be placed, the specifications of each classification shall be considered. Consideration shall be given to the knowledge, skills, abilities, duties, specific tasks, responsibilities, and qualifications of a class and to the relationship to other classes.
- 4.5 Use of Classification Plan:** The classification plan shall be used:
- A.** In preparing public announcements of examinations or vacancies.
 - B.** As a guide in preparing examinations that test the relative ability of applicants to perform the work of specific sequences.
 - C.** In determining promotional sequences.
 - D.** In providing uniform job terminology that is understandable to county officials, employees, and the general public.
 - E.** In creating employment lists from which qualified candidates may be certified to fill vacancies.
 - F.** As a guide for the appointing authority in assigning duties.

4.6 Maintenance of the Classification Plan: The Chief Examiner is responsible for maintaining the classification plan to ensure each position is appropriately classified. The Chief Examiner shall periodically recommend to the Commission, after consultation with the Sheriff, necessary amendments to the classification plan in the form of new classes, revision of existing classes, and the abolition of classes no longer required in the plan. Upon the Commission's approving the establishment of a new classification or the revision or abolition of an existing classification, the Sheriff and human resources shall be notified. Revisions of classification specifications and reclassifications within the classification plan shall be made as follows:

- A.** The Chief Examiner shall study the duties and responsibilities of each new position as it is created and place the position in the appropriate classification within the classification plan.
- B.** Changes in the duties and responsibilities of a position involving the addition of new assignments, or removal or modification of existing assignments shall be reported to the Chief Examiner by the appointing authority. If such changes are determined to be on-going and sufficient to justify a reclassification, the Chief Examiner shall reclassify such position to its appropriate class.
- C.** The Chief Examiner shall periodically review the classification of positions and, upon the basis of such review, make appropriate changes or recommend changes in the classification plan.
- D.** The appointing authority and all employees in a class subject to changes to the classification or reclassification shall be given written notice at least ten (10) days prior to the Commission meeting where the item will be considered.
- E.** Changes to classification specifications, must be approved by the Commission.

4.7 Revisions: Requests for revisions or review of classifications by the appointing authority shall be accompanied by position classification recommendations.

4.8 Status of Employees Reclassified: The status of regular employees affected by reclassification occurring in the administration of the classification plan shall be resolved in the following manner:

- A.** Any employee whose position is reclassified from one classification to a lower classification shall retain regular status in the classification from which the position is reclassified and shall, if practicable, be appointed to another position in that classification or voluntarily transferred in accordance with these rules. Otherwise, the employee shall be granted regular status in the lower classification and be placed on the recall list for the higher classification. Employees placed on the recall list under this provision shall have the same rights as employees placed on the recall list as a result of layoff.

B. Any employee whose position is reclassified to a substantially equivalent classification shall be given regular status in the position and classification to which allocated.

C. Any employee whose position is reclassified to a higher classification may occupy the reclassified position on a temporary basis until the Commission determines whether a test to demonstrate qualifications is needed. The employee shall be placed in a position as follows:

- 1.** If the employee can demonstrate that he or she meets the qualifications for the higher classification by passing a non-competitive exam for that classification, he or she will be placed in the higher position.
- 2.** The employee may choose to be placed in a vacant position either in the classification to which his or her position was formerly allocated, or a vacant position in a lower classification for which he or she is qualified as determined by the Chief Examiner. In the event that no vacancy exists in the former classification, the employee may choose to have his or her name placed on the recall list for the classification to which the position was formerly allocated. Employees placed on the recall list under this provision shall have the same rights as employees placed on the recall list as a result of layoff.

4.9 Classification Appeals: The appointing authority or any regular employee who believes his or her position has been improperly reclassified may appeal to the Commission within ten (10) days of the reclassification. Such appeals shall be in writing and fully set forth the reasons for appeal. Upon receipt of such appeal, the Chief Examiner shall set the matter for an informal hearing where interested persons shall be given an opportunity to be heard. Written notice setting out the nature of the appeal and the date, time, and place of the hearing shall be transmitted to the appellant and appointing authority with an email copy to all Sheriff's Office employees at least five (5) days prior to the hearing. Any decision of the Commission pursuant to this provision that modifies the classification shall be retroactive to the date the appeal was filed or a date mutually agreed upon by the County and the union.

4.10 Perform Duties of Class: The appointing authority shall neither require nor permit employees to perform duties outside their proper classifications except in emergencies and then only for a maximum period of thirty (30) calendar days, unless permission for a longer period is given by the Commission.

4.11 Reporting Violations of Classification Regulations: Any employee who believes he or she is being required to perform duties outside the proper scope of the appropriate class may notify the Commission in writing. The Chief Examiner shall investigate and report findings and recommendations to the Commission.

4.12 Request by Appointing Authority for Classification or Reclassification:

Whenever it becomes necessary to establish new positions or to significantly alter the duties and responsibilities of existing positions, the appointing authority shall submit a written request for classification or reclassification to the Chief Examiner.

5. RECRUITMENT & ELIGIBILITY

5.1 Announcement of Examination:

- A.** Notice of all promotional examinations shall be sent to all Sheriff's Office employees via email and notice may be provided in any other manner determined by the Commission or Chief Examiner.
- B.** Notice of all other examinations shall be posted on the Civil Service website and may be posted or advertised in any other manner as determined by the Chief Examiner or Commission. The notice shall state the applicable deadlines for submitting an application or applying to take an examination.
- C.** The Chief Examiner may amend any announcement providing a minimum of five (5) days notice.
- D.** All notices will be posted for a minimum of five (5) days.
- E.** All notices will identify the minimum qualifications set forth in the classification specification.

