



CIVIL SERVICE COMMISSION

RULES & REGULATIONS

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Chapter 1
THE CIVIL SERVICE COMMISSION

- 1.01** *Organization.* The Civil Service Commission will consist of three persons who are residents of the City of Walla Walla, and who are appointed by the City Council. The term of office for each Commissioner shall be for six years, each one term of office expiring each two-year period.
- 1.02** *Authority and Duties.* The authority and duties of the Civil Service Commission are to:
- A. Adopt rules which are consistent with WW Municipal Code, Chapter 2.33.040, State laws and with the provisions of any negotiated labor contracts. Such rules and regulations shall provide for the manner in which examinations shall be held, and appointments, promotions, transfers, reinstatements shall be made, and may also provide for any other matters connected with the general subject of personnel administration of applicable City personnel.
 - B. Ensure all tests are fair and will consist only of subjects which determine the ability of persons examined to perform the duties of the position. This may include written exams, tests of physical fitness and/or manual skills.
 - C. Provide for Veteran=s credit in accordance with RCW 41.04.010 in favor of all applicants for entrance examinations.
 - D. Appoint a Secretary/Examiner.
 - E. Approve minutes of Commission meetings and records of Commission procedures.
 - F. Provide for investigations and hearings on challenges arising from the administration of these rules and regulations.
 - G. To hold competitive exams to determine the qualifications of persons who seek employment within the Police Department and Fire Department except for non-uniformed Fire employees. Establish eligible lists for the various classes of positions, and provide that persons laid off because of curtailment of expenditures, reduction in force, or like causes, head the list in the order of their seniority. These persons shall be the first to be offered re-employment.
 - H. When a vacant position is to be filled, the top three names on the eligibility list will be submitted to the appointing authority. If there are no such lists, the Commission may authorize the appointing authority to make a temporary appointment as outlined in 10.03.

1.03 *Severability*. If any provision of these rules and regulations are held invalid, the remainder of the rules and regulations will not be affected.

Chapter 2
ADMINISTRATION AND OPERATIONS

- 2.01** *Commission Meetings Quorum.* To conduct its work, the Commission shall meet on the third Wednesday of each month, at 4:00 p.m., in the first floor Conference Room, City Hall, 15 N. Third Street, Walla Walla, WA, or elsewhere as published, unless there is no pending business requiring Commission action. Notice of special meetings shall be provided as required by the Open Public Meetings Act (Chapter 42.30 RCW, as amended). The Commission shall conduct hearings as required. Notice of hearings shall be provided as required by these rules. Two members of the Commission shall constitute a quorum. No action of the Commission shall be effective unless two members concur therein. All Commission meetings or hearings, regular or as required, shall be open and public provided, however, that the Commission may meet in executive session as authorized by the Open Public Meetings Act (Chapter 42.30 RCW, as amended).
- 2.02** *Chair--Vice Chair.* At the first regular meeting in January of each year, the Commission shall elect one of its members as Chair and another member to serve as Vice Chair for a term of one year. Should a Chair and/or Vice Chair resign or be removed from the position prior to the expiration of his/her term, the Commission, upon appointment of a new member, shall proceed to the election of a new Chair and/or Vice Chair.
- 2.03** *Rules of Order.* *Roberts Rules of Order* shall be final authority on all questions of procedure and parliamentary law not otherwise provided by these rules. However, with the concurrence of two Commissioners such rules may be waived or modified.
- 2.04** *Public Records.* Public records of the Commission shall be available in the office of the Commission, for inspection and copying during regular office hours or by written request to the Secretary/Examiner. No fee will be charged for inspection of public records. Inspection will be during regular office hours and in the presence of a member of the City's Human Resources office, and must be accomplished without excessive interference with the essential functions of the office. If copies of records are requested, the cost will be as provided by City policy. The Secretary/Examiner, Chairperson, Vice Chairperson or a Commissioner will be notified within two working days from the date the request for records is made.
- 2.05** *Record of Proceedings.* The Commission shall keep a record of its proceedings. The record of the Commission shall not include a written verbatim report of proceedings unless ordered.

The Commission may retain a court reporter to record all or part of a proceeding. In addition, a party to a proceeding, at his/her own expense, may have a court reporter record all or part of a proceeding. On appeal or review, costs of transcription may be recovered by the Commission, or a prevailing party, at the discretion of the reviewing court or the Commission. Upon appeal or review, transcription and certification of a

record of proceedings shall be arranged by the Secretary/Examiner.

2.06 *Reports--Applicants, Eligibles, Employees.*

2.06.01 Each applicant, eligible and employee shall keep the Commission informed, by written notice to the Secretary/Examiner, of current address and telephone number, and shall report any change of name through marriage or otherwise.

