



February 18, 2026

**Civil Service Commission Meeting  
Marysville Council Chambers  
9:30 a.m.**

**CALL TO ORDER**

**ROLL CALL**

**APPROVAL OF THE MINUTES OF PREVIOUS MEETING(S)**

1. January 21, 2026 Civil Service Meeting Minutes.

**OLD BUSINESS**

None

**NEW BUSINESS**

2. First reading of the proposed Civil Service Commission Rules Amendments dated February, 2026.

**OTHER BUSINESS**

- Distribution of Certified Eligibility Lists
  - Entry-Level Police Officer (GSI) – February 9, 2026
    - Entry-Level Police Officer (GSI) Edit Summary – February 9, 2026
  - Lateral Police Officer – February 3, 2026
    - Lateral Police Officer Edit Summary – February 3, 2026
  - Entry-Level Custody Officer (GSI) – February 9, 2026
    - Entry-Level Custody Officer (GSI) Edit Summary – February 9, 2026
  - Police Corporal – January 27, 2026
    - Police Corporal Edit Summary – January 27, 2026

**ADJOURN**

**THIS MEETING IS OPEN TO THE PUBLIC AND CIVIL SERVICE EMPLOYEES ARE  
ENCOURAGED TO ATTEND.**

**CITY OF MARYSVILLE  
CIVIL SERVICE COMMISSION MEETING**

**January 21, 2026**

**Call to Order/Roll Call**

Commissioner Thompson called the meeting to order at 9:32 a.m. and Ms. Lester gave the roll call.

**Present:** Commissioner Toni Kief  
Commissioner Patricia Dalrymple  
Commissioner Brad Thompson

**Also Present:** Police Commander Jon Elton  
Police Training Sergeant Garrett Wiseman  
Police Sergeant David McKenna  
Human Resources Supervisor Teri Lester  
Human Resources Specialist Rachel Leupold

**Approval of Minutes**

1. November 19, 2025 Civil Service Meeting Minutes.

**Motion** made by Commissioner Dalrymple, seconded by Commissioner Kief to approve the November 19, 2025 minutes. **Motion** passed unanimously.

**Old Business**

None

**New Business**

2. Revocation of the Police Commander Eligibility List dated November 24, 2025.

**Motion** made by Commissioner Dalrymple, seconded by Commissioner Kief to approve revocation of the Police Commander Eligibility List dated November 24, 2025. **Motion** passed unanimously.

3. Revocation of the Police Sergeant Eligibility List dated January 12, 2026.

**Motion** made by Commissioner Dalrymple, seconded by Commissioner Kief to approve revocation of the Police Sergeant Eligibility List dated January 12, 2026. **Motion** passed unanimously.

4. Nominate a new Chairperson.

**Motion** made by Commissioner Kief, seconded by Commissioner Thompson to nominate Patricia Dalrymple as the Chairperson. **Motion** passed unanimously and Commissioner Dalrymple accepted the appointment.

## Other Business

- Distribution of Certified Eligibility Lists
  - Police Commander – November 24, 2025
  - Police Sergeant – January 12, 2026
  - Entry-Level Police Officer (GSI) – December 4, 2025
    - Entry-Level Police Officer (GSI) Edit Summary – December 4, 2025
  - Entry-Level Police Officer (GSI) – December 16, 2025
    - Entry-Level Police Officer (GSI) Edit Summary – December 16, 2025
  - Entry-Level Police Officer – January 8, 2026
    - Entry-Level Police Officer Edit Summary – January 8, 2026
  - Lateral Police Officer – December 4, 2025
    - Lateral Police Officer Edit Summary – December 4, 2025
  - Entry-Level Custody Officer (GSI) – December 4, 2025
    - Entry-Level Custody Officer (GSI) Edit Summary – December 4, 2025
  - Entry-Level Custody Officer (GSI) – December 16, 2025
    - Entry-Level Custody Officer (GSI) Edit Summary – December 16, 2025
  - Entry-Level Custody Officer – January 9, 2026
    - Entry-Level Custody Officer Edit Summary – January 9, 2026
  - Lateral Custody Officer – December 4, 2025
    - Lateral Custody Officer Edit Summary – December 4, 2025

## Adjournment

**Motion** made by Commissioner Dalrymple, seconded by Commissioner Kief to adjourn the meeting. **Motion** passed unanimously.

Meeting adjourned at 9:53 a.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

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Brad Thompson  
Chairperson

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Teri Lester  
Chief Examiner



# **CIVIL SERVICE COMMISSION**

## **Rules and Regulations for the Police Department**

**~~October-February~~ February 2026~~3~~**

Civil Service Rules Index- ~~October 2023~~February 2026

RULE I.....	5
PURPOSE.....	5
RULE II.....	5
DEFINITION OF TERMS .....	5
Section 1. Advancement.....	5
Section 2. Appointing Authority.....	5
Section 3. Class.....	5
Section 4. Classified Service.....	6
Section 5. Commission.....	6
Section 6. Compensation.....	6
Section 7. Demotion.....	6
Section 8. Discharge.....	6
Section 9. Eligible.....	6
Section 10. Emergency Appointment.....	6
Section 11. Employee.....	7
Section 12. Eligible or Employment List.....	7
Section 13. Full-Paid.....	7
Section 14. Layoff.....	7
Section 15. Full Status Employee.....	7
Section 16. Full Status.....	7
Section 17. Position.....	7
Section 18. Probation.....	7
Section 19. Promotion.....	8
Section 20. Public Notice.....	8
Section 21. Reapplication.....	8
Section 22. Rejection.....	8
Section 23. Suspension.....	8
Section 24. Temporary Appointment.....	8
Section 25. Veterans.....	8
Section 26. Written Notice.....	9
RULE III.....	9
CIVIL SERVICE COMMISSION .....	9
Section 1. Appointment of Commission.....	9
Section 2. Meetings.....	10
Section 3. Powers and Duties.....	10
RULE IV.....	11
THE SECRETARY AND CHIEF EXAMINER .....	11
Section 1. Selection.....	11
Section 2. Duties.....	11
RULE V.....	12
HEARINGS AND INVESTIGATIONS .....	12
RULE VI.....	13
CLASSIFICATION.....	13
Section 1. Procedure and Effect.....	13