5.2 Filing of Applications:

- A.** All applicants for positions in the classified service for which applications are not limited to current Sheriff's Office employees must submit a signed Thurston County employment application. All applications must be received in the Commission's office within the time limit stated in the announcement of examination.
- B. Promotional Exams:** Applicants for promotional examinations must submit a notice of intent to test or other required materials as specified in the official announcement to the Chief Examiner within the time limit fixed in the official announcement of examination.

5.3 Change of Applicant's Address: All applicants are responsible for notifying the Chief Examiner in writing within two (2) working days of any change of address and change of e-mail address.

5.4 Notifications by Email: Notifications and/or correspondence to applicants and candidates will be sent via email unless other arrangements are made in writing to the Chief Examiner.

5.5 Qualifications: Applicants must meet the minimum qualifications set forth in the classification specification at time of submission of application, or for promotional testing, at time of submission of notice of intent to test. The Commission shall prescribe for each position such qualifications as in its judgment are necessary for job performance, which shall be set forth in the classification.

- A.** Unless specifically designated otherwise by the Commission or state law, the following shall be qualifications for all positions:
 - 1. Citizenship.** Applicants must be citizens of the United States or lawful permanent residents and able to read, write, and speak the English language so as to be easily understood.
 - 2. Age.** The minimum employee age shall be identified in the qualifications section of each entry-level classification and stated in the announcement of examination. The Commission shall accept applications from applicants not more than one (1) year under the specified minimum age. Applicants under the minimum age may be tested and placed on an eligibility list, but shall not be certified to fill a position until the minimum age requirement is met.
- B.** An employee may only qualify to take a promotional examination for the next classification immediately higher than the classification that employee currently occupies, except an employee on a recall list who completed probation in the position from which she or he was laid off, or demoted in lieu of layoff, may take a promotional examination for the next classification higher than the classification of the recall list.

5.6 Pre-employment Screening Standards. Pre-employment screening standards shall be included in the requirements section of each announcement of examination and on the Civil Service website.

5.7 Proof of Qualifications: The Chief Examiner may require evidence of a satisfactory degree of education, training, experience, or any other qualifications required for eligibility.

5.8 Rejection of Application: The Chief Examiner may reject any application or applicant for appointment, promotion, or re-employment for any of the following reasons:

- A.** The applicant lacks the minimum qualifications set forth in the classification specification.
- B.** The applicant fails to meet pre-employment screening standards.
 - 1.** If an application is rejected for failing to meet pre-employment screening standards, the applicant will be notified in writing. The notification will provide the reason for disqualification, a copy of the pre-employment screening standards, and will inform the applicant that a written response or additional information may be submitted to the Chief Examiner to reconsider rejection of the application.

- 2. The Chief Examiner shall consider any response or additional information received from an applicant and will make a determination based upon all available information. The Chief Examiner's determination will be final.
- C. The applicant has made a false statement on the application with regard to any material facts.
- D. The applicant, after notification, failed to timely respond to a request for contact, failed to provide requested information required for an examination or background investigation, or did not appear at the time and place designated for examination.
- E. The applicant has directly or indirectly paid or promised to pay any money or other valuable thing to any person to achieve appointment, promotion, or re-employment.

5.9 Applications for CJTC Academy-Certified Entry: Applicants for CJTC academy-certified entry Deputy Sheriff and Corrections Deputy must submit a completed Thurston County application and meet the following criteria:

- A. Meet minimum qualifications of the Thurston County position (Deputy Sheriff or Corrections Deputy) in which the applicant is applying, to include passing required examinations.
- B. Must have a current Washington State Criminal Justice Training Commission Basic Law Enforcement Academy Certificate (Deputy Sheriff) or Corrections Deputy Certification (Corrections Deputy).
- C. Must have been employed with a law enforcement agency in Washington State within the prior 12 months.

5.10 Applications for Lateral Entry: Applicants for lateral entry Deputy Sheriff and Corrections Deputy must submit a completed Thurston County application and meet the following criteria:

- A. Meet minimum qualifications of the Thurston County position (Deputy Sheriff or Corrections Deputy) in which the applicant is applying, to include passing required examinations.
- B. Must have a current Washington State Criminal Justice Training Commission Basic Law Enforcement Academy Certificate (Deputy Sheriff) or Corrections Deputy Certification (Corrections Deputy) or equivalent certification from another state-approved academy and have the ability to obtain an equivalency certification within the first twelve (12) months of employment by meeting the standards of the Washington State Criminal Justice Training Commission.
- C. Have successfully completed the testing process and been hired by another

jurisdiction from a civil service commission certified eligibility list or other like process.

- D.** Have at least 12-months continuous work experience and successfully completed any probationary period as a full-time, paid, peace officer with law enforcement authority (for Deputy Sheriff applicants), or as a Corrections Deputy with general corrections experience (for Corrections Deputy applicants).
- E.** From the most recent law enforcement or corrections agency, the applicant must have no more than a 12-month break in service.

