

FRANKLIN COUNTY CIVIL SERVICE COMMISSION

GENERAL RULES AND REGULATIONS



**Adopted by the Franklin County Civil Service Commission
September 12, 2011**

Updated May 7, 2018

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GENERAL RULES AND REGULATIONS OF THE CIVIL SERVICE COMMISSION

FOR FRANKLIN COUNTY WASHINGTON

Pursuant to the provisions of Chapter 41.14 RCW, the Franklin County Civil Service Commission for the Franklin County Sheriff's Office personnel hereby establishes and adopts the following rules and regulations:

RULE I - DEFINITIONS

Section 1- Definitions of Terms:

- (1) "Act" means the provisions of Chapter 41.14 RCW of the State of Washington.
- (2) "Applicant" is anyone who has filed an application to take a Civil Service Examination.
- (3) "Appointing Power" means the County Sheriff who is vested by law with power and authority to select, appoint, or employ any deputy, deputies or other necessary employees subject to civil service.
- (4) "Appointment" includes all means of selecting, appointing, or employing any person to any office, place, position or employment subject to civil service.
- (5) "Commission" means the Civil Service Commission, and "Commissioner" means any one of the three members of such commission.
- (6) "County" means any county of the state, or any counties combined pursuant to Chapter 41.14.040 RCW for the purpose of carrying out the provisions of this chapter.
- (7) "Deputy Sheriff" or member of the office of "County Sheriff" means any person regularly employed in the office of county sheriff either on a part time or full time basis.
- (8) "Probationary Employee" shall mean an employee who is serving a probationary period.
- (9) "Provisional Employee" shall mean an employee filling a position without qualifying by Civil Service Examination, but appointed pursuant to the provisions of Chapter 41.14.060 RCW Section 7.
- (10) "Regular Employee" shall mean any employee in the classified service who has been permanently appointed after a probationary period.

RULE II - ORGANIZATION AND MEETINGS

Section 1 - The Commission shall hold regular meetings at least once a month. Additional meeting may be required for the proper discharge of the Commission's duties.

Section 2 - All meetings and/or hearings of the Commission shall be held in Franklin County, Washington.

Section 3 - A Chair shall be selected by the Commission and shall hold office for a term not to exceed three (3) years, PROVIDED that nothing herein shall preclude any person from holding office as Chair for successive terms.

RULE III – POWERS AND DUTIES OF THE COMMISSION

Section 1 – It shall be the duty of the Commission to make suitable rules and regulations, consistent with the provisions detailed in RCW 41.14.030, 060.

Section 2 - The Commission or its designee shall provide practical examinations which shall consist only of subjects which will fairly determine the capacity of persons examined to perform duties of the position to which appointment is to be made. Such examinations may include tests of physical fitness or manual skill or both.

Section 3 - The Commission shall investigate and report upon all matters regarding the enforcement and effect of the provisions of Chapter 41.14.060, and the rules and regulations prescribed hereunder.

Section 4 – The Commission shall determine appeals or complaints and conduct hearings and investigations in accordance with Chapter 41.14.060 and by the rules and regulations adopted by the commission.

Section 5 – When a vacant position is to be filled, the Commission shall certify to the Appointing Power the names of the three persons highest on the eligible list for the class.

RULE IV - THE CHIEF EXAMINER

Section 1 - The Chief Examiner shall be appointed by the Commission and shall serve as Secretary.

Section 2 - The Chief Examiner/Secretary or his/her designee shall perform all those duties set forth in the Act. In addition, the Chief Examiner/Secretary or his/her designee, in cooperation with the Appointing Power and subject to the approval of the Commission, shall prepare and maintain a list of qualified applicants for positions in the classified service. Such classifications shall be in accordance with Rule V.

Section 3 - The Chief Examiner/Secretary or his/her designee shall prepare the examination questions and tests for the applicants for all positions. The Commission or

its designee shall approve all questions and tests and may add to, modify, or withdraw any questions prior to submission to the applicant.

Section 4 - The Chief Examiner/Secretary or his/her designee shall be present at all physical agility and written examinations and shall personally supervise these examinations in accordance with the rules herein. The Chief Examiner/Secretary or his/her designee shall be present at all written and oral examinations for promotional purposes and shall personally supervise the examinations in accordance with the rules herein. The Chief Examiner/Secretary or his/her designee with the assistance of the commissioners or their designee shall grade and mark all written and oral examinations in a fair and impartial manner. The results of any examination shall not be disclosed without the express approval of the Commission and in compliance with any applicable public disclosure law.