Section 2.	New Positions and Classification Plan. ....	13
Section 3.	Reclassification. ....	13
RULE VII.	.....	14
APPLICATIONS	.....	14
Section 1.	Applications for Vacant Positions. ....	14
Section 2.	Qualifications. ....	14
Section 3.	Rejection of Applications. ....	15
RULE VIII.	.....	15
EXAMINATIONS	.....	15
Section 1.	Conduct of Examinations. ....	15
Section 2.	Physical Test. ....	15
Section 3.	Written Examination. ....	16
Section 4.	Background Investigation. ....	16
Section 5.	Veteran’s Scoring Criteria and Preference Points for Law Enforcement Training and Experience. ....	17
Section 6.	Notification of Results. ....	17
Section 7.	Promotional Examinations. ....	17
Section 8.	Lateral Entry Examinations. ....	18
Section 9.	Continuous Testing. ....	18
Section 10.	Subscription Testing Services. ....	19
RULE IX.	.....	20
ELIGIBILITY LISTS	.....	20
Section 1.	Preparation of Eligibility Lists. ....	20
Section 2.	Effective Life of Lists. ....	20
Section 3.	Removal of Names from Lists. ....	21
Section 4.	Revocation of List. ....	22
Section 5.	Medical Reinstatement List. ....	22
RULE X.	.....	22
APPOINTMENT	.....	22
Section 1.	Appointment Procedure -- Qualifications. ....	22
Section 2.	Appointment Procedure – Conditional Offer. ....	23
Section 3.	Failure to Report to Duty. ....	24
Section 4.	Temporary Appointments. ....	24
RULE XI.	.....	24
POLICE CORPS	.....	24
Section 1.	Sponsorship. ....	24
Section 2.	Candidate Qualifications. ....	25
Section 3.	Record of Program Completion. ....	25
Section 4.	Certification to Appointing Authority. ....	25
Section 5.	Police Corps Qualified Personnel. ....	25
RULE XII.	.....	26
PROBATIONARY PERIOD	.....	26
Section 1.	Length of Period. ....	26
Section 2.	Rejection of Probationer. ....	26
Section 3.	Expiration of Probationary Status. ....	26
Section 4.	Rejection after Promotion. ....	27

RULE XIII.....	27
TRANSFERS, LAYOFFS/REDUCTIONS.....	27
Section 1. Transfers.....	27
Section 2. Layoff/Reduction.....	27
RULE XIV.....	28
PROCEDURE FOR REMOVAL, SUSPENSION, DEMOTION.....	28
OR DISCHARGE, INVESTIGATION, HEARING AND APPEAL.....	28
Section 1. Pre-disciplinary Hearing.....	28
Section 2. Procedure for Removal, Suspension, Demotion or Discharge.....	29
Section 3. Hearings and Investigations.....	29
Section 4. Causes for Removal.....	30
Section 5. Outside Employment.....	31
RULE XV.....	31
LEAVES AND RESIGNATIONS.....	31
Section 1. Leaves of Absence Without Pay.....	31
Section 2. Vacation and Sick Leave.....	32
Section 3. Resignations.....	32
Section 4. Re-employment Following Resignation.....	32
RULE XVI.....	33
RECORDS AND REPORTS.....	33
Section 1. Roster.....	33
Section 2. Examination Records.....	33
Section 3. Access to Public Records.....	33
Section 4. Destruction of Records.....	33
Section 5. Reports.....	33
Section 6. Annual Report.....	34
RULE XVII.....	34
ADMINISTRATIVE APPEALS AND CITIZEN COMPLAINTS.....	34
Section 1. Administrative Appeals.....	34
Section 2. Citizen Complaints.....	35
RULE XVIII.....	35
POWER TO CREATE OFFICES, MAKE APPOINTMENTS.....	35
AND FIX SALARIES NOT INFRINGED.....	35
RULE XIX.....	35
ENFORCEMENT BY CIVIL ACTION, LEGAL COUNSEL.....	35
RULE XX.....	36
POLITICAL CONTRIBUTIONS AND SERVICES.....	36
RULE XXI.....	36
AMENDMENTS.....	36
RULE XXII.....	36
REPEALER.....	36
RULE XXIII.....	37
CONSTRUCTION.....	37

## RULE I.

### PURPOSE

These rules and regulations shall be those governing the actions of the Civil Service Commission, hereinafter referred to as the "Commission", to apply to all full-time Police Department employees of the City of Marysville, Washington.

The rules shall:

- a) Provide for promotion on the basis of merit.
- b) Provide for tenure for Police Department employees.
- c) Provide for a Commission to administer the system and to investigate by public hearing, removals, suspensions, demotions, and discharges by the appointing power to determine whether such action was or was not made for political or religious reasons and whether it was or was not made in good faith and for cause.

## RULE II.

### DEFINITION OF TERMS

#### Section 1. Advancement.

Advancement means a salary increase within an arranged schedule of established rate of pay for a class or position made without examination.

#### Section 2. Appointing Authority.

Appointing Authority means the officer, person, commission, body or agency empowered separately or jointly to make employments within the classified service of the City. The words Appointing Authority, appointing officer, or appointing power shall be construed to be synonymous terms.

#### Section 3. Class.

Class means a group of positions sufficiently similar with respect to duties and responsibilities so that the same title may reasonably be used for each, the same qualifications may be required, and the same salary range may be applied with equity.

Section 4. Classified Service.

Classified service means all full-paid, uniformed and commissioned employees of the police department of the City; including custody officers and community service officers, but excluding the chief of police, assistant chief of police, analysts, code enforcement, and clerical employees.

Section 5. Commission.

Commission means the Civil Service Commission for the Police Department appointed by the Mayor of the City of Marysville.

Section 6. Compensation.

Compensation means any allowance, fee, salary or wage paid to an employee or officer in the classified service for performing the duties and responsibilities of the position or office.

Section 7. Demotion.

Demotion means a reduction in employment status to a class having a lower maximum rate of pay.

Section 8. Discharge.

Discharge means the separation of a full status employee from the classified service for cause.

Section 9. Eligible.

Eligible means the conditions of being qualified or a person who has become qualified under emergency conditions for not more than thirty (30) days.

Section 10. Emergency Appointment.

Emergency appointment means an appointment to serve in a classified position under emergency conditions for a period limited to the duration of the emergency itself.

Section 11. Employee.

Employee means a person who is legally employed in the classified service of the City, or who is on authorized leave of absence and whose position is held for them upon their return.

Section 12. Eligible or Employment List.

Eligible or employment list means a list of names of persons arranged in order of preference who are eligible for appointment to a position in the classified service.

Section 13. Full-Paid.

A full-paid employee of the police department means a person who is compensated by the City for working an average of at least forty (40) hours per week, and whose work for the police department is their primary occupation.

Section 14. Layoff.

Layoff means the termination of employment because of a lack of funds or work, or because of material change in organization.

Section 15. Full Status Employee.

Full status employee means an employee who has attained full status.

Section 16. Full Status.

Full status means the status of an employee who has acquired rights to a hearing prior to discharge by reason of prior service or by successful completion of their probationary period.

Section 17. Position.

Position means any employment or office in the classified service.

Section 18. Probation.

Probation means the term of employment or trial service period during which an employee works prior to attaining full status appointment and is subject to rejection without hearing or trial.

Section 19. Promotion.

Promotion means a change in employment in accordance with these rules from a position in the classified service with a lower maximum rate of pay to a position with a higher maximum rate of pay.

Section 20. Public Notice.

