

**CITY OF OLYMPIA
CIVIL SERVICE COMMISSION**

RULES AND REGULATIONS

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STATEMENT OF POLICY

The purpose of these Rules is to establish, for the City of Olympia, a system of personnel administration based on modern principles and methods of governing the appointment, promotion, transfer, layoff, recruitment, retention, classification, removal, discipline and welfare of its employees covered by Civil Service rules.

It is intended that these Rules will supersede all previous rules established by this and former City of Olympia Civil Service Commissions. The authority for such Rules and Regulations is contained in R.C.W.41.08, 41.12, 41.26 and City of Olympia Ordinance No. 3760, Chapter 2.44.

DEFINITION OF TERMS

The following definitions apply throughout these Rules unless the context clearly indicates another meaning.

1. **ACTING PROMOTIONAL APPOINTMENT** – An appointment made from within the service to a supervisory or managerial position temporarily vacated by a permanent employee, not to exceed six months.
2. **ALLIED REGISTER** – A register for a class for which the duties and minimum or desirable qualifications are equivalent to or above those for another class.
3. **ALLOCATION** – The assignment of a position to a job classification.
4. **APPOINTING AUTHORITY** – A person or group of persons lawfully authorized to make appointments.
5. **BUMPING** – The replacement of an employee by another employee subject to reduction in-force, who has greater seniority.
6. **CLASS** – Identification of positions, or groups of positions, sufficiently similar in duties so that the same requirements of training, experience or skill and the same title, examination and salary range may be applied.
7. **CLASSIFIED SERVICE** – All positions in the City service subject to the provisions of these Rules.
8. **COMPETITIVE SERVICE** – All positions in the classified service for which a competitive examination is required as a condition for appointment.
9. **DEMOTION** – A change of a permanent employee from a position in one class to a position in a lower class having a lesser entrance salary.
10. **DISMISSAL** – The termination of an individual's employment for cause as specified in these Rules.
11. **ELIGIBLE** – An applicant who has met the minimum or desirable qualifications for the class involved and has passed the required examination.
12. **EMERGENCY APPOINTMENT** – An appointment, for emergency reasons, not to exceed 30 calendar days unless extended as provided for by these Rules.
13. **MINIMUM QUALIFICATIONS** – The training, experience and other qualifications established for admission of an applicant to the examination for a given class.
14. **PERMANENT EMPLOYEE** – An employee who has successfully completed a probationary period and has had no break in service.
15. **POSITION** – The duties and responsibilities normally assigned to one employee.
16. **PROBATIONARY PERIOD** – The period of employment beginning with the date of original appointment or reemployment, into the classified service and continuing for the amount of time required per Rule VI.4.

17. **PROMOTIONS** – A change of a permanent employee from a position in one class to a position in a higher class having a higher entrance salary.
18. **REDUCTION** – Placement of an employee’s salary at a lower step within the range as a result of a disciplinary action.
19. **REDUCTION-IN-FORCE** – A separation from service because of a lack of funds and/or work, and without cause on part of the employee.
20. **REGISTER** – A list of eligible names established for employment, promotion, reemployment or reduction-in-force in a class.
21. **RESIGNATION** – A voluntary termination of employment.
22. **REVERSION** – Voluntary or involuntary movement of an employee to a class in which he/she previously held permanent status.
23. **SENIORITY** – Seniority shall be determined by the date of initial continuous employment. The date of initial employment shall be the date of the beginning of the pay period in which the employee begins their employment. In the event more than one employee has the same date of employment, the person with the higher score on the Civil Service Examination shall have seniority over employees having lower scores on the same dated examination.
24. **SUPERVISION** – Any individual having substantial responsibility on behalf of management regularly to participate in the performance of all or most of the following functions: employee promotes, transfer, suspend, discharge or adjudicate grievances of other employees. If in connection with the foregoing, the exercise of such responsibility is not a merely routing nature, but requires the exercise of independent judgment.
25. **SUSPENSION** – An enforced absence without pay for disciplinary purposes.
26. **TEMPORARY APPOINTMENT** – Work in the absence of a permanent employee on leave; or work done at a workload peak, either cyclic or as a separate project; and normally lasting for less than four months and having an end in sight.
27. **TIME-IN-GRADE** – The time served in a classification or rank determined by the date of promotion to the classification, provided the trial service period was completed.
28. **TRAINING & EVALUATION PERIOD** – A six month period of employment following the demotion of an employee from the class of Firefighter/Paramedic to the class of Firefighter during which the employee must demonstrate the capacity to gain the additional skills necessary to perform all the duties assigned to full time Firefighters.
29. **TRANSFER** – The change of a permanent employee, with no break in service, from one to another classification position having an identical salary range.
30. **TRIAL SERVICE PERIOD** – A one-year trial period of employment of a permanent employee beginning with the effective date of the promotion or demotion.

