



## City of Lacey, Washington Civil Service Commission Meeting Agenda

Refer to the bottom of the agenda for meeting information.

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Monday, May 6, 2024

12:15 PM

Council Chambers and Online

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- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of the Agenda**
- 4. Approval of Minutes**
  - A. Approval of the Minutes of February 5, 2024
- 5. Public Comment**
- 6. Agenda Items**
  - A. Command Staff Quarterly Report
  - B. New Hires, Promotions, Resignations, and Recruitments
  - C. Action: Civil Service Rules Definition Change
- 7. Adjourn**

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### Attendance and Public Comment

#### Attend Remote or In-Person

The public may attend the meeting in-person, or you may view or listen to the meeting using one of the following platforms:

- In-Person      Council Chambers at Lacey City Hall  
420 College Street SE, Lacey, WA 98503
- Zoom:            [https://us02web.zoom.us/webinar/register/WN\\_zblpIBHhQD6zStqllnyAgQ](https://us02web.zoom.us/webinar/register/WN_zblpIBHhQD6zStqllnyAgQ)
- Website:        <https://cityoflacey.org/government/public-meetings/>
- Facebook:      <https://www.facebook.com/cityoflacey>
- YouTube:        <https://www.youtube.com/watch?v=1LMIM6ckopo>

Cable: Channel 77 with your local cable provider  
Phone: (888) 788-0099 or (877) 853-5247 (Webinar ID 840 5992 4249)

### **Verbal Public Comment**

Those wishing to provide verbal public comment may do so in-person, or by Zoom:

In-Person: Use the sign-up sheet located in the Council Chambers.

Zoom: Preregister using the following Zoom link no later than two hours prior to the meeting:

[https://us02web.zoom.us/webinar/register/WN\\_zblpIBHhQD6zStqllnyAgQ](https://us02web.zoom.us/webinar/register/WN_zblpIBHhQD6zStqllnyAgQ)

Instructions and access details will be provided once registration is complete.





**LACEY CIVIL SERVICE COMMISSION**  
**Meeting Minutes**  
**02/05/24**  
**In Person and via Zoom**

**MEMBERS PRESENT:**

Amanda Vey, Commission Chair  
Madelin White, Commissioner  
Mark Brown, Commissioner

**STAFF PRESENT:**

Leialani Jensen, Human Resources Director  
Venessa Medford, Human Resources Analyst/Civil Service Examiner & Secretary  
Robert Almada, Chief of Police  
Elissa Fontaine, City Clerk  
Kelly Adams, Special Projects Administrator

**MEMBERS OF THE PUBLIC PRESENT:**

None

**CALL TO ORDER/ROLL CALL:**

Chair Amanda Vey, called to order the February 5, 2024, Civil Service Commission meeting. The meeting started at 12:15 pm.

**APPROVAL OF THE AGENDA:**

Commission Chair Vey motioned to approve the February 5, 2024, agenda as published, was moved by Commissioner Mark Brown, seconded by Commissioner Madelin White and passed unanimously by the Commission.

**APPROVAL OF THE MEETING MINUTES:**

Chair Vey motioned to approve the November 6, 2023, meeting minutes as published, was moved by Commissioner White, seconded by Commissioner Brown and passed unanimously by the commission.

**BUSINESS:**

**New Hires, Promotions, Resignations and Recruitments**

Chief Robert Almada presented information on quarterly staffing levels, and recruitment status updates to the commission, which included departure, vacancy and hiring demographic statistics.

**Civil Service Rule Amendment**

Human Resources Analyst Venessa Medford provided a copy of a proposed amendment to a definition in the civil service rules, to be considered for adoption at the next meeting.

**Advisory Board Member Updates**

City Clerk Elissa Fontaine and Special Projects Administrator Kelly Adams presented city-wide updates to advisory boards to the commission.

**The meeting adjourned at 12:40 pm.**

The next Commission Meeting will be held on May 6, 2024 @ 12:15pm (in person and virtually via Zoom).

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Recording Secretary

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

DRAFT

# City of Lacey

# Civil Service Rules

Revised November 6, 2023



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## RULES AND REGULATIONS

### Rule I. Definition of Terms

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

**Abandonment of Position.** The absence of an employee from their position for three (3) or more consecutive work days with no notification to the Department.

**Appointing Authority.** The City Manager, Chief of Police of the City of Lacey, or designee. The words appointing authority, appointing officer, or appointing power shall be synonymous.

**Appointment, Emergency.** An appointment, for emergency reasons, to a classified position for a period not to exceed six (6) months for initial appointment.

**Appointment, Certified.** A competitive appointment to a classified position made from an approved eligibility list.

**Appointment, Provisional.** A noncompetitive appointment to a classified position made in the absence of eligible candidates.

**Appointment, Temporary.** Single, or multiple periods, of employment during the absence of a regular employee on leave, or for work having a defined end date.

**Certification.** The provision of the appropriate number of names of candidates who have passed the examination for a given class and are eligible to be considered for vacancies.