RULE V - CLASSIFICATIONS OF POSITIONS

Section 1 - Unclassified Service

The positions authorized by these regulations shall include:

1. Undersheriff
2. Commander-Corrections Administrator
3. Captain-Law Enforcement Operations-Court House Security
4. Captain-Chief Civil Deputy
5. Lieutenant - Corrections Manager (2 positions)
6. E911 Director

Section 2 - Classified Service

The positions authorized by these regulations shall include:

1. Sergeants (Patrol, Corrections)
2. Corporals (Corrections)
3. Detectives
4. Deputy Sheriffs
5. Correctional Officers
6. Dispatch Supervisor
7. Dispatch Officers
8. Clerks (Patrol, Civil, and Corrections)

RULE VI – APPLICANT QUALIFICATIONS AND PROVISIONAL APPOINTMENTS

Section 1 - An applicant for a position in the Classified Service under Civil Service with the Franklin County must be able to meet the following standards:

1. Be a citizen or lawful permanent resident of the United States.
2. Read and write the English language.
3. Be at least 21 years of age.

4. Have or obtain a valid driver's license. Law enforcement applicants must have or obtain a valid Washington State driver's license within 60 days of hire.
5. Have a high school diploma or equivalent.
6. Pass all Franklin County Sheriff's Office background requirements, including but not limited to a comprehensive background investigation and polygraph examination.
7. Be eligible for coverage by the County's liability insurance carrier.
8. Pass a Civil Service examination
9. Pass a physical agility examination if applying for the position of Sheriff's Deputy or Corrections Deputy.
10. Be of good moral character.

Section 2 - Provisional appointment; means a non-competitive appointment to a position in the Classified Service made in the absence of an eligibility list, or pending the establishment of an eligibility list for a classified position. A provisional appointee shall meet the minimum qualifications under Section 1 of this rule. The hiring authority shall notify the Civil Service Commission or its designee of a provisional appointment. A provisional appointment shall not exceed four months in duration.

RULE VII – BURDEN TO SHOW QUALIFICATIONS

Section 1 - The burden shall be upon an applicant for any position under Civil Service to show that he/she possesses the required qualifications.

Section 2 - The Commission may reject or reconsider an application whenever the applicant or eligible person is found to lack any of the minimum prerequisites established for the class of the position. The Commission may also reject an application if the applicant is addicted to the habitual use of intoxicating liquor, uses illegal drugs, has been found guilty of any infamous or notorious disgraceful conduct, has made false statements of material facts in his/her application, or has otherwise violated the provisions of the Constitution, statutes, or these rules. The Commission shall inform the applicant of the reason for rejection of the application.

RULE VIII - APPLICATIONS FOR EXAMINATIONS

Section 1 –Notice/Postings shall be determined by the Chief Examiner/Secretary or his/her designee, except as otherwise specified by the Commission. Notice/Postings shall be provided in a manner reasonably designed to provide prompt notification to the intended recipient of the matter in question. Types of notice/postings may include, but are not limited to, Franklin County Website, intra-County mail, electronic mail, internet or website postings, physical posting, and or publication.

Section 2 - All applications for examination shall be on forms prescribed by the Commission or its designee.

Section 3 - Any false statement of material fact made by any person in connection with application for examination shall be good cause to exclude the person from the register of eligible applicants.

Section 4 - An applicant with a defective application shall, if at all possible, be notified of the needed changes before the examination.

Section 5 - All applications for employment and accompanying certificates shall remain on file with the Chief Examiner/Secretary for a period not to exceed one (1) year or until the expiration of the eligibility list as approved by the Commission.

RULE IX NATURE OF EXAMINATION

Section 1 - All examinations shall be practical and shall consist of subjects which fairly determine the capacity of those examined to perform the duties of the position to which appointment is to be made. The examinations may include tests of physical fitness, oral and written examinations. The oral examinations may be given by a Board of Examiners experienced in law enforcement under the supervision of the Chief Examiner/Secretary or his/her designee. The Chief Examiner/Secretary shall select the Board of Examiners with the approval of the Commission.

Section 2 - The Commission shall fix the relative weight of each examination subject, and the papers shall be graded accordingly.

Section 3 – In all competitive examinations, unless otherwise herein provided, a Veterans' Scoring Criteria shall be applied as outlined in RCW 41.04.010.

Section 4 - No person whose overall entrance examination grade , exclusive of military service credit, averages less than seventy (70%) percent of complete proficiency shall be registered as eligible.

RULE X - PROMOTIONS AND EXAMINATIONS

Section 1 - Whenever practicable, vacancies for corporal or sergeant positions shall be filled by promotion from a lower position. Such promotions shall be by examination.

Section 2 - Examination for promotion shall be practical in character and shall cover subjects which test the general intelligence, accuracy and qualifications of the applicant for the position involved. Such examination may be written, oral and/or assessment center based. No employee or supervisor from the same Division shall be allowed to participate in the promotional exam process.

Section 3 – Any candidate, who fails to attain an average of at least seventy (70%) percent of complete proficiency or any passing score determined by the Chief Examiner/Secretary before the examination is administered on any examination for promotion, shall not be eligible for promotion.