2.06.02 Each eligible shall keep the Secretary/Examiner informed, in writing, regarding availability and any refusal to accept appointment or promotion and the reasons therefor.

2.07 *ReportsBAppointing Authority.* The Appointing Authority shall immediately report to the Secretary/Examiner:

2.07.01 Every appointment, transfer, promotion, demotion, layoff, reinstatement, leave of absence without pay due to disciplinary action;

2.07.02 Every refusal or failure to accept appointment by a person whose name has been certified.

Chapter 3
SECRETARY/EXAMINER

- 3.01** *Secretary/Examiner--Appointment.* A Secretary/Examiner (hereinafter, "Secretary") shall be appointed by the Commission as a result of a competitive examination, which may be either original and open to all properly qualified citizens of the City of Walla Walla, or promotional and limited to persons already in the service of the police, fire or other city department as the Commission may decide.
- 3.02** *Secretary Authority.* In addition to acting as Secretary of the Commission, the Secretary shall:
- 3.02.01 Keep the records for the Commission, preserve all reports made to it, superintend and keep a record of all examinations held under its direction and perform such other duties as the Commission may prescribe;
 - 3.02.02 Perform all other functions, as assigned, necessary for the proper performing of these rules and the provisions of law relating to the Civil Service System.

Chapter 4
DEFINITIONS

The following words and phrases shall have the meanings hereinafter described unless the context in which they are included clearly indicates otherwise.

- 4.01 *Actual Service.*** Time in which a given employee has been engaged under Civil Service appointment in the performance of the duties of a position or positions and shall include absences *with* pay.
- 4.02 *Applicant.*** Anyone who has filed an application to take a Civil Service examination.
- 4.03 *Appointing Authority.*** The City Manager, or his/her designee who has the authority to hire, promote or discharge employees.
- 4.04 *Appointments:***
- 4.04.01 Appointment-Regular. The appointment of a certified eligible.
- 4.04.02 AppointmentBProvisional. A limited appointment of (a) certified [or non-certified] person to a classified position which is not vacant, but is currently unfilled due to an authorized leave of absence; or (b) a non-certified person to a classified position for which there is no current eligible register.
- 4.04.03 Appointment--Temporary. A limited appointment other than from an eligible register for the purpose of performing work belonging in the classified service. Temporary appointment includes emergency appointment.
- 4.05 *Assignment.*** An employee may be assigned to a position which carries additional salary and responsibilities and is within the scope of the specification for the class from which assignment is made.
- 4.06 *Break in Service.*** A separation from Civil Service status with a loss of accumulated service credit as occasioned by a "quit," "resignation," "discharge" or "retirement."
- 4.07 *Candidate.*** Any applicant who has completed, or is in the process of completing, a Civil Service examination.
- 4.08 *Certification.*** [Certified Eligible List] A list of names from an eligible register transmitted by the Civil Service Commission to an appointing authority from which such appointing authority may fill a vacancy.
- 4.09 *Certify.*** Verification to the appointing authority that a list of names of candidates for employment has been selected from the list of persons tested and found eligible for

employment.

- 4.10** *City*. The City of Walla Walla, WA.
- 4.11** *Civil Service Employee*. Any employee who has Civil Service status.
- 4.12** *Civil Service Register*. See Eligible Register.
- 4.13** *Class*. A position or group of positions designated by the City as having similarity in duties and responsibilities, by reason of which the same examination may be used for each position in the group.
- 4.14** *Class Specification*. A description of the essential characteristics of a class and the factors and conditions that separate it from other classes, written in terms of duties, responsibilities and qualifications.
- 4.15** *Commission*. The Civil Service Commission. "Commissioner" means any one member of said Commission.
- 4.16** *Continuous Service*. Employment without interruption, except for absences on approved leave or absence to serve in the armed forces of the United States.
- 4.17** *Demotion*. Removal of an employee, for cause by the appointing authority, from a higher to a lower class of employment or salary step within a class.
- 4.18** *Department*. Any department of the City subject to Civil Service as established by ordinance. The legal head of any such department is the "Department Director," or Department Director's designee.
- 4.19** *Discharge*. Termination, separation, dismissal, or removal from the service for cause.
- 4.20** *Eligible*. Anyone qualified for a given class through examination and placed on the proper eligible register; also, "Certified Eligible."
- 4.21** *Eligible Register*. A register or list of successful examinees for a given class from which certification may be made to fill vacancies in such class.
- 4.22** *Employee*. Those employees covered by the Civil Service System of the City, including: all positions with the Police Department; all positions within the Fire Department except the Administrative Secretary, Emergency Medical Services Clerk, Emergency Services Technician and Injury Prevention Specialist.
- 4.22.01 Employee--Regular. Any employee who has been appointed from a certification and who has satisfactorily served the full trial service period.

