

RULES AND REGULATIONS  
CIVIL SERVICE COMMISSION  
CITY OF CAMAS, WASHINGTON

Adopted: January 25, 1995  
Revised: October 13<sup>th</sup>, 1999

ATTEST:

\_\_\_\_\_  
Secretary/Chief Examiner

SIGNED:

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Commissioner

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Commissioner

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## **CIVIL SERVICE RULES**

In accordance with Chapters 41.08 and 41.12 of the Revised Code of Washington (hereinafter RCW), and Chapter 2.36 of the Camas City Code, the Civil Service Commission of the City of Camas, Washington, hereby adopts the following Rules and Regulations (hereinafter Rules) governing the conduct of Civil Service affairs for the City. These Rules supersede all previously published Civil Service Rules for the City. They may be amended from time to time as determined by the Commission.

### **SECTION I. SCOPE**

#### **1.01 Persons Covered.**

The Classified Civil Service System (hereinafter Civil Service) and these Rules cover all full paid members of the Police and Fire Departments of the City, except the Chiefs of those Departments. Organization of the two (2) Departments and individual job descriptions are determined by elected officials of the City. The term “full paid members” means regularly commissioned police officers, firefighters, and firefighter/paramedics, who devote their entire duty time to police, fire, or emergency services. The term “full paid members” also includes the social services specialist, and clerical and administrative personnel of the Police and Fire Departments who are employed full time and paid regularly

by the City, and who devote their entire duty time to police, fire, or emergency services.

1.02 General.

All appointments and promotions to positions subject to Civil Service shall be made solely on the basis of merit, efficiency, and fitness, which shall be ascertained by open competitive examination and impartial investigation. No person shall be appointed, promoted, reinstated, transferred, suspended or discharged under Civil Service in a manner contrary to the provisions of these Rules and Chapter 2.36 of the Camas City Code.

**SECTION II. CIVIL SERVICE COMMISSION**

2.01. Structure.

The Civil Service Commission shall be composed of three (3) commissioners, each appointed by the Mayor to a 6-year term of office. The commissioners shall receive no compensation. They must be U.S. citizens, residents of the City of Camas for at least three (3) years preceding appointment, and electors of Clark County. The chairman of the Commission is elected by the commissioners.

2.02 Meetings.

Regular meetings will be held on the second Wednesday of each month, unless there is no pending business requiring Commission action. Anyone with business for the Commission should notify the Secretary/Chief Examiner in

writing by 5:00 P.M. on the first Wednesday of the month. If there is business to be conducted, the Secretary/Chief Examiner will post the meeting agenda at City Hall. If there is no business to be conducted, the Secretary/Chief Examiner will post notice at City Hall that the meeting is cancelled. All Commission meetings are open to the public; however, the Commission may elect to meet in executive session when acting upon matters excluded from public view by RCW 42.30. Special meetings of the Commission may be held from time to time as needed. Persons seeking a special meeting should notify the Secretary/Chief Examiner in writing seven (7) days before the desired meeting date.

#### 2.03 Quorum.

Two (2) commissioners shall constitute a quorum, and the votes of any two commissioners concurring shall be sufficient for the decision of all matters and the transaction of all business by the Commission.

#### 2.04 Powers and Duties.

The Commission shall:

- (1) Make suitable detailed rules and regulations governing Civil Service, not inconsistent with Chapter 2.36 of the Camas City Code, and not in conflict with the purpose of the state Civil Service laws in RCW 41.08 and 41.12,
- (2) Investigate and report upon all matters relating to the enforcement and effect of Chapter 2.36 of the Camas City Code, and these Rules.

- (3) Provide for competitive tests to determine the relative qualifications of persons seeking employment or promotion in the Civil Service.
- (4) Prepare and maintain eligibility lists and reinstatement registers as needed for positions within Civil Service.
- (5) Certify names from the appropriate eligibility lists and reinstatement registers upon request of the appointing officer.
- (6) Hear and determine appeals arising from the administration of Chapter 2.36 of the Camas City Code, and these Rules.
- (7) Establish and maintain a roster of employees within Civil Service.
- (8) Keep such records as may be necessary for the proper administration of Chapter 2.36 of the Camas City Code, and these Rules.