RULE I

CIVIL SERVICE COMMISSION

1. Organization

The Civil Service Commission, upon the appointment of a new member, shall proceed to the election of a chair who shall continue in office until subsequent reorganization becomes necessary, either as aforesaid or by resignation of the chair or by majority vote of the Commission. The chair shall preside at all meetings of the Commission, sign necessary papers as chair, and generally act as the presiding officer of the Commission. In their temporary absence, one of the members of the Commission may be elected to serve as temporary chair. Two members shall constitute a quorum and two affirmative votes shall be required for the transaction of any official business. The Secretary shall attend all meetings and shall record the action taken, and shall cause the minutes to be typewritten and presented to the Commission for approval at the next regular meeting. Upon approval, the minutes shall be determined to be final and shall become a part of the permanent files of the Commission. Robert's Rules of Order shall be the final authority on all questions of procedure and parliamentary law not otherwise provided by these Rules.

2. Meetings

Regular meetings of the Civil Service Commission of the City of Olympia, Washington, shall be held monthly as desired by majority vote of the Commission. Special meetings may be held upon call of the chair or any two members. All regular meetings of the Commission shall be public and no resolution, rule, regulation, order or directive shall be adopted by the Commission except in a regular or special meeting open to the public. Executive sessions, closed to the public, may be held for study purposes or deliberations.

3. Powers and Duties of the Commission shall be to:

- a. Adopt rules for the regulation of personnel matters within the classified service.
- b. Appoint, whenever necessary, a Secretary and/or Chief Examiner, in conformity with these Rules.
- c. Approve minutes of its own meetings and records of its procedures.
- d. Approve the creation, amendment and discontinuance of a classification plan as prepared by the appointing authority of Secretary-Examiner.
- e. Provide for the holding of competitive tests under the supervision of the chief examiner to determine the relative qualifications of persons for employment in the classified service and certify candidates from a list of eligible candidates for vacancies.
- f. Conduct all civil suits necessary for the proper enforcement of the Civil Service Act and these Regulations. Any Civil action shall be initiated by the City Civil Service Commission.
- g. Hear and determine appeals arising from the administration of the Civil Service Ordinance and these Rules.
- h. Investigate and report on all matters touching the enforcement and effect of the Civil Service Ordinance and these Rules.
- i. Have such other powers and duties as are imposed upon said Commission by virtue of RCW 41.08 and 41.12.

4. Secretary and/or Chief Examiner

Upon vacancy in the office of Secretary and/or Chief Examiner, the chair of the Commission or, on their request, the City Human Resources Director or designee, shall announce the vacancy. Applications shall be accepted from any person meeting the minimum requirements for the position, including employees of the City, but excluding members of the police or fire departments. The Commission may combine the office of Secretary and Chief Examiner (Secretary-Examiner), in which case the person selected shall be responsible for the duties of both offices.

- Duties:

The Secretary and/or Chief Examiner or designee shall keep and be the official custodian of all records and files of the Commission, receive and preserve all reports made to it, keep the minutes of the meetings, hearings and other activities of the Commission, be responsible for the correspondence of the Commission. Keep a record of all examinations held under the direction of the Commission, establish and maintain eligibility lists, maintain a record of permanent and temporary positions held by all persons under the classified service, make investigations and reports to the Commission as required and perform such other duties as the Commission may prescribe.

RULE II
CLASSIFICATION

1. **Classification Plan**

The Commission shall adopt a classification plan for every position or group of positions that have like or similar duties and responsibilities. The classification should include:

- a. A specification and appropriate title.
- b. A description of duties and responsibilities
- c. Minimum or desirable requirements of education, training, experience and other qualifications deemed necessary to carry out the duties described in the specifications.

2. **Specifications**

The Secretary-Examiner, appointing authority or designee may submit a classification specification to the Commission for adoption. The Commission may modify, reject or approve the specification.

3. **Allocation of Positions to the Classifications Plan**

All positions shall be allocated to one of the appropriate classifications. Allocations may be made by the Secretary-Examiner subject to review and approval of the Commission. If the employee or appointing authority disagrees with the allocation, a written request for review by the Commission may be granted. The Commission shall inform the employee or appointing authority, in writing, regarding its allocation.