Section 4 – Candidate Responsibilities: Candidates shall appear at each part of the examination on time and be prepared to participate in the examination process. Except as authorized by the Chief Examiner/Secretary, a candidate may not assist another candidate or receive assistance during the examination from any person or source. A candidate shall follow all directions provided by the Chief Examiner/Secretary during the course of the examination. Failure of the candidate to comply with this section may result in disqualification of the candidate. Cheating on the examination may result in disqualification and/or disciplinary action. The Commission may cancel or nullify all or any part of an examination if it finds that the examination has been compromised.

Section 5 – Notice to Candidates: The Chief Examiner/Secretary shall provide to candidates the examination results, including whether the candidate passed or failed all or part of the examination, the earned examination score, the final examination score, and rank. The Chief Examiner/Secretary shall correct clerical errors in the results of an examination or relative rankings when discovered during the life of the eligible register. Such corrections shall not affect any appointment made from the register prior to the correction. Answer keys shall not be provided to any person other than the Commissioners, Chief Examiner/Secretary and persons authorized by the Chief Examiner/Secretary to score examinations.

Section 6 – Personnel Classifications and Eligibility Requirements:

SERGEANTS: Any Patrol Deputy or Correction Officer in good standing who has completed probation and three (3) years with the Sheriff's Office is eligible to take the Civil Service Examination for Sergeant. A Lateral Entry employee who is in good standing and has completed probation and two (2) years service with the Sheriff's Office is eligible to take the Civil Service Examination for Sergeant.

CORPORALS: Any Corrections Officer in good standing who has completed probation and three (3) years with the Sheriff's Office is eligible to take the Civil Service Examination for Corporal. A Lateral Entry employee who is in good standing and has completed probation and two (2) years service with the Sheriff's Office is eligible to take the Civil Service Examination for Corporal.

DETECTIVE: Any Patrol Deputy may apply for the position of Detective. The Sheriff has the discretion to appoint and to rotate appointments.

DEPUTY 1st: Completion of five (5) years with the Sheriff's Office, whether through time in the division, previous work experience, and/or approved educational credit.

DEPUTY 2nd:	Completion of three (3) years with the Sheriff's Office, whether through time in the division, previous work experience, and/or approved educational credit.
DEPUTY 3rd:	Completion of one (1) year as a Deputy Trainee and successful completion of the state academy (BLEA) in accordance with WAC 139-05-230. Trainee time may be through time in the division, previous work experience, and/or approved educational credit.
TRAINEE:	Passage of a Civil Service Examination and all other requirements as stated in Rule VI, Section 1.
CORRECTIONAL OFFICER 1st	Completion of five (5) years as a Correctional Officer, whether through time in the division, previous work experience, and/or approved educational credit.
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CORRECTIONAL OFFICER 2nd	Completion or three (3) years as a Correctional Officer, whether through time in the division, previous work experience, and/or approved educational credit.
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CORRECTIONAL OFFICER 3rd:	Completion of one (1) year as a Correctional Trainee and successful completion of the Basic Correctional Officer academy in accordance with WAC 139-10-210. Trainee time may be through time in the division, previous work experience, and/or approved educational credit.
CORRECTIONAL TRAINEE:	Passage of a Civil Service Examination and all other requirements as stated in Rule VI, Section 1.
E911 SUPERVISOR:	Any Dispatcher in good standing that has completed probation and has three (3) years with the Sheriff's Office is eligible to take the Civil Service Examination for E911 Dispatch Supervisor.
DISPATCHER 1st:	Completion of five (5) years as a Dispatcher, whether through time in the division, previous work experience, and/or approved educational credit.
DISPATCHER 2nd:	Completion of three (3) years as a Dispatcher, whether through time in the division, previous work experience, and/or approved educational credit.
DISPATCHER 3rd:	Completion of one (1) year as a Dispatcher Trainee, successful completion of FCSO Dispatch training. WSCJTC Telecommunicator training is recommended. Trainee time may be through time in the division, previous work experience, and/or approved educational credit.

- DISPATCHER Passage of a Civil Service Examination and all other
 TRAINEE: requirements as stated in Rule VI, Section 1.
- CLERK: Passage of a Civil Service Examination and all other
 requirements as stated in Rule VI, Section 1. A clerk must
 also have acceptable secretarial skills such as typing and
 filing.

Section 7 - Qualification equivalents: The following will be considered as equivalent to service in the Franklin County Sheriff's Office:

1. Educational Credit: College courses typically considered for equivalency service would include, but not limited to: Police Science, Criminal Justice, Sociology, Political Science, and Psychology. Any other courses for equivalency purposes to be considered, will be at the discretion of the Sheriff. It is the responsibility of the employee to make a written request to the Sheriff for educational credit. Any official transcript should accompany this request.