- 4.22.02 EmployeeBTemporary. Any employee appointed to fill an emergency, temporary or short-term need, or to fill a position for which no register is available.
- 4.22.03 EmployeeBTrial Service Period. A person appointed from a certification who has not yet completed the specified trial service period of employment.
- 4.22.04 Employee--Provisional. Any employee appointed provisionally to a position.

Note: A regular employee is the only employee with rights under Chapter 11.

- 4.23 **Examination.** The process of testing the fitness and qualifications of applicants for positions in a class.
 - 4.23.01 ExaminationBEntry. An examination open to any member of the public meeting the requirements as stated in the official bulletin announcing the examination.
 - 4.23.02 Examination--Promotional. An examination limited to employees meeting the requirements stated in the official bulletin announcing the examination.
- 4.24 **Examination Announcement.** An announcement containing basic information about the class of position, the requirements for filing, how to apply, and the other pertinent information. The examination announcement shall be posted in the City=s Human Resources Office and in other suitable locations.
- 4.25 **Final Examination Score.** Total of earned exam score plus additional Veteran=s Preference for which an applicant is eligible.
- 4.26 **In-House Register.** A list of the names of civil service employees, in the order of final examination rating, who have passed an in-house only promotional examination.
- 4.27 **Layoff.** The interruption of service and pay of any regular or temporary employee because of lack of work or funds, except that the term shall also apply to the separation of temporary employees who have completed the stipulated period of employment.
- 4.28 **Position.** Any group of duties and responsibilities in the service of the City which one person is required to perform as full or part-time employment, and which is included in the City budget.

- 4.28.01 PositionBRegular. A position included in the City=s annual budget that is neither specified as seasonal employment, nor limited for a period of less than the budget year; also any such position established during a given budget year, unless the Department Director certifies to the Civil Service Commission that such position will not be continued in the succeeding year's budget.
- 4.28.02 PositionBRegular Part-Time. Employment in a regular position for work on a basis of less than eight hours a day or less than forty hours a week, but on a regular schedule.
- 4.29 *Promotion.*** The appointment of an employee to a higher class or to a position of higher skill or responsibility level. Any change in employment other than by a temporary or provisional appointment (1) from a lower class to any position in any higher class in the same promotional series of classes as determined by the City, or (2) to a position which although an entrance position is of higher skill and/or responsibility, shall constitute a promotion.
- 4.30 *Quit.*** Any voluntary separation of an employee from the City service.
- 4.31 *Register.*** A list of candidates for employment who have passed an employment examination, whose names may be chosen and certified by the Commission for submission to the appointing authority for consideration for employment. See 4.22, "Eligible Register."
- 4.32 *Reinstatement.*** Reappointment of a regular employee to a position in a class in which the employee was a regular employee.
- 4.33 *Reinstatement Register.*** A list of names of persons who were regular employees in a given class and who were laid off and are entitled to reinstatement in such class.
- 4.34 *Resignation.*** A written request by an employee for separation from a class or from the City service. To be valid, such request must show written approval of the appointing authority.
- 4.35 *Retirement.*** The voluntary termination of employment for service or disability pursuant to applicable retirement laws.
- 4.36 *Secretary.*** Secretary/Examiner as defined in Chapter 3.
- 4.37 *Suspension.*** Temporary removal of an employee from employment with or without pay, for cause, or pending determination of disciplinary charges against the employee which could result in demotion or discharge.

4.38 *Trial Service Period.* The status of an employee during a trial period following a regular appointment from an eligible register. This trial service period is part of the examination process and is a working test during which an employee is required to demonstrate, by actual performance of the duties, fitness for the position to which certified and appointed.

4.38.01 New Employees. The term of an employee=s trial service period is established by applicable collective bargaining agreement or the Personnel Policy Manual.

4.38.02 Promoted Employees. The trial service period for internal promotions shall be six (6) months from the date of the promotion. In the event that a trial service employee is placed on a reinstatement list, having been laid off or reduced in rank, when reinstated the time served initially in trial service status to a maximum of three (3) months with no extension shall be counted as time toward the trial service period.

If an employee has been promoted and has not completed their trial service period and they are on an eligibility list for a lower ranking position, they may be considered when there is an opening. However, if they do not wish to be considered their name will be removed from the list.

When a promoted applicant has completed their trial service period, their name will immediately be removed from all other lower ranking lists.

4.39 *Veterans' Preference.* Preference in examinations and employment, based on military service, as provided and defined by RCW 41.041. Applicant=s eligible for Veteran=s Preference for entry level positions must request such at the time of examination. The applicant must submit a copy of their DD-214 and proof that they are not receiving retirement benefits.