Public notice means giving notice by posting in at least three conspicuous places in a public office or building, or by publication in a newspaper of general circulation in the City of Marysville, or by both.

Section 21. Reapplication.

Reapplication means that an employee seeking return from a medical separation has sent written notice of his or her intent to seek reinstatement. Employees reapplying after a medical separation must provide a medical certification from a physician as designated by the City that they are fit for duty.

Section 22. Rejection.

Rejection means the separation of a probationary employee from the service.

Section 23. Suspension.

Suspension means the temporary separation of an employee from the service without pay for disciplinary purposes.

Section 24. Temporary Appointment.

Temporary appointment means appointment of a qualified person to the classified service at a time when there is no current eligibility list or during a period of time that persons from such list are becoming qualified for full status employment.

Section 25. Veterans.

The term 'veteran,' as used herein, includes every person who, at the time they apply for employment in the classified service, has received an honorable discharge or received a discharge for physical reasons with an honorable record, and: (1) has served in any branch of the Armed Forces of the United States between World War I and World War II, or during any period of war; or (2) has served in any branch of the Armed Forces of the United States and has received the Armed Forces

Expeditionary Medal, or Marine Corps and Navy Expeditionary Medal, for opposed action on foreign soil. A 'period of war' includes World War I, World War II, the Korean conflict, the Viet Nam era, and the period beginning on the date of any future declaration of war by the Congress and ending on the date prescribed by Presidential proclamation or concurrent resolution of the Congress. The 'Viet Nam era' means the period beginning August 5, 1964 and ending May 7, 1975. This section shall automatically be updated without further action of the Commission to conform with any changes in state statute or Washington Administrative Code relating to the definition of 'veteran.'

Section 26. Written Notice.

Written notice, as required under these rules, means the service of notice in writing either to the person directly or by certified mail. If by mail, the service shall be deemed completed at time of deposit in the Post Office.

RULE III.

CIVIL SERVICE COMMISSION

Section 1. Appointment of Commission.

The appointment, qualifications and terms of the Commissioners are established by State Statute RCW 41.12.030. For ease of reference the rules shall be summarized in this paragraph. The Commission shall be composed of three members appointed by the Mayor. Commissioners shall serve without compensation and shall be citizens of the United States, residents of the City of Marysville for at least three years immediately preceding appointment, and electors of Snohomish County. At the time of appointment not more than two Commissioners shall be adherents of the same political party.

The term of office of such Commissioners shall be six years, except that the first three members of the Commission are appointed for terms as follows: one to serve for a period of two years, one to serve for a period of four years, and one to serve for a period of six years.

The presence of two Commissioners shall constitute a quorum, and the concurring votes of any two Commissioners shall be sufficient for the decision of all matters considered by the Commission.

The Commissioners shall elect annually one of their members as Chairperson.

### Section 2. Meetings.

Regular meetings of the Commission shall be held on the third Wednesday of each month, commencing at 9:30 a.m. at Marysville City Hall Council Chambers. The Commission may adjourn any regular meeting for the purpose of continuing it at another time and/or place specifically designated.

If at any time a regular meeting falls on an officially recognized state or federal holiday, such meeting shall be held on the next business day, and no special notice of such meeting need be given.

Special meetings of the Commission may be held at such times and places as may be determined from time to time by the Chairperson or by a majority of the Commission; provided that notice of a special meeting and the subject matter to be considered at that same meeting shall be given to each Commissioner and to the local news media at least 24 hours before the time of the meeting.

### Section 3. Powers and Duties.

The Civil Service Commission shall:

- a) Adopt rules for the regulation of personnel administration within the classified service.
- b) Appoint, whenever necessary, a Secretary and Chief Examiner in conformity with RULE IV, Section 1.
- c) Approve minutes of its' own meetings and records of its procedure.
- d) Approve the creation, amendment, and discontinuance of a classification plan as prepared by the Appointing Authority.
- e) Provide for the holding of competitive tests under the supervision of the Secretary and Chief Examiner and provide the relative qualifications of persons for employment in the classified service.

- f) Conduct all civil suits necessary for the proper enforcement of the Civil Service Act and these rules. Any civil action shall be initiated by the City Attorney in the name of the City upon demand of the Commission after the consent of the City Council.
- g) Hear and determine appeals arising from the administration of the Civil Service Act and these rules.
- h) Investigate and report on all matters touching the enforcement and effect of the civil service and these rules.
- i) Until such time as the position of Secretary and Chief Examiner is a full-time position, certain and various functions of the Secretary and Chief Examiner shall be performed by the Commission.

#### RULE IV.

#### THE SECRETARY AND CHIEF EXAMINER

##### Section 1. Selection.

In the absence of a list from which appointment may legally be made, and upon vacancy in the office of the Secretary and/or Chief Examiner, the Chairman of the Commission, or on their request, the City Clerk, when the position of Secretary and/or Chief Examiner is a full-time position, shall announce the vacancy and shall invite all employees of the City of Marysville meeting the minimum requirements for the positions to file application therefore.

##### Section 2. Duties.

The Secretary and Chief Examiner shall keep the records of the Commission, preserve all reports made to it, superintend and keep a record of all examinations held under its direction, and perform such other duties as the Commission may prescribe.

## RULE V.

### HEARINGS AND INVESTIGATIONS

Hearings and investigations which the Commission is authorized to conduct, including hearings and investigations on claims, complaints or other matters, may be conducted by the Commission as a whole or by a Commissioner delegated by the Chairman of the Commission as an examiner, but no official decision of the Commission shall be rendered until at least two members have reviewed the evidence and concurred in an opinion.

The procedure of any hearing or investigation shall be informal and shall not be restricted so as to deny the introduction of any evidence that the Commission may deem pertinent. Unless incapacitated, a person pressing a claim, complaint or defending a privilege before the Commission shall appear personally and shall not be excused from answering questions and supplying information except upon claim of the constitutional privilege in respect to self-incrimination. Any person claiming privilege of self-incrimination shall be required to appear privately before legal counsel of the Commission stating why they feel statements will incriminate them, and of the general nature of the crime which the person feels they would be subject to as the result of such statements.

All persons pressing claims or complaints, and all persons defending, shall have the right to present a list of witnesses which they feel will assist the Commission in the investigation. The Commission may, at its discretion, subpoena any one or all members of lists submitted that it deems appropriate to provide evidence which will assist in the investigation.

All decisions, opinions and recommendations arising from a hearing or investigation by the Commission shall be written and subscribed to by the members concurring and shall be countersigned and filed as a permanent record by the Secretary. Any member may submit a minority or supplemental decision or report, which shall be filed as a matter of record.

The Commission shall make recommendations, in writing, to the Appointing Authority regarding any investigations resulting from a claim or complaint.