6. EXAMINATIONS

- 6.1 Examinations:** All examinations shall be impartial and shall relate to those matters that will fairly test the capacity and fitness of candidates to efficiently perform the duties of the position to be filled. Examinations may include written, oral, physical fitness, and performance tests, or any combination of these. Tests may take into consideration such factors as education, experience, aptitude, knowledge, physical fitness, or any other qualifications or attributes that, in the judgment of the Commission or Chief Examiner, enter into the determination of the relative fitness of applicants. The results of personality tests, if given, may be considered as part of the scoring of any oral examination.
- 6.2 Continuous Testing:** The Commission may adopt continuous testing when the duration of the recruitment is open-ended and applications are accepted at any time. Continuous testing will be used for establishing the following eligibility lists:
- A.** Deputy Sheriff: Entry level, CJTC Academy-certified Entry, Lateral-Washington State-certified, Lateral-out of state-certified
 - B.** Corrections Deputy: Entry level, CJTC Academy-certified Entry, Lateral-Washington State-certified, Lateral-out of state-certified
- 6.3 Identity of Examinees Concealed:** The Chief Examiner may require that the identity of all persons taking a competitive test be concealed by use of an identification number for all or specific parts of the examination process until all scores are established.
- 6.4 Rating Examinations:** Final examination scores shall be expressed on, or converted to, a scale of one hundred (100) for maximum possible attainment with the required passing score set by the Commission or the Chief Examiner.
- 6.5 Minimum Score on each Section:** The Commission or Chief Examiner may set a minimum score for any part, parts, or phase of any examinations. Any candidate who fails to attain the minimum score on any phase of an examination will be ineligible to continue in the examination process.
- 6.6 Number of Applicants:** The Commission or Chief Examiner may limit eligibility in subsequent exam parts to those examinees scoring highest on a preliminary ranking exam or series of tests; provided, however, the number of examinees is established before the application deadline.
- 6.7 Review of Examinations:** If the Commission or Chief Examiner determines that the nature of an examination would allow review, a candidate may review the examination and the examination answer key. Such review must be requested and made within ten (10) calendar days after the examination. The review shall be made in the presence of the Chief Examiner, and the candidate may not take notes.
- A.** After such review, if a candidate wishes to challenge any answer, a written

challenge shall be submitted to the Commission. Such challenge must be made within the ten (10) day review period. All such challenges shall be considered by the Commission. If the Commission determines such challenge is valid, the examination answer key shall be revised accordingly. The original examination answer key, together with any changes, shall be used in scoring all examination papers.

- B.** No eligibility list shall be established until the Commission issues its determination.

6.8 Correction of Errors: Any error may be corrected by the Chief Examiner upon discovery at any time during the life of the eligibility list, but no such correction shall impact any appointments made prior to the corrections.

6.9 Veterans Scoring Criteria: Veterans, as defined in RCW 41.04.007, who obtain a passing score on an examination for original appointment, shall receive credit in accordance with Chapter 41.04 RCW. To receive such credit, the veteran must provide a Department of Defense Form DD 214 or other documentation acceptable to the Chief Examiner prior to or on the day of examination unless other prior arrangements are made with the Chief Examiner. In addition, applicants must certify that they have not previously obtained employment using such veteran's preference.

6.10 Promotional Examinations: Except for classes in which there are provisions for both open competitive testing and promotional testing, vacancies in a classification requiring a period of service within a job family must be filled through promotional examination. When a class has provisions for both open competitive testing and promotional testing, the Chief Examiner may select either promotional testing alone, or a combination of promotional and open competitive testing. When it is determined that there will be a promotional examination, the Chief Examiner shall:

- A.** Establish, in addition to other eligibility requirements, the required minimum period of service in the lower classification or classifications, which shall not be less than one year;
- B.** Set the minimum score required to advance in each phase of a multi-phased examination process if a minimum score will be required;
- C.** May set a maximum number of applicants that may advance at the completion of each phase of a multi-phased examination process, if appropriate.
 - 1.** When two or more applicants achieve the same minimum score and occupy the lowest rank of applicants approved to advance from the preliminary ranking examination, then all applicants with that minimum score advance to the next phase of the examination process even if the resulting number of applicants to advance will exceed the maximum set in accordance with Section 6.10.
 - 2.** A preliminary ranking examination may be waived by the Chief Examiner

when the number of applications received at the deadline for filing applications is equal to or less than the number approved to advance from a preliminary ranking examination.

- 6.11 Qualified as Eligible for Promotion:** Applicants that successfully complete an assessment center examination or other type of final examination phase and are determined to be qualified as eligible for promotion will be ranked on the appropriate promotional eligibility list.
- 6.12 Time Interval:** Any person who is removed from an eligibility list under Rule 7.3, 7.4 E, 7.4 F, or 7.4 G shall not be eligible to compete in another examination within six (6) months of the date of removal from that eligibility list unless restored to the eligibility list under the provisions of Rule 7.5 or otherwise authorized by the Commission.
- 6.13 Postponement and Cancellation:** Any examination may be postponed or cancelled at the discretion of the Commission or Chief Examiner. In either case, each applicant shall be notified in writing of the postponement or cancellation.
- 6.14 Re-use of Existing Standardized Written Examination Score:** Passing scores on a standardized, written exam may be used by candidates in subsequent examination processes for the same classification for up to one year after initial exam; provided that the Chief Examiner determines the written examination is the same or substantially similar. Candidates must inform the Chief Examiner of intent to use an existing score.
- 6.15 Establishment of Candidate Roster:** The Chief Examiner may establish a candidate roster for any classification. Each candidate will remain on the candidate roster for one year from the date of their examination unless removed earlier by placement on the eligibility list for the classification, or rejected in accordance with Rule 5.8.