Chapter 5
RULE-MAKING

- 5.01** *Rules and Regulations.* Rules and regulations of the Civil Service Commission shall be adopted by a majority vote at any regular or special meeting of the Commission.
- 5.02** *Amendments of Rules.* The Commission may amend these rules or adopt new rules by majority vote of the Commission at any regular or special meeting of the Commission. Unless upon emergency declared by all Commissioners present, amendment to these rules shall be first discussed in an open regular or special meeting at least one meeting prior to adoption. Upon declaration of emergency, a rule amendment may be adopted at the meeting at which the amendment is first proposed.
- 5.03** *Effective Date of Rules.* All rules and amendments shall become effective immediately upon their adoption by the Commission, unless some later date is specified therein.
- 5.04** *Copies of Rules.* A copy of these rules and a copy of all subsequent rules or amendments shall be sent as soon as practicable after adoption to the City Clerk and the appointing authority. The appointing authority shall distribute to the appropriate departments of the City. A copy shall be maintained in the office of the Commission for public inspection, and copies shall be available for free public distribution as required by state law.
- 5.05** *Effect of Rules.* The terms and conditions of Civil Service employment are governed by these rules, and applicable State laws and City Municipal Code. No employee shall have a property interest in or as a result of these rules. These rules, and rules the Commission may enact, regulate the mode and appointment of tenure in the Civil Service, and employees are subject to these rules and amendments thereto.

Chapter 6
APPLICATIONS AND APPLICANTS FOR UNIFORMED CIVIL SERVICE PERSONNEL

6.01 General Requirements for Filing Applications.

6.01.01 All applicants for examinations for positions in the classified Civil Service must file a written City application and other supplemental documentation as required to the Secretary/Examiner or designee; no one shall be admitted to any examination without having first filed a completed application package on the proper form, giving fully, truthfully, and accurately all information required.

6.01.02 In order to file an application for examination, the applicant must:

- (a) Be U.S. citizens, and must be able to read and write the English language. (RCW 41.08.070 and 41.12.070).
- (b) Be 21 years of age by the advertised closing date.
- (c) Meet the requirements specified in these rules and in the official examination bulletin as of the closing day of the official filing period;
- (d) Produce evidence of education, training, experience, or any lawful requirement for a class, as required by the Commission.

6.01.03 Time for filing applications:

- (a) All applications for examination shall be received by the Secretary/Examiner during office hours and within the time limit fixed in the official announcement of the examination.
- (b) The time for filing applications may be extended by the Commission as the needs of the service require, e.g. there is an inadequate number of applications; and provided that the examination shall then be re-advertised with the extended closing date.

6.02 Applications for Promotion Examinations. An application shall be accepted from any regularly appointed employee in the classes from which promotion is allowed and who meets the requirements of Rule 6.01.

6.03 Rejection of Applicant or Eligible. The Secretary may reject an applicant for examination, withhold from a register or from certification the name of an eligible, or

remove from a register the name of an eligible if the applicant or eligible:

- 6.03.01 Does not submit a completed application, or does not include any additional documentation specified in the examination announcement, or does not submit the application package by the established deadline;
- 6.03.02 Does not meet the requirements set forth in these rules or in the bulletin announcing the examination;
- 6.03.03 Is physically or mentally unfit to perform the duties of the position sought;
- 6.03.04 Has been convicted of any felony or a misdemeanor involving moral turpitude (Chapter 9.96A RCW);
- 6.03.05 Has been dismissed or has resigned in lieu of discharge from any position, public or private, for any cause which would be a cause for dismissal from City service or has an unsatisfactory record of employment in the City service or with any other agency or firm;
- 6.03.06 Has made any material false statement or has attempted any deception or fraud in connection with this or any other Civil Service examination;
- 6.03.07 Fails to appear for fingerprinting or other investigation as required;
- 6.03.08 Has assisted in preparing the examination for which application is sought or has in any other manner secured confidential information concerning such examination which might give an unfair advantage over other applicants in the examination;
- 6.03.09 After notification, did not promptly appear at the time and place designated for the examination;
- 6.03.10 Has been discharged from the armed forces under dishonorable conditions;
- 6.03.11 For other reasons which may arise after the application process as determined by the Commission.

6.04 *Notice of Non-Acceptance.* Anyone against whom action is taken under Rule 6.03 shall be notified promptly by the Civil Service Commission of the reasons therefor by either oral notice at the time of filing the application and/or written notice mailed to the applicant or eligible.

6.05 *Applications Not Returned.* All applications when completed and filed become the

property of the Commission and thereafter may not be returned to the applicant.

6.06 *Application Fee.* The Commission may establish an application fee for open examinations in order to recover some of the administrative costs of administering the exams.

