

FRANKLIN COUNTY CIVIL SERVICE COMMISSION

GENERAL RULES AND REGULATIONS



**Adopted by the Franklin County Civil Service Commission
January 8, 2019**

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GENERAL RULES AND REGULATIONS OF THE CIVIL SERVICE COMMISSION

FOR FRANKLIN COUNTY WASHINGTON

Pursuant to the provisions of Chapter 41.14 RCW, the Franklin County Civil Service Commission hereby establishes and adopts the following rules and regulations pertaining to positions classified as Civil Service:

RULE I - DEFINITIONS

Section 1- Definitions of Terms:

- (1) "Act" means the provisions of Chapter 41.14 RCW of the State of Washington.
- (2) "Applicant" is anyone who has filed an application to take a Civil Service Examination.
- (3) "Hiring Authority" means the Elected Official or Department Head who is vested with power and authority to select, appoint, or employ any employees subject to civil service.
- (4) "Appointment" includes all means of selecting, appointing, or employing any person to any office, place, position or employment subject to civil service.
- (5) "Commission" means the Civil Service Commission, and "Commissioner" means any one of the three members of such commission.
- (6) "County" means any county of the state, or any counties combined pursuant to Chapter 41.14.040 RCW for the purpose of carrying out the provisions of this chapter.
- (7) "Probationary Employee" shall mean an employee who is serving a probationary period.
- (8) "Provisional Employee" shall mean an employee filling a position without qualifying by Civil Service Examination, but appointed pursuant to the provisions of Chapter 41.14.060 RCW Section 7.
- (9) "Regular Employee" shall mean any employee in the classified service who has been regularly appointed after a probationary period.

RULE II - ORGANIZATION AND MEETINGS

Section 1 - The Commission shall hold regular meetings at least once a month. Additional meetings may be required for the proper discharge of the Commission's duties. All meetings shall be held in accordance with RCW 42.30.

Section 2 - All meetings and/or hearings of the Commission shall be held in Franklin County, Washington.

Section 3 - A Chair shall be selected by the Commission and shall hold office for a term not to exceed three years, PROVIDED that nothing herein shall preclude any person from holding office as Chair for successive terms.

RULE III – POWERS AND DUTIES OF THE COMMISSION

Section 1 – It shall be the duty of the Commission to make suitable rules and regulations, consistent with the provisions detailed in RCW 41.14.060.

Section 2 - The Commission or its designee shall provide practical examinations which shall consist only of subjects which will fairly determine the capacity of persons examined to perform duties of the position to which appointment is to be made.

Section 3 - The Commission shall investigate and report upon all matters regarding the enforcement and effect of the provisions of Chapter 41.14.060, and the rules and regulations prescribed hereunder.

Section 4 – The Commission shall determine appeals or complaints and conduct hearings and investigations in accordance with Chapter 41.14.060 and by the rules and regulations adopted by the commission.

Section 5 – When a vacant classified position is to be filled, the Commission or its designee shall certify to the hiring authority the names of the three persons highest on the eligible list for the class.

RULE IV - THE CHIEF EXAMINER

Section 1 - The Chief Examiner shall be appointed by the Commission and shall serve as Secretary.

Section 2 - The Chief Examiner/Secretary or their designee shall perform duties as defined in the act and determined by the Commission. In addition, the Chief Examiner/Secretary or his/her designee, in cooperation with the hiring authority and subject to the approval of the Commission, shall prepare and maintain a list of qualified applicants for positions in the classified service. Such classifications shall be in accordance with Rule V.

Section 3 - The Chief Examiner/Secretary or their designee shall prepare the examination questions and tests for the applicants for all positions. The Commission or its designee shall approve all questions and tests and may add to, modify, or withdraw any questions prior to testing.

Section 4 - The Chief Examiner/Secretary or their designee shall be present at all physical agility and written examinations and shall personally supervise these examinations in accordance with the rules herein, unless administered by a contract testing agency. The Chief Examiner/Secretary or their designee shall be present at all written and oral examinations for promotional purposes and shall personally supervise the examinations in accordance with the rules herein. The Chief Examiner/Secretary or their designee with the assistance of the commissioners or their designee shall grade and mark all written and oral examinations in a fair and impartial manner. The results of any examination shall not be disclosed without the express approval of the Commission and in compliance with any applicable public disclosure law.