7. ELIGIBILITY LISTS

7.1 Establishment of Eligibility Lists: The Chief Examiner shall establish and maintain such eligibility lists for the various classifications as are necessary to meet the needs of the Sheriff's Office. The names of applicants who meet the qualifications and receive passing scores on examinations shall be placed on the proper eligibility list in order of relative scores. When tie scores exist, persons shall occupy the same relative position. Candidates who qualify for placement on the CJTC academy-certified eligibility list are not also placed on the entry level eligibility list, even if qualified for both.

Types of eligibility lists that may be established in accordance with these rules include:

- A.** Entry Classification
- B.** CJTC academy-certified entry for Corrections Deputy and Deputy Sheriff only
- C.** Lateral-Washington State-certified for Corrections Deputy and Deputy Sheriff only
- D.** Lateral-out of state-certified for Corrections Deputy and Deputy Sheriff only
- D.** Rehire
- E.** Recall
- F.** Extra Help
- G.** Non-Regular for Corrections Deputy only
- H.** Promotional
- I.** Other

7.2 Duration

- A.** Each list shall remain in effect until exhausted or one (1) year. Prior to the expiration of an eligibility list or no later than the next Commission meeting following the date a list expires, the Commission may extend a list for up to a maximum of one year. However, a new eligibility list may be established pursuant to Civil Service Rule 7.6. An eligibility list can only be extended once.
 - 1.** Eligible persons not certified on expired eligibility lists are rendered no longer eligible when a list expires.
 - 2.** Eligible persons certified prior to expiration for a vacant position(s) shall continue to remain eligible for that vacant position(s) until filled. When that position(s) has been filled, certified names not selected from the expired list shall expire with the list.

- B. Continuous Testing Eligibility List.** When using continuous testing, the Chief Examiner may establish a minimum score or a maximum number of candidates from the candidate roster to create an eligibility list. Candidates on a candidate roster may be merged with the current eligibility list if the same examination was used. When merging lists, each eligible shall be ranked based on their examination scores, and their position on the list may change as additional eligibles are added and removed from the list. Each eligible shall remain on the list for one year, unless removed in accordance with these rules.

7.3 Removal of Names by Commission: The Commission will remove a person's name from any eligibility list if evidence disclosed in the pre-hire interview, polygraph test, medical examination, psychological examination, and/or background investigation establishes that the person is unfit for service.

- A.** At least ten (10) calendar days prior to the date on which the Commission is scheduled to consider the proposed removal, the Chief Examiner shall deliver to the person, or mail to the person's last known address, a notice containing the reason for the proposed removal and the date upon which the Commission will consider the issue. This notice is intended to give the person an opportunity to hear the specific issue being presented to the Commission by the appointing authority in support of the removal request. It is not a hearing for the applicant, and it does not give the person any right to review records generated by the appointing authority. The person may address the Commission in writing or in person, but the restoration provisions of section 7.5 do not apply to removals under this section.
- B.** The Commission shall review the applicant's background investigation file and shall hear from the Sheriff's representative and the Chief Examiner regarding the proposed removal.

7.4 Removal of Names by Chief Examiner: The Chief Examiner may at any time remove the name of an eligible person from an eligibility list for any one or more of the following causes:

- A.** A request from the eligible person that his or her name be temporarily or permanently removed.
- B.** Failure to respond to an inquiry by the Commission or Sheriff's Office regarding the eligible person's availability.
- C.** Failure to respond to any documented request for any form of contact within the established and published period of time, or failure to provide requested information in connection with any one of the following: medical examination, background investigation, employment interview, polygraph examination, or psychological examination.

- D.** Declining an offer of regular employment.
- E.** For attempted deception, fraud, or other impropriety in connection with any application or test or the securing of an appointment.
- F.** Failure to pass a required test, to include the polygraph examination.
- G.** If evidence disclosed in the pre-hire interview, polygraph examination, medical examination, psychological examination, and/or background investigation establishes that the person is unfit for service.
- H.** In any case where the Chief Examiner finds that an eligible person is or has in any manner become disqualified for the position for which they are listed in accordance with Rule 8.5.
- I.** Failure to notify the Chief Examiner of changes in address.
- J.** In the case of promotional lists only, upon separation, other than layoff, from the classified service.
- K.** Accepting an offer of employment with another law enforcement agency, provided that the removal will only become effective 14 days after the Chief Examiner sends written notice to the eligible that his or her name will be removed and the Chief Examiner does not receive a response from the eligible requesting to remain on the list.

7.5 Restoration of Names to Eligibility List:

- A.** Whenever any person's name is removed from any eligibility list for the reason stated in Section 7.4 A, the removal shall be confirmed in writing by delivering it personally or mailing it to the person's last known address.
 - 1.** Such person may, at any time during the duration of the list, make a written request to the Chief Examiner for restoration of their name to the list for the duration of the eligibility list.
 - 2.** The Chief Examiner shall restore the name to the list within three (3) working days of the request, and shall mail confirmation of the action.
- B.** Whenever any person's name is removed from an eligibility list for any reason listed in Section 7.4 B through 7.4 J, the person shall immediately be given written notice delivered in person or mailed to the person's last known address.
- C.** Such person may, within ten (10) working days from the date of removal, make a written request to the Chief Examiner for restoration of his or her name to such list for the duration of the eligibility list. The request shall clearly set forth the reasons advanced for restoration of the name to the list.