4. **New Position**

The Secretary-Examiner, upon being notified of establishment of a new position, shall allocate the position to an approved classification, or submit a new class for approval by the Commission.

5. **Reallocation of a Position**

When a position is occupied by a permanent employee and the duties are changed substantially, the change shall be reported to the Commission by the appointing authority, Secretary-Examiner or designee. The Secretary-Examiner shall audit the position and determine to what classification a position shall be allocated.

a. **Downward Movement**

If the position is reallocated downward, the employee shall be notified by the Secretary-Examiner ten (10) days prior to the effective date. The employee shall be compensated at the lower class, and be continued in the position. They may have their name placed upon the reinstatement and/or transfer registers for the class previously held prior to reallocation, provided they hold permanent status in that class.

b. **Upward Movement**

If the position is reallocated upward, the position shall be filled on a competitive basis.

RULE III

APPLICATIONS

1. An applicant for a position of any kind under civil service must be a citizen of the United States of America, or a lawful permanent resident under RCW 41.08.070
2. All applications shall be on a prescribed form. The applicant's signature shall certify the truth of stated information. No information shall be solicited which reveals religious, political affiliation, or national origin.
3. Only those applications filed with the Secretary-Examiner by the date specified in the examination notice need be considered for the examination.
 1. The Secretary-Examiner may refuse to examine an applicant if:
 - a. They are found to lack any of the requirements established for the class
 - b. They are so disabled as to be rendered unfit to perform the duties of the class
 - c. They are addicted to the use of narcotics or the habitual use of intoxicating liquors to excess
 - d. They have been convicted of any felony or misdemeanor involving moral turpitude
 - e. They have made a false statement in their application
 - f. They have previously been dismissed from private or public service for delinquency, misconduct, inability to do similar work, or any other such cause.
 - g. They have used, or attempted to use, pressure or bribery to secure an advantage in the examination or appointment
 - h. They have directly or indirectly obtained information regarding examinations to which he was not entitled
 - i. They have otherwise violated provisions of these Rules
 - j. They have taken part in the compilation, administration or correction of the examination.
 - k. Or for any other reason identified by the Secretary/Examiner, appointing authority, or testing service as rendering the applicant unfit for service.

A disqualified application of an applicant who is not admitted to an examination shall be promptly notified by email to their last known email address. Within ten (10) days of notice of rejection, the applicant may request a hearing by the Commission appealing the rejection of their application. The hearing date will be scheduled within thirty (30) days following receipt of the request. The applicant shall be notified of the hearing date and place at least ten (10) calendar days in advance of the hearing date. The applicant shall be notified of the Commission's decision within five (5) calendar days following the hearing.

RULE IV

EXAMINATIONS

1. Examination Notices

Examination notices shall be distributed via email throughout the police or fire department. The notice shall specify the title of the class for which applications are being accepted, opening and closing dates for acceptance of applications, minimum or desirable qualifications and any other information deemed necessary to attract applicants.

2. Promotion Examinations

Promotion examination notices shall be posted in a conspicuous place in the main administration office, and substation and precincts of the fire and/or police departments. Notices shall list the testing components (i.e. written exam, oral test, etc.) and state that observers may be present. The Secretary-Examiner is responsible for the integrity of the examination process and content, and they or their designee may observe some or all of the exam components to ensure compliance with instructions and exam integrity. On an as needed basis, other individuals may be permitted to observe some or all of the test components. Observers, including the Secretary-Examiner or their designee, may observe some or all of the candidates participating in the examination process.

3. Composition

The Secretary-Examiner shall determine, by objective standards, the appropriate examination for a class and the tests, or combination of tests or relative weights to be assigned. A passing score shall be required on each test included in the examination. Open examinations shall consist of one or a combination of the following:

- a. a written test
- b. an oral test
- c. an evaluation of experience and training
- d. a physical performance test
- e. a promotional evaluation

Promotional examinations shall consist of at least a written and oral test and employee performance evaluation if applicable.

Examination instructions shall specifically state if the examination is an individual or collaborative effort, and if it is a collaborative effort, the ways in which collaboration can occur. For example, a test component is to produce written recommendations for implementing a new policy. If collaboration is allowed to identify the procedures, and the expectation is to produce the written recommendations individually, the instructions shall specifically state this, including final product preparation and how document preparation shall occur.