RULE V - CLASSIFICATIONS OF POSITIONS

Section 1 – Classified and unclassified positions shall be designated in accordance with RCW 41.14.070

Section 1 - Unclassified Service

The positions authorized by these regulations shall include:

1. Commander-Law Enforcement Operations
2. Commander-Corrections Administrator
3. Captain (3)

Section 2 - Classified Service

The positions authorized by these regulations shall include:

1. Lieutenant (Corrections)
2. Sergeant (Patrol, Corrections)
3. Corporals (Corrections)
4. Deputy Sheriff
5. Corrections Deputy
6. Clerk
7. Maintenance Technician
8. Commissary/Visitation Clerk

RULE VI – APPLICANT QUALIFICATIONS AND PROVISIONAL APPOINTMENTS

Section 1 - An applicant for a position in the Classified Service under Civil Service with the Franklin County must:

1. Be a citizen or lawful permanent resident of the United States.
2. Read and write the English language.
3. Be at least 21 years of age.
4. Have or obtain a valid driver's license. Law enforcement applicants must have or obtain a valid Washington State driver's license within 60 days of hire.
5. Have a high school diploma or equivalent.
6. Pass a Civil Service examination
7. Pass a physical agility examination if applying for the position of Sheriff's Deputy or Corrections Deputy.
8. Be of good moral character.
9. Pass all Franklin County Sheriff's Office background requirements, including but not limited to a comprehensive background investigation and polygraph examination.
10. Be eligible for coverage by the County's liability insurance carrier.

Section 2 - A provisional appointee shall meet the minimum qualifications under Section 1 of this rule. The hiring authority shall notify the Civil Service Commission or its designee of a provisional

appointment. A provisional appointment shall not exceed four months in duration. No person shall receive more than one provisional appointment or serve for more than four months as a provisional appointee in any one fiscal year.

RULE VII – BURDEN TO SHOW QUALIFICATIONS

Section 1 - The burden shall be upon an applicant for any position under Civil Service to show that they possess the required qualifications.

Section 2 - The Commission may reject or reconsider an application whenever the applicant or eligible person is found to lack any of the minimum qualifications established in Rule VI.

RULE VIII - LIST OF ELIGIBLES, REQUISITIONS, AND APPOINTMENTS

Section 1 - All appointments to and promotions in the Civil Service shall be made solely on merit, efficiency, and fitness, which shall be ascertained by open competitive examination and impartial investigation as set forth here. No person shall be reinstated or transferred, suspended or discharged from any such place, position or employment, contrary to the provisions of Chapter 41.14 RCW.

Section 2 - All candidates, who have taken and passed any of the examinations (whether electronic, written, oral, or physical) given by this Civil Service Commission or its designee, shall be placed on an appropriate eligibility list in order of their grade on the examination. In the event of a tie, the candidates shall be ranked in order of the date the exam was completed. When the Hiring Authority requests candidates for appointment or hire, the Chief Examiner/Secretary, with the approval of the Commission, shall provide the Hiring Authority the names of the top three candidates on the eligibility list. However, should the hiring authority require an employee with a bona fide occupational qualification for the position, the Commission shall forward a list of the top three candidates which fulfill the required qualification. This same procedure shall also be applicable to promotion.

Section 3 - The basis for an applicant's standing on the eligibility list shall be the degree of excellence shown by examination and military service credit. The Commission has the discretion to credit a rating by two (2%) percent for each full year of service for the following candidates:

1. regular appointees in the department who voluntarily resigned while in good standing, and
2. temporary appointees whose appointments have been terminated for reasons unrelated to competency or character.

No such credits shall be given for any fractional part of a year served.

Section 4 - The Commission may abolish any eligibility list at any time and re-announce the examination, if required, to meet staffing needs.