1. The Chief Examiner, after full consideration of the request, may restore the name to the eligibility list or may refuse such request. The person shall be notified in writing of the Chief Examiner's action.
2. Should such a person wish to protest the Chief Examiner's decision, he or she must so notify the Commission in writing within ten (10) working days of the notification of refusal to reinstate.
3. The Commission shall then review the file, affirm or reverse the Chief Examiner's action, and notify the person of its decision.

7.6 Use of New Examination: The Commission may choose, at its discretion, to employ a new examination to establish a specific eligibility list. If a new examination is used by the Commission, the Commission reserves the right to require eligible persons to take the new examination to establish a new eligibility list. Notice will be mailed a minimum of ten (10) days prior to the examination date to eligible persons informing them of the requirement that they retest for the same eligibility list. The Commission may then establish an entirely new eligibility list based on the results of the new examination.

- A. The Chief Examiner will assess the new examination to determine if it is substantially the same as the previously-used examination with regard to format, subject matter, duration, and the like. If the new examination is substantially the same, results from the new examination may be used along with results from the previously-used examination to establish new eligibility lists.
- B. If the Chief Examiner determines that the new examination is substantially different than the previously-used examination, any eligible previously ranked on the eligibility list who fails to retest for the same eligibility list will be placed at the bottom of the new eligibility list for the remainder of the original eligibility period in their previously ranked order.

8. APPOINTMENTS

8.1 General Provisions: Vacancies in the classified service shall be filled by recall, promotional appointment, original appointment, or voluntary transfer. Whenever the appointing authority wishes to fill a vacancy, a requisition for an employee shall be submitted to the Chief Examiner on the prescribed form. Insofar as practicable, each vacancy shall be anticipated sufficiently in advance to permit the Chief Examiner to determine who may be available for appointment or if necessary, to establish a class or eligibility list. When vacancies are to be filled by appointment from lists, the lists shall be drawn in the following order:

- A.** Appointment of eligibles from recall lists.
- B.** Appointment of eligibles from entry level, lateral-Washington State-certified, lateral-out of state-certified, CJTC academy-certified entry, or promotional eligibility lists, or from the rehire list.

8.2 Personnel Requisitions: Whenever the appointing authority requests to fill a vacancy, a personnel requisition form shall be presented to the Chief Examiner specifying the eligibility list from which the names should be certified, the number of employees desired together with class titles of the vacant positions, and any other information the Chief Examiner may require.

8.3 Personnel Certification: Upon receipt of a written personnel requisition, the Chief Examiner shall certify to the appointing authority the names of the five (5) persons highest on the eligibility list to which the vacant position has been allocated. If more than one vacancy is to be filled in the same class, an additional name shall be certified for each additional vacancy. When two or more persons occupy the lowest rank to be certified, the names of all persons occupying that rank shall be certified. The appointing authority will appoint a person or persons from those certified to the vacant position or positions.

8.4 Notice of Certification and Appointment of Eligibles: The appointing authority shall file a written notice with the Commission of the certified person or persons appointed to each vacancy.

8.5 Status of Eligibles Not Selected for Appointment: Eligible persons certified but not selected for appointment by the appointing authority retain their positions on eligibility lists and shall be recertified in response to subsequent personnel requisitions.

- A.** For promotional eligibility lists, when the name of an eligible has been certified three (3) times and has not been appointed, the appointing authority may request the eligible person's name be removed from the eligibility list within five (5) working days of the last certification.
- B.** For all other eligibility lists, when the name of an eligible has been certified two (2) times and has not been appointed, the appointing authority may request the eligible person's name be removed from the eligibility list within five (5) working days of the last certification.

8.6 Selective Certification: The appointing authority may submit a requisition for selective certification of names to fill a position for which a specific bona fide occupational qualification is needed. Upon receipt of the request, if the Chief Examiner determines that the request is valid, the certification of names shall include only names of those individuals who satisfy the bona fide occupational qualifications. In all other respects, the certification shall be made in accordance with Rule 8.3. All selective certifications must comply with RCW 49.60.400.

8.7 Transfer between Classifications: The Sheriff or designee may make a request to the Civil Service Commission to fill a vacancy through a transfer process. Transfers may only occur to entry and other classifications. Transfers may not occur to promotional classifications.

A. The Chief Examiner will send an announcement of the transfer opportunity to all Sheriff's Office employees outlining the requirements to be considered and deadline for submitting a request for transfer. The deadline for submitting a request for transfer shall be at least ten (10) business days from the date of the Chief Examiner's announcement of the transfer opportunity.

B. To be considered for a transfer, an employee:

- 1.** Must meet the minimum qualifications of the class; and
- 2.** Must have taken and passed the qualifying examination for the classification within the previous twelve (12) months or have previously held regular status in the class to which the transfer is requested.

8.8 Selection and Notification of Transfer between Classifications: The Sheriff or designee shall assess all qualified employees who requested transfer. How candidates are assessed for transfer is at the discretion of the Sheriff or designee.

A. Within five (5) business days of selecting an employee for the transfer, the Sheriff or designee shall notify the Chief Examiner in writing of the transfer.

B. For all employees who requested transfer but were not selected, the Sheriff or designee shall provide written notification of the denial within five (5) business days.

8.9 Employees Transferred:

A. In the case of a voluntary transfer, the employee's length of service shall remain unbroken.

B. An employee selected for transfer shall retain regular status and shall serve a six (6) month probationary period in the new position. During such probationary period, the appointing authority may revert the employee to a position in the

class from which the employee came upon fifteen (15) calendar days' written notice to the employee and the Chief Examiner.