#### 2.05 Rules and Regulations.

Civil Service Rules and Regulations may be amended at any meeting of the Commission, by a majority vote of the members. Persons submitting any proposed rules or amendments must do so in writing to the Secretary/Chief Examiner by 5:00 P.M. on the first Wednesday of the month, for consideration at the regular monthly meeting. Advance notice of such proposals will be included in the meeting agenda.

The Commission has the power to interpret the Rules, applying such principles as necessary to carry out the purposes and/or intent of state law,

Chapter 2.36 of the Camas City Code, and these Rules. Rules in effect at the time of any event being considered by the Commission shall be applied to such event.

#### 2.06 Commissioners – Challenge.

Any challenge to a commissioner's sitting at a hearing should be made by a party to the hearing at least seven (7) days prior to the hearing. The commissioners will review and rule on the challenge prior to proceeding with the hearing. Failure to timely raise a challenge will constitute a waiver of the challenge by the party unless, in the exercise of reasonable diligence, a basis for challenge is unknown by the party prior to commencement of the hearing. If, as the result of a disqualification, there is no longer a quorum, the Commission may select a temporary commissioner to participate in the hearing at issue.

#### 2.07 Certification of Payrolls.

In January each year, the Commission will certify that all Civil Service employees on the City payroll were hired in conformance with RCW Chapter 41, Chapter 2.36 of the Camas City Code, and Camas Civil Service Rules and Regulations; and that the payroll is a true and accurate statement. The Commission will keep a list of certified Civil Service employees. New employees will be certified and added to the list as they are employed. Employees who leave the Civil Service will be removed from the list when they depart.

#### 2.08 Retention of Personnel Records.

The Commission shall retain complete personnel records in conformance with the standards set forth in the Washington State Archives' Records

Management Manual and General Records Retention Schedule for Cities and Towns, disposition authority numbers C & T-10 and C & T-24a; RCW 40.14.070; and any other retention schedule of the Commission that has been approved by the Washington State Local Records Committee.

### **SECTION III. SECRETARY/CHIEF EXAMINER**

#### **3.01 Selection.**

The Commission shall appoint a Secretary and Chief Examiner as a result of competitive examination, open to full paid members of the Camas Police and Fire Departments. If no member of either Department applies, or if none of the applicants passes the examination, the position shall be declared open by the Commission to all citizens of Camas meeting the qualifications prescribed by the Commission.

#### **3.02 Duties.**

The Secretary/Chief Examiner shall:

- (1) Attend all meetings of the Commission.
- (2) Record and keep minutes of all meetings.
- (3) Keep all records for the Commission and maintain Civil Service files.
- (4) Make necessary arrangements for and supervise all examinations for the Commission, unless disqualified for personal reasons.

- (5) Keep a record of all examinations.
- (6) Arrange for preparation and posting or distribution of meeting notices.
- (7) Arrange for preparation of correspondence and other secretarial work required to discharge the duties of the Commission.
- (8) Perform such other duties as prescribed by the Commission.

**SECTION IV. QUALIFICATIONS FOR POLICE OFFICER,  
FIREFIGHTER, AND FIREFIGHTER/PARAMEDIC**

**4.01 Basic Requirements.**

An applicant for any Civil Service must a citizen of the United States of America, be able to read and write the English language, have graduated from high school or possess a general education development (GED) certificate, possess a valid driver's license, and be of good moral character. Conviction of a felony, or of a misdemeanor or gross misdemeanor involving dishonesty, drugs, theft, or sex offenses will be grounds for rejection of a candidate. For purposes of this section, a conviction shall include disposition of criminal charges by means of a deferred sentence or diversion agreement or similar arrangement.

**4.02. Age.**

No person shall be admitted to entrance examination for police officer, firefighter, or firefighter/paramedic, who is less than twenty-one (21) years of age at the time of examination.

#### 4.03. Burden of Proof.

The burden of proof shall be upon the applicant to show the Commission that he/she possesses the necessary qualifications.

#### 4.04 Physical Requirements.

Prior to certification, each prospective appointee shall be in possession of a valid driver's license, and shall pass a medical and physical examination as prescribed by the Commission. Such examination shall be taken by all eligibles before being reinstated. Examinations shall be at the expense of the City, and shall be conducted by regularly licensed physicians approved by the Commission.