Section 5 - Whenever a vacancy is to be filled in the Classified Service, the Hiring Authority shall request the Commission certify an eligible person for appointment. The Commission then shall certify to the Hiring Authority the name of the person entitled to appointment from the eligible list for the class. If there are no such lists, the Chief Examiner/Secretary, under the authority and direction of the Commission may authorize the Hiring Authority to fill the vacancy by a provisional appointment as defined in Rule VI. In such cases, the Commission may recommend persons to the Hiring Authority, provided that the person nominated possesses the qualifications essential to the performance of the work of the class.

Section 6 - If the person certified to the Hiring Authority declines the position, there is sufficient cause for dropping the name of the eligible person from the eligibility list. However, at the request of the eligible person, the Commission may examine the reasons for the declination of position and, upon a satisfactory showing, retain the name on the eligibility list.

RULE IX - APPLICATIONS FOR EXAMINATIONS

Section 1 –Notice/Postings shall be determined by the Chief Examiner/Secretary or their designee, except as otherwise specified by the Commission. Notice/Postings shall be provided in a manner reasonably designed to provide prompt notification to potential applicants.

Section 2 - All applications for examination shall be on forms prescribed by the Commission or its designee.

Section 3 – Any falsification, misrepresentation, or omission of any facts made by any person in connection with application for examination shall be cause to exclude the person from the register of eligible applicants.

Section 4 - An applicant with an incomplete application shall, if at all possible, be notified of the needed changes before the examination.

Section 5 - All applications for employment and accompanying certificates shall remain on file with the Chief Examiner/Secretary for a period of time in accordance with state and federal records requirements.

RULE X - NATURE OF EXAMINATION

Section 1 - All examinations shall be practical and consist of subjects which fairly determine the capacity of those examined to perform the duties of the position to which appointment is to be made. The examinations may include tests of physical fitness, oral, written, or electronic examinations. The oral examinations may be given by a Board of Examiners experienced in law enforcement under the supervision of the Chief Examiner/Secretary or their designee. The Chief Examiner/Secretary shall select the Board of Examiners with the approval of the Commission.

Section 2 - The Commission shall fix the relative weight of each examination subject, and the examinations shall be graded accordingly.

Section 3 – In all competitive examinations, unless otherwise herein provided, a Veterans' Scoring Criteria shall be applied as outlined in RCW 41.04.010.

Section 4 – A current Franklin County Reserve Deputy applicant being considered for employment with the Franklin County Sheriff's Office as a Deputy Sheriff shall be eligible to receive an additional 10% to their total score in the Deputy Sheriff examination to determine their position on the eligibility list, provided they:

- A. have successfully completed the Reserve Deputy PTO Program,
- B. have all required training,
- C. are classified as a Reserve Deputy with the Franklin County Sheriff's Office

- D. have served a minimum of three years as a Reserve Deputy,
- E. have worked a minimum of 600 reserve hours, and
- F. are a member in good standing

Section 5 - A current Franklin County Corrections employee (Deputy, Corporal, Sergeant, and Lieutenant) within the Franklin County Sheriff's Office being considered for employment as a Deputy Sheriff shall be eligible to receive an additional 10% to their total score in the Deputy Sheriff examination to determine their position on the eligibility list, provided they:

- A. have successfully completed their probationary period,
- B. have served a minimum of two years in the Franklin County Sheriff's Office,
- C. are an employee in good standing with the Franklin County Sheriff's Office

Section 6 - No person whose overall entrance examination score, exclusive of military service credit, averages less than 70% of complete proficiency shall be registered as eligible.

RULE XI – PROMOTIONAL EXAMINATIONS

Section 1 - Whenever practicable, vacancies for corporal, sergeant, lieutenant positions shall be filled by promotion from a lower position. Such promotions shall be by examination.

Section 2 - Examination for promotion shall be practical in character and shall cover subjects which test the general skills, accuracy and qualifications of the applicant for the position involved. Such examination may be written, oral and/or assessment center based. No employee or supervisor from the same division shall be allowed to participate in the exam administration process.