Chapter 7
EXAMINATIONS FOR UNIFORMED CIVIL SERVICE PERSONNEL

7.01 *Ordering Examinations.* An examination shall be ordered whenever it is deemed to be in the best interest of the City. The Secretary shall administer examinations as provided by these rules.

7.01.01 Entry Level Exams. Examinations to establish entry level eligibility lists for firefighters and police officers shall be administered annually.

7.01.02 Promotional Exams. The Commission will authorize a promotional examination under the following conditions:

- (a) When a vacancy exists or is anticipated to exist, and there is no eligible list; or
- (b) When it is requested by the appointing authority and no eligible list exists; or
- (c) When less than three (3) names are on the eligible list and the Commission decides by majority vote to retest and establish a new eligibility list.

The appointing authority must make a written request for a promotional examination at least ninety (90) working days prior to the anticipated validation date for the eligible list.

7.02 *Examination Announcement.* Public notice of open examinations shall be given by the Secretary in the local newspaper and in any other publications which the Commission may direct. An official job announcement shall be distributed to all appropriate departments for posting. Promotional examination notices shall be posted in department offices. If the in house announcement does not produce an adequate number applicants (minimum of five qualified applicants), the Commission may open the recruitment to the outside.

7.03 *Amendments to Examination Announcements.* The Secretary may amend any published announcement with public notice, no less than 14 working days before the initial closing date.

7.04 *Character of Examinations.* All examinations shall be competitive, impartial, and practical in their character. They shall be designed to qualify and rank applicants in terms of their relative fitness to perform the duties of the class for which the examination was ordered.

7.05 *Content of Examinations.* Examinations may include written tests, personal qualifications, physical or performance tests, evaluations of training and experience, interviews, any other suitable evaluation of fitness, or any combination of such tests. Such tests may evaluate education, experience, aptitude, knowledge, skill, physical condition, personal characteristics and other qualifications to determine the relative fitness of the candidates.

Evaluators for assessment exams shall be approved by the Commission. Technical portions of all assessment components shall be evaluated by officers of the City of Walla Walla and of other police and fire departments who have a rank equal to or higher than the position for which the test is being conducted.

7.06 *Multi-Part Examination.* Where an examination consists of two or more parts, the Commission may:

7.06.01 Set a minimum score to be required in any part of such examination, and any applicant who fails to attain such minimum score shall be considered as having failed in the entire exam and shall not be entitled to take the remaining parts of the exam;

7.06.02 Assign weights to each part of the examination;

7.06.03 Limit the number to be further considered or tested to a group of the highest scoring applicants, depending on the number of applicants who meet the minimum requirements for a position;

7.06.04 Employ all or any of the above options for multi-part examinations in any examination.

7.07 *Examination Protest.*

7.07.01 Any protest or challenge against the scope, content, or practicality of any part of an examination shall be filed in writing with the Secretary within 10 working days upon completion of the test. The Secretary will bring any challenges to the attention of the Commission. The decision of the Commission is final.

7.07.02 All protests filed in accordance with this rule shall be considered, and any proper corrections made. If authorized corrections are applicable to other examinees, the corrections shall be made on all examination papers affected.

7.08 *Correction of Clerical Errors.* Any clerical error may be corrected by the Secretary upon discovery at any time during the life of the eligible register, but no such correction

shall affect an appointment made from a certification made prior to the correction.

- 7.09** *Effective Date of Examination Results.* Results of an examination shall become effective on the date the Civil Service Commission has reviewed the examination process and approved the exam. This date shall be no less than ten (10) working days following the completion of the examination. Upon certification by the Commission, a copy of the eligibility list will be sent to the appointing authority. All candidates completing one or more test segments shall receive their individual test segment scores.
- 7.10** *Examination Papers.* Examination papers of each eligible shall be kept on file in the office of the Commission until the expiration of eligibility. Examination papers are excluded from public disclosure per RCW 42.17.310, and copies will not be provided.
- 7.11** *Additional Examination.* Eligibles certified pursuant to Chapter 9 shall be subject to medical, physical, or psychological examination and to such other examinations administered as authorized and approved by the City. Such other examinations include, but are not limited to, background examination and polygraph, provided, however, polygraph examination shall be allowed only for entry-level applicants under RCW 49.44.120. Reports of such examination shall be filed with the Commission in the event the findings of the examination recommend that the eligible be rejected. The Commission shall consider such recommendation, may require further examination, and may order the eligible's name dropped from the eligible register.