4. **Examination – Time and Place**

Examination shall be held at such times and places as are necessary to meet the requirements of the City Service, provide economical administration and be generally convenient for applicants.

Makeup written examinations may be administered to candidates taking promotional exams, provided their reason for being unable to attend the regular scheduled examination is of a legitimate nature and prior approval has been obtained from the Chief of the Department and the Secretary-Examiner. The Secretary-Examiner shall then notify all other candidates competing that a makeup examination is scheduled. Makeup examinations shall be completed within two weeks of the regular-scheduled examination date.

5. **Minimum Qualifications** (See specification for each classification in the addendum.)

Upon the written request of the appointing authority, the Commission may waive or modify the minimum qualifications, except those established by LEOFF, for a class to fill a vacant position on a one-examination basis only when:

- a. there is an incomplete register following recent recruiting; and
- b. an acting appointment is not feasible in that the position is supervisory or managerial in nature or otherwise requires the full and immediate discharge of duties and responsibilities; and
- c. The Commission determines the established minimum or desirable qualifications to be appropriate under normal conditions and should not be permanently changed.

6. **Re-Examination**

Upon request, the Secretary-Examiner may authorize an applicant to retake a test provided that:

- a. at least six months have elapsed between the dates of the successive test administrations
- b. the test is taken not more than two times within a 12-month period unless the examination content has been substantially changed
- c. the class is open for filing indicating a continuing recruitment need at the time of request
- d. The Commission finds that the applicant's failure to take or complete an examination was due to an obvious error for which the Secretary-Examiner, their staff or the appointed authority is responsible.

7. **Examination Ratings – Computation**

All applicants for the same class shall be accorded uniform and equal treatment in all phases of the examination procedure. All scores shall be based on uniform and objective rating or scoring procedures. In establishing passing points, the Secretary-Examiner may take into consideration the number of candidates and anticipated openings within limits established by the relevant job standards. When the examination consists of two or more tests, failure of any one test shall constitute failure of the entire examination. Final scores that are tied will be broken by giving a higher rank to the individual with the highest oral test score.

8. **Examination Results - Notice Requirements**

Each applicant shall receive prompt written notice of their final rating when it has been computed. Within 5 calendar days following the posting of exam results, the applicant may request information regarding their score on any part of the examination, or may give written authorization for their personnel officer, or employee representative to obtain the information for them. The same information may, upon request, be furnished to the appointing authority concerning a certified eligible. Information determined by the Secretary-Examiner to be appropriate for dissemination will be provided to the applicant within 5 calendar days of the request date.

9. **Examination Appeals**

Any portion of an examination and scoring, the examination process or administration of the examination may be appealed based on accuracy, issues of fairness or concerns of impartiality.

An appeal must be submitted in writing within 3 calendar days following the receipt of the requested information. The appeal must contain a description of the specific item(s) that are being appealed, the reason for the appeal, and the desired remedy.

The Secretary - Examiner shall have 15 calendar days to investigate and respond to the appeal. The timeline may be extended by the Secretary - Examiner, with notice to the appellant, if further investigation is deemed necessary.

The decision of the Secretary - Examiner may be appealed. The appeal must be submitted in writing within 5 calendar days of receiving the Secretary - Examiner's decision. The Secretary/Chief Examiner and appellant will meet with a mediator and, in good faith, work to find a mutually satisfactory resolution. The Secretary - Examiner shall schedule mediation at the earliest convenience of both parties and the mediator.

If a mutually satisfactory decision is not reached through mediation, the Secretary - Examiner shall schedule a Commission meeting at the Commissioner's earliest convenience.

The Commission will conduct a hearing and render a decision. The Commission's Hearing shall follow a quasi-judicial format, and the Commission may seek outside counsel. Additionally, the City and/or appellant may choose to also have legal counsel present, and must notify the other party within one week of the Hearing if representation will be present.

10 **Examination – Oral Examining Board**

The members of oral examining boards shall be chosen primarily for their ability to judge the technical and personal qualifications of people in their general field of work impartially and objectively. At least one member, by past experience and training, shall be generally familiar with the nature of work in the class. Best efforts shall be made to have a diverse board panel, including persons of color, women, and members the broader community. No examining board may have less than two members. Any employee of the City may serve on open competitive (entry level)

and promotional oral examinations. In the case of promotional exams no more than 50% of evaluators for the entire promotional exam process may be from the department conducting the exam. A member of an oral examination board shall disclose each instance in which he knows the applicant personally. The evaluator may be disqualified on this basis.