- A. A college degree of four (4) years is equivalent to two (2) years of service.
- B. Completion of three (3) years in college courses leading to a degree equivalent to one and one-half (1 ½) years service.
- C. A college degree of two (2) years is equivalent to one (1) year of service.

2. Work Experience: Satisfactory service with another police agency or law enforcement agency, or related experience, may, at the discretion of the Sheriff, be substituted for Franklin County Sheriff's Office service.

3. Reserve Classification - An applicant being considered for employment with the Franklin County Sheriff's Office as a Deputy Sheriff shall be eligible to receive an additional ten percent (10%) of his/her total score in the Deputy Sheriff examination to determine his/her position on the eligibility list, providing he/she:

- A. has successfully completed the Reserve Deputy PTO Program,
- B. has all required training,
- C. is classified as a Reserve Deputy with the Franklin County Sheriff's Office,
- D. has served a minimum of three (3) years as a Reserve Deputy,
- E. has worked a minimum of 600* Reserve hours, and
- F. is a member in good standing.

Verification shall be the responsibility of the Reserve Captain. (*192 hours is the yearly minimum, to be eligible for the 10%, requires a minimum of 200 hours of patrol time per year.)

RULE XI - EXAMINATIONS - HOW CONDUCTED

Applicants shall be subject to and comply with the rules and procedures established by the Commission's Civil service testing provider, before and at the time of examination.

Section 1 - Applicants must be present and ready to take the examination at the hour and place specified for the examination. All applicants will be required to show picture proof identification such as a valid driver's license, valid identification card, or valid passport before being allowed to test. Late arrivals will not be admitted.

Section 2 - All instructions will be given before the examination begins.

Section 3 - The Chief Examiner/Secretary or his/her designee will make all necessary explanations to the whole class and will not explain any question to any individual applicant.

Section 4 - After an examination begins, no communication will be permitted among applicants.

Section 5 - During any examination, no applicant shall leave the room without permission of the Chief Examiner/Secretary or his/her designee. If an applicant leaves the room without permission before he/she has finished the examination, it will be collected and declared invalid.

Section 6 - Examinations will be regulated in the matter of time by the Chief Examiner/Secretary or his/her designee and shall be completed within two (2) weeks, insofar as practicable.

Section 7 - The time allowed for examination(s) shall begin when all announcements, instructions, and explanations have been given and the information sheets are filled out.

Section 8 - The questions on each subject shall be answered within a specified time. At the expiration of the time all test materials will be returned to the Chief Examiner/Secretary or his/her designee.

Section 9 - Answers to the examination may be written in pencil or ink, and the applicant shall place all his/her answers on the examination sheet or attached sheets.

Section 10 - Applicants may use their own pen or pencil or use those furnished by the Chief Examiner/Secretary or his/her designee.

Section 11 - Chief Examiner/Secretary or his/her designee will require the applicant to turn in all question sheets, whether completed or not, upon expiration of the examination time. If any applicant abandons the examination or fails to complete it within the time allowed, the Chief Examiner/Secretary or his/her designee will note the fact upon the last sheet completed by such applicant.

Section 12 - Every examination shall be held in the presence of the Chief Examiner/Secretary or assigned designee in a room provided for that purpose

Section 13 - All examinations will be based on a scale of 100 points.

Section 14 - In case of a tied score, those with previous work experience in the area in which the examination is being held shall be selected first. If work experience is not a factor, the tiebreaker will be based on the date of application for examination.

Section 15 - Each applicant taking the examination, whether he/she failed or passed, shall be notified of his/her grade in the examination.

Section 16 - The Chief Examiner/Secretary or his/her designee, assisted by the Commission or its designee, shall grade and mark each examination paper). An applicant who is dissatisfied with his/her grading may appeal the matter to the Commission within ten (10) days after receiving notice of the grade, by serving written notice on the Chief Examiner/Secretary or his/her designee of a request for review. The Chief Examiner/Secretary, in conjunction with the Commission or its designee, shall re-examine the papers and all other portions of the examination and either approve or change the grading as may appear just and proper. The grade thus established shall be conclusive.

RULE XII - REGISTER OF ELIGIBLES, REQUISITIONS, AND APPOINTMENTS

Section 1 - All appointments to and promotions in the Civil Service shall be made solely on merit, efficiency, and fitness, which shall be ascertained by open competitive examination and impartial investigation as set forth here. No person shall be reinstated or transferred, suspended or discharged from any such place, position or employment, contrary to the provisions of Chapter 41.14 RCW.

Section 2 - All candidates, who have taken and passed any of the examinations (whether written, oral, or physical) given by this Civil Service Commission or its designee, shall be placed on an appropriate register in order of their grade on the examination. When the Appointing Power requests candidates for appointment or hire, the Chief Examiner/Secretary, with the approval of the Commission, shall provide the Appointing Power the names of the top three candidates on the register. However, should the hiring authority require an employee with a bona fide occupational qualification for the position, the Commission shall forward a list of the top three candidates which fulfill the required qualification. This same procedure shall also be applicable to promotion.