## RULE VI.

### CLASSIFICATION

#### Section 1. Procedure and Effect.

The Appointing Authority shall create all positions in the classified service, and shall establish job descriptions for the same. The Commission shall assign each position to a class established in the Plan, and for each such class it shall establish an appropriate title, and the experience, knowledge, capacity, skill, education, physical and mental qualifications and other minimum prerequisites for appointment to each position. Thereafter the class title so established shall be used in all personnel, budget, accounting and other financial documents and communications of the City. Additional classes may be established, and existing classes may be divided, combined or abolished in the same manner as originally adopted.

#### Section 2. New Positions and Classification Plan.

Appointing Authorities intending to establish a new position or positions shall notify the Secretary and, except as otherwise provided by law or these rules, no person shall be appointed or employed for any such position until it has been properly classified as herein provided and an appropriate eligibility list established therefore.

#### Section 3. Reclassification.

If the duties of any position are materially changed so as to necessitate reclassification of the position, said position shall be allocated to a more appropriate class, whether new or already created, by the Commission. No reclassification to a class having either a greater or lower maximum salary range shall be effective, however, unless recommended jointly by the Appointing Authority and unanimously approved by the Commission; nor shall reclassification be used for the purpose of avoiding the restrictions surrounding demotions and promotion.

## RULE VII.

### APPLICATIONS

#### Section 1. Applications for Vacant Positions.

Upon determination by the Commission that an eligibility list has expired or has been revoked pursuant to Rule IX below, the Secretary or Chief Examiner shall invite, by giving public notice, qualified persons to apply for employment in the classified service. Public announcement that applications are being accepted shall specify the title and salary range of the position, a brief outline of the requirements of the position, the minimum qualifications required, and the final date upon which applications will be accepted. Persons desiring to compete for positions in the classified service shall file applications with the Secretary.

#### Section 2. Qualifications.

All entry level police and custody applicants must meet the following qualifications by the date of their written examination. All other applicants must meet the following qualifications by the date of application:

- a) Be a citizen of the United States of America or a lawful permanent resident.
- b) Entry level police and custody applicants must be at least 20.5 years of age.
- c) Be able to read, speak, and write the English language at a skill level commensurate with general law enforcement duties and responsibilities.
- d) Possess at least a high school diploma or G.E.D. equivalency.
- e) Not have been convicted of a felony offense.
- f) Be of good moral character and of temperate and industrious habits.

All applicants must possess, or obtain by the date of hire, a current and valid driver's license issued by the State of Washington.

These qualifications may be ascertained by the Commission in such manner as it may deem advisable.

Section 3. Rejection of Applications.

The Commission may refuse to accept an application, or after acceptance may reject an application, or after examination may disqualify a successful candidate whenever the person is found to lack any of the minimum qualifications established for the class or position, or has made false statements of material facts in the application, or has practiced deception or fraud in securing eligibility, or has otherwise violated any provision of law or these rules. The cause for rejection shall be entered upon the application form and filed in conformity with these rules.

RULE VIII.

EXAMINATIONS

Section 1. Conduct of Examinations.

The Secretary or Chief Examiner shall arrange for the use of public buildings and equipment for the conducting of examinations. The Commission shall designate the person or agency who shall conduct and score the examinations. The Police Chief shall not participate in the scoring of any part of the testing process, including written, oral and physical agility tests. For purposes of maintaining confidentiality and security, examinations shall be administered to all eligible candidates at a single time and place; the Commission will grant exceptions to this testing procedure only in cases where a candidate proves that a unique hardship arises from circumstances beyond their control making it impossible for them to attend a scheduled examination.

Section 2. Physical Test.

The examination shall be a physical test to assure that a candidate's physical strength, agility, coordination, and general physical fitness is commensurate with the physical activities and expectations of the position for which application is being made. This test shall be graded on a pass/fail basis. Only those candidates who pass shall be permitted to proceed to the written examination.

### Section 3. Written Examination.

All candidates who successfully pass the physical examination shall next be given a written examination. In the case of entry-level positions, the written examination shall be designed to test the candidate's intellectual competency and suitability to perform the functions and assume the trust and responsibility inherent to the position. The minimum passing grade on the written examination shall be 70%.

### Section 4. Background Investigation.

The names of all persons successful in the physical and written examinations shall be submitted to the chief, and said chief, or their designee, shall conduct an in-depth background investigation of each of said persons. Said investigation shall focus on information relevant to the specific responsibilities of a law enforcement officer, and the need for public trust and confidence in such personnel. The investigation may include the following:

- a) The fingerprinting of the candidate and a search made of local, state and national fingerprint files to disclose any criminal record of the candidate;
- b) Whenever deemed appropriate by the chief, the administration of a polygraph examination by a certified polygraph examiner;  
and
- c) The obtaining of information and/or documentation regarding the candidate's employment history, military service, education, personal conduct, drug use history, and driving history.

Based upon the results of the background investigations, the chief shall make a recommendation to the Chief Examiner as to whether each candidate is qualified or disqualified. If the chief recommends that a candidate be disqualified, they shall notify the Chief Examiner, in detail, of the reasons for the same. In such cases, the Chief Examiner shall notify the candidate, in writing, that they may be disqualified, and of their right to an administrative appeal of the chief's recommendation pursuant to Rule XVII, Section 1. The Chief Examiner shall have the sole and final authority to disqualify a candidate based upon the background investigation.

Section 5. Veteran's Scoring Criteria and Preference Points for Law Enforcement Training and Experience.

- a) Veteran's scoring criteria and status in examinations will conform to RCW 41.04.010 as currently enacted or subsequently amended.
- b) In the case of entry level positions only, the following preference credits shall be added to the total examination scores of candidates, if applicable:
  - 1). Any applicant for the Police Department who is a member of the Marysville Police Department at the time of application, and who receives a minimum passing grade in the examination, shall receive one (1) additional preference point for every one (1) year of active work they have performed for the City. Said preference points may be accumulated to a total not exceeding five (5) points.
  - 2) An applicant for the Police Department who receives a minimum passing grade on the examination, and who at the time of application for the examination has completed the Washington State Basic Law Enforcement Training Course shall receive two (2) additional preference points.

Section 6. Notification of Results.

Each candidate shall be notified by mail and/or email of the results of the examination and, if successful, of their final earned rating and their relative position on the eligibility list. Any candidate shall have the right of inspecting their own test papers for a period of five (5) days after the results are announced. Any challenge to an examination question or procedure shall be filed with the Commission pursuant to Rule XVI, Section 1.

Section 7. Promotional Examinations.

As the needs of the service may require, promotional examinations may be conducted every eighteen (18) months with one six (6) month extension and may consist of any or all of the following: written test or submission, assessment center testing, oral panel interview of knowledge or ability, or other tests specifically designed for the position.

Promotional examinations shall be scored and the minimum passing grade shall be 70%~~but there shall be no pass/fail level.~~ Based on the needs of the City,

the top scoring candidates from ~~the a~~ written test, if being utilized, may continue in the examination process. The number of candidates to continue will be specified in the job announcement at the time of posting if a limit is established.