11. **Examinations - Physical**

Prior to appointment, candidates considered for appointment shall be required to satisfactorily pass a medical physical examination, in accordance with medical standards adopted by LEOFF. In addition, the appointing authority may request that the medical physical examination include a pre-employment drug screening test. The drug screening test must show a negative result in order for the candidate to be considered for further employment.

Pre-employment drug screening shall only be conducted in compliance with departmental operating procedures. Operating procedures specifically pertaining to pre-employment drug screening shall be approved by the Commission in advance of the implementation of those procedures.

12. **Examinations – Records and Retention**

Applications and other necessary records shall be kept during the life of the register. Applications or copies of appointees' applications may be transmitted to the appointing authorities on request. Examination records of applicants will be destroyed per the Washington State Retention Schedule.

13. **Examination – Veterans' Preference**

Veterans' preference will be added to the total passing score of any veteran entitled to benefits in examinations pursuant to Chapter 41.04.005, Chapter 41.04.007 and Chapter 41.04.010 RCW. Chapter 41.04.005, Chapter 41.04.007 and Chapter 41.04.010 RCW are attached to these Rules and Regulations as Addendum II.

14. **Delegation of Authority**

The Secretary - Examiner may delegate the administration and scoring of entry level and promotional testing to any person or entity deemed qualified by the Secretary/Chief Examiner. The Secretary - Examiner may enter into contracts for such services so long as the amount of compensation has been budgeted and appropriated.

RULE V

REGISTERS

INITIAL ELIGIBILITY LISTS

1. **General:**

Initial Eligibility Lists shall contain the name of individuals who have passed the preliminary phases of the examination process. The rank on the Initial Eligibility Lists is based on final scores. Initial Eligibility Lists are valid for one year. Initial Eligibility Lists are not Registers and therefore do not require certification by the Civil Service Commission.

2. **Referral for Further Testing:**

Departments shall receive the greater number of either the names of the individuals that make up the top 5% of the total list or the number of current vacancies plus eight. If the department requires a larger initial candidate pool, the departments can request two Initial Eligibility Lists.

REGISTERS

The establishment, maintenance and adequacy of all registers shall be the responsibility of the Secretary-Examiner and subject to review and audit by the Commission at any time.

1. **General:**

Registers shall contain the names of individuals that have successfully completed all phases of the examination process. Generally, individuals on the registers will be ranked according to their final scores, with any Veteran's credits where applicable.

2. **Duration:**

The duration of all registers shall normally be one year, as long as it does not jeopardize the reduction-in-force register. The Commission may reduce, extend or update the life of any register, but registers may not exceed two years in duration, except the reduction-in-force register.

3. **Continuous Testing:**

Continuous or periodic examinations may be conducted for certain classifications, as deemed necessary. The Secretary - Examiner may authorize the merging of an open competitive register, which has not yet expired, with a subsequent open competitive register when the selection processes used to create the registers are the same or substantially similar in content, design and scoring standards. Applicants shall be placed on the register in accordance with their or her score; the placement of all others on the list shall be adjusted. Applicants placed on the register may remain on the register for up to one year after the date of placement on the register.

4. **Removal of a Name from Register:**

The appointing authority may request that a name be removed from the register if the police background investigation, psychological examination, physical agility examination, medical physical examination or any other examination deemed necessary by the Commission in

accordance with the Rule and Regulations contain negative findings or if the candidate fails the medical physical or physical agility examinations.

A request for removal must be in writing and submitted to the Secretary-Examiner for review. If the Secretary-Examiner determines that such findings would cause the candidate to no longer meet the requirements of the job or the Rules and Regulations of the Civil Service Commission, the Secretary-Examiner may order removal of the name. The Secretary shall promptly notify the candidate of any such action. If the candidate disagrees with the action of the Secretary-Examiner, they may appeal this decision in writing to the Commission within 30 days of notice. The Secretary-Examiner shall report at regular meetings all such removals.

The name of an eligible candidate may be withheld from certification or removed from an eligible list when the person:

- a. Expresses unwillingness or inability to accept appointment or refuses an offer of appointment.
- b. Fails to respond within ten business days next succeeding the mailing of written inquiry regarding availability for permanent employment, or on three separate occasions, refuses an offer of interview for a vacant position, or fails to respond within five business days of a request to appear for interview regarding such employment.
- c. Fails to report for duty at the time agreed upon after having accepted an appointment.
- d. Fails to present license, registration, certificate or any other credentials required. The name of any person removed according to this subsection may be restored for certification when the particular requirement has been met. The eligible person is responsible to notify the Civil Service Commission when they have met the requirements.
- e. Fails to maintain a record of current address with the Commission as evidenced by the return of a properly addressed unclaimed letter or other evidence.