- C.** Upon receiving a written request from an employee, the appointing authority may reappoint an employee to a vacancy in the class from which the employee accepted a voluntary transfer. The employee shall retain regular status and the employee's length of service shall remain unbroken.
- D.** Probationary employees may request voluntary transfer only in the case of layoff. A probationary employee voluntarily transferred shall serve the probationary period remaining at the time he or she was transferred, or six (6) months, whichever is greater.

8.10 Rehire: Rehire lists shall be unranked employment lists of persons who resigned, left employment due to a layoff, or have been reclassified or reallocated from the Sheriff's Office. Rehire lists shall be maintained for the following positions: Deputy Sheriff, Corrections Deputy, Support Specialist, Bureau Staff Assistant, Financial Operations Assistant, Corrections Technician, Crime Analyst, and Systems Administrator.

- A.** The Chief Examiner shall place the name of any probationary or regular employee who resigns, voluntarily, leaves employment due to a layoff, or has been reclassified or reallocated, on the rehire list on the effective date of his or her resignation, layoff, reclassification or reallocation.
- B.** In lieu of filling a vacancy from an eligibility list, the appointing authority may appoint a person from the rehire list. In order to be eligible for the rehire as a Deputy Sheriff or Corrections Deputy, the person must have the current academy training certification from the Washington State Criminal Justice Training Commission for the classification in which he or she is to be rehired.
- C.** In order to be placed on the rehire list, a person must meet the following conditions:
 - 1.** The person was formerly employed as a probationary or regular employee in the same class in the Sheriff's Office; and
 - 2.** The person meets the current minimum qualifications for the class.
- D.** A person's name will be removed from the rehire list if not re-employed within three years of the date his or her name was placed on the list.
- E.** If a person on the rehire list refuses to accept an employment offer, he or she will be permanently removed from the rehire list.
- F.** A person employed from the rehire list shall be required to serve a one (1) year probationary period upon rehire.

8.11 Provisional Employees: Provisional employees may be appointed temporarily to vacant positions pending establishment of an eligibility list.

- A. Hiring of:** Prior to hiring a provisional employee, the Sheriff shall obtain approval from the Commission. Following such approval, the Sheriff shall forward to the Chief Examiner a completed application form for the employee together with salary and hire date.
- B. Performance Requirements:** Provisional employees must meet the civil service requirements as well as applicable physical and educational standards set by the Commission.
- C. Performance Tests:** When considered necessary by the Chief Examiner, a performance test will be given to prospective provisional employees. Performance requirements for typing, stenography, spelling, etc. must be met before approval of the provisional appointment.
- D. Extension of Appointment:** A provisional appointment expires after four (4) months of service. The appointing authority may extend the provisional appointment beyond the four (4) month period up to one year if the Commission continues to advertise and test for the position. Each extension beyond the initial appointment must be reported to the Commission. If, after one year from the date the initial provisional appointment was first made, less than five (5) persons are on the eligibility list for the class, then the appointing authority may fill the position with any person or persons on the eligibility list.

8.12 Emergency Appointment: Emergency appointments may be made by the appointing authority in case of a serious emergency that threatens life, property, or the general welfare of the County, but such appointments may not continue longer than thirty (30) calendar days. Emergency appointees need not be taken from eligibility lists.

8.13 Extra Help Employment: If the Sheriff believes that an upcoming situation will require extra help, the Sheriff may request a name from the current extra help list for the appropriate classification in writing from the Chief Examiner. Only Deputy Sheriff, Corrections Deputy, Corrections Technician, Support Specialist, and Financial Operations Assistant classifications may be hired as extra help. The Sheriff may use the appropriate extra help list to make emergency appointments.

- A.** No extra help appointment shall continue for a period longer than a total of 693 hours (4 months) nor shall any individual work more than 693 hours as an extra help appointee in any fiscal year.
- B.** Based on the facts in any particular case, the Commission may specifically limit an extra help appointment to a specific period shorter than the maximum time allowed.
- C. Extra Help List:**

1. The extra help list is an unranked list of individuals qualified to be appointed as extra help. A separate extra help list shall be established for each classification.
2. In order to be placed on the extra help list, an individual must submit a completed Thurston County application for extra help and proof of qualifications to the Chief Examiner.
3. The list shall contain the names of qualified applicants and the means of qualification. The list shall contain no more than twenty-five 25 names at any one time; additional applicants shall be placed on a waiting list in the order of the date received and shall be screened for placement on the extra help list as vacancies on the list occur.
4. Any person on the extra help list who has not worked in an extra help capacity at least one day in the preceding year shall be removed from the list unless a written request is submitted to the Chief Examiner to remain on the extra help list.

D. Extra Help List Qualifications:

1. Deputy Sheriff and Corrections Deputy:
 - a. Placement on current employment eligibility list for Deputy Sheriff or Corrections Deputy, or
 - b. A certificate of basic law enforcement training from a recognized accredited state training center, or
 - c. A certificate of Basic Law Enforcement Equivalency issued by the Washington State Criminal Justice Training Commission, or
 - d. Federally certified law enforcement officers (e.g. FBI, DEA, Military Police) and certified federal background investigators, or
 - e. A certificate of Reserve Academy completion issued by the Washington State Criminal Justice Training Commission, or
 - f. Proof of a minimum of two hundred forty (240) hours of full-time or reserve law enforcement or corrections experience within the preceding eighteen (18) months, sufficient to pass evaluation standards set by the Sheriff's Office.
2. Support Specialist:
 - a. Placement on current employment eligibility list for Support Specialist, or

- b. One year work experience in a clerical position; ability to use personal computer; ability to type accurately and proficiently.