#### 4.05 Background Investigation.

Before certification to an entry-level position, background investigation of the prospective appointee will be conducted by the Police Department, or by an outside agency selected by the Commission.

#### 4.06 Response Requirements.

Response requirements may be subject to collective bargaining between the City and the bargaining units that represent the police officers, firefighters, and firefighter/paramedics; and are set forth in the bargained contracts, if applicable. If a bargained contract does not address the issue, response

requirements are a matter of Department policy. It is the responsibility of the applicant to obtain information on response requirements from the appropriate Department.

#### 4.07 Special Requirements.

The Commission recognizes the need for additional minimum requirements in order to obtain the best possible candidates for a particular position. Department heads may develop additional minimum requirements at the time of recruitment based on the qualifications of the anticipated applicant pool, and the specific needs of the recruited position. The additional requirements shall be subject to Commission approval on an examination-by-examination basis. Such special requirements may include, but are not limited to, evidence of higher education, demonstrated proficiency in a particular skill, or certification in a particular field.

### **SECTION V. APPLICATIONS**

#### 5.01 Forms.

Application for examination shall be made on forms furnished by the City of Camas.

#### 5.02 False Statements.

Any false statement made by any person on, or in connection with, his/her application for examination, shall be cause for exclusion from the eligibility list, or

for removal or discharge from appointment. Omission of a material fact may be a basis to declare a statement false.

5.03 Closing Date.

Applications must be received in acceptable order by the specified closing date. Where it appears the applicant does not meet the qualifications for the position, he/she must be so notified promptly. A defective application shall be returned to the applicant.

**SECTION VI. ENTRY LEVEL EXAMINATIONS**

6.01 General.

Entry level examinations shall be practical and impartial and shall consist of subjects which will fairly determine the capacity of the candidate to perform the duties of the position to which appointment is sought. In addition to the examination, there shall be tests of physical ability and/or manual skill.

6.02 Type of Examination.

Examinations may be either written or oral, or a combination of both. The relative weight of each segment of the examination shall be determined by the Commission in advance and all applicants shall be informed of such determination before the examination. Because of the cost and time involved, the Commission may elect to limit the number of applicants who take the second and/or third segments of the examination (usually the physical fitness and/or manual skills test, and the oral examination). Should the Commission so elect to

limit such testing, such limitation shall be based on either a fixed number or fixed percentage of the highest scores on the first segment of the examination, and shall be announced in advance of the examination.

6.03 Credit for Military Service.

Pursuant to RCW 41.04.005 and 41.04.010, certain veterans are entitled to a military service credit. To be eligible to claim such credit, a veteran must meet at least one (1) of the following criteria:

- (1) The veteran must have served between World War I and World War II, or during a period of war as either
  - (a) a member of any branch of the armed forces of the United States of America or the American Red Cross,
  - (b) a member of the women's air force service pilots,
  - (c) a U.S. documented merchant mariner or civil service crewmember aboard an oceangoing vessel, between 7 December 1941 and 15 August 1945; or
- (1) The veteran must have received the armed forces expeditionary medal, or Marine Corps and Navy expeditionary medal, for opposed action on foreign soil for service in
  - (a) any branch of the armed forces of the United States of America,or

- (b) as a member of the women's air force service pilots.

He/she must also have received an honorable discharge, or a discharge for physical reasons with an honorable record. "Period of war" means World War I, World War II, the Korean conflict, the Vietnam era (5 August 1964 to 7 May 1975), and any future war declared by Congress.

A veteran must claim such credit within eight (8) years of the date of his/her release from active service, and must accompany his/her application for examination with a photostatic copy of his/her DD214 and evidence to show he/she meets the requirements of this paragraph. The percentages shown below shall be added, as a percentage of the applicant's score, to each numerically graded segment of the examination, but only after the applicant has received a passing grade on all segments of the examination:

Entry Level Examinations

- (a) Ten percent (10%) to a veteran not receiving veterans' retirement payments, or
- (b) Five percent (5%) to a veteran who is receiving veterans' retirement payments.

First Promotional Examination

- (a) Five percent (5%) to a veteran who, after previously receiving employment with the state or any of its political subdivisions or municipal corporations, shall be called or recalled to active duty for a period of one year or more during any period of war.