Whenever the needs of the service require, the Secretary – Examiner shall ascertain the availability for employment of the persons whose names appear on an eligible list. The name of the eligible person may be removed in accordance with b. and e. above as a result of the canvass of the eligibility list.

3. **Mandatory Sequential Use of Registers:**

a. **Reduction-In-Force Register:**

This register shall contain the names of those permanent employees of any department separated due to a reduction-in-force. This register shall be ranked according to total service in that department as measured from the first appointment date and adjusted for any break in service. The employee's name shall appear for all classifications in which he has previously held permanent status within the department. If classification titles or concepts have changed, the Commission shall determine the classification now in use most like that previously held.

b. **Promotion:**

Their register shall contain the names of those permanent employees of a department who have received a passing final score in the total promotional examination.

1. **Firefighter/paramedic Promotional Register:**

Their register shall contain the names of individuals who are seeking promotion from the rank of Firefighter to the rank of Firefighter/Paramedic and who meet the following requirements:

- a) Successful Completion of an accredited Paramedic Training Program which has been approved by the Thurston County Medical Program Director, with field evaluation by the Thurston County Paramedics.
 - b) Approval by the Thurston County Medical Program Director to function as a Firefighter/Paramedic in Thurston County.
 - c) Must currently hold the rank of Firefighter with the Olympia Fire Department, and have successfully completed the probationary period for Firefighter.
2. Individuals will be ranked on the list in order of date of completion of the stated requirements. If two individuals complete the requirements simultaneously, the more senior will be ranked higher on the list.
 3. Individuals on the list will be required to take the annual re-certification examination required of the Firefighter/Paramedic, and submit documentation to the Secretary-Examiner in evidence of receiving a passing score on the re-certification exam.
 4. If not appointed within the first year of being placed on the list, individuals ranked on the list will be required to ride with the Paramedics on two shifts each quarter, and submit the Paramedic Evaluation Reports to the Secretary-Examiner in order to be retained on the list.
 5. As a condition of appointment, individuals must agree to work in the classification of Firefighter/Paramedic for a minimum of two years before being allowed to revert to the Firefighter classification.

Voluntary Demotion/Reversion Register:

This register shall contain the names of all permanent employees who have requested a voluntary demotion or reversion to a classification in which he or she has previously held permanent status. To be placed on this register an employee must demonstrate that he or she served satisfactorily in the previously held position and still possesses the skills, knowledge, abilities and physical capacities necessary to perform the work of the previously held class. This register shall be ranked by seniority.

d. **Open Competitive Registers:**

i. **Supervisor Register:**

This register will contain the names of all persons who have passed the open competitive examinations for a supervisory classification and shall be ranked by final score

ii. Trainee Register:

This register will contain the names of all persons who have passed the open competitive examination for entry level positions which do not require prior police or fire service experience, and shall be ranked by final score. This register may be used simultaneously with the Advanced Entry Register.

iii. Advanced Entry Register:

This register will contain the names of all persons who have passed an open competitive examination for entry level positions which require prior police or fire service experience and/or education, and shall be ranked by final score. This register may be used simultaneously with the trainee register.

iv. Reinstatement Register

This register will contain the names of individuals who have been previously employed with the City of Olympia Police and/or Fire Departments, who have been required to terminate employment due to medical disability or have resigned in good standing, and whose last position meets the following criteria:

- For Police Department employees, must have been a commissioned Police officer with all associated authority and powers of enforcing the laws of the State of Washington.
- For Fire Department employees, must have been a uniformed fire department employee, performing activities required for and with full legal authority to engage in the prevention, control or extinguishment of a fire of any type, and/or to provide emergency medical services.

Individuals who have terminated due to medical disability or have resigned in good standing may be placed on the Reinstatement Register within 12 months of the employment termination. Qualifications to be placed on the Reinstatement Register and conditions of employment include:

- Individuals must have successfully completed the probationary or trial-service period in their most recently held position.
- Physician's authorization of fitness to return to duty must be provided prior to placement on the register for those required to terminate due to medical disability.
- Individuals considered for hire must successfully complete an employment interview with the Appointing Authority. Where applicable the individual may be asked to successfully complete a medical physical evaluation, psychological evaluation, polygraph,

physical agility, and, in the Fire Department, a pre-employment drug screening, prior to hire.