Chapter 8
REGISTERS AND ELIGIBILITY FOR UNIFORMED CIVIL SERVICE PERSONNEL

- 8.01** *Establishment of Eligible Registers.* After each examination, an eligible register for the class shall be prepared on which the names of successful candidates shall be ranked as follows:
- 8.01.01 On a promotional register: relative rank shall be determined by the examination rating or grade.
 - 8.01.02 On an open graded register: relative rank shall be determined by the examination grade, plus percentage allowed by law for veterans' preference.
 - 8.01.03 Prior to the examination, the preference in rank of eligibles having equal final score shall be determined by the Commission.
- 8.02** *Return to Register Following Layoff.* On layoff, an employee's name shall be placed upon the proper eligible register for the class, according to the grade, for a period of time in compliance with applicable collective bargaining agreement or the City Personnel Policy Manual.
- 8.03** *Re-Employment.* At the request of the appointing authority and upon approval by the Commission, any person who has resigned in good standing and who had successfully completed their trial service period may, within eighteen (18) months from the effective date of separation, be re-employed in an entry level position. They must meet all the qualifications of applicants (see Chapter 7). Any employee of the same department who has been laid off and whose name appears on a reinstatement list for the department will have hiring priority. Persons re-entering the classified service through re-employment must complete a trial service period at a length determined by the applicable collective bargaining agreement in order to regain regular status.
- 8.04** *Establishment of Reinstatement Registers.*
- 8.04.01 The names of regular employees who have been laid off or, when requested in writing by the appointing authority, trial service employees who have been laid off, shall be placed upon a reinstatement register for the same class and for the department from which laid off, for a period as determined by applicable collective bargaining agreement or the City Personnel Policy.
 - 8.04.02 Anyone on a reinstatement register who becomes a regular employee in another department shall lose reinstatement rights in the former

department.

8.05 *Availability of Eligibles.*

8.05.01 It shall be the responsibility of an eligible to notify the Civil Service Commission in writing immediately of changes in address, telephone number, change of name through marriage or otherwise, or any changes which may affect availability for employment. Failure to do so may result in disqualification.

8.05.02 The name of an eligible who submits a written statement restricting the conditions under which available for employment shall be withheld from certifications which do not meet the conditions specified. New written statements may be filed at any time within the duration of an eligible register modifying conditions under which employment would be accepted.

8.06 *Cancellation of Eligibility.*

8.06.01 Upon request of an appointing authority that an eligible has failed to respond to call or has refused to accept employment, the Secretary may strike the eligible's name from the register;

8.06.02 Failure to respond to the canvass of a register within fourteen (14) days from such canvass shall be deemed cause to strike the name of any eligible from the register;

8.06.03 Refusal to accept re-employment in a regular position will result in loss of eligibility.

8.07 *Restoration of Names to Eligible Registers.* The name of an eligible which has been removed from a register may be restored upon written request to the Commission for such restoration. The request must specify the reasons for the requested restoration. The Commission may approve the request if it is deemed that the evidence submitted justifies such approval.

Chapter 9
**CERTIFICATION AND APPOINTMENT FOR UNIFORMED CIVIL SERVICE
PERSONNEL**

9.01 *General Provisions.* Vacancies in the classified Civil Service shall be filled by reinstatement, promotional appointment, assignment, original appointment, transfer, or demotion. In the absence of an appropriate register, the Commission may authorize a temporary or provisional appointment.

9.02 *Request for Certification.* Whenever the appointing authority wishes to fill a vacancy, a request for certification shall be submitted to the Commission. The request shall show the number of positions or vacancies to be filled, the class title, cause of the vacancy, or if a new position, authority for the appointment and any other details for full description of the position to be filled.

9.03 *Certification.*

9.03.01 Eligible Register. Certification to fill a vacancy shall be made by the Civil Service from registers in the following order and as provided in this rule:

- (1) Reinstatement
- (2) Promotional
- (3) Entry level

9.03.02 Order of reinstatement--Eligible.

(a) If a vacancy is to be filled from the reinstatement register, the following shall be the order of certification:

- (1) Regular employees in inverse order of layoff by class;
- (2) Trial service employees, without regard to length of service. The names of all trial service employees upon the reinstatement register shall be certified together.

9.03.03 If a vacancy is to be filled from a promotional register, the Secretary shall certify to the appointing authority the names of the three available eligibles who stand highest on the appropriate register. If less than three names are on the list, the Commission may certify two names or decide by majority vote to retest and establish a new eligibility list.

9.03.04 Multiple Vacancies. If two or more vacancies are to be filled from any of the above registers other than the reinstatement register, the name of one additional person shall be certified for each additional position.