**Class.** A position, or group of positions, with duties sufficiently similar, to allow the same title, examination, minimum qualifications, and salary range to be used.

**Classified Service.** All positions and employees in the City service subject to the provisions of these Rules. Classifications under this definition shall include all fully commissioned Police Officers of the City, excluding the Chief of Police and Deputy Chief.

**Commission.** The Civil Service Commission for the City of Lacey.

**Compensation.** Any allowance, fee, salary, or wage paid to an employee, or Officer, in the classified service for performing the duties and responsibilities of their position of office.

**Demotion.** The movement of a regular employee from a position in one class, to a position in another class, having a lower maximum salary.

**Discharge.** The separation of a regular employee from the classified service for cause, or of a probationary employee as specified in these Rules.

**Eligible.** A person who has become qualified by the City of Lacey examination process, or another qualifying process, that is recognized by the Washington State Criminal Justice Training Commission.

**Eligibility List.** A list of candidates who are eligible for appointment to a position in a specified class in the classified service.

**Employee.** Any person employed under the jurisdiction of these Rules.

**Entry Level.** The lowest level class in a series of classes.

**Full-Time Employment.** Employment requiring an average of forty (40) hours of work per week.

**Insubordination.** The refusal to obey a reasonable and legal order that a superior Officer is entitled to give and have obeyed.

**Lateral.** Applicant for employment who has graduated from an approved law enforcement training academy. Lateral Police Officers will not have a gap in service of more than twelve (12) months from their most recent law enforcement agency.

**Layoff.** The separation, without cause, of an employee because of lack of funds, lack of work, or material change in organization. This shall not constitute a break in service.

**Notice, Public.** Giving notice by publication via media outlets.

**Notice.** Serving notice in writing either to the person directly by certified mail to their last known address, or via email to their last known email address. The service shall be deemed completed at the time the notice is deposited at the post office for certified mail, or if by email, when the message has been sent.

**Open Competitive.** Recruitment and selection that is not limited to regular employees of the City of Lacey Police Department, but is open to the general public.

**Position.** A group of duties and responsibilities normally assigned to an employee. A position may be filled or vacant, full-time or part-time.

**Probationary Period.** The trial period of employment following certification and appointment to, or reemployment in, the classified service and continuing for twelve (12) months after the Entry Level Police Officer graduates from the Washington State Criminal Justice Training Commission (WSCJTC) Academy, twelve (12) months after appointment for a Lateral Officer, or six (6) months for promotional positions, unless extended by the Commission as requested by the appointing authority.

**Promotion.** The change of a regular employee from a position in one class, to a position in a class, having a higher maximum salary.

**Regular Employee.** An employee who successfully completed the prescribed probationary period and has not had a break in service.

**Seniority.** A measure of the last period of unbroken time, as a ~~fully-commissioned~~Lacey Police Department Officer, served in the classified service under the jurisdiction of the City of Lacey Civil Service Commission. Time spent on leave without pay is not credited unless statutes require it.

**Supervisor.** Any individual having full-time responsibility to participate regularly in all, or most, of the following functions: supervise, evaluate, discipline, and direct employees or adjudicate grievances.

**Suspension.** An enforced absence without pay for disciplinary purposes.

**Transfer.** The change of an employee from one to another classified position having the same salary range number.

## Rule II. Civil Service Commission

### Section 1. Organization

The Civil Service Commission, annually at the last scheduled quarterly meeting of the year, shall elect a chairperson who shall hold office until a reorganization becomes necessary, either upon the appointment and/or resignation of a new member, and/or by resignation of the chairperson. The chairperson shall preside at all meetings of the commission, sign necessary documents as chairperson, and generally act as the presiding officer of the Commission. During temporary absences, one of the members of the Commission may be designated to serve as temporary chairperson. Two members shall constitute a quorum, and two affirmative votes shall be required for the transaction of any official business. An employee of the City of Lacey Human Resources Department, as designated by the Human Resources Director, shall attend all meetings, record the action taken and cause the minutes to be presented to the Commission for adoption at the next regular meeting. Upon adoption, the minutes 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.

### Section 2. Date, Time and Place for Regular Meeting

Regular meetings of the Civil Service Commission of the City of Lacey, Washington, shall be held on the first Monday of February, May, August, and November at 12:15 p.m., in the City Hall, Lacey, Washington. Based on the duties performed by the commission, quarterly meetings have been authorized as an acceptable deviation from the specific requirements outlined within RCW 41.12. Special meetings may be held upon call of the chairperson or any two members.

Any meeting may be canceled and/or rescheduled if there is no pending business requiring action of the Commission, or if necessary, for other reasons in the best interest of the Commission.

### Section 3. Meetings Public – Executive Sessions

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 meetings, open to the public. Executive sessions may be held as allowed by RCW 42.30.

### Section 4. Powers and Duties

The Civil Service Commission shall:

- A. Amend and adopt rules for the regulation of personnel matters within the classified service.
- B. Approve minutes of its meetings and records of its procedure.