As long as the veteran remains qualified, the credit for military service may be claimed repeatedly until an examination results in the veteran's first entry-level appointment.

#### 6.04 Credit for Prior Service.

For entry-level positions only, a credit of one percent (1%) will be given for each full continuous year of satisfactory prior service in the Camas Police or Fire Departments. No such credit shall be given for any fractional part of a year's service, nor for promotional lists. Consideration for such credit will be given by the Commission to eligibles in the following categories:

- (1) Eligibles who have had previous paid service in the Department under a permanent appointment, who have voluntarily resigned therefrom while in good standing, and who are applying for a new appointment to an entry level position in the same Department.
- (2) Volunteer firefighters who are applying for appointment to an entry level position in the Fire Department.
- (3) Police reserve officers who are applying for appointment to an entry-level position in the Police Department.
- (4) Persons who have had previous paid service in the Camas Police or Fire Departments under permanent appointment, who are still employed in good standing or have voluntarily resigned therefrom in good standing, and who are applying for appointment to an entry level position in the other Department.

Total credit for prior service shall not exceed five percent (5%). Such credit shall be added, as a percentage of the applicant's score, to each numerically graded segment of the examination, but only after the applicant has received a passing grade on all segments of the examination. Total credit for prior service and military service combined shall not exceed ten percent (10%).

6.05 Passing Grade.

An applicant for an entry-level position must pass the minimum requirements in each of the following categories:

- (1) Seventy percent (70%) in the written segment.
- (2) The set standard in each of the physical ability and/or manual skill requirements.
- (3) Seventy percent (70%) in the oral segment.

No person shall be registered as eligible whose weighted average grade on the examination is less than seventy percent (70%), before any credit for military service or prior service. See Paragraph 7.04 for promotional position grade requirements.

**SECTION VII. PROMOTIONAL EXAMINATIONS**

7.01 Type and Scope of Examination.

Examinations for promotion shall be practical in character and shall embrace such subjects as will determine the qualifications of the applicants for the position sought. Examinations may be written or oral, or a combination of both. The relative weight of each segment of the examination shall be determined by the Commission in advance of the examination and the examination graded accordingly.

#### 7.02 Promotion from Within Policy.

When a vacancy occurs in a promotional grade, it shall, whenever practicable, be filled by promotion from within the Department involved. Examinations for promotion will be open only to qualified persons in the next lower grade of the Department in which the vacancy occurs, except if fewer than two (2) persons qualify for a particular promotional examination, the Commission may open that examination to other applicants in the next lower grade, or to qualified applicants in the second lower grade, of that Department. If after so doing, fewer than two (2) qualified candidates are found, then the examination may be opened to qualified candidates outside the Department involved.

#### 7.03 Time-in-Grade Requirement.

##### (1) FIRE and ALL CLERICAL

If promotion is sought to the next higher grade, the applicant must have a minimum of two (2) years seniority in his/her existing grade. If promotion is sought to a position two grades higher, the applicant must have a minimum of

four (4) years seniority in his/her existing grade. The Commission may modify these requirements if necessary to assure a competitive examination.

Police:

(2) POLICE

If promotion is sought to the position of Sergeant the applicant must have a minimum of four (4) years seniority as an Officer with the Camas Police Department, or two (2) years seniority as an Officer with Camas Police if hired under a lateral program.

- (1) Lateral is defined as having worked a minimum of two years in full time police position with another agency and possessing a certificate of completion from an accredited state police academy as approved by the Washington State Criminal Justice Training Commission.
- (2) An applicant seeking promotion to the position of Captain must have a minimum of two (2) years seniority at the rank of Sergeant with Camas Police.
- (3) If promotion is sought to a position two (2) grades higher the applicant must have a minimum four (4) years seniority in their current grade with Camas Police.

7.04 Passing Grade.

A score of least seventy-five percent (75%) on each segment of an examination for promotion is required for placement on the eligibility list. See Paragraph 6.05 for entry-level grade requirement.

7.05 Reexamination after Failure.

A person who has failed to pass a promotional examination may not be reexamined for the same or higher grade within six (6) months from the date of such failure.