- 9.03.05 Additional Names. If an appointing authority provides acceptable evidence that any of the eligibles certified are not available or that they do not respond to appropriate notification, sufficient additional names shall be furnished to complete the certification.
- 9.03.06 Special Skills. When the appointing authority has identified a need for an applicant with special skills, e.g., bilingual or paramedic; the Commission shall certify a list of only the highest ranking eligibles possessing the special skills as long as there at least three candidates on the eligibility list.
- 9.03.07 Application/Examination. The application and the examination papers of a certified eligible shall be available for inspection by the appointing authority.
- 9.04** ***Deferment of Certification***. The Commission may grant deferment of certification of an eligible upon receipt from the eligible of a written request with satisfactory reason therefor. Such deferment will thereafter prevent certification of such eligible until the next vacancy occurring after the eligible has given written notice of their desire to be returned to the register, and such return has been approved by the Secretary.
- 9.05** ***Temporary Appointment***. Where there is no suitable eligible register from which certification can be made, the Commission may allow the appointing authority to make a temporary appointment. A temporary appointment may be made for a period of up to six months and may be extended for a longer period of time. No person shall receive more than one temporary appointment in any 12-month period. All temporary employment in a class shall cease at the earliest possible date and shall not exceed thirty (30) days from date of notice that a proper eligible register for such class is available, provided, an extension may be granted by the Commission upon satisfactory written showing by the appointing authority, if such extension will not cause the provisional appointment to exceed the six-month limitation.

Chapter 10
QUALIFICATIONS, RECRUITMENT AND SELECTION
PROCESS FOR NON-UNIFORMED

CIVIL SERVICE PERSONNEL

10.01 *Qualifications for Non-Uniformed Applicants:* An applicant for a non-uniformed civil service position in the Police Department shall meet the minimum requirements as set forth by the Walla Walla Municipal Code #2.33.060 (must be a citizen of the United States of America who can read and write the English language. Must be suitable for the position applied for, in ordinary health, of good moral character and of temperate and industrious habit), the qualifications as set forth in the applicable classification specification, and as specified herein.

10.02 *Process for Filling a Vacancy.*

10.02.01 Vacancy Announcement, Recruitment and Screening: At the request of the appointing authority, the Commission will review the current classification specification to certify the minimum qualifications and any special requirements such as being bilingual. The Commission shall establish the criteria for screening the applications. Upon closing, the Secretary/Examiner shall initially screen all applications for completeness and minimum qualifications. The Commission shall then direct the Secretary/Examiner or designee to advertise and accept applications for the open position. A minimum of five (5) qualified applications will be required to proceed. If five qualified applications are not received, the advertising period will be extended.

The Secretary/Examiner shall screen the applications using a criteria approved by the Commission which places a numeric value on criteria such as the applicant's education, experience and the relevance of their education and experience to the position for which they are applying.

10.02.02 Civil Service Commission Review: The Commission will review the results of the screening and certify the list. The top ten applicants, but no less than five (5) will receive interviews.

10.02.03 Testing Process: The Secretary/Examiner or designee will set up the interview process which includes an oral panel interview, clerical screening tests, and/or a work style preference profile. Following the testing process, applicants will be scored and ranked on an eligibility list. The list with final scores and ranking will be reviewed and approved by the Civil Service Commission.

10.02.04 Appointment: The top three (3) names on the approved eligibility list will be forwarded to the appointing authority. Following interviews and background inquiries, the appointing authority will notify the Commission of the hiring decision.

10.02.05 Disqualifications. The Commission may approve the removal from further consideration at any time an applicant who:

- (a) does not submit a completed application, or does not include any additional documentation specified in the job announcement, or does not submit application package before the established deadline;
- (b) has established an unsatisfactory employment or personnel record demonstrating unsuitability for employment;
- (c) has made a false statement(s) of material fact or practiced deception in his/her application;
- (d) is afflicted with an occupationally bona fide physical or mental disqualifying disease or defect that would prevent satisfactory performance of duties;
- (e) does not respond to a notice or appear for an interview as instructed by the Commission or appointing authority; or pre-employment psychological evaluation and/or drug testing or;
- (f) fails to accept appointment or report for duty as instructed.

All applicants disqualified by the Commission shall be notified as soon as possible by the Secretary/Examiner.

10.03 *Temporary Appointments.* In cases of emergency or if the workload or conditions within the community require such appointments, and upon approval of the Commission, the appointing authority may make temporary appointments from an active eligibility list, a temporary transfer of an active City employee or utilize a temporary employment agency for a maximum of sixty (60) working days in the Police Department. These temporary appointments may be extended for an additional sixty calendar (60) days by written request from the appointing authority and with approval of the Commission. In addition, temporary appointments may be made by the appointing authority to fill an authorized leave of absence by reason of service in the Armed Forces of the United States for the term of the leave of absence. Temporary appointments will not be eligible for any type of seniority preference as result of their temporary appointment.

10.04 *Re-employment.* At the request of the appointing authority and upon approval by the Commission. Any regular employee or regular part-time employee who has resigned from a Civil Service covered position and City service in good standing may be considered for reappointment to a position in the same or similar classification in City service for which they qualify. A written request for consideration must be submitted to the City. The employee request for reappointment may be considered within one (1) year of the employee's termination. A reappointment may be made without benefit of a new recruitment. In no way is it mandatory for any appointment authority to reappoint a former employee should the appointment authority desire not to do so.