Section 3 - The basis for standing on the register of eligible applicants shall be the degree of excellence shown by examination and military service credit. The Commission has the discretion to credit a rating by two (2%) percent for each full year of service for the following candidates:

1. permanent appointees in the department who voluntarily resigned while in good standing, and
2. temporary appointees whose appointments have been terminated for reasons unrelated to competency or character.

No such credits shall be given for any fractional part of a year served.

Section 4 - The Commission may abolish any register at any time and re-announce the examination, if required, to meet staffing needs.

Section 5 - Whenever a vacancy is to be filled in the Classified Service, the Appointing Power shall request the Commission certify an eligible person for appointment. The Commission then shall certify to the Appointing Power the name of the person entitled to appointment from the eligible list for the class. If there are no such lists, the Chief Examiner/Secretary, under the authority and direction of the Commission may authorize the Appointing Power to fill the vacancy by a provisional appointment. In such cases, the Commission may recommend persons to the Appointing Power, provided that the person nominated possesses the qualifications essential to the performance of the work of the class. Provisional appointments shall be terminated when an appointment can be made as the result of an examination, which shall be conducted as soon as practicable, and in no event shall be longer than four months. No person shall receive more than one provisional appointment or serve for more than four months as a provisional appointee in any one fiscal year.

Section 6 - If the person certified to the Appointing Power declines the position, there is sufficient cause for dropping the name of the eligible person from the register. However, at the request of the eligible person, the Commission may examine the reasons for the declination of position and, upon a satisfactory showing, retain the name on the register.

RULE XIII – CONTINUOUS TESTING

Section 1 – With the Commission’s prior approval, the Chief Examiner/Secretary, may establish a list of eligible applicants who have been tested and certified for eligibility through a continuous subscription testing agreement process. The Chief Examiner shall verify that the Subscription Testing Service provides qualified testing resources that are content-valid and job-related.

Section 2 – Continuous testing shall mean a written examination or a standardized physical fitness/agility test conducted pursuant to set and commonly applied standards. The results of the testing shall be valid for a period of one calendar year from the date of certification to the Continuous Testing Initial Eligibility list. Continuous testing may, at the discretion of the Commission, be offered through the Chief Examiner/Secretary or pursuant to a subscription testing agreement.

Section 3 – Applicants certified pursuant to a continuous testing process shall be placed on the Continuous Testing Initial Eligibility list. Certification shall be in accordance with the rules and regulations of this Commission. As each applicant is placed in accordance with his/her scores and, if applicable, the Veterans’ Scoring Criteria (formerly known as Veterans’ Preference), the placement of all others on the list shall be adjusted.

The Chief Examiner is directed to update eligibility lists as soon as practical when applications are received from Public Safety Testing. PST is scheduling examinations more frequently which has an effect of applicant placement on current eligibility lists. When the

Hiring Authority requests eligible's for specific classified service it will be the responsibility of the hiring authority to begin applicant processing in a timely manner, any applicant not processed within 20 business days will be returned to the Chief Examiner for recertification and placement on the eligibility list.

Section 4 – Applicants placed upon this eligibility list shall be subject to such other testing processes as the Commission shall direct, including but not limited to oral boards or any other testing process conducted by the Commission or by a subscriber.

Section 5 – The names of candidates certified to this eligibility list shall remain on the list until either:

1. they are certified to a secondary hiring list following an oral board or other testing as established by the Commission,
2. one year has passed from the date of certification, or
3. the candidate has been hired by another public safety organization.

Names may be removed:

1. at the candidate's request or
2. upon written notification from the candidate, another public safety employer or another subscription testing service that the candidate has been appointed or hired by another public safety organization.

RULE XIV - LATERAL ENTRY HIRING

Section 1 – Lateral Entry hiring means the County is conducting open recruitment to hire trained and experienced commissioned law enforcement officers, and correctional officers, as an alternative to untrained or inexperienced personnel. When the hiring authority determines it is in the best interest of the County and/or public safety to hire trained and experienced commissioned law enforcement officers, and/or correctional officers as an alternative to untrained or inexperienced personnel, the following provisions shall apply.

Section 2 - The hiring authority shall, in writing state their intention to fill a vacancy with a lateral entry candidate. The Commission, or its designee shall authorize the hiring authority to consider the first three candidates from the existing certified Lateral Entry Civil Service Register. In the event that there are less than three candidates on the lateral entry register, the remaining number of candidates the hiring authority is authorized to consider shall come from the entry level register. Lateral Entry candidates must possess the following minimum qualifications:

A. Law Enforcement:

In State Candidates:

- Certified by Washington State Criminal Justice Training Commission as a qualified law enforcement officer; and

- Successful completion of probationary period with a bona fide government law enforcement agency; and
- At least 24 months total full-time, law enforcement officer experience; and
- Employed as a full-time, commissioned law enforcement officer within the last 24 months; and
- Satisfaction of all other minimum qualifications required of entry level applicants.