**SECTION VIII. REINSTATEMENT REGISTERS AND ELIGIBILITY LISTS**

8.01 Reinstatement Registers.

A reinstatement register shall be kept for each grade, which shall contain the names of those laid off because of reduction in force or for like causes, not related to individual performance. Names shall be listed in order of seniority. Whenever two (2) or more persons have the same seniority, they shall have the same numerical position on the register. Continuance of any name on a reinstatement register shall be for five (5) years from the date of layoff of that individual, unless extended by the Commission.

8.02 Eligibility Lists.

All applicants, whether for initial appointment or promotion, who pass an examination for a position in the Civil Service shall be entered upon the list in the order of total weighted average score in the examination. Whenever two (2) or

more persons have the same score, they shall have the same numerical position on the list.

8.03 Duration of Eligibility Lists.

Entry level eligibility lists shall expire one (1) year from the date the list is established by the Commission, unless extended by the Commission.

Promotional eligibility lists shall expire two (2) years from the date the list is established by the Commission, unless extended by the Commission.

8.04 List May be Discarded for Cause.

The Commission may upon good cause, discard an entry-level eligibility list. An action to consider discarding an eligibility list may be initiated by the Commission itself or upon request with a showing of comprehensive, and compelling evidence. It may be based upon a determination that a substantial number of background investigations have shown that the testing process did not produce a list of qualified candidates from which to fill available positions. A request made by the City must be presented to the Commission in written form and shall include justification supporting the request.

**SECTION IX. APPONTMENTS TO CIVIL SERVICE**

9.01 Requisition by Appointing Authority.

- (A) Whenever a vacancy is to be filled in the Civil Service, the appointing authority shall make requisition on a form by the Commission for certification to him/her of eligibles.
- (B) The Classification of Firefighter and Firefighter/Paramedic shall be considered lateral positions. It is the intent to permit Firefighters and Firefighter/Paramedics, who possess the necessary qualifications, to make lateral transfers to vacant positions prior to requisition.

#### 9.02 Certification from Reinstatement Register.

In response to such requisition, the Commission shall certify in writing to the appointing authority the name of the top person from the appropriate reinstatement register.

#### 9.03 Certification from Eligibility List.

If there are no names on the appropriate reinstatement register, names for certification shall be taken from the appropriate eligibility list for the position to be filled, in order of appearance on the list.

If requisition is made for an entry level position, the Commission shall certify in writing to the appointing authority the names of the top ten (10) persons from the entry level position eligibility list, and the appointing authority shall then select one (1) of those persons so certified to fill the position.

If the requisition is for a promotional position and the eligibility list contains only the name of persons within the Classified Civil Service System of the City, then the Commission shall certify to the appointing authority the name of the person highest on the eligibility list and the appointing authority shall appoint that person.

If the requisition is for a promotional position and the eligibility list has been opened to persons outside the Department, the Commission shall certify to the appointing authority the names of the top three (3) persons from the appropriate eligibility list, and the appointing authority shall select one (1) of the three persons certified to fill the position.

#### 9.04 Provisional Appointment.

If there are no names on the reinstatement register for the position to be filled and all names have been exhausted from the appropriate eligibility list, the Commission may authorize a provisional list for the class, from which a provisional appointment may then be made. Such provisional appointment shall not continue for more than four (4) months; nor shall any person receive more than one (1) provisional appointment nor serve more than four (4) months as such appointee in any one 12-month period, starting from the date of the provisional appointment.

#### 9.05 Unique Qualifications; Waiver of Minimum Requirements.

Whenever the Commission is notified by the appointing authority that proficiency in any special or particular skill is needed in an entry-level position to be filled, and that the applicants should be tested to determine their proficiency in that subject or skill, the entry level examination may contain one (1) or more additional segments that test the applicants' proficiency.

The Commission may waive one (1) or more of the minimum requirements for good cause shown by an applicant. The applicant should submit in writing to the Secretary/Chief Examiner a statement containing: the applicant's name; the position applied for; the requirement(s) the applicant is seeking to have waived; and an explanation of why the requirement(s) should be waived for this applicant.

#### 9.06 Temporary Assignment.

For purposes of these regulations, a vacancy is defined as an unfilled permanent position in the Civil Service. When no vacancy exists, but when a temporary shortage of personnel occurs (because of, but not limited to, vacation scheduling, attendance at training seminars, military leave, sickness, or disability), request for certification of a name to fill the temporary shortage may be made by the appointing authority.