All candidates for promotion must possess the minimum prerequisites as defined in the job description of the classification being sought by the date of application.

The relative weight of the examination process shall be 50 percent for the written examination and 50 percent for the assessment center testing or oral test, or 100 percent of the assessment center testing or oral test; unless otherwise ordered by the commission.

#### Section 8. Lateral Entry Examinations.

For lateral entry applicants, application materials will be evaluated to determine if the applicant meets the minimum requirements of the position; everyone who meets the minimum requirements will be placed on an unranked eligibility list.

#### Section 9. Continuous Testing.

A continuous or periodic examining process may be ordered and administered by the Chief Examiner for any class of positions. Filing will be opened, applications received, and examinations administered according to the needs of the Service.

Continuous testing may mean a written examination and/or a standardized physical fitness/agility test conducted pursuant to set and commonly applied standards. Scores earned on any portion of the testing process are valid for twelve (12) months. Candidates cannot be reexamined for the same class within twelve (12) months of the effective date of such examinations unless authorized by the Chief Examiner upon determination that it would be in the best interest of the City. Continuous testing may, at the discretion of the Commission, be offered through the Chief Examiner or pursuant to a subscription testing agreement.

The names of qualified candidates resulting from such examinations will be entered on eligible register, and certifications for appointments shall be made in the same manner as from any eligible register. As each applicant is placed in

accordance with their scores and veteran's preference (if applicable) the placement of all others on the list shall be adjusted.

Names may be withheld from certification or removed from such eligible registers in the same manner and for the same reasons as from any eligible register. Except as provided above; the rules applicable to other examinations will apply to continuous examinations.

#### Section 10. Subscription Testing Services.

- a). Subscription Testing Services Authorized. The Chief Examiner, following approval by the Commission, may enter into contracts with one or more Subscription Testing Services.
- b). Subscription Testing Service – Defined. “Subscription Testing Service” means a person or organization offering a service that tests and assists with preparation lists of candidates for employment who have successfully completed the Subscription Testing Service process.
- c). Process Verification. The Secretary or Chief Examiner shall verify that the Subscription Testing Service provides qualified testing resources that are content valid and job-related.
- d). Certification.
  1. Applicants certified as a qualified candidate by the Subscription Testing Service shall be placed on the eligibility list. As each applicant is placed in accordance with their scores and veteran's preference (if applicable) the placement of all others on the list shall be adjusted.
  2. Candidates qualified for appointment pursuant to the procedures established in this Rule shall be placed on the eligibility list in the manner described in Rule IX.
- e). Additional Testing. Candidates qualified pursuant to a Subscription Testing Service shall be subject to such additional testing as may be required by the Commission or the appointing authority. Such testing shall include, but not be limited to, background, polygraph, psychological, and any other test as the Commission deems appropriate.

## RULE IX.

### ELIGIBILITY LISTS

#### Section 1. Preparation of Eligibility Lists.

Upon completion of the testing process, all qualified candidates shall be placed on an eligibility list for the appropriate classified position. The order of the names in the list shall be according to final earned rating in the examinations, including preference credits in the case of entry-level positions; provided, that employees previously laid off from the same position shall be given preference over new applicants in reverse order of layoff. In the event of a tie in the testing process, the tie shall be broken by the candidate with the higher score on the written exam. In the event there is a tie after review of the written exam, both candidates will be placed on the eligibility list with the same ranking. Whenever the Appointing Authority requisitions the Chief Examiner to fill a vacant position the department will receive both names for consideration.

#### Section 2. Effective Life of Lists.

Eligibility lists shall become effective upon approval of the Chief Examiner. The Chief Examiner's signature certifies that the list was legally prepared and represents the relative rating of the names appearing thereon. Eligibility lists, excluding promotional lists, shall remain in effect twelve (12) months, and may be extended by action of the Civil Service Commission for not more than two (2) additional years. Promotional lists shall remain in effect eighteen (18) months and may be extended for an additional six (6) months by action of the Civil Service Commission. Names of personnel who have been laid off by the City for budgetary reasons shall remain on an eligibility list for a period of two (2) years from the date of layoff, regardless of the expiration date of such a list, and such eligibility may be further extended by action of the Commission. Names of personnel who qualify to be placed on the Medical Reinstatement List shall remain on an eligibility list for a period of two (2) years from the date of medical separation (employee's last date of employment).

### Section 3. Removal of Names from Lists.

Any person who declines certification or appointment, or who is deemed to have so declined certification or appointment, or who fails to report for duty after having been appointed, or is deemed to be unqualified for appointment, shall have their name permanently removed from the eligibility list in question.

A candidate shall be deemed to have declined certification and/or appointment in the following circumstances:

- a). Whenever a candidate fails to pass a drug screen test, a pre-placement medical evaluation, or a background investigation.
- b). Whenever a candidate fails to leave a current mailing address and/or telephone number with the City, and as a result thereof, the City is unable to notify said person after exercising reasonable efforts, said candidate shall be deemed to have declined certification. Failure to maintain a record of current address can be evidenced by the return of a properly addressed unclaimed letter.
- c). Whenever a candidate fails to respond within seven business days to a written or telephone inquiry regarding availability, said candidate shall be deemed to have declined certification.
- d). Whenever a candidate fails to appear, without prior notification, for a scheduled departmental interview, psychological examination, polygraph examination or other portion of the selection process, said candidate shall be deemed to have declined certification.
- e). Whenever a candidate requests that their name be removed from an eligibility list for any reason, said candidate shall be deemed to have declined certification. The request for removal must be documented.
- f). Whenever a candidate has been hired by another police organization, said candidate shall be deemed to have declined certification.

The name of a person so removed may be reinstated by the Chief Examiner only in extraordinary circumstances where hardship is proven to the satisfaction of the Chief Examiner. The names of persons on promotional lists who resign from the classified service shall be automatically dropped from such lists.

#### Section 4. Revocation of List.

An employment or promotional list may be revoked by the Commission only under the following circumstances:

- a) Upon a finding by the Commission that the application and examination criteria or procedures were materially lacking in due process or equal protection, or were in violation of the Civil Service Rules and Regulations or other applicable laws;
- b) Upon a finding by the Commission that the examination results were materially affected by the use of inappropriate standards for evaluating the eligibility of the candidates for the position in question;
- c) Upon a finding by the Commission that an eligibility list has been reduced, pursuant to the procedures specified herein, to less than three (3) persons who are available for certification.

#### Section 5. Medical Reinstatement List.

Names of former employees on the Medical Reinstatement List shall be carried for two years from the employee's last date of employment. The appointing authority shall report the name of any employee separated from employment for medical reasons to the Chief Examiner in writing on his/her last day of employment. The rights created by the Medical Reinstatement List consist of a right to be reinstated to the same class when the individual has cleared the background check, possesses the minimum qualifications for the position, and has been certified by a physician as designated by the City as fit for duty or fit for duty with reasonable accommodations. Any person displaced or demoted due to the return of a returning employee from medical separation shall be placed on the layoff and reduction in rank list.