- C. Provide for competitive examinations under the supervision of the Chief Examiner, in order to determine the relative qualification of job applicants and prepare an eligibility list.
- D. Conduct all civil suits necessary for the proper enforcement of the Civil Service Act and these Rules. The Commission shall be represented in such suits by the City Attorney, unless it becomes necessary to appoint special counsel because the City is a party to the action.
- E. Hear and determine appeals arising from the administration of the Civil Service Ordinance and these Rules.
- F. Hear and report on matters touching the enforcement and effect of the Civil Service Ordinance and these Rules.
- G. Have such other powers and duties as are imposed upon said Commission by virtue of RCW 41.12.040.

### **Rule III. Secretary and Chief Examiner**

#### **Section 1. Selection**

If the Commission approves, the Commission may appoint employees of the City of Lacey Human Resources Department, as designated by the Human Resources Director, to the positions of Secretary and/or Chief Examiner for the Commission.

#### **Section 2. Duties of Secretary**

The Secretary shall 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; prepare the correspondence of the Commission; conduct position classification studies as necessary, make recommendations regarding policy and amendments to these Rules; and perform such other duties as the Commission and chairperson may require.

#### **Section 3. Duties of Chief Examiner**

The Chief Examiner shall conduct and keep record of all examinations held under the direction of the Commission; establish and maintain eligibility lists; maintain a record of all regular and temporary positions in the classified service; conduct investigations and report to the Commission as required; make recommendations regarding policy and amendments to these Rules; and perform such other duties as the Commission and chairperson may require.

## **Rule IV. Classification and Compensation Plan**

### **Section 1. New Positions**

When a new position is established, the Chief Examiner shall review the duties assigned to it, in order to ensure it is allocated to the proper class. Then the Chief Examiner shall certify the names of the top three (3) candidates from the appropriate eligibility list. If there is not an appropriate eligibility list, the Chief Examiner shall initiate a recruitment program as described in Rule V.

### **Section 2. Reclassification**

A position whose duties have changed substantially shall be reclassified to the appropriate class. No reclassification to a class having either a greater, or lower maximum, salary shall be effective, however, unless recommended by the Chief Examiner and approved by the appointing authority prior to ratification by the City Manager. Nor shall reclassification be used for the purpose of avoiding the restrictions surrounding demotions and promotions.

## Rule V. Applications

### Section 1. Recruitment

Recruitment shall be conducted publicly in any manner that will attract a sufficient number of qualified persons to meet the needs of the classified service. Recruitment will be conducted by the Chief Examiner. Recruitment efforts may be augmented or enhanced to recruit minority and female candidates to civil service classifications in the interests of achieving workforce demographics, which reflect the diversity of the Lacey community. The recruitment notice shall specify the title and salary range of the class, information about the duties performed, minimum and desirable qualifications, type of examination, whether recruitment is openly competitive or promotional, and whether the recruitment is open continuously or provide the last date on which applications will be accepted.

Recruitment for all entry level positions will be on an open competitive basis. Recruitment for positions above the entry level may be either open competitive or promotional, at the discretion of the appointing authority.

### Section 2. Minimum Qualifications

Minimum qualifications shall be established for each class based upon legal requirements and the knowledge, skills, and abilities necessary for successful performance of the job or as otherwise set forth by RCW 41.12.070, WAC 139-07-020 and WAC 139-05-210. pre-employment medical documentation signed by a physician selected by the City, that an eligible candidate meets minimum physical standards set by the City, shall be required prior to hire.

### Section 3. Rejection of Application

The Chief Examiner may reject an application, or disqualify a candidate, for any of the following reasons:

- A. Failure to meet any of the minimum qualifications established for the classification.
- B. Abuse of intoxicating liquors.
- C. Abuse of substances (drugs).
- D. Conviction of a felony, misdemeanor or gross misdemeanor involving moral turpitude, domestic violence, or any other criminal conviction or court order that disqualifies the applicant from possessing a firearm or as otherwise set forth by RCW 9.96A.
- E. Conduct in prior employment, which would constitute grounds for discharge.
- F. Falsification of material facts in their application.

- G. Deception or fraud in securing examination, certification, or appointment.
- H. Applicant character is in conflict with the mission, vision, and values of the Lacey Police Department.
- I. Applicant sought, or obtained, confidential information concerning such exam which might provide an unfair advantage over other applicants.
- J. Application and/or supplemental information required is incomplete.
- K. Applicant violated rules set forth by the Commission or test administrator.

The reason for rejection shall be noted in the background investigation file and maintained in accordance with the Washington State Records Retention schedule and guidelines by either the Lacey Police Department or the City of Lacey Human Resources Department.

The Chief Examiner may permit and assist an applicant to amend an application prior to initial screening of application, for good cause shown.

#### **Section 4. Reapplication**

The applicant who has failed an examination may reapply to any subsequent opening for which they meet the minimum qualifications subject to examination requirements as set forth in Rule VI and Rule VII, unless otherwise disqualified as set forth in Rule V Section 3 above.