Section 3 – Candidate Responsibilities: Candidates shall appear at each part of the examination on time and be prepared to participate in the examination process. Except as authorized by the Chief Examiner/Secretary, a candidate may not assist another candidate or receive assistance during the examination from any person or source. A candidate shall follow all directions provided by the Chief Examiner/Secretary during the course of the examination. Failure of the candidate to comply with this section may result in disqualification of the candidate. Cheating on the examination will result in disqualification and notice will be sent to the hiring authority. The Commission may cancel or nullify all or any part of an examination if it finds that the examination has been compromised.

Section 4 – Notice to Candidates: The Chief Examiner/Secretary shall provide to candidates the examination results, including whether the candidate passed or failed all or part of the examination, the earned examination score, the final examination score, and ranking on the eligibility list. The Chief Examiner/Secretary shall correct clerical errors in the results of an examination or relative rankings when discovered during the life of the eligibility list. Such corrections shall not affect any appointment made from the register prior to the correction. Answer keys shall not be provided to any person other than the Commissioners, Chief Examiner/Secretary and persons authorized by the Chief Examiner/Secretary to score examinations.

Section 5 – Personnel Classifications and Eligibility Requirements:

PATROL SERGEANTS: Any Patrol Deputy in good standing who has completed probation and three years of service with the Sheriff's Office is eligible to take the Civil Service Examination for Sergeant. A Lateral Entry

employee who is in good standing, has completed probation and two years of service with the Sheriff's Office is eligible to take the Civil Service Examination for Patrol Sergeant.

CORRECTIONS LIEUTENANTS: Any current or former Corrections Sergeant, Corrections Corporal, or Corrections Deputy in good standing who has completed three years of service with the Sheriff's Office is eligible to take the Civil Service Examination for Corrections Lieutenant.

CORRECTIONS SERGEANTS: Any Corrections Corporal or Corrections Deputy in good standing who has completed one year of service with the Sheriff's Office is eligible to take the Civil Service Examination for Corrections Sergeant.

CORRECTIONS CORPORALS: Any Corrections Deputy in good standing who has completed one year of service with the Sheriff's Office is eligible to take the Civil Service Examination for Corrections Corporal.

Section 6 – For the purposes of promotional examinations only, the following will be considered as equivalent to service in the Franklin County Sheriff's Office:

1. Educational Credit: College courses typically considered for equivalency service would include, but not limited to: Police Science, Criminal Justice, Sociology, Political Science, and Psychology. Any other courses for equivalency purposes to be considered, will be at the discretion of the Sheriff. It is the responsibility of the employee to make a written request to the Sheriff for educational credit. Any official transcript should accompany this request.

- A. A college degree of four years is equivalent to two years of service.
- B. Completion of three years in college courses in a degree program is equivalent to one and one-half years of service.
- C. A college degree of two years is equivalent to one year of service.

2. Work Experience: Satisfactory service with another police agency or law enforcement agency, or related experience, may, at the discretion of the Sheriff, be substituted for Franklin County Sheriff's Office service.

Section 7 - In the event multiple applicants have the equivalent examination score, the applicants shall be ranked according to when completed application documentation was received by the Commission, and/or its designee. Should that ranking still result in a tie, the applicants shall be ranked according to date of hire within the Sheriff's Office.

RULE XII - EXAMINATIONS - HOW CONDUCTED

Applicants shall be subject to and comply with the rules and procedures established by the Commission's Civil service testing provider, before and at the time of examination.

Section 1 - Applicants must be present and ready to take the examination at the time and place specified for the examination. All applicants will be required to show government issued photo identification before being allowed to test. Late arrivals will not be admitted.

Section 2 - All instructions will be given before the examination begins.

Section 3 - The Chief Examiner/Secretary or their designee will make all necessary explanations to testers and will not explain any question to any individual applicant.

Section 4 - After an examination begins, no communication will be permitted among applicants.

Section 5 - During any examination, no applicant shall leave the room without permission of the Chief Examiner/Secretary or their designee. If an applicant leaves the room without permission before they have finished the examination, it will be collected and declared invalid.

Section 6 - The time allowed for examination(s) shall begin when all announcements, instructions, and explanations have been given and the information sheets are filled out.