Out of State Candidates:

- Graduation from a state certified law enforcement officer training academy and ability to obtain an equivalency certification in Washington State; and
- Possess, or be able to obtain within two months of hire date, Washington State driver's license; and
- At least 24 months total full-time law enforcement officer experience; and
- Successful completion of a probationary period with a bona fide government law enforcement agency; and
- Employed as a full-time, commissioned law enforcement officer within the last 24 months; and
- Satisfaction of all other minimum qualifications required of entry level applicants.

B. Corrections:

In State Candidates:

- Certified by Washington State Criminal Justice Training Commission for corrections; and
- Successful completion of probationary period with a correctional facility; and
- At least 18 months total full-time corrections officer experience; and
- Employed as a full-time corrections officer within the last 24 months; and
- Satisfaction of all other minimum qualifications required of entry level applicants.

Out of State Candidates:

- Graduation from a state certified corrections officer training academy and ability to obtain an equivalency certification in Washington State; and
- Possess, or be able to obtain, a Washington State driver's license within two months of hire date; and
- At least 18 months total full time, corrections officer experience; and
- Successful completion of a probationary period with a correctional facility, Employed as a full-time, corrections officer within the last 24 months; and
- Satisfaction of all other minimum qualifications required of entry level applicants.

Section 3 – For purposes of ranking, all lateral applicants will be ranked according to years of service in the respective field for which they are applying. In the event multiple applicants have the equivalent years of service, the applicants shall be ranked according to when completed application documentation was received by the Commission, and/or its

designee. Lateral Entry applicants claiming veteran's preference will be given preference in accordance with RCW 73.16.010.

Section 4 – Should the hiring authority require a bona fide occupational qualification for the position, the Commission, or its designee shall forward a list of the top three lateral entry candidates which fulfill the required qualification. Should no candidates fulfill the bona fide occupational qualification, or fewer than three fulfill the bona fide occupational qualification, the hiring authority shall be authorized to consider candidates in accordance with section 2 of this rule.

RULE XV - APPOINTMENTS - PROBATION - INSPECTION OF RECORDS

Section 1 - Discrimination. The right of any person to appointment or promotion to any position in the Sheriff's Office shall not be withheld because of his/her race, color, creed, national origin, political affiliation, or religious belief, nor shall any person be dismissed, demoted, or reduced in grade for such reason.

Section 2 - No appointment, employment, or promotion in any position in the Classified Service shall be deemed complete until after the expiration of one year probationary service. In the probationary year, the Appointing Power may terminate the employment of the person certified to him/her if the employee is found unfit or unsatisfactory for the position.

Section 3 - Extension of Probationary Period. A probationary period may be extended for up to three (3) additional months by the Appointing Power or his/her designee. The Commission may extend the probationary period for a longer period of time at the request of the Sheriff. A probationary period may be extended only upon a showing of good cause.

Section 4 - Interruption of Probationary Period. Interruption of service during a probationary period, such as Academy time, any leave of absence without pay, suspension or layoff, or other significant period of absence shall not be counted as part of the probationary period. Minor absences due to illness, vacations, annual military leave will not interrupt the probationary period unless the Commission determines that, cumulatively, they interfere with the Sheriff's ability to adequately observe the probationer's performance. If a probationer is granted a temporary leave to serve in a temporary or provisional appointment in a different class, the Commission at the request of the Sheriff may allow service in that temporary or provisional appointment to apply to the probationary period.

Section 5 - In terminating the employment of a probationary employee, the Appointing Power shall fully and fairly consider the public interest and shall notify the commission of the termination in writing.

Section 6 – The Appointing Power may assign an employee from the Classified Service to the Unclassified Service, which carries additional salary, duties and responsibilities. No permanent or vested rights, including one's permanent Civil Service status, shall be

acquired or lost by reason of such assignment. The assignment shall remain in effect at the pleasure of the Appointing Power. When an employee is re-allocated to the Classified Service, his/her position in Classified Service shall be equivalent to the position he/she occupied before placement in the Unclassified Service.

Section 7 - Requests for allocation for a position pursuant to Rule V shall be made, whenever possible, before the budget estimate is submitted for the succeeding budget period.

Section 8 - When vacancies are to be filled by appointment from employment lists, promotional lists shall have priority over the eligible list.

RULE XVI - TENURE - SEPARATION - SUSPENSION

Section 1 - The tenure of office of every permanent employee shall be during good behavior and the satisfactory performance of his/her duties.