### RULE X.

#### APPOINTMENT

#### Section 1. Appointment Procedure -- Qualifications.

Whenever a position in the classified service becomes vacant, the Appointing Authority, if it desires to fill the vacancy, shall request of the Chief Examiner names and addresses of persons eligible for appointment thereto. The Chief Examiner

shall certify no more than six more names than there are vacancies to be filled. The Appointing Authority shall cause any of said persons who are under active consideration to be investigated in the following manner:

- a) An examination of the candidate by a licensed physician who has knowledge of the demands of the law enforcement profession and who, based upon job-related medical standards, will certify the absence of any physical or medical condition or impairment which would preclude full and active performance within such employment.
- b) Whenever deemed appropriate by the Appointing Authority, an examination by a licensed psychologist or psychiatrist who has knowledge of the demands of the law enforcement profession and who shall make determinations as to the candidate's mental stability, including emotional maturity, temperament and ability to endure job-related stresses.

The Appointing Authority may select any one (1) of the persons certified to it by the Chief Examiner as defined in the rule of six as defined above, and appoint said person to the vacant position in the classified service. If none of the persons certified is acceptable to the appointing Authority, it shall request the Chief Examiner to certify five (5) additional names, and shall continue said process until an eligible, competent and suitable person is found. If the Chief Examiner determines that eligible, competent and suitable persons have been certified to the Appointing Authority, it may refuse to certify additional names, thereby requiring the Appointing Authority to either accept a name already certified or to leave the position vacant. Names of eligible, suitable and competent persons not selected for appointment shall be returned to the register for consideration with other vacancies.

#### Section 2. Appointment Procedure – Conditional Offer.

When a conditional offer of employment has been extended to an eligible candidate, the candidate will remain eligible for appointment to the classified service until the Appointing Authority either appoints the candidate thereto or deems the candidate unqualified for such appointment.

Section 3. Failure to Report to Duty.

Whenever a candidate is appointed to a position but fails to appear for duty within three (3) days of the date required, said candidate shall be deemed to have declined the appointment.

Section 4. Temporary Appointments.

Purpose: Temporary promotional assignments will be used as a means of broadening and developing Department employees when circumstances present a reasonable opportunity to do so, for the benefit of the employee and Department.

The Appointing Authority may make provisional appointments to fill temporary vacancies caused by disability, long term illness or injury, or other vacancies three (3) months or greater of duration, without seeking a list of eligible candidates. When possible, provisional appointments will be made from current eligibility lists when a list exists.

The employee filling the position will be paid the compensation usually paid for such service. No provisional appointment shall be continued and no person shall be employed on a provisional basis for more than six (6) months in any one calendar year. An extension for up to six (6) months may be made for good cause, which in the discretion of the Chief Examiner and confirmed by the Commission warrants an extension. Any time served in a provisional capacity shall not be credited on any probationary period or be used in computing any privilege accruing under civil service law or these Rules.

RULE XI.

POLICE CORPS

Section 1. Sponsorship.

All applicants for consideration for sponsorship by the City shall be reviewed and approved by the Commission and the appointing authority. By motion or other approval, the Commission may delegate its review and approval authority of candidates to the Chief Examiner. Upon such delegation, the Chief Examiner shall

verify that candidates for sponsorship meet the minimum eligibility requirements for City employment.

Section 2. Candidate Qualifications.

Candidates for Police Corps sponsorship by the City shall be subject to initial testing to determine fitness for City employment. Such testing shall include, but not be limited to, background, polygraph, psychological, and physical agility testing. Upon satisfactory completion of such testing, the candidate may be sponsored by the City. Sponsorship shall be approved by the appointing authority and by the Commission, acting by motion or upon approval of the Chief Examiner.

Section 3. Record of Program Completion.

Following sponsorship by the appointing authority and the Commission, the candidate may be admitted to the Police Corps Program and subject to the Program as conducted by the Washington State Criminal Justice Training Center (“CJTC”). Upon successful completion of the CJTC Program, and certification of the candidate for employment under the Program, the information shall be submitted to the Chief Examiner. Additional administration of tests authorized in Section 2 to confirm the continuing eligibility of the candidate for employment may be administered by the Chief Examiner and the appointing authority. Following successful completion of further testing, the Chief Examiner shall place the name of the candidate on the Entry Police Corps candidate register.

Section 4. Certification to Appointing Authority.

Candidates sponsored by the City and successfully completing the Police Corps Program shall be certified by the Chief Examiner to the appointing authority for appointment. Candidates appointed shall be employed in a probationary status and shall be subject to all policies, rules, regulations and collective bargaining agreements applicable to probationary employees of the City.

Section 5. Police Corps Qualified Personnel.

Any officer originally appointed from a register pursuant to the Police Corps Program shall serve no less than four (4) years of employment with the Department on a

community patrol. Service in community patrol shall not preclude an employee from eligibility for testing or promotion, consistent with rules now or hereafter adopted by the Commission.

## RULE XII.

### PROBATIONARY PERIOD

#### Section 1. Length of Period.

No person shall be finally appointed or promoted to a full status position in the classified service, except for Police Officer, until that person has satisfactorily served a probationary period of twelve (12) months. For a Police Officer, the probationary period will be one year from the date of graduation from the Academy or one year from date of hire for a lateral. Persons re-employed who have formerly acquired full status in the class, and had a break in service of more than 30 days, shall be subject to a 6-month probationary period except that the Commission may, if it deems appropriate, waive the probationary period.

#### Section 2. Rejection of Probationer.

At any time during the probationary period the Appointing Authority may reject a probationary employee, with or without cause. Notice of rejection shall be given to the probationer and a copy forwarded to the Secretary. The probationer's employment status in that position shall thereupon terminate.

#### Section 3. Expiration of Probationary Status.

The Secretary shall notify the Appointing Authority at least two (2) weeks prior to the expiration of each employee's probationary period. The Appointing Authority shall file a report with the Commission and send a copy to the probationer stating whether the probationer has satisfactorily completed the probationary period, and whether they should be appointed as full status to the position in question. If the report is

negative, the probationer's employment in said position shall terminate on the last day of their probationary period. In the event the Appointing Authority fails to file a report and send a copy of the same to the probationer prior to the expiration of the probationary period, the probationer shall be considered to be automatically appointed as a full status employee in the classified service.

Section 4. Rejection after Promotion.

A promotional appointee who is rejected during the probationary period from the position to which they were promoted shall be restored to the position from which they were promoted.

RULE XIII.

TRANSFERS, LAYOFFS/REDUCTIONS

Section 1. Transfers.

Transfers consist of the change of an employee from one position to another position in the same comparable class. The change of an employee from a class with a lower maximum rate of pay to a position in a class with a higher maximum rate of pay should be deemed a promotion and may be accomplished only in the manner provided in these rules for making promotional appointments.