Section 7 - The questions on each subject shall be answered within a specified time. At the expiration of the time all test materials will be returned to the Chief Examiner/Secretary or their designee.

Section 8 - Answers to the examination may be written in pencil or ink if being taken on a paper examination, and the applicant shall place all his/her answers on the examination sheet or attached sheets.

Section 9 - Chief Examiner/Secretary or their designee will require the applicant to turn in all testing materials at the conclusion of the examination. If any applicant abandons the examination or fails to complete it within the time allowed, the Chief Examiner/Secretary or their designee will note that fact,

Section 10 - Every examination shall be held in the presence of the Chief Examiner/Secretary or assigned designee in a room provided for that purpose.

Section 11 - Each applicant taking the examination, whether they failed or passed, shall be notified of their grade in the examination.

Section 12 - The Chief Examiner/Secretary or their designee, assisted by the Commission or its designee, shall grade and mark each examination. An applicant who is dissatisfied with his/her grading may appeal the matter to the Commission within ten days after receiving notice of the grade, by serving written notice on the Chief Examiner/Secretary or their designee of a request for review. The Chief Examiner/Secretary, in conjunction with the Commission or its designee, shall re-examine the examination and all other portions of the examination and either approve or change the grading as may appear just and proper. The grade thus established shall be conclusive.

RULE XIII – CONTINUOUS TESTING

Section 1 – With the Commission’s prior approval, the Chief Examiner/Secretary, may establish a list of eligible applicants who have been tested and certified for eligibility through a continuous subscription testing agreement process. The Chief Examiner shall verify that the Subscription Testing Service provides qualified testing resources that are content-valid and job-related.

Section 2 – Continuous testing shall mean a written or electronic examination or a standardized physical fitness/agility test conducted pursuant to set and commonly applied standards. The results of the testing shall be valid for a period of one calendar year from the date of certification to the Continuous Testing Initial Eligibility list. Continuous testing may, at the discretion of the Commission, be offered through the Chief Examiner/Secretary or pursuant to a subscription testing agreement.

Section 3 – Applicants certified pursuant to a continuous testing process shall be placed on the Continuous Testing Initial Eligibility list. Certification shall be in accordance with the rules and regulations of this Commission. As each applicant is placed in accordance with their scores and, if applicable, the Veterans’ Scoring Criteria (formerly known as Veterans’ Preference), the placement of all others on the list shall be adjusted.

Section 4 – Applicants placed upon this eligibility list shall be subject to such other testing processes as the Commission shall direct, including but not limited to oral boards or any other testing process conducted by the Commission or by a subscriber.

Section 5 – The names of candidates certified to this eligibility list shall remain on the list until either:

1. They are certified to a secondary hiring list following an oral board or other testing as established by the Commission,
2. One year has passed from the date of certification,
3. The candidate has been hired by another public safety organization,
4. At the candidate’s request,
5. Upon written notification from the Hiring Authority requesting their removal. When a request has been received from the Hiring Authority, written or electronic notification shall be sent to the candidate informing them of their reason for removal.

RULE XIV - LATERAL ENTRY HIRING

Section 1 – Lateral Entry hiring means the County is conducting open recruitment to hire trained and experienced commissioned law enforcement officers, and correctional officers, as an alternative to untrained or inexperienced personnel. When the hiring authority determines it is in the best interest of the County and/or public safety to hire trained and experienced commissioned law enforcement officers, and/or correctional officers an alternative to untrained or inexperienced personnel, the following provisions shall apply.

Section 2 - The hiring authority shall, in writing state their intention to fill a vacancy with a lateral entry candidate. The Commission, or its designee shall authorize the Sheriff to consider the first three candidates from the existing certified Lateral Entry Civil Service Register who possess the following minimum qualifications:

A. Law Enforcement:

- Certified by Washington State Criminal Justice Training Commission as a qualified law enforcement officer,
- Successful completion of probationary period with a bona fide government law enforcement agency,
- At least 24 months total full-time, law enforcement officer experience,
- Employed as a full-time, commissioned law enforcement officer within the last 24 months, and
- Satisfaction of all other minimum qualifications required of entry level applicants