Section 2 - No person in the classified Civil Service who has been permanently appointed or inducted into Civil Service under provisions of this act, shall be removed, suspended or demoted except for cause, and only upon written accusations by the Appointing Power, or any citizens or taxpayer. A written statement of the accusation in general terms shall be served upon the accused and a duplicate filed with the Commission. Any person so removed, suspended, or demoted may, within ten (10) days from the time of his/her removal, suspension, or demotion, file with the Commission a written request for an investigation. The Commission shall conduct an investigation, confined to the determination of the question of whether the removal, suspension, or demotion was made in good faith and for cause. After the investigation the Commission may affirm the removal or, if it finds that removal, suspension, or demotion was not made in good faith and for cause, shall order the immediate reinstatement or reemployment of the employee in the office, place, position, or employment from which he/she was removed, suspended or demoted. The reinstatement shall, if the Commission so provides, be retroactive and entitle the employee to pay or compensation from the time of removal, suspension, or demotion. The Commission, in lieu of affirming a removal, may modify the order by directing a suspension without classification, grade, or pay. The findings of the Commission shall be certified in writing to the Appointing Power, and the Appointing Power shall enforce the Commission's decision.

Section 3 - All investigations made by the Commission pursuant to this section shall be by public hearing after reasonable notice to the accused of the time and place. At the hearing, the accused shall be permitted to appear in person and/or by counsel and to present his/her defense. If the Commission or a majority of the Commission concurs in the order of removal, suspension, or demotion, the employee may appeal to the Superior Court of the State of Washington in Franklin County. The employee seeking review must served the Commission within thirty (30) days after the entry of its order with a written notice of appeal stating the grounds for the appeal. The appellant must file and pay a filing fee with the Franklin County Clerk's Office. , Within ten (10) days of

the filing of the notice of appeal, the Commission shall produce, certify, and file in the Superior Court a verbatim transcript of the hearing and all the papers on file in the office of the Commission affecting or relating to its order. However, a delay in the preparation of the record shall be permitted if the court finds the delay is reasonable and does not unduly prejudice the employee's appeal. Upon receipt of the record, the Superior Court shall determine the appeal in a summary manner. The appeal shall be confined to the determination of whether the order of removal, suspension, or demotion made by the Commission was or was not made in good faith and for cause, and no appeal shall be taken except upon such grounds. The decision of the Superior Court may be appealed to the Supreme Court or the Court of Appeals as permitted under the Rules of Appellate Procedure.

Section 4 - Any person permanently appointed to the Classified Service may be removed, discharged, or suspended without pay; demoted or reduced in rank; or be deprived of vacation privileges or other special privileges for any of the following reasons:

- A. Any willful violation of the provisions of this act or the rules and regulations to be adopted here under.
- B. Incompetency, inefficiency, or inattention to or dereliction of duty.
- C. Dishonesty, intemperance, immoral conduct, insubordination, or discourteous treatment of the public or a fellow employee.
- D. Any other act of omission or commission tending to injure the public service; or any other willful failure on the part of the employee to properly conduct himself/herself.
- E. Dishonest, disgraceful, or prejudicial conduct.
- F. Mental or physical unfitness for the position that the employee holds.
- G. Drunkenness, use of intoxicating liquor, narcotics, or any other habit-forming drug or preparations to such extent that the use interferes with the efficiency or mental or physical fitness of the employee, or which otherwise precludes the employee from properly performing the function and duties of his/her position under Civil Service.
- H. Conviction of a felony or a misdemeanor involving moral turpitude.
- I. Wantonly offensive conduct or language toward the public or fellow officers and employees.
- J. Carelessness or negligence in the use of county property.
- K. Willful violation of any lawful and reasonable regulation, order, or direction made or given by a superior officer where such violation has

amounted to insubordination or has resulted in loss or injury to the County or to the public.

- L. The promotion by any officer or employee of discord among fellow officers or employees.
- M. Any other act or failure to act which, in the judgment of the Civil Service Commission, is sufficient to show the offender to be an unsuitable and unfit person to be employed in the public service.
- N. False statement of material fact in application for the Civil Service position.

RULE XVII - TRANSFER - REINSTATEMENT - LEAVE OF ABSENCE

Section 1 - Any position temporarily vacant may be filled by detail or transfer of any employee from within the same class. Details or transfers of more than thirty (30) days duration must be approved by the Appointing Power and the Commission after taking into consideration the circumstances that created such vacancy.

Section 2 - Any person who has received a permanent appointment to any position and who has resigned without misconduct or inefficiency on his/her part, or is laid off because of curtailment of services or funds, or for any reason beyond his/her control may be reinstated to a position with the same or similar duties to those he/she previously performed, provided he/she has been approved by the Commission. Prior to making such Certification, the Commission or his/her designee may require the employee to pass a qualifying examination.

Section 3 - The Appointing Power may grant a Leave of Absence without pay not exceeding six (6) months to any person under Civil Service, provided the Appointing Power gives notice of the leave to the Commission.

At the expiration of the authorized leave of absence, a promotional probationer or regular employee shall resume the same class of work with standing and service credit as determined by these rules.