## **Rule VI. Examinations**

### **Section 1. Conduct of Examinations**

The Chief Examiner shall facilitate the examination process and may be conducted, coordinated and/or facilitated with an independent testing company.

### **Section 2. Qualifying Grade**

The passing score for an examination will be 75%, unless otherwise posted in the announcement. The final score shall be based upon all scored segments of the examination. Failure in one part of the examination may be grounds for declaring the applicant as failed in the entire examination, or as disqualified for subsequent parts of the examination.

### **Section 3. Preparation of Eligibility Lists**

The names of candidates who receive a passing score on the examination shall be arranged in order of their scores and veteran's preference (if applicable). In the event that two (2) or more candidates receive the same score, the candidate with the highest score on the written portion of the examination, prior to adding veteran's preference points, shall be considered as having the highest overall score.

### **Section 4. Veteran's Preference**

In all competitive examinations, veterans shall be given a preference by adding to the passing grade of the written exam, based upon a possible rating of 100 points as perfect, a percentage of such passing grade as per RCW 41.04.010, provided that a veteran's preference form and supporting documentation is provided at the time of application.

In the event that a written exam is not part of a process, veterans shall be given a preference by adding to the passing grade of the overall process, a percentage of such passing grade as per RCW 41.04.010, provided that a veteran's preference form and supporting documentation is provided at the time of application.

All considerations for Veterans and Veteran's Preference will be pursuant to the appropriate sections of RCW 41.04.

### **Section 5. Notification of Results**

Each candidate shall be notified by mail, telephone call, or email, of the results of the examination and, if successful, of the final score and relative position on the eligibility list.

Examination notifications will be made no sooner than three (3) business days immediately following completion of the examination process in order to provide for any appeals to the examination process.

**Section 6. Promotional Examination**

Promotional examinations may be conducted as needed, and may consist of evaluations of prior service, accomplishments in special training courses, or other pertinent tests. All candidates for promotion must be regular employees in the classified service of the City and must possess the minimum qualifications of the class to which promotion is sought.

The examination shall be competitive, objective, and practical. The process shall be designed to qualify and rank candidates in terms of their relative qualifications and abilities to perform the duties and responsibilities of the position and to meet the City's performance expectations and standards for the position; including technical, customer service, supervisory, interpersonal and team behavior standards and expectations.

The Chief Examiner, in agreement with the appointing authority, may limit the number of applicants permitted to take an examination. Any limitation shall be included in the exam announcement.

The Chief Examiner may amend any published announcements without notice.

The Corporal promotional examination will be an internal process and may include:

1. Candidate Application - The application package will include an application, resume, letter of interest, and a supplemental questionnaire. To be considered for the next phase of the process, the candidate application package must be both complete and submitted prior to the posted deadline.
2. Written Exam (may be incorporated when filling positions after the initial selection process) - The written exam will be formulated and approved by designated appointing authority in collaboration with Human Resources, and may include suggested testing topics, current state and federal law, and/or content included in departmental policy, procedure, and training manuals. In the event of more than eight (8) applicants for the position, this written examination will be utilized to rank the top eight (8) scoring applicants as eligible to move forward to the next phase of the process.
3. Assessment – The assessment may include a combination of group or individual exercises, written or practical, designed to assess and rank the candidate's skills and abilities relative to the position's duties, and performance standards and expectations. Such tests may evaluate education, experience, aptitude, knowledge, skill, characteristics, and qualifications required to meet the qualifications, performance standards, and expectations for the position.

4. Interview – The interview is designed to assess and rank the candidate's skills and abilities relative to the position's duties and performance standards and expectations.

The assessment/interview panel(s) may include representatives from the Lacey community, law enforcement professionals from outside law enforcement agencies at an equivalent rank or higher, and representatives from the City and/or Lacey Police Department who are at an equivalent rank or higher.

The Sergeant promotional examination shall include:

1. Candidate Application - The application package will include an application, resume, letter of interest, and a supplemental questionnaire. To be considered for the next phase of the process, the candidate application package must be both complete and submitted prior to the posted deadline.
2. Written Exam - The written exam will be formulated by an outside testing source utilizing information provided from the Lacey Police Department and approved by designated appointed authority in collaboration with Human Resources. This information may include suggested testing topics, current state and federal law, and/or content included in departmental policy, procedure, and training manuals. In the event of more than eight (8) applicants for the position, this written examination will be utilized to rank the top eight (8) scoring applicants as eligible to move forward to the next phase of the process.
3. Assessment – The assessment may include a combination of group or individual exercises, written or practical, designed to assess and rank the candidate's skills and abilities relative to the position's duties and performance standards and expectations. Such tests may evaluate education, experience, aptitude, knowledge, skill, and the characteristics and qualifications required to meet the qualifications, performance standards, and expectations for the position.
4. Interview – The interview is designed to assess and rank the candidate's skills and abilities relative to the position's duties and performance standards and expectations.