Out of State Candidates

- Graduation from a state certified law enforcement officer training academy and ability to obtain an equivalency certification in Washington State,
- Possess, or be able to obtain within two months of hire date, Washington State driver's license,
- At least 24 months total full-time law enforcement officer experience,
- Successful completion of a probationary period with a bona fide government law enforcement agency,
- Employed as a full-time, commissioned law enforcement officer within the last 24 months, and
- Satisfaction of all other minimum qualifications required of entry level applicants

B. Corrections:

- Certified by Washington State Criminal Justice Training Commission for corrections,
- Successful completion of probationary period with a correctional facility,
- At least 18 months total full-time corrections officer experience,
- Employed as a full-time corrections officer within the last 24 months, and
- Satisfaction of all other minimum qualifications required of entry level applicants

Out of State Candidates

- Graduation from a state certified corrections officer training academy and ability to obtain an equivalency certification in Washington State,
- Possess, or be able to obtain, a Washington State driver's license within two months of hire date,
- At least 18 months total full time, corrections officer experience,
- Successful completion of a probationary period with a correctional facility,
Employed as a full-time, corrections officer within the last 24 months, and
- Satisfaction of all other minimum qualifications required of entry level applicants

Section 3 – For purposes of ranking, all lateral applicants will be ranked according to years of service in the respective field for which they are applying. In the event multiple applicants have the equivalent years of service, the applicants shall be ranked according to when completed application documentation was

received by the Commission, and/or its designee. Lateral Entry applicants claiming veteran's preference, will be given preference in accordance with RCW 73.16.010.

RULE XV - APPOINTMENTS - PROBATION

Section 1 - Discrimination. The right of any person to appointment or promotion to any position in the Sheriff's Office shall not be withheld because of their race, color, religion, national origin, age, sexual orientation, gender, disability, veteran status, or political affiliation, nor shall any person be dismissed, demoted, or reduced in grade for such reason.

Section 2 - No appointment, employment, or promotion in any position in the Classified Service shall be deemed complete until after the expiration of one year probationary service. In the probationary year, the Hiring Authority may terminate the employment of the person certified if the employee is found unfit or unsatisfactory for the position.

Section 3 - Extension of Probationary Period. A probationary period may be extended for up to three additional months by the Hiring Authority or his/her designee. The Commission may extend the probationary period for a longer period of time at the request of the Hiring Authority. A probationary period may be extended only upon a showing of good cause.

Section 4 - Interruption of Probationary Period. Interruption of service during a probationary period, such as Academy time, any leave of absence without pay, suspension or layoff, or other significant period of absence shall not be counted as part of the probationary period. Minor absences due to illness, vacations, annual military leave will not interrupt the probationary period unless the Commission determines that, cumulatively, they interfere with the Hiring Authority's ability to adequately observe the probationer's performance. If a probationer is granted a temporary leave to serve in a temporary or provisional appointment in a different class, the Commission at the request of the Sheriff may allow service in that temporary or provisional appointment to apply to the probationary period.

Section 5 - In terminating the employment of a probationary employee, the Hiring Authority shall fully and fairly consider the public interest and shall notify the commission of the termination in writing.

Section 6 – The Hiring Authority may assign an employee from the Classified Service to the Unclassified Service, which carries additional salary, duties and responsibilities. No permanent or vested rights, including one's permanent Civil Service status, shall be acquired or lost by reason of such assignment. The assignment shall remain in effect at the pleasure of the Hiring Authority. When an employee is re-allocated to the Classified Service, his/her position in Classified Service shall be equivalent to the position he/she occupied before placement in the Unclassified Service.

Section 7 - When vacancies are to be filled by appointment from employment lists, promotional lists shall have priority over the eligible list.

RULE XVI - TENURE - SEPARATION - SUSPENSION

Section 1 - The tenure of office of every regular employee shall be during good behavior and the satisfactory performance of his/her duties.