- A. If a current certified lists exists for the position, the appointment shall be made from said list.
- B. If a current certified eligibility list does not exists for the position, the appointment shall be made by appointing one of the employees in

the next lower grade. The employees shall be ranked in order of length of service, the employee with the most seniority being ranked first.

Such temporary assignment shall confer no right to be placed on the reinstatement register or on the eligibility list, if not already listed thereon; nor shall such temporary assignment otherwise affect the priority of those on either list. Temporary assignments under this paragraph shall be up to four (4) months; and may be extended for an additional four (4) months with approval of the commission, nor shall any person receive more than one (1) such temporary assignment as such assignee in any one 12-month period, starting from the date of the temporary assignment.

9.07 Refusal of Appointment. When certification of an eligible is made for any vacancy, such eligible may decline the appointment, or prior to certification may waive the same, upon giving reasons satisfactory to the Commission, without losing her/her position on the eligibility list. Unless so excused by the Commission, the refusal of an appointment tendered shall be sufficient cause for dropping the name of an eligible from the list.

9.08 CANCELLATION OF ELIGIBILITY AND Removal from Eligibility List.

The Commission may remove the name of an individual from the eligibility list at any time upon the individual's request, or for any of the following reasons:

- (1) Failure of the eligible to appear for employment interview, testing, or appeal hearing within the time limits specified.

- (2) Whenever an individual is passed over three (3) times. A pass-over occurs:
  - (a) when an eligible requests that he/she not be considered for a particular appointment, or
  - (b) when an excused eligible declines to accept an offered position. (See Paragraph 9.07)

When an eligible is passed over, all individuals who appear on the eligibility list below the eligible who was passed over will move up one (1) position for purposes of the appointment at issue.

- (1) In the case of promotional lists, upon separation from the Civil Service other than by layoff.
- (2) Undetected felony admitted by the eligible.
- (3) When an eligible cannot be located, after diligent effort to do so. It shall be incumbent on all individuals appearing on the list to notify the Secretary/Chief Examiner of any address changes promptly.
- (4) Does not meet the requirements set forth in these rules or the examination announcement.
- (5) Has been convicted of any felony, or misdemeanor involving moral turpitude.
- (6) Has been dismissed or resigned in lieu of discharge from any position, public or private, for any cause which would be a cause for discharge from the City service or has an unsatisfactory

record of employment in the City service or with any other agency or organization.

- (7) Has made any material false statement or has attempted any deception or fraud in connection with any Civil service examination.
- (8) Has assisted in preparing the examination for which application is sought or has in any other manner secured confidential information concerning the examination which might give an unfair advantage over other individuals taking the examination.
- (9) Promises to pay money or other other valuable thing to anyone for an actual or prospective advantage.
- (10) Fails to successfully complete any part of the pre-employment process, including but not limited to, the examination(s) and background investigation.
- (11) Fails to meet the “qualifying only” standard;
- (12) Is deemed to be unable to successfully perform the duties of the position sought following review of the totality of the circumstances including but not limited to the needs of the appointing authority and the results of the examination(s), interview(s), and background investigation.
- (13) When the person, due to driving history, is rated as unacceptable by the cities insurance authority.

- (14) Where the eligible has performed any act, espoused any belief, or been involved in any group which would by its nature create a definable liability for the city based solely on hiring the individual.
- (15) For other material reason.

9.09 Appeal of Removal from Eligibility List.

Whenever a name is deleted from an eligibility list in accordance with the preceding paragraphs, the person affected shall promptly be notified by letter to his/her last known address. To appeal such deletion, a written request for restoration must be made within five (5) working days of the date of receipt of said letter. Such request shall set forth the argument advanced for restoration of the name. The Commission will thereupon decide whether or not to reinstate the name and notify the individual accordingly.

9.10 Probationary Period.

No appointment to any position in the Civil Service shall be deemed permanent until the expiration of a probationary period. The term of probation for any promotional appointment shall be six (6) months. In the case of initial employment at an entry-level position, the terms of probation shall be:

- (1) Firefighter and firefighter/paramedic: twelve (12) months from the date of hire,

- (2) Police officer: Twelve (12) months from the police academy graduation date, not to exceed eighteen (18) months from the date of hire,
- (3) Clerical and all other support staff: six (6) months.