The assessment panel shall include at a minimum one representative from the Lacey community, two law enforcement professionals from outside law enforcement agencies at an equivalent rank or higher, two city employees from the Lacey Police Department who are at an equivalent rank or higher, and/or from among other qualified City employees. A good faith effort shall be made to have a diverse panel. If additional assessors are needed, they shall be added in groups of three to maintain the balance described above in the

assessment panel. For example; if a total of eight assessors are needed; the make-up of the panel would be two representatives from the Lacey community, three law enforcement professionals from outside law enforcement agencies at an equivalent rank or higher, and three city employees from the Lacey Police Department who are at an equivalent rank or higher and/or from among other qualified City employees. Assessors will only be utilized to score exercises they are qualified to rate.

The Lieutenant promotional examination shall include:

1. Candidate Application - The application package will include an application, resume, letter of interest, and a supplemental questionnaire. To be considered for the next phase of the process, the candidate application package must be both complete and submitted prior to the posted deadline.
2. Written Component - The written component will be formulated by an outside testing source utilizing information provided from the Lacey Police Department and approved by designated appointed authority in collaboration with Human Resources. This information may include suggested topics, current state and federal law, and/or content included in departmental policy, procedure, and training manuals. In the event of more than four (4) applicants for the position, this written component will be utilized to rank the top four (4) scoring applicants as eligible to move forward to the next phase of the process.
3. Assessment – The assessment may include a combination of group or individual exercises, written or practical, designed to assess and rank the candidate's skills and abilities relative to the position's duties and performance standards and expectations. Such tests may evaluate education, experience, aptitude, knowledge, skill, and the characteristics and qualifications required to meet the qualifications, performance standards, and expectations for the position.
4. Interview – The interview is designed to assess and rank the candidate's skills and abilities relative to the position's duties and performance standards and expectations.

The assessment panel may include at a minimum one representative from the Lacey community, two law enforcement professionals from outside law enforcement agencies at an equivalent rank or higher, two city employees from the Lacey Police Department who are at an equivalent rank or higher, and/or from among other qualified City employees. A good faith effort shall be made to have a diverse panel. If additional assessors are needed, they may be added in groups of three to maintain the balance described above in the assessment panel. For example; if a total of six (6) assessors are needed; the make-up of the panel would be two representatives from the Lacey community, three law enforcement

professionals from outside law enforcement agencies at an equivalent rank or higher, and one city employees from the Lacey Police Department who are at an equivalent rank or higher and/or from among other qualified City employees. Assessors will only be utilized to score exercises they are qualified to rate.

## Rule VII. Eligibility Lists

### Section 1. Order of Names on Lists

Names on eligibility lists for any class shall be listed in order of score on the examination, including applicable veteran's preference points, except that employees laid off (within the previous twelve (12) months) from a position in that class, shall be given preference over other candidates in order of their seniority. Whenever two or more persons have equal claim to a position on a list, their names shall be arranged according to the date and time of their applications, and if the same, by coin toss.

### Section 2. Effective Life of Lists

Eligibility lists shall become effective when the Chief Examiner signs a statement certifying the list. Names appearing on lists by reasons of layoff shall also remain effective for the appropriate time. Eligibility lists shall remain in effect as follows:

Entry Police Officer	1 year
Lateral Police Officer	1 year
Promotional – Corporal	1 year
Promotional – Sergeant	1 year
Promotional – Commander	1 year
Promotional – Lieutenant	1 year

The Police Chief can request to abolish an eligibility list and request the Chief Examiner to conduct a retest earlier, if a number of qualified candidates have become eligible to test since the last list was established.

### Section 3. Removal of Names from Lists

The name of any person appearing on an eligibility list may be removed by the Chief Examiner if the candidate fails to respond to a notice of certification (See Rule VIII, Section 3), has their name certified two (2) times to the same appointing authority or department head without receiving appointment; failure to furnish background materials; one (1) year has passed since the name was placed on the list, or for any reason listed in Rule V, Section 3.

In the case of removal, the Chief Examiner shall notify the affected candidate, via email, to the email address provided on the candidate's application. The person removed due to

failure to respond to a notice of certification may be reinstated to the list only if satisfactory explanation of the circumstances is made to the Commission.

The names of such persons who resign from the service shall be automatically dropped from such lists.

A candidate that enters the background stage of the recruitment process will be removed from the eligibility list.

**Section 4. Notice of Address Change**

Each person on an eligibility list shall notify the Chief Examiner via email, of any change of name, address, telephone number, email address, or current employment status. Failure to do so may cause removal of their name from the list.

**Section 5. Revocation of List**

An eligibility list may be revoked and another examination ordered only when, upon the recommendation of the Examiner, the Commission determines such action is deemed advisable on account of fraud, errors, or of obviously inappropriate standards prescribed in connection with the examination. No lists shall be altered or revoked except upon written notice to all persons whose standing may be affected and upon entry of the reasons in the minutes of the Commission.