An employee so reappointed is considered a new appointee. The employee has no vested interest in or is entitled to any benefits accrued during any previous employment with the City, except retirement system benefits. The reappointed employee will be subject to the requirements of the proper retirement system of which the employee was previously an active member.

10.05 *Trial Service Period.* The Police Chief, or designee, must keep the individual informed of their status during any trial service period.

10.05.01 New Appointments: The trial service period for new appointments shall be established by the applicable collective bargaining agreement or by the City Personnel Policy. A trial service employee who has been laid off or reduced in rank will be placed on a reinstatement list. When reinstated, the time served initially in trial service status, to a maximum of three (3) months shall be counted as time toward the trial service period. At the request of the Police Chief, the appointing authority may extend the trial service period of a new non-represented appointee for a period of up to six (6) months. This request shall be made in writing at least thirty (30) working days prior to the end of the initial trial service period and shall state cause. A copy of this request shall be sent to the Civil Service Commission. If approved, the individual involved must be notified of the extension of the trial service period at least fifteen (15) working days prior to the end of the initial trial service period. The notification will state the cause for the extension as well as the expectations for improvement and possible consequences.

10.05.02. Promotion. The trial service period for internal promotions shall be six (6) months from the date of the promotion. In the event that a trial service employee is placed on a reinstatement list, having been laid off or reduced in rank, when reinstated the time served initially in trial service status to a maximum of three (3) months with no extension shall be counted as time toward the trial service period.

10.06 *Reinstatement Lists:* The Secretary/Examiner shall maintain all reinstatement lists, with names in rank order according to seniority. Reinstatement lists shall remain in force for a length as determined by applicable bargaining agreement or City Personnel Policy and shall have priority over all other eligible lists for the same position.

Chapter 11
HEARINGS

11.01 Election of Remedies. A function of the Civil Service Commission is to conduct hearings to assure that regular employees are suspended, demoted, or terminated only in good faith for cause. The Commission is also responsible to conduct a hearing at an employee's request when the employee files a grievance objecting to discipline. A covered employee may elect *one* remedy, either a hearing by the Civil Service Commission, through the grievance process as outlined in the collective bargaining agreement, or the City's Personnel Policy.

11.02 Hearings--Appeals.

11.02.01 Any regular employee who is demoted, suspended or terminated may appeal such action to the Commission.

11.02.02 Any employee who is alleged to be a trial service employee by the disciplining department may appeal to the Commission only the questions of trial service status and whether the procedures for the discharge, as found in these rules, were properly followed.

11.02.03 Any employee who is adversely affected by an alleged violation of Civil Service rules and regulations.

11.02.04 Any employee who is adversely affected by an alleged violation of City ordinances/policy may appeal such violation to the Commission.

11.03 Appeals--Time--Form. A notice of appeal shall be filed with the Commission by submission to the Secretary/Examiner within ten (10) working days of the action that is the subject of the appeal. The notice of appeal shall be in writing and include the mailing address and street address where service of process and other papers may be made upon the appellant. The notice of appeal shall also contain a brief description of the facts giving rise to the appeal and a concise statement of the reason for the appeal. Forms provided by the Commission may be used for such notice but are not required.

11.04 Investigation. Within 30 working days from receipt of the notice of appeal, the Commission will cause an investigation to be held. Such investigation shall be conducted by and before the entire Commission.

11.05 Nature and Notice of Hearing. All investigations made by the Commission pursuant to the provisions of these rules and regulations shall be had by public hearing, after reasonable notice to the employee of the time and place of such hearing which also specifies appeal rights and time lines.

11.06 *Scope of Investigation.* The Commission=s investigation will be confined to the determination of the question of whether such termination, suspension or reduction in rank was or was not made in violation of any state or federal laws and was or was not made in good faith for cause, and shall be conducted according to the provisions of these rules and regulations.

11.07 *Appealing Commission=s Decision:* The employee may appeal the decision of the Commission to the court of original and unlimited jurisdiction of the county of residency. Such appeal shall be served on the Commission within 30 working days after the entry of their decision, or a period of time agreed upon by mutual consent of both parties, and shall be processed according to the provisions of these rules and regulations.

11.08 *Basis of Appeal Hearing.* The court hearing on such appeals shall be confined to the determination of whether the judgment made by the Commission was or was not made in good faith and no appeal to such court shall be taken except upon such grounds.

Chapter 12
MISCELLANEOUS

12.01 *Repeals and Savings.* All matters shall be subject to these rules, and to that extent, all previous Civil Service rules are hereby repealed.