During such probationary period, the appointing authority may terminate the employment of any entry level person or return a promoted person to his/her former position. The appointing authority shall then promptly notify the Commission in writing of any such termination or return to former position.

9.11 Examinations Prior to Certification.

Prior to certification, all persons not within the Civil Service system of the City must pass a medical and physical examination and a background investigation. In addition, prior to making an entry level or promotional appointment, and when more than one (1) candidate is certified to the appointing authority, a psychological examination may be given to all prospective appointees at the discretion of the Commission. The intent to do so must be announced in advance of the Civil Service examination. The psychological examination shall be performed by a psychologist approved by the Commission and shall be paid for by the City of Camas. Results of such examination may be considered by the appointing authority in selecting the candidate for appointment.

**SECTION X. LEAVES OF ABSENCE**

10.01 Less than Ninety (90) Days.

Leaves of absence without pay not exceeding ninety (90) days may be granted by the appointing authority to any person under Civil Service, provided that appointing authority gives written notice of such leave to the Commission.

10.02 Over Ninety (90) Days.

Longer leaves of absence may be granted by the Commission upon written request of the employee, giving his reasons therefor, and endorsed by the appointing authority. A leave of absence for more than ninety (90) days, when granted by the Commission, shall not entitle the employee to resume his/her 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 on account of sickness or injury, or performance of temporary duty in another City of Camas department. All time spent on leave of absence, including any under ninety (90) days, shall be deducted from the employee's total time in determining seniority.

**SECTION XI. REDUCTIONS IN FORCE.**

11.01 Order of Layoff.

Layoffs caused by budgetary constraints, or any other reason unrelated to personnel performance, shall be made in the following manner:

- (1) Persons serving in temporary, provisional or probationary status, in order of seniority, with lowest seniority laid off first.
- (2) Persons serving in entry level grades who have successfully passed their probationary period, in order of seniority, with the lowest seniority laid off first.

11.02 Reduction in Rank.

Reductions in rank caused by budgetary constraints, or any other reason unrelated to personnel performance, shall be in order of seniority, with lowest seniority reduced first.

11.03 Determination in Case of Ties.

If any two (2) or more employees being considered for layoff/reduction in rank shall be at the discretion of the appointing authority.

**SECTION XII. SUSPENSION, DEMOTION, DISCHARGE – APPEALS  
AND HEARINGS**

12.01 Written Accusation Required.

No person in Civil Service who shall have been permanently appointed after completion of his probationary period shall be suspended, demoted, or discharged except for cause, and only upon written accusation of the appointing authority, or any citizen or taxpayer. A written statement of the accusation, in

general terms, shall be served upon the accused, and a duplicate filed with the Commission.

12.02 Causes for Suspension, Demotion, or Discharge.

Any employee under Civil Service may be disciplined for just cause. The disciplinary actions that may be used include, but are not limited to: verbal counseling, written reprimand, suspension with or without pay, demotion, or discharge.

Civil Service employees may be disciplined for any of the following reasons:

- (1) Incompetence, inefficiency, or inattention to or dereliction of duty.
- (2) Dishonesty, intemperance, immoral conduct, insubordination, discourteous treatment of the public or a fellow employee, or any other act of omission or commission tending to injure the public service; or any other willful failure on the part of the employee to properly conduct himself; or any willful violation of the provisions of Chapter 2.36 of the Camas City Code, or of these Rules.
- (3) Mental or physical unfitness for the position which the employee holds.
- (4) Dishonest, disgraceful, immoral, or prejudicial conduct.
- (5) Drunkenness or use of intoxicating liquors, narcotics, or any other habit-forming drug, liquid, or preparation, to such extent that

the use thereof interferes with the efficiency or mental or physical fitness of the employee, or which precludes the employee from properly performing the functions and duties of any position under Civil Service.

- (6) Conviction of a felony or conviction of a misdemeanor or gross misdemeanor involving moral turpitude. For purposes of this section a conviction shall include disposition of criminal charges by means of a deferred sentence, diversion agreement, or like arrangement.
- (7) Any other act or failure to act which, in the judgement of the Commission, is sufficient to show the offender to be an unsuitable or unfit person to be employed in the Civil Service.