## **Rule VIII. Appointment**

### **Section 1. Certification**

All vacancies in the classified service shall be filled either by original, emergency, provisional, or temporary appointment; reinstatement; recall from layoff; promotion; transfer; or demotion. The Chief Examiner will advise the appointing authority as to which of those methods should be employed in each instance, but the final decision will be left to the appointing authority. Upon being advised by the appointing authority as to the type of appointment to be made, the Chief Examiner shall immediately certify candidates, in accordance with the act and these Rules, if there are names on an eligibility list that the Chief Examiner deems appropriate for the vacancy or vacancies to be filled. Certification of names by the Chief Examiner for vacant positions shall consist of the top three (3) names on the appropriate eligibility list(s) and one (1) additional name for each subsequent open position to be filled.

Vacancies for Police Officer may be filled from either the Entry or Lateral eligibility lists.

### **Section 2. Failure to Respond**

If a candidate whose name has been certified for appointment fails to respond to a notice of certification within five (5) business days after the notice is emailed or fails to accept a written offer or appointment within the same period, the candidate may be deemed to have declined appointment. If a candidate accepts appointment within the prescribed period and then fails to report for duty on the date specified in the notice, he or she may be deemed to have declined appointment.

### **Section 3. Removal of Names from List**

Any person who declines appointment or who fails to report for an interview or duty shall be permanently dropped from the eligibility list from which certified, unless the person shows satisfactory cause to the Commission for their action. Notice of removal shall be given to the candidate as provided in Rule VII, Section 3.

### **Section 4. Emergency Appointment**

To meet the immediate requirements of an emergency condition which threatens life or property, appointing authorities may employ any person, or persons, whom they may be legally empowered to appoint without restriction of Civil Service Law and Rules. The length of appointment may not exceed six (6) months.

### **Section 5. Provisional Appointment**

Provisional appointments may be made, only in the absence of eligibility lists for the position to be filled. In such case, the appointing authority shall select a person meeting the minimum qualifications for the class to which the position is allocated. As soon as possible, the Chief Examiner shall build an eligibility list and certify names for appointment in the usual manner.

No provisional appointment shall be continued longer than four (4) months.

No person appointed provisionally shall be reappointed within a twelve (12) month period unless he/she is certified from the eligibility list. No time spent as a provisional appointee shall be credited to a probationary period, or be used for computing any privilege accruing under Civil Service Law or these Rules.

**Section 6. Temporary Appointment**

For a temporary appointment, the appointing authority may employ any person, or persons, whom they may be legally empowered to appoint. Candidates on the current eligibility list with the necessary minimum training, and willing to accept temporary appointment, will be given first consideration, except in emergency conditions or temporary appointments of two (2) weeks or less.

No temporary appointment shall be continued, and no person shall be employed on a temporary basis, for more than six (6) months. No time spent as a temporary employee shall be credited to a probationary period, or be used for computing any privilege accruing under Civil Service Law or these Rules.

## **Rule IX. Probationary Period**

### **Section 1. Length of Probationary Period**

All appointments will be required to serve a probationary period.

For an Entry Level Police Officer, the probationary period of twelve (12) months begins after graduation from the WSCJTC Academy.

For a Lateral Police Officer, the probationary period of twelve (12) months begins upon start date.

For promotional positions, the probationary period shall be six (6) months from appointment.

The Commission may extend the probationary period for an additional six (6) months upon recommendation of the appointing authority. The probationary period may be waived, or modified, for persons who are reemployed and who acquired regular status in the class during an earlier period of employment. The probationary period may be extended by the same duration as any prolonged leave of absence or light duty assignment, where the employee is not performing essential functions of the position under probation.

### **Section 2. Termination of Probationer**

During the probationary period, the appointing authority, at their discretion, may terminate a probationary employee. Written notice of termination shall be given to the probationer either in person or by certified mail. Appointing authority must provide copies of the notice to the Secretary, Chief Examiner, and the chairperson of the Civil Service Commission.

### **Section 3. Completion of Probationary Period**

The appointing authority, or designee, shall notify the Chief Examiner two (2) weeks prior to the completion of any probationary period. The appointing authority may authorize that the services of the probationary employee are satisfactory and retention is desired.

### **Section 4. Rejection During Probationary Period**

A promotional appointee whose performance in the higher-level position is unsatisfactory during the probationary period maybe returned to a position in the class from which they were promoted.

## **Rule X. Transfers and Layoffs**

### **Section 1. Transfers**

Transfers of employees from one organizational unit to another organizational unit may be made with the approval of the appointing authority.

### **Section 2. Layoff**

Notice of layoff shall be given to the affected employee, the Secretary, the Chief Examiner, and the Commission at least two (2) weeks before the effective date. Employees laid off may request to have their names placed on the layoff list of the class to which their position was allocated in accordance with these Rules.