- Individuals hired from the Disability Reinstatement Register are subject to new employee requirements, including the probationary period as provided in Rule VI, Certification and Probationary Period.
- Law enforcement employees must possess a valid Washington State Basic Law Enforcement Certificate at the time of interview.
- Fire Department employees must possess a valid Washington State Emergency Medical Technician or paramedic certificate, including authorization to work by the Medical Program Director, depending on classification being considered at time of interview.

Rank order on the Reinstatement Register shall be determined by total time of employment in all positions meeting the above-stated criteria in which permanent status was held. The number of names of the Reinstatement Register shall comply with **Rule VI, Certification and Probationary Period, 1. Certification-General**. Individuals may remain on this register for a period of 12 months.

The Reinstatement Register may be used simultaneously with other Open Competitive Registers provided in these Rules. Placement on the Reinstatement Register does not constitute a binding offer of employment. Appointments from this register are solely at the discretion of the Appointing Authority. This rule is superseded by LEOFF Disability rules and regulations.

RULE VI

CERTIFICATION AND PROBATIONARY PERIOD

1. Certification - General

The appointing authority shall request certification from the Secretary-Examiner for the classification of the position to be filled. The Secretary-Examiner shall provide the names of those highest on each register created by these rules for the class; said list shall contain a number of names for each register equal to the number of vacancies to be filled, plus four. In addition, when applicable, the Secretary-Examiner shall provide a number of names of persons selectively certified pursuant to these rules, equal to the number of vacancies to be filled, plus four. The appointing authority shall notify the Commission with evidence that all standards and procedures have been met. This shall apply to all registers with the exception of the promotional register.

In the case of a request for certification from a promotional register, the Secretary-Examiner shall provide a list containing a number of names on the register equal to the Number of vacancies to be filled, plus two.

2. Status of Eligible Candidates Not Selected for Appointment

Eligible persons certified, but not selected for appointment by the appointing authority, retain their positions on registers and shall be recertified in response to subsequent personnel requisitions.

When the name of an eligible person has been certified three times and has not been appointed, the appointing authority may request to the commission that the eligible person's name be removed from the register within five (5) working days of the last certification.

CERTIFICATION AND PROBATIONARY PERIOD

3. Probationary Period

All new uniformed employees of the Police Department will serve a probationary period of 18 months or 12 months after successful completion of academy, whichever is longer. All new uniformed employees of the Fire Department will serve a 15 month probationary period with the option of ending probation at 12 months at the Fire Chief's discretion. The appointing authority shall counsel the employee during their probationary period and inform the employee of their strengths, weaknesses, and methods of improvement. An employee who fails to satisfactorily complete probation shall be given 15 calendar days written notice by the appointing authority. Employees discharged during the probationary period do not have the right to appeal.

4. Emergency, Temporary or Provisional Appointments

In the event there is no register for a class of positions, the Secretary - Examiner may create a temporary or provisional register for that class and certify names(s) from that register to the appointing authority. Such temporary or provisional appointments shall not continue for a period longer than six months; nor shall any person receive more than one provisional appointment or serve more than six months as a provisional appointee in any one fiscal year. Such approvals are subject to review and audit and may be withdrawn by the Commission at any time.

RULE VII

TRIAL SERVICE PERIOD

All employees who are promoted to a classification with a higher pay or salary level will serve one year trial service period. The appointing authority shall counsel the employee during their trial service period and inform the employee of their strengths, weaknesses, and methods of improvement. Any employee who fails to satisfactorily complete the trial service period shall be given 15 calendar days written notice by the appointing authority and reverted to their former classification and pay level. Employees who are reverted do not have the right to appeal.

RULE IX

REDUCTION-IN-FORCE

Any employee may be separated from employment because of lack of funds or curtailment of work after a 15 calendar day written notice has been given. Upon receipt of the notice, the employee will have their name placed on the reduction-in-force register.

No permanent employee shall be reduced-in-force until all probationary and temporary employees are dismissed.

The appointing authority shall determine by classification, which positions are to be abolished.

The employee having least time-in-grade in the class subject to reduction shall be the employee to be reduced and he shall have bumping rights over any employee in a lower classification provided he has more total seniority than the employee being bumped and has held permanent status in that classification. Bumping by employees will be limited to the same department or layoff unit.

An employee being reduced-in-force may take a voluntary demotion to a vacant position for which he qualifies.