The City and the Commission will conform with the Americans With Disabilities Act, to the extent applicable.

### 12.03 Predisciplinary Meeting.

A predisciplinary meeting will be held by the Department prior to demotion, suspension, or discharge of a Civil Service employee. The employee may have legal counsel or union representation present at the meeting. The Department's explanation of evidence at the meeting should be sufficient to apprise the employee of the basis for the proposed action. However, the Department will not be limited at a subsequent hearing from presenting a more detailed and complete

case, including presentation of witnesses and documents not available at the predisciplinary meeting.

Should the Department determine to discipline following the meeting, written notice of the discipline will be given to the employee. Such notice should include the charges against the employee, and a general statement of the evidence supporting the charges. The Commission will not consider, on appeal, any basis for disciplinary action not previously presented to the employee.

#### 12.04 Investigation by Commission.

Any person so suspended, demoted, or discharged may, within ten (10) days from the time of his/her suspension, demotion, or discharge, file with the Commission a written demand for an investigation, whereupon the Commission shall conduct such investigation. The investigation shall be confined to determination of the question of whether such suspension, demotion, or discharge was or was not made for political or religious reasons, and was not made in good faith or for cause.

#### 12.05 Findings of Commission.

If the Commission finds that the suspension, discharge, or demotion was made for political or religious reasons, or was not made in good faith and for cause, then it shall order the immediate reinstatement of or reemployment of such person in the office, place, position, or employment from which such person was suspended, demoted, or discharged. Reinstatement shall, if the Commission so provides in its discretion, be retroactive, and shall entitle such

person to pay or compensation from the time of such suspension, demotion, or discharge.

If the Commission finds that the suspension, discharge, or demotion was not made for political or religious reasons and was made in good faith and for cause, then it shall either affirm such suspension, discharge, or demotion; or in lieu of affirmation, may modify the suspension, discharge by directing a suspension without pay for a different period with subsequent restoration to duty, or a demotion in classification, grade, or pay, or some combination thereof. All findings of the Commission shall be certified in writing to the appointing authority and shall be forthwith enforced by such officer.

#### 12.06 Public Hearing.

All investigations made by the Commission pursuant to the provisions of this Section shall be had by public hearing, after reasonable notice to the accused of the time and place of such hearing, at which hearing the accused shall be afforded an opportunity of appearing in person and by counsel, and presenting his defense.

#### 12.07 Appeal.

The judgment or order of the Commission may be appealed to the court of original and unlimited jurisdiction in civil suits of Clark County. Such appeal shall be taken by serving the Commission within thirty (30) days after the entry of its decision with a written notice of appeal, stating the grounds thereof, and demanding that a certified transcript of the record and all papers on file in the

office of the Commission affecting or relating to such judgment or order be filed by the Commission with such court. The cost of preparing the certified transcript of the record and papers on file shall be borne by the appealing party. Within sixty (60) days after the filing of such notice of appeal, and after receipt of the payment therefor, the Commission shall certify and file such transcript. Superior Court will thereupon proceed to hear and determine such appeal in a summary manner. Such hearing shall be confined to the determination of whether the decision of discharge, demotion, or suspension made by the Commission was or was not made in good faith for cause, and no appeal to such court shall be taken except upon such grounds.

### **SECTION XIII. REPORTS BY APPOINTING AUTHORITY**

#### **13.01 Reports.**

In order that the Commission may keep proper records of changes in Civil Service, the appointing authority shall immediately report in writing to the Commission the following:

- (1) Every probationary and temporary appointment made by the appointing authority.
- (2) Every refusal or nonacceptance of an appointment by a person who has been duly certified.
- (3) Every separation from service, and whether the separation was caused by death, dismissal, resignation, or retirement. All resignations shall be in writing and filed with the Commission.
- (4) Every leave of absence granted to any member of the Civil Service, including date commenced and number of days authorized.
- (5) Every position created or abolished in the Civil Service.
- (6) Every disciplinary action against any member of the Civil Service.
- (7) Every physical examination or psychological examination report on any member of the Civil Service.