3. Corrections Technician:

- a. Placement on current employment eligibility list for Corrections Technician, Corrections Deputy, or Deputy Sheriff, or
- b. Prior work experience in the corrections field.

4. Financial Operations Assistant:

- a. Placement on current employment eligibility list for Financial Operations Assistant, or
- b. One year work experience in accounting field; ability to use personal computer; ability to operate a calculator.

8.14 Temporary Vacancies: If a regular position is vacant on a temporary basis due to a leave of absence or other appropriate reason as determined by the Commission, the Commission may approve the hiring of a person for more than a total of 693 hours (4 months) to fill this vacancy.

- A.** All temporary vacancies caused by leaves of absence shall be offered to persons on the appropriate eligibility list. Refusal to accept such appointment shall not jeopardize the position of a person on the eligibility list.
- B.** If no eligible person agrees to such appointment or no eligibility list exists, the vacancy shall be filled in the same manner as a provisional employee.

8.15 Probationary Period: The probationary period is as an integral part of the examination process and shall be used for closely observing the employee's work, for securing the most effective adjustment of the new employee to the position, and for rejecting any employee whose performance or adjustment is not satisfactory.

- A.** All appointments, except those made from recall lists, shall be probationary for a period of one (1) year after appointment, except for appointees whose probationary period is extended as provided in this section. The probationary period for appointees who attend academy training shall be extended beyond one (1) year an equivalent number of days to the number the appointee was in attendance at the academy. Appointments made from recall lists shall be probationary for the period of probation remaining un-served at the time of the layoff. The appointing authority shall make such periodic reports during the probationary period as the Commission requires and shall certify to the Chief Examiner the name of each employee who satisfactorily completes the probationary period. At any time during the probationary period, the appointing authority may terminate the employment of any employee whose probationary period is not satisfactory, provided that the Chief Examiner shall be notified in

writing of such action.

- B.** If a regular employee who has been appointed to a higher class as a result of promotional appointment is found unsuited for the work of the higher class during the probationary period, that employee shall be reinstated to a position in the class in which the employee was promoted, provided that the employee held regular status in that class.
- C.** When an unclassified employee in the Thurston County Sheriff's Office uses his or her reversionary rights to return to a classified position, that employee shall be probationary only for the period of probation remaining un-served at the time of the appointment to the unclassified position. If the employee previously completed a probationary period in the class to which the employee returns, the employee shall have regular status in that position.

8.16 Non-Regular Employment: Non-regular employment shall be open to any person on any of the following Corrections Deputy lists who requests placement on the non-regular list, and who provides the Chief Examiner a schedule of availability to work: entry level Corrections Deputy eligibility list, CJTC academy-certified entry Corrections Deputy list, lateral entry Corrections Deputy list, rehire list, or recall list.

- A.** Individuals on the Corrections Deputy recall list shall be ranked first on the non-regular list and have priority in appointment to perform non-regular work assignments.
- B.** An individual may be hired as a non-regular employee based on schedule availability; however, individuals with identical availability shall be hired in the order certified by the Chief Examiner on the non-regular list.
- C.** Persons appointed as non-regular employees shall retain ranking on all eligibility lists.
- D.** Non-regular employees shall receive no preference in hiring for regular, county-budgeted positions. Non-regular employees shall have all hours worked counted for purposes of satisfying their one (1) year probationary period pursuant to Sections 8.16, provided such tenure is limited, and shall only be for continuation of employment in the non-regular capacity and shall not provide a preference for hire in regular, county-budgeted positions. Non-regular employees shall be ineligible to transfer within or between classes pursuant to these rules. Hours worked as a non-regular employee will not count toward the probationary period if appointed to a regular position.
- E.** Any non-regular employee who has not satisfied the probationary period may be removed from the non-regular list if he or she works less than two hundred eight (208) hours in any six (6) month period.

9. SEPARATION, SENIORITY, AND LEAVE OF ABSENCE

- 9.1 Resignation in Writing:** Resignation of an employee from the classified service shall be made in writing to the appointing authority and the fact of resignation shall be reported in writing to the Commission prior to the start of the next pay period.

The Commission may permit the withdrawal of a resignation upon a written request filed by the employee with the appointing authority prior to the effective date of the resignation, provided such request for withdrawal is supported by the appointing authority and a job offer has not been made to fill the position.

- 9.2 Layoff/Recall:** The appointing authority may lay off employees in the classified service whenever such action is made necessary by reason of shortage of work or funds, or the abolition of a position because of changes in organization; however, no regular or probationary employee shall be laid off while there are temporary or provisional employees serving in a position within the same classification for which the regular or probationary employee is eligible and available.

A. Layoff of probationary or regular employees shall be made in inverse order of seniority in the class involved. A regular or probationary employee, holding his or her position by virtue of promotional appointment may, upon receipt of a layoff notice, request demotion to a position in the class from which promoted in lieu of layoff. No employee so demoted shall displace a regular employee except in order of seniority.

