

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 ~~his~~~~their~~ final rating when it has been computed. Within 5 calendar days following the posting of exam results, the applicant may request information regarding ~~his~~~~their~~ score on any part of the examination, or may give written authorization for ~~his~~~~their~~ personnel officer, or employee representative to obtain the information for ~~him~~~~her~~~~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/Chief Examiner shall have 15 calendar days to investigate and respond to the appeal. The timeline may be extended by the Secretary/Chief Examiner, with notice to the appellant, if further investigation is deemed necessary.

The decision of the Secretary/Chief Examiner may be appealed. The appeal must be submitted in writing within 5 calendar days of receiving the Secretary/Chief 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/Chief 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/Chief 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. **(REVISED 3/08)**

9-10 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. ~~At Efforts shall be made to have a diverse board panel, including persons of color and women. least one member must be a woman and one member must be a person of color.~~ 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. (REVISED/ADOPTED OLYMPIA CSC 12/13/01)

10. 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. ~~REVIS~~ **REVIS** 09/26/89

11. 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 ~~may be destroyed 30 calendar days after the register expires. will~~ **be destroyed per the Washington State Retention Schedule.**

12. 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. (REVISED 10/07)

13. Examination – Reinstatement Preference

~~Any employee covered under these rules who has successfully completed the probationary period for a classification and who subsequently takes a voluntary demotion to a Paramedic classification shall be given a preference status in gaining reappointment after having served at least four years in a paramedic classification. Such preference shall be accomplished by adding one percent to the passing mark for each year of service in the higher classification to a maximum of five percent, based upon a possible rating of one hundred points. In no case shall veteran's points also be awarded.~~

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14. **Delegation of Authority**

The Secretary/Chief 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/Chief examiner may enter into contracts for such services so long as the amount of compensation has been budgeted and appropriated. **(REVISED/ADOPTED OLYMPIA CSC 6/25/04).**

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. ~~In order to ensure prompt filling of vacancies, up to date registers will be maintained in the Fire Department through the rank of captain.~~

3. **Continuous Testing:**

Continuous or periodic examinations may be conducted for certain classifications, as deemed necessary. The Chief 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 ~~his~~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, ~~he/she~~ 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. **(REVISED/ADOPTED OLYMPIA CSC 1/26/05).**

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/Chief 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. **(REVISED/ADOPTED 2/19/88)**

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 Civil Service 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 Civil Service 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.

~~5.~~

e. 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

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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. (REV. 2/95)

iv. Reinstatement Register (REVISED: 8/20/04)

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. (REVISED/ADOPTED 3/18/88)

2. ~~Selective Certification~~— RCW 49.60.400

~~Prior to the examination establishing the register from which names are to be certified, the appointing authority may request in writing, that a certification be made of the highest ranking minority, female, or handicapped persons on the eligibility list for the class to which the vacant position has been allocated. The number of names to be certified shall be equal to the number of vacancies plus four. This shall be in addition to the certification of the five highest ranking on the eligibility list. (REVISED 3/18/88)~~

~~The request shall designate the particular race, creed, color, national origin, or sex to be certified or it the certification is to be made up of handicapped eligibles.~~

~~The Secretary-Examiner shall not certify the minority, female or handicapped eligibles without first obtaining the determination of the City Manager that the request is justified.~~

~~The appointing authority may appoint a person for the minority, female, or handicapped persons certified in lieu of appointing a person from the normal eligibility list, but only for entry level positions.~~

3. 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. (ADOPTED 11/15/13)

CERTIFICATION AND PROBATIONARY PERIOD

4. 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. (ADOPTED OLYMPIA CSC: 4/30/04; REVISED 05/15/2018)

5. Emergency, Temporary or Provisional Appointments

In the event there is no register for a class of positions, the Secretary/Chief 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 ~~four-six~~ months; nor shall any person receive more than one provisional appointment or serve more than ~~four-six~~ months as a provisional appointee in any one fiscal year. ~~Such appointments and approvals will be announced to the Commission at the next regular meeting.~~ Such approvals are subject to review and audit and may be withdrawn by the Commission at any time. (ADOPTED OLYMPIA CSC: 12/31/01)

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 ~~his~~their trial service period and inform the employee of ~~his~~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 ~~his~~their former classification and pay level. Employees who are reverted do not have the right to appeal.

RULE VIII

RETIREMENT

~~Any member of the fire or police service who has attained the age of sixty-five (65) years shall be retired on the first day of the calendar month next succeeding that in which said member shall have attained the age of sixty-five.~~

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 ~~his~~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 ~~his~~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 ~~his~~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 / **WORKFORCE DIVERSITY PROGRAM**

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 City of Olympia Workforce Diversity Program, as provided in the Administrative Guidelines for Personnel Administration, shall apply and be the official plan of the civil Service commission. The Workforce Diversity Program is attached to these Rules and Regulation as Addendum I.~~

(REVISED 1/97)

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 ~~his~~their~~her~~ name placed on the Voluntary Demotion/Reversion Register for Firefighter, provided that ~~he or she has~~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 ~~his~~their or her 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.