Section 3 a. A request for a leave of absence longer than six (6) months bearing the favorable recommendation of the Appointing Power may be granted by the Commission.

A leave of absence for more than six (6) months, when granted by the Commission, shall not entitle the employee to resume his/her former position at the end of the leave. Instead, the employee shall be entitled to a position on the reinstatement register for said position. However, such loss of position shall not apply if leave is in accordance with any Federal and Washington State laws, or a collective bargaining agreement. All time spent on leave of absence without pay, shall be deducted from the employee's total time in determining seniority or probationary time.

Section 3 b. No employee shall be granted a leave without pay to take a paid position, except where it appears in the best interest of the County.

Section 3 c. Any or all leaves of absence without pay may be cancelled whenever any necessity arises in the good-faith judgment of the Appointing Power. The Appointing Power may revoke an individual employee's leave without pay if it is found that the employee is using the leave for purposes other than that for which it was granted. Employees may be ordered to return to work immediately or as soon as practicable on written notice from the Appointing Power of the cancellation or revocation of their leave. A copy of such notice shall be filed with the Chief Examiner.

Section 4 - No person holding any office, place, or position of employment in the Classified Service shall be required to contribute to any political fund or render any political service to any person or party whatsoever. No person shall be removed, reduced in grade or salary, or otherwise be prejudiced for refusing to do so. No public officer, whether elected or appointed shall discharge, promote, demote, or in any other manner change the official rank, employment, or compensation of any person under Civil Service or promise or threaten to do so for giving, withholding, or neglecting to make any contribution of money, service, or any other valuable thing for any political purposes.

RULE XVIII - REPORTS TO BE MADE

In order that the Commission may keep proper records of changes in the Classified Service, the Appointing Power shall immediately report in writing to the Commission the following:

- A. During the month of January of each year a list of all current employees will be provided to the Commission. The following information will be included: Name, position, date of hire and current pay grade.
 - B. Every transfer and/or probational appointment made by the Appointing Power where a change of salary is involved.
 - C. Every refusal or neglect to accept an appointment under the Appointing Power by a person who has been duly certified.
 - D. Every suspension or other disciplinary action made by the Appointing Power or any officer or employee along with the reasons for the action.
 - E. Every separation from service whether the separation was caused by death, dismissal or resignation.
 - F. Every office created or abolished in the Appointing Power's Office.
 - G. Every leave of absence, other than regular accumulated leave granted to a member of the sheriff's Office.
- G. Each instance of emergency employment.

RULE XIX - PUBLICITY

Section 1 - Pursuant to RCW 41.14.060, Section 1, these rules and regulations, and any amendments, shall be printed and made available to the public for free distribution. For PDF copy email Chief examiner Beth Bush at bbush@co.franklin.wa.us

Section 2 - A copy of these rules and regulations and any current amendments shall be made readily available in the Sheriff's Office, Corrections, Dispatch and Franklin County Human Relations Department.

RULE XX - SEVERABILITY

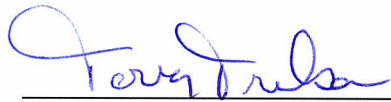
Section 1 - If any section, sentence, clause or phrase of these rules should be held invalid or unconstitutional, such holding shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of these rules.

RULE XXI - AMENDMENTS

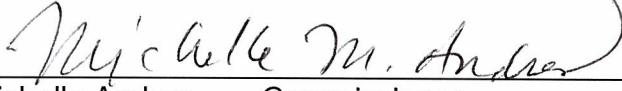
Section 1 - These rules and regulations may be amended, suspended, or changed from time to time by the Commission, as circumstances may require at any regular or special meeting of the Commission. The Commission shall submit a copy of the proposed amendment, suspension or change to the Appointing Power.

RULE XXII - EFFECTIVE DATE

Section 1 - These rules and regulations of the Franklin County Civil Service Commission for the Franklin County Sheriff's employees shall become effective October 20, 2011.



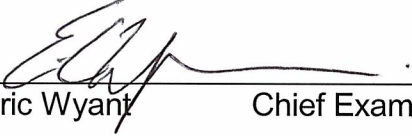
Terry Trulson Chairman



Michelle Andres Commissioner



Jim Dickenson Commissioner



Eric Wyant Chief Examiner/Secretary

Original Approved to Form: Teresa Chen, Deputy Prosecuting Attorney
Franklin County Prosecuting Attorney's Office
September 12, 2011

Rule XIV Update Approved to Form: Jennifer Johnson, Chief Civil Deputy Prosecuting Attorney
Franklin County Prosecuting Attorney's Office
March 26, 2018

Rule VI Update Approved to Form: Jennifer Johnson, Chief Civil Deputy Prosecuting Attorney
Franklin County Prosecuting Attorney's Office
April 18, 2018

Updated May 7, 2018