Section 2. Layoff/Reduction.

Whenever the Appointing Authority contemplates a reduction of staff because of shortage of funds, lack of work, or material reorganization of the department, notice thereof shall be sent by the Appointing Authority to the Secretary. When it is decided which positions are to be abandoned, employees holding positions within a class shall be laid off in inverse order of their length of service. Any complaint by a full status employee that layoff was in bad faith shall be investigated by the Civil Service Commission. If the Commission finds that the layoff was not made in accordance with these rules and regulations, it may order the reinstatement of the full status employee or employees.

Notice of layoff shall be given to the employee concerned and the Secretary at least two (2) weeks before the effective date thereof.

#### RULE XIV.

#### PROCEDURE FOR REMOVAL, SUSPENSION, DEMOTION OR DISCHARGE, INVESTIGATION, HEARING AND APPEAL

##### Section 1. Pre-disciplinary Hearing.

The chief of the department, or their designee, shall provide and arrange for a pre-disciplinary hearing prior to the removal, suspension, demotion or discharge of any person in the classified civil service. The following rules shall govern the conduct of such hearings:

- a) The chief shall provide the employee with written notice of the cause for discipline, and a summary of the evidence relating to the same. Said notice shall advise the employee of their right to a pre-disciplinary hearing. In extraordinary circumstances, the Mayor may suspend an employee, with pay, pending the scheduling of such a hearing.
- b) The employee may have legal counsel or union representation at the pre-disciplinary hearing. Said hearing shall be held before the chief of the department, or their designee. The hearing shall be informal. The employee or their representative shall be given an opportunity to respond to all charges, orally or in writing.
- c) The department's explanation of its evidence at the hearing shall be sufficient to apprise the employee of the basis for the proposed action. This rule, however, shall not be construed to limit the department at a subsequent hearing from presenting a more detailed and complete case, including presentation of witnesses and documents not available at the pre-disciplinary hearing.
- d) If the Mayor thereafter determines to discipline the employee, and if the Commission thereafter conducts an investigation of such discipline, the grounds for the discipline shall be limited to those presented to the employee at the pre-disciplinary hearing.

Section 2. Procedure for Removal, Suspension, Demotion or Discharge.

No person in the classified civil service who shall have been appointed as a full status employee or inducted into civil service under provisions of this chapter shall be removed, suspended, demoted or discharged except for cause, and only upon written accusation of the Appointing Authority, or any citizen or taxpayer, written statement of which accusation, in general terms, shall be served upon the accused, and duplicate filed with the Commission. Any person so removed, suspended, demoted or discharged may, within ten (10) days from the time of their removal, suspension, demotion or discharge, file with the Commission a written demand for an investigation. The investigation shall be confined to the determination of the question of whether such removal, suspension, demotion or discharge was or was not made for political or religious reasons and was or was not made in good faith or cause. After such an investigation the Commission may affirm the removal, or if it shall find that the removal, suspension or demotion was made for political or religious reasons, or was not made in good faith for cause, shall order the immediate reinstatement or re-employment of such person in the office, place, position or employment from which such person was removed, suspended, demoted or discharged, which reinstatement shall, if the Commission so provided in its discretion, be retroactive and entitle such person to pay or compensation from the time of such removal, suspension, demotion or discharge. The Commission upon such investigation, in lieu of affirming the removal, suspension, demotion or discharge, may modify the order of removal, suspension, demotion or discharge by directing a suspension without pay for a given period, and subsequent restoration to duty, or demotion in classification, grade or pay. The findings of the Commission shall be certified, in writing, to the appointing power, and shall be forthwith enforced by such officer.

Section 3. Hearings and Investigations.

All investigations made by the Commission pursuant to the provisions of this section shall be by public hearing after reasonable notice to the person named in the

complaint of the time and place of such hearing, at which hearing the person named in the complaint shall be afforded an opportunity of appearing in person and by counsel and presenting their defense. If such judgment or order be concurred in by the Commission or majority thereof, the accused may appeal from there to the Snohomish County Superior Court. Such appeal shall be taken by serving the Commission, within thirty (30) days after the entry of such judgment or order, a written notice of appeal, stating the grounds thereof and demanding that a certified transcript of the record and of all papers on file in the office of the Commission affecting or relating to such judgment or order, be filed by the Commission with such court. The Commission shall, as soon as is practicable, make, certify and file such transcript with such court. The court shall thereupon proceed to hear and determine such appeal. Provided, however, that such hearing shall be confined to the determination of whether the judgment or order of removal, discharge, demotion or suspension made by the Commission, was or was not in good faith for cause, and no appeal to such court shall be taken except upon such ground or grounds.

#### Section 4. Causes for Removal.

The tenure of everyone holding an office, place, position or employment under the provisions of this chapter shall be only during good behavior, and any such person may be removed or discharged, suspended without pay, demoted, or reduced in rank, or deprived of vacation privileges or other special privileges for any of the following reasons:

- a) Incompetence, inefficiency, or inattention to, or dereliction of duty;
- b) Dishonest, intemperance, immoral conduct, insubordination, discourteous treatment of the public or a fellow employee, or 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 themselves; or any willful violation of the provisions of this chapter or the rules and regulations to be adopted hereunder;
- c) Mental or physical unfitness for the position which the employee holds;
- d) Dishonest, disgraceful, immoral or prejudicial conduct;

- e) Drunkenness or use of intoxicating liquors, narcotics, or any other habit-forming drug, liquid, or preparation to such extent that the use thereof interferes with the efficiency or mental or physical fitness of the employee, or which precludes the employee from properly performing the function and duties of any position under civil service;
- f) Conviction of a felony or a misdemeanor involving moral turpitude;
- g) 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.

Section 5. Outside Employment.

An employee taking any outside employment must advise the Appointing Authority in writing, stating where and when they will be working and the number of hours. Furthermore, the employee must understand that the outside employment would terminate if said outside employment interferes with their City employment.

RULE XV.

LEAVES AND RESIGNATIONS

Section 1. Leaves of Absence Without Pay.

Leaves of absence, without pay, may be granted by the Appointing Authority to any person covered under these rules. No leave without pay shall be granted except on written request of the employee. Whenever granted, such shall be in writing, signed by the Appointing Authority, and a copy shall be filed with the Commission after giving notice to the Commission of said filing. Upon the expiration of a regularly approved leave without pay, the employee shall be reinstated in the position held at the time leave was granted. Failure on the part of an employee on written leave to report promptly at the expiration of the leave shall be cause for discharge. All temporary employment caused by leaves of absence shall be made from the eligible list for that position.

Section 2. Vacation and Sick Leave.

Vacation and sick leave shall be granted in accordance with City ordinance.

Section 3. Resignations.