## **Rule XI. Suspensions, Demotions, and Discharges**

### **Section 1. Suspensions**

An appointing authority may suspend a regular employee without pay for disciplinary purposes, for a period not to exceed thirty (30) calendar days in any twelve (12) month period. Such action shall immediately be reported in writing to the Secretary, the Chief Examiner, and the Commission. The suspended employee shall receive written notification of the reason for the suspension within five (5) working days, excluding weekends and holidays, after the action. A suspended employee may appeal to the Commission in writing within ten (10) working days, excluding weekends and holidays, after receipt of written notification.

### **Section 2. Demotion and Discharge**

The appointing authority may demote, or discharge, a regular employee for just cause. In all such cases, written reason therefore shall be furnished to the employee and, the Chief Examiner prior to the effective date of the demotion or dismissal.

### **Section 3. Cause for Demotion or Discharge**

In addition to those listed in the Civil Service Law, RCW 41.12.080, the following are declared to be cause for demotion, or discharge, from the classified service, although charges may be based on causes other than those enumerated:

- A. Violation of law, official rules or regulations or orders; failure to obey any lawful or reasonable direction when such failure or violation amounts to insubordination or serious breach of discipline.
- B. Acceptance for personal use of a fee, gift, or other valuable thing in the course of work when given in the hope or expectation of receiving a favor or better treatment than that accorded the public generally.
- C. Willful, or repeated, negligence in performing duties.
- D. Conduct unbecoming of an officer or employee of the City, as specified in Department policy.
- E. Conduct subversive of public order and discipline; sustained conduct detrimental to the efficiency or morale of the service.
- F. Misuse of public funds.
- G. Falsifying reports or records.

- H. Drinking intoxicating liquor while on duty, being under the influence of alcohol while on duty, having the odor of alcohol on their breath while on duty, and/or being in illegal possession of, or using illegal drugs, controlled substances, narcotics, or hallucinogens.
  
- I. Employee character is in conflict with the mission, vision, and values of the Lacey Police Department.

## **Rule XII. Leaves and Resignations**

### **Section 1. Leaves of Absence Without Pay**

An appointing authority, in coordination with Human Resources, collective bargaining agreements, and/or City Policy, may grant a regular employee leave of absence without pay for a period not to exceed twelve (12) months.

No leave without pay shall be granted except upon written request of the employee, except where covered by the Family and Medical Leave Act or Reasonable Accommodation. Upon the expiration of an approved leave without pay, the employee shall be reinstated to the position held at the time leave was granted. Failure of an employee on leave without pay to report promptly at the expiration of the leave shall be cause for discharge.

Employees who qualify as veterans under terms of RCW 73.16 shall be entitled to such rights as accorded by RCW, as amended.

### **Section 2. Resignation**

An employee wishing to leave the classified service of the City in good standing, shall file a letter of resignation stating the effective date and reasons for leaving with the appointing authority at least two (2) weeks before the effective date. The resignation shall be forwarded to the Secretary for inclusion in the person's personnel file. Failure to comply with this rule shall be entered on the service record of the employee and may be cause for denying future employment by the City. The resignation of an employee who fails to give notice shall be reported immediately to the Chief Examiner by the Chief of Police.

### **Section 3. Vacation and Sick Leave**

Vacation and sick leave with pay shall be granted to all regular employees in the classified service in accordance with the general rules and ordinances of the City of Lacey, and/or the provisions of a collective bargaining agreement covering classified employees.

### **Section 4. Reinstatement**

Within twelve (12) months after separation, a resigned employee, with the approval of the appointing authority, may be reinstated in the position from which resigned, if vacant, or in a vacant position in the same or comparable class; or may be placed on the eligibility list for the class to which the employee's former position was allocated.

### **Section 5. Abandonment of Position**

An employee who is absent from their position for three (3) consecutive work days without notice to the Department, may be presumed to have abandoned their position. Notice of dismissal upon the grounds of abandonment of position shall be sent by certified mail to the last known address of the employee within seven (7) calendar days after the three (3) consecutive days of absence. A copy of the letter shall be sent to the members of the Commission. The dismissal may be made effective one (1) day after mailing the notice.

## **Rule XIII. Records and Reports**

### **Section 1. Roster**

The Secretary shall maintain a personnel file for each employee in the classified service, including the name, title or position held, division within the employing department to which assigned, salary, changes in employment status, and all other information that may be considered pertinent. Access to these records shall be restricted to the appointing authority, Human Resources staff, the employee, the employee's supervisor, members of the Commission, and/or as required under public disclosure laws.

### **Section 2. Examination Records**

The Chief Examiner shall maintain an examination record of every applicant, in accordance with the Washington State Records Retention schedule and guidelines. Access to those records shall be restricted to the appointing authority, Human Resources staff, members of the Commission, and/or as required under public disclosure laws.

### **Section 3. Access to Public Records**

The Secretary and Chief Examiner shall have access to all departmental and institutional public documents and records.

### **Section 4. Records Open to the Public**

The minutes of all Commission meetings shall be open to inspection by the public during the office hours of City Hall.