No new employee can be hired until all reduced-in-force employees have been re-employed or have declined re-employment in a permanent position, unless the position being filled is of such a nature that the reduced-in-force employee did not hold permanent status in the class, or cannot qualify.

A reduced-in-force employee may have their name removed from the reduction-in-force register if he declines to accept a firm re-employment offer in any class for which he qualifies, or refuses to return to work after 15 days written notice.

An employee who is on authorized leave of absence or military duty will be considered as a working employee during reduction-in-force procedures.

A reduced-in-force employee cannot compete for promotional examinations unless he has received notice to return to work and otherwise meets minimum qualifications for the promotional class.

RULE X

LEAVE

The appointing authority may grant leave without pay to permit an employee an absence from duty for a period not to exceed one year. Such leave must be for a bona fide reason and not cause undue hardship on the department.

Any person who voluntarily or upon demand vacates a position to enter active military service shall be placed on leave without pay and will be returned to their former position or a similar position upon return from military service, unless there has been a reduction-in-force. Notice of intent to return must be given to the appointing authority within 90 days of discharge.

RULE XI

DISCIPLINARY ACTIONS

The appointing authority may demote, suspend, reduce in salary, dismiss or otherwise discipline an employee for any violation of the department's rules or regulations. Notice of the disciplinary action must be in writing and conveyed to the employee setting for the reason for the action.

Any permanent employee who is demoted, suspended, reduced, dismissed, or disciplined may appeal such action to the Commission. The appeal must be in writing and submitted within 10 days after the effective date of the action being appealed.

The Commission shall arrange an appeal hearing as soon as possible, and conduct the hearing within 60 days after receipt of the appeal. The appellant shall be notified of the time and place of the hearing at least 10 days in advance and may be represented by counsel. After hearing the appeal, the Commission shall notify the appellant and appointing authority in writing of its decision.

Such hearing shall be open to the public, and shall be informal with technical rules of evidence not applying to the proceedings. All testimony shall be given under oath and an official record will be made of the hearing.

The Commission will not furnish a complete transcript of such records unless requested by the appellant or appointing authority who shall pay a reasonable charge to cover the cost of the official transcript.

RULE XII

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the Civil Service Commission that all employment practices conducted under these Rules and Regulations will be free of discrimination and provide equal opportunity to all persons receiving employment services under these Rules. Discrimination against any individual in regard to application, testing, hiring, promotion, discipline or other employment practices because of age, gender, race, creed, color, national origin, sexual orientation, or the presence of any physical, mental, or sensory disability is prohibited.

The Civil Service Commission is committed to employment practices that assure fair and equal employment opportunities and provide the foundation to achieve and maintain a diverse workforce in the Police Department and Fire Department. To accomplish this, the Civil Service Commission will administer the Civil Service Rules and Regulations and implement effective processes that support and result in a diverse workforce. The Police and Fire Departments will aggressively pursue diversity in the workforce through hiring and providing a work environment that supports all individuals.

The business of the Civil Service Commission will be conducted in accordance with applicable federal, state, and local laws and regulations regarding employment.

The Olympia Police and Fire Departments will each have a least one department member serve on the City of Olympia Committee on Diversity and Equity. The members representing the Police and Fire Departments shall actively support the Commission's goals of promoting equality and diversity within their departments, especially in the hiring and promotional processes.

RULE XIII

**VOLUNTARY DEMOTION OF
FIREFIGHTER/PARAMEDIC TO FIREFIGHTER**

1. **Register**

Any Firefighter/Paramedic who has not previously held permanent status as a firefighter shall be able to have their name placed on the Voluntary Demotion/Reversion Register for Firefighter, provided that they have served at least four (4) years as a Firefighter/Paramedic.

2. **Training and Evaluation Period**

Such an individual shall serve a six month training and evaluation period subsequent to appointment during which time he/she must demonstrate the capacity to gain the additional skills necessary to perform all the duties assigned to full time Firefighters. Employees serving this six-month training and evaluation period retain the right of appeal provided in Rule XI. In the case that an individual fails the “training and evaluation period” and is not granted a remedy throughout the appeal process, such an individual shall be able to have their name placed on the Voluntary Demotion/Reversion Register and be allowed to revert to the class of Firefighter/Paramedic when openings are available according to the provisions of Rule V, Section 3(c).

3. **Time-in-Grade**

Any employee appointed to the class of Firefighter under the provisions of this section will be granted time-in-grade in the class of Firefighter, equal to time-in-grade accrued as a Firefighter/Paramedic.