B. The Commission shall be notified in writing of any such layoff. The names of regular or probationary employees laid off or demoted in lieu of layoff shall be placed in order of seniority on the recall list for the class from which the layoff or demotion took place. The period of eligibility for recall by appointment from the recall list shall be eighteen (18) months from the date of layoff. In order to be eligible for the recall as a Deputy Sheriff or Corrections Deputy, persons must have the current academy training certification from the Washington State Criminal Justice Training Commission for the classification in which they are to be recalled.

- 9.3 Seniority:** Seniority for the purposes of layoff, demotion in lieu of layoff, and re-employment shall be the length of service as a probationary or regular employee. Persons originally hired or promoted from the same eligibility list to the specific class involved shall be ranked in order of position on the eligibility list. In cases where seniority is identical, seniority shall be determined by lot.

- 9.4 Break in Service:** A leave of absence of greater than 30 days or a resignation shall be considered a break in service except for the following:

- A.** Employee is drafted into or, while subject to being drafted, enlists in or volunteers during time of war for service in the United States military.
- B.** Employee is granted medical disability leave for injury, sickness, or disease.
- C.** Employee is granted a leave of absence to work in an unclassified status pursuant to Section 9.6.

D. Unless required by state or federal law.

9.5 Leave of Absence: Voluntary leaves of absence without pay may be granted by the appointing authority to any employee provided the appointing authority gives notice of such leave in writing to the Commission.

A. Vacancies resulting from leaves of absence shall be filled in accordance with rule 8.17.

B. No leave shall be granted by the appointing authority for more than one (1) year without Commission approval.

9.6 Appointment to Unclassified Position: Any person who has been appointed to, accepts, and occupies continuously an unclassified position within the Thurston County Sheriff's Office shall retain civil service status.

A. Within thirty (30) days after termination of the appointment term in the unclassified position, the person must inform the Commission of his or her intention to assume the former classified position under civil service rules.

B. Seniority and benefits shall be computed on the same basis as though the person had rendered service in the classified position as set forth in these rules.

C. Should no vacancy exist in the classified position held at the time an unclassified position was accepted, a vacancy shall be created by removing from such position the incumbent with the lowest seniority standing. The incumbent shall have the same rights as an employee who is laid off, as set forth in these rules.

10. DISCIPLINARY PROCEEDINGS

- 10.1 Removal, Suspension without Pay, Reduced in Rank/Classification, or Deprivation of Privileges-Cause for:** The removal, suspension without pay, reduction of rank, or deprivation of privileges of employees may be effected by the appointing authority as provided by RCW 41.14.110.
- 10.2 Appeal of Removal, Suspension, Reduced in Rank/Classification, or Discharge:** Any regular non-probationary employee who is removed, reduced in rank/classification, suspended, or discharged may request a hearing by submitting a written request for appeal to the Commission within ten (10) days of the action that is the subject of the appeal. The request for appeal shall be in writing and include the following information:
- A.** Appellant's name, address, and phone number;
 - B.** A brief description of the facts giving rise to the appeal;
 - C.** A concise statement of the reason for the appeal;
 - D.** The remedy or relief requested; and
 - E.** A copy of the written statement or accusation that was the basis for the removal, demotion, suspension, or discharge being appealed.
- 10.3 Notice of Hearing:** The Chief Examiner shall notify the appointing authority of the appeal and shall schedule the hearing within the time periods established in RCW 41.14.120 unless the appellant and appointing authority agree to modify the time for scheduling and conducting the hearing.
- 10.4 Pre-Hearing Investigation:** The Commission or chair may authorize the Chief Examiner or other designee to investigate the matters set forth in the appeal and present a report on the matters at the hearing.
- 10.5 Preliminary Matters:** The Chief Examiner may decide preliminary matters, including timeliness of the appeal, discovery matters, or briefing schedules. The Chief Examiner may schedule the hearing and conduct pre-hearing meetings to discuss procedural matters, settlement or summary disposition, and may clarify the issues raised in the request for hearing.
- 10.6 Service:** All notices, documents, and papers regarding the appeal shall be served upon all parties by personal service or first class mail. Service shall be regarded as complete when personally delivered or upon deposit in the US mail.
- 10.7 Hearing:** At any hearing on appeal from a demotion, suspension, or termination, the appointing authority shall have the burden of showing that its action was in good faith for cause. Hearings may be conducted in informal fashion, and the Commission shall not be bound to follow technical rules of evidence. The Commission may designate a

hearing officer to carry out the proceedings.

- 10.8 Failure to Appear:** If anyone who requests a hearing fails to attend or participate in the hearing or pre-hearing conference, a decision denying the request may be entered, or the hearing may be conducted without the participation of that party, having due regard for the interests of justice, orderly, and prompt conduct of the proceedings.
- 10.9 Decision:** The Commission shall issue its decision within ten (10) days of the close of the hearing unless the parties agree to a longer period.

11. POLITICAL ACTIVITY, RACE AND CREED

- 11.1 Discrimination:** Appointment or promotion to any position in the classified service shall be made solely on merit, efficiency, and fitness. 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, religion, ethnicity, veteran status, sexual orientation, or the presence of any mental, physical, or sensory disability unless based upon a bona fide occupational qualification, nor shall any person be dismissed, demoted or reduced in scores for such reason.

12. RECORDS AND FILES

- 12.1 Security of Material:** General records, examinations, answer keys, examination instructions manuals, or material pertaining thereto shall be kept in a secured area. Persons entrusted with handling or processing of examinations shall exercise proper security control to prevent access to such material by unauthorized persons.
- 12.2 Record Retention:** Records shall be retained in accordance with Washington State records retention guidelines.