An employee desiring to leave the classified service of the City in good standing shall file with the Secretary and the Appointing Authority at least two (2) weeks before leaving. The resignation shall be forwarded to the Commission, with a statement by the Appointing Authority, with respect to the resigned employee's service, performance and any other pertinent information concerning the cause for resignation. Failure to comply with this rule shall be entered on the service record of the employee and may be cause of denying future employment by the City. The resignation of an employee who fails to give notice shall be reported by the Appointing Authority immediately.

Section 4. Re-employment Following Resignation.

The appointing authority shall have the right to re-employ a former employee who has resigned to a vacant position to which they are still qualified, but not to a level higher than the previous position and so long as such employees had been employed by the City within one year of such re-employment. Re-employment of an employee shall be subject to the following conditions and limitations:

- a) Re-employment shall be strictly at the discretion of the appointing authority;
- b) At a minimum, candidates for re-employment shall be required to have a physical examination and a background check back to date of separation from the Marysville Police Department;
- c) Shall serve a 6-month probationary period for a break in service of more than 30 days, or as the Commission may deem necessary;
- d) The hire date for re-employed employees would be set to their original hire date less the number of months for the break in service. The adjusted hire date would be used for determining vacation accrual only;
- e) All other benefits would accrue from the date of re-employment;
- f) A determination of reinstatement or adjustment of any benefit issues not detailed in this section shall be governed by the City's ordinances regarding personnel matters.

## RULE XVI.

### RECORDS AND REPORTS

#### Section 1. Roster.

The Secretary shall maintain a service roster for each employee in the classified service showing the name, title or position held, the division within the employing department assigned, the salary, changes in employment status, leaves, and all other information that may be considered pertinent.

#### Section 2. Examination Records.

The Secretary shall maintain examination records for every applicant including name, address, the date and title of examination, ratings earned, and grade obtained if successful, or if unsuccessful, note the fact.

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

In addition to the Commission, the Secretary shall have access to all departmental and institutional public documents and records, the examination of which will aid in the discharge of the Secretary's duties.

#### Section 4. Destruction of Records.

Examination records, rosters, and minutes of the Civil Service Commission shall be kept permanently. All other records shall be destroyed consistent with the records retention schedule issued by the Secretary of State, Division of Archives Management.

#### Section 5. Reports.

The Appointing Authorities shall report to the Secretary in writing, all employments and changes in the status of personnel, including name, position title, commencement date of service, any change recommended or implemented, and shall report from time to time as may be required by the Secretary. Additional data covering the competitive service, including reports of employee performance and

productivity shall be included. Any performance report or rating shall be available for the employee's inspection by the employee concerned who may then discuss it with the official making the report or rating and may file a statement explaining any adverse report or rating. This statement shall be attached to the report or rating and shall be a part of the employee's permanent record.

Section 6. Annual Report.

Upon request of the Commission, the Secretary or Chief Examiner shall prepare a typewritten annual report of their and the Commission's activities for approval by the Commission and submission to the Appointing Authority.

RULE XVII.

ADMINISTRATIVE APPEALS AND CITIZEN COMPLAINTS

Section 1. Administrative Appeals.

Any person in the classified civil service, or any applicant for such a position, who is aggrieved by an administrative determination, practice or procedure relating to the enforcement or implementation of these rules and regulations, or who desires to challenge an examination question or procedure, shall have a right of appeal to the Commission. Written notice of appeal, stating in detail the grounds for the same, shall be filed with the Secretary of the Commission within ten (10) days after the cause for appeal arises, except that any appeal related to an examination must be filed within five (5) days. The Commission shall investigate the appeal and shall hold a hearing on the same within thirty (30) days after the filing of the notice of appeal or at a later date by mutual agreement of the appellant, appointive authority and the Commission. The investigation and hearing shall follow the provisions of Rule V. The decision of the Commission shall be issued in writing and shall be final and conclusive, subject only to right of appeal to the Superior Court of Snohomish County filed and served within fourteen (14) calendar days of the Commission's decision. The cost of transcription of all records ordered and certified by the court for such review shall be borne by the

appellant. Exhaustion of the administrative appeal process shall be a mandatory prerequisite to review by the court.

Section 2. Citizen Complaints.

Citizen complaints regarding conduct of police officers, or policies or procedures of the police department, shall be filed with, investigated by, and ruled upon by the chief of the respective department. Within ten (10) days after a ruling by the chief, an aggrieved citizen may file a duly verified petition with the Commission seeking further investigation. Any citizen may also file a duly verified petition with the Commission alleging irregularities or abuses in the City's personnel administration relating to the classified service. Upon receipt of such petitions, the Commission shall investigate the same, and may conduct hearings as provided in Rule V. Any recommendation or ruling issued by the Commission shall be in writing, and a copy of the same shall be submitted to the appointing authority.

RULE XVIII.

POWER TO CREATE OFFICES, MAKE APPOINTMENTS

AND FIX SALARIES NOT INFRINGED

All offices, places, positions and employment coming within these rules shall be created by the Appointing Authority and the City Council as provided by the applicable laws of the State of Washington and the ordinances of the City of Marysville, and nothing herein contained shall infringe upon that power to fix salaries and compensation of all employees employed under these rules.

RULE XIX.

ENFORCEMENT BY CIVIL ACTION, LEGAL COUNSEL

The Commission shall begin and conduct all civil suits initiated by the City Attorney after consent of the City Council which may be necessary for the proper enforcement of these rules and the applicable laws of the State of Washington. The

Commission shall be represented in such suits by the City Attorney, but the Commission may in any case be represented by special counsel appointed by it.

RULE XX.

POLITICAL CONTRIBUTIONS AND SERVICES

No person holding any office, place, position or employment subject to Civil Service is under any obligation to contribute to any political fund or to render any political service to any person or party whatsoever, and no person shall be removed, reduced in grade or salary, or otherwise prejudiced for refusing to do so. No public officer, whether elected or appointed, shall discharge, promote, demote or in any manner change the official rank, employment or compensation of any person under Civil Service, or promise or threaten to do so for giving or withholding, or neglecting to make any contribution of money, or services, or any other valuable thing, for any political purpose. However, this does not authorize the use of one's office or position for any political purpose.

RULE XXI.

AMENDMENTS

After adoption, these rules may be amended by submission and reading of the proposed amendment at any regular meeting of the Commission, and a vote thereon shall be taken at the next regular meeting. If approved by at least two members of the Commission, the amendment shall be adopted and shall be in immediate effect.

RULE XXII.

REPEALER

These rules shall supersede any and all previous existing Civil Service Commission rules.

RULE XXIII.

CONSTRUCTION

These rules will be construed under the applicable laws of the State of Washington, and in particular Chapter 41.12 of the Revised Code of Washington.

ADOPTED this - day of, 202~~36~~<sup>36</sup>, by the Civil Service Commission for the Police Department of the City of Marysville, Washington.

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Patricia Dalrymple, Chairperson

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Brad Thompson, Commissioner

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Toni Kief, Commissioner