Section 2 - No person in the classified Civil Service who has been regularly appointed or inducted into Civil Service under provisions of this act, shall be removed, suspended or demoted except for cause, and only upon written accusations by the Hiring Authority, or any citizens or taxpayer. A written statement of the 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 days from the time of their removal, suspension, or demotion, file with the Commission a written request for an investigation. The Commission shall conduct an investigation, confined to the determination of the question of whether the removal, suspension, or demotion was made in good faith and for cause. After the investigation the Commission may affirm the removal or, if it finds that removal, suspension, or demotion was not made in good faith and for cause, shall order the immediate reinstatement or reemployment of the employee in the office, place, position, or employment from which they were removed, suspended or demoted. The reinstatement shall, if the Commission so provides, be retroactive and entitle the employee to pay or compensation from the time of removal, suspension, or demotion. The Commission, in lieu of affirming a removal, may modify the order by directing a suspension without classification, grade, or pay. The findings of the Commission shall be certified in writing to the Hiring Authority, and the Hiring Authority shall enforce the Commission's decision.

Section 3 - All investigations made by the Commission pursuant to this section shall be by public hearing after reasonable notice to the accused of the time and place. At the hearing, the accused shall be permitted to appear in person and/or by counsel and to present their defense. If the Commission or a majority of the Commission concurs in the order of removal, suspension, or demotion, the employee may appeal to the Superior Court of the State of Washington in Franklin County. The employee seeking review must serve the Commission within thirty days after the entry of its order with a written notice of appeal stating the grounds for the appeal. The appellant must file and pay a filing fee with the Franklin County Clerk's Office. , within ten days of the filing of the notice of appeal, the Commission shall produce, certify, and file in the Superior Court a verbatim transcript of the hearing and all the papers on file in the office of the Commission affecting or relating to its order. However, a delay in the preparation of the record shall be permitted if the court finds the delay is reasonable and does not unduly prejudice the employee's appeal. Upon receipt of the record, the Superior Court shall determine the appeal in a summary manner. The appeal 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 and for cause, and no appeal shall be taken except upon such grounds. The decision of the Superior Court may be appealed to the Supreme Court or the Court of Appeals as permitted under the Rules of Appellate Procedure.

Section 4 - Any person regularly appointed to the Classified Service may be removed, discharged, or suspended without pay; demoted or reduced in rank; or be deprived of vacation privileges or other special privileges for any of the following reasons:

- A. Any willful violation of the provisions of this act or the rules and regulations to be adopted here under.
- B. Incompetency, inefficiency, or inattention to or dereliction of duty.

- C. Dishonesty, intemperance, immoral conduct, insubordination, or discourteous treatment of the public or a fellow employee
- D. Any other act of omission or commission tending to injure the public service; or any other willful failure on the part of the employee to properly conduct himself/herself.
- E. Dishonest, disgraceful, or prejudicial conduct.
- F. Mental or physical unfitness for the position that the employee holds.
- G. Wantonly offensive conduct or language toward the public or fellow officers and employees.
- H. Carelessness or negligence in the use of county property.
- I. Willful violation of any lawful and reasonable regulation, order, or direction made or given by a superior officer where such violation has amounted to insubordination or has resulted in loss or injury to the County or to the public.
- J. The promotion by any officer or employee of discord among fellow officers or employees.
- K. 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.
- L. False statement of material fact in application for the Civil Service position.

RULE XVII - TRANSFER - REINSTATEMENT - LEAVE OF ABSENCE

Section 1 - Any position temporarily vacant may be filled by detail or transfer of any employee from within the same class. Details or transfers of more than thirty days duration must be approved by the Hiring Authority and the Commission after taking into consideration the circumstances that created such vacancy.

Section 2 - Any person who has received a regular appointment to any position and who has resigned without misconduct or inefficiency on their part, or is laid off because of curtailment of services or funds, or for any reason beyond their control may be reinstated to a position with the same or similar duties to those they previously performed, provided they have been approved by the Commission. Prior to making such Certification, the Commission or their designee may require the employee to pass a qualifying examination.

Section 3 - The Hiring Authority may grant a Leave of Absence without pay not exceeding six months to any person under Civil Service, provided the Hiring Authority gives notice of the leave to the Commission.

At the expiration of the authorized leave of absence, a promotional probationer or regular employee shall resume the same class of work with standing and service credit as determined by these rules.