### **Section 5. Destruction of Records**

Minutes of Commission meetings shall be kept permanently. All other records pertaining to personnel, including examination records, applications, employee record appeals, correspondence, and reports may be destroyed in accordance with the provisions of the Washington State Records retention schedule and guidelines or as outlined in RCW 40.14.

### **Section 6. Reports**

The chief of the department shall prepare reports, as may be required by the Commission, using the format prescribed by it.

## Rule XIV. Appeals

### Section 1. Grounds for Appeal

A regular, classified employee may appeal any of the following actions:

- A. Allocation of the employee's position.
- B. Rejection of an examination.
- C. Suspension without pay.
- D. Demotion, including a reduction in salary for disciplinary reasons.
- E. Discharge.

An employee may also appeal a violation of any of these Rules.

### Section 2. Procedure

The affected employee, or their representative, must file a written notice of appeal with the Chief Examiner within ten (10) calendar days after receiving notification of an action listed in Section 1, or within thirty (30) calendar days after the occurrence of a Rule violation. The notice of appeal shall specify the Rule the employee believes has been violated and describe the illegal act.

## Rule XV. Hearings

### Section 1. When Conducted

Hearings shall be conducted if the Commission receives a written notice of appeal from the affected employee, or their representative, within ten (10) calendar days after the employee was notified in writing of the action being appealed, or within thirty (30) calendar days after the occurrence of a Rule violation.

### Section 2. Scope of Discipline and Layoff Hearings

The hearing shall be confined to the determination of the question of whether such layoff, reduction, suspension, demotion, or discharge was or was not made in good faith for just cause.

### Section 3. Hearing Procedure

Within fifteen (15) working days, excluding weekends and holidays, after receiving an appeal, the Commission shall hold, or provide for holding, a hearing. The appellant shall have the privilege to be heard either personally, or through counsel at their own expense.

Hearings may be conducted by the Commission, or any Commissioner designated by the Commission, for that purpose. During the course of the hearing, the Commission, or designated Commissioner, shall have the power to administer oaths; subpoena witnesses; require the production of books, papers, documents and accounts pertaining to the appeal; and cause depositions of witnesses to be taken as in civil actions for superior court.

The procedure for hearings shall not be bound by technical rules of evidence and shall allow for the introduction of any evidence deemed pertinent by the commission or designated Commissioner. Unless incapacitated, the appellant shall appear personally, answer questions, and supply information, except upon claim of the constitutional protection against self-incrimination. If incapacitated, the person shall submit a deposition given under oath.

### Section 4. Conclusion of Hearing

Within ten (10) working days, excluding weekends and holidays, after the conclusion of the hearing, the Commission shall render its findings in writing. The findings shall be supplemented by an explanatory statement.

### Section 5. Options for Findings Available to Commission

After a disciplinary or layoff hearing, the Commission may: (1) affirm the action being appealed; (2) order the reinstatement of the employee; or (3) modify the terms of the action being appealed.

**Section 6. Findings**

No official decision shall be rendered until at least two (2) members of the Commission have reviewed the evidence and concurred in the findings. The findings of the Commission shall be certified in writing to the appointing authority, and shall be promptly enforced by the appointing authority. The findings shall be subscribed to by concurring members. Any member may submit a minority, or supplemental, decision to be filed in the record. The Secretary shall countersign and file the findings as a part of the Commission's official records.

## **Rule XVI. Petition of a Citizen**

### **Section 1. Submission of Petition**

A citizen may submit a petition to the Commission, stating that irregularities, or abuses, exist in the enforcement and effect of these Rules. The petition shall include specific, identifying information about the alleged abuses or irregularities. A citizen may also set forth in concise language, in writing, the necessity for a hearing by the Commission.

### **Section 2. Procedure for Investigation**

In either instance cited above, the Commission, or Chief Examiner, shall conduct a hearing as set forth in Rule XV.

### Rule XVII. Amendments and Repeal

#### Section 1. Repeal of Prior Rules

The rules and regulations contained herein shall constitute the Rules and Regulations of the Lacey Civil Service Commission. The Rules and Regulations previously adopted are hereby repealed.

#### Section 2. Amendment Procedure

Proposals for amendments to these Rules may be submitted in writing or via email to the Chief of Police, the Chief Examiner, and/or to the Commission.

Prior to the adoption, revision, or repeal of any rule, copies of the proposed amendments will be provided to all Police Department employees, along with the date, time, and location of the next meeting. Notice will be given by transmitting an electronic copy no later than ten (10) calendar days prior to the meeting.

If approved by at least two (2) members of the Commission, the amendment(s) shall be adopted and shall be in immediate effect.

**ADOPTED** by the Civil Service Commission of the City of Lacey, Washington, at a special meeting thereof this \_\_\_ day of \_\_\_\_, \_\_\_\_\_.

Chairperson \_\_\_\_\_

Commissioner \_\_\_\_\_

Commissioner \_\_\_\_\_

ATTEST:

Secretary \_\_\_\_\_