Section 3 a. A request for a leave of absence longer than six months bearing the favorable recommendation of the Hiring Authority may be granted by the Commission.

A leave of absence for more than six months, when granted by the Commission, shall not entitle the employee to resume their former position at the end of the leave. Instead, the employee shall be entitled to a position on the reinstatement register for said position. However, such loss of position shall not apply if leave is in accordance with any Federal and Washington State laws, or a collective bargaining agreement. All time spent on leave of absence without pay, shall be deducted from the employee's total time in determining seniority or probationary time.

Section 3 b. No employee shall be granted a leave without pay to take a paid position, except where it appears in the best interest of the County.

Section 3 c. Any or all leaves of absence without pay may be cancelled whenever any necessity arises in the good-faith judgment of the Hiring Authority. The Hiring Authority may revoke an individual employee's leave without pay if it is found that the employee is using the leave for purposes other than that for which it was granted. Employees may be ordered to return to work immediately or as soon as practicable on written notice from the Hiring Authority of the cancellation or revocation of their leave. A copy of such notice shall be filed with the Chief Examiner.

Section 4 - No person holding any office, place, or position of employment in the Classified Service shall be required to contribute to any political fund or render any political service to any person or party whatsoever. No person shall be removed, reduced in grade or salary, or otherwise be prejudiced for refusing to do so. No public officer, whether elected or appointed shall discharge, promote, demote, or in any other manner change the official rank, employment, or compensation of any person under Civil Service or promise or threaten to do so for giving, withholding, or neglecting to make any contribution of money, service, or any other valuable thing for any political purposes.

RULE XVIII - REPORTS TO BE MADE

In order that the Commission may keep proper records of changes in the Classified Service, the Commission or its designee shall:

- A. Be made aware of every hire, transfer, promotion, provisional appointment and/or probational appointment made by the hiring authority.
- B. In January of each year, the Commission or its designee shall compile a list of active employees in classified positions. The report shall include employee name, position, and hire date.
- C. In January of each year, the Commission or its designee shall obtain in writing from the Hiring Authority, a list of bona fide occupational qualifications for each eligibility register maintained by the Commission. The bona fide occupational qualification shall remain in effect for the calendar year unless otherwise cancelled by the Hiring Authority.

- D. Every suspension or other disciplinary action made by the hiring authority or any officer or employee along with the reasons for the action.
- E. Every separation from service whether the separation was caused by death, dismissal or resignation.
- F. Every office created or abolished in the hiring authority's office.
- G. Every leave of absence, other than regular accumulated leave granted to a member of the sheriff's Office.
- H. Be made aware of every refusal or neglect to accept an appointment under the hiring authority by a person who has been duly certified.

RULE XIX - PUBLICITY

Section 1 - Pursuant to RCW 41.14.060, Section 1, these rules and regulations, and any amendments, shall be printed and made available to the public for free distribution.

Section 2 - A copy of these rules and regulations and any current amendments shall be made readily available to departments with Civil Service positions, and the Human Resources Department.

RULE XX - SEVERABILITY


Section 1 - If any section, sentence, clause or phrase of these rules should be held invalid or unconstitutional, such holding shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of these rules.

RULE XXI - AMENDMENTS

Section 1 - These rules and regulations may be amended, suspended, or changed from time to time by the Commission, as circumstances may require at any regular or special meeting of the Commission. The Commission shall submit a copy of the proposed amendment, suspension or change to the Hiring Authority.

RULE XXII - EFFECTIVE DATE

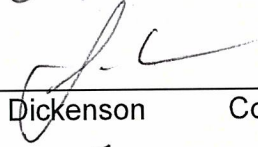
Section 1 - These rules and regulations of the Franklin County Civil Service Commission for the Franklin County Sheriff's employees shall become effective January 8, 2019.



Terry Trulson Chairman



Michelle Andres Commissioner



Jim Dickenson Commissioner



Eric Wyant Chief Examiner/Secretary



Approved to Form: Jennifer L. Johnson, Chief Civil DPA
Franklin County Prosecutor's Office
12/18/2018