



ORDINANCE NO. 28283

1 AN ORDINANCE relating to the Personnel Rules; amending Chapter 1.24 of the
 2 Tacoma Municipal Code by amending Sections 1.24.020, 1.24.045,
 3 1.24.061, 1.24.070, 1.24.075, 1.24.155, 1.24.160, 1.24.169, 1.24.225,
 4 1.24.240, 1.24.250, 1.24.260, 1.24.270, 1.24.350, 1.24.360, 1.24.370,
 5 1.24.410, 1.24.420, 1.24.430, 1.24.440, 1.24.450, 1.24.490, 1.24.510,
 6 1.24.520, 1.24.540, 1.24.575, 1.24.580, 1.24.585, 1.24.590, 1.24.600,
 7 1.24.620, 1.24.625, 1.24.630, 1.24.640, 1.24.650, 1.24.655, 1.24.710,
 8 1.24.735, 1.24.750, 1.24.755, 1.24.760, 1.24.770, 1.24.780, 1.24.790,
 9 1.24.800, 1.24.810, 1.24.820, 1.24.860, 1.24.870, 1.24.890, 1.24.900,
 10 1.24.910, 1.24.930, 1.24.940, 1.24.950, 1.24.955, 1.24.960, 1.24.973,
 11 1.24.975, 1.24.976, and 1.24.986 thereof to incorporate gender-neutral
 12 terminology and update City titles, policies, practices, and procedures, as
 13 approved by the Civil Service Board.

14 WHEREAS, at its meeting of November 6, 2014, the Civil Service Board
 15 reviewed and affirmed its support of recommended changes to Chapter 1.24 of
 16 the Tacoma Municipal Code, and

17 WHEREAS the proposed changes include updating references of
 18 "Personnel Director" to "Human Resource Director"; incorporating gender-neutral
 19 language to better align with the City's Equity and Empowerment Initiative and
 20 the City Charter; and updating language to more accurately reflect current City
 21 policies, practices, and procedures; Now, Therefore,

22 BE IT ORDAINED BY THE CITY OF TACOMA:

23 Section 1. That Chapter 1.24 of the Tacoma Municipal Code is hereby
 24 amended by amending Sections 1.24.020, 1.24.045, 1.24.061, 1.24.070,
 25 1.24.075, 1.24.155, 1.24.160, 1.24.169, 1.24.225, 1.24.240, 1.24.250, 1.24.260,
 26 1.24.270, 1.24.350, 1.24.360, 1.24.370, 1.24.410, 1.24.420, 1.24.430, 1.24.440,
 1.24.450, 1.24.490, 1.24.510, 1.24.520, 1.24.540, 1.24.575, 1.24.580, 1.24.585,
 1.24.590, 1.24.600, 1.24.620, 1.24.625, 1.24.630, 1.24.640, 1.24.650, 1.24.655,



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1.24.710, 1.24.735, 1.24.750, 1.24.755, 1.24.760, 1.24.770, 1.24.780, 1.24.790,
1.24.800, 1.24.810, 1.24.820, 1.24.860, 1.24.870, 1.24.890, 1.24.900, 1.24.910,
1.24.930, 1.24.940, 1.24.950, 1.24.955, 1.24.960, 1.24.973, 1.24.975, 1.24.976,
and 1.24.986 thereof, as set forth in the attached Exhibit "A."

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



EXHIBIT "A"

Chapter 1.24 PERSONNEL RULES

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Sections:

GENERAL PROVISIONS

- 1.24.010 Rules adopted.
- 1.24.020 Purpose of Rules.
- 1.24.030 Positions covered.
- 1.24.040 Approval of Rules.
- 1.24.045 Administration of Rules.
- 1.24.050 Amendments or revisions to Personnel Rules.
- 1.24.055 Severability.

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- 1.24.060 Allocate.
- 1.24.061 Appeal.
- 1.24.063 Applicant.
- 1.24.065 Appoint.
- 1.24.070 Appointing authority.
- 1.24.071 Business day.
- 1.24.073 Candidate.
- 1.24.075 Certify.
- 1.24.080 Class/classification.
- 1.24.083 Classified service.
- 1.24.084 Complaint
- 1.24.085 Continuous service.
- 1.24.090 Demotion.
- 1.24.095 Department.
- 1.24.100 Department head.
- 1.24.103 Departmental promotional list.
- 1.24.105 Eligible.
- 1.24.110 Open list.
- 1.24.113 Emergency appointment.
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- 1.24.120 Employee.
- 1.24.125 Eligible list.
- 1.24.130 Immediate family.
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- 1.24.143 Open competitive examination.
- 1.24.145 Original appointment.
- 1.24.148 Permanent appointment.
- 1.24.150 Position.
- 1.24.155 Probationary employee.
- 1.24.160 Probationary period.
- 1.24.165 Promotion.
- 1.24.168 Promotional appointment.
- 1.24.169 Promotional examination.
- 1.24.170 Promotional list.
- 1.24.180 Reemployment eligible.
- 1.24.185 Permanent employee.



- 1.24.187 Special project employee.
- 1.24.195 Status.
- 1 1.24.196 Subclass/subclassification.
- 1.24.200 Suspension.
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- 3 1.24.220 Transfer.
- 1.24.225 Vacancy.
- 4 1.24.230 City Council – Duties.
- 1.24.240 City Manager – Duties.
- 5 1.24.250 Director of Utilities – Duties.
- 1.24.260 ~~Personnel~~ [Human Resources](#) Director – Duties.
- 6 1.24.270 Civil Service Board – Powers and duties.

- 7 CLASSIFICATION PLAN
- 1.24.280 Scope of City Service.
- 8 1.24.290 Classified and Unclassified Service.
- 1.24.300 Classification Plan – Objective.
- 9 1.24.310 Structure of Classification Plan.
- 1.24.320 Class titles – Use required.
- 10 1.24.330 Class specifications.
- 1.24.340 Use of Classification Plan.
- 11 1.24.350 Maintenance of Classification Plan.
- 1.24.360 Status of employees affected by reclassification.
- 12 1.24.370 Classification status of employees resulting from consolidation of classes.

- 13 COMPENSATION PLAN
- 1.24.390 Compensation Plan – Considered in application of Rules.

- 14 APPLICATIONS FOR POSITIONS
- 15 1.24.400 Announcement of examinations.
- 16 1.24.410 Filing of applications.
- 1.24.420 General requirements for filing applications.
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- 1.24.440 Postponement and cancellation of examinations.
- 18 1.24.450 Residence.
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- 1.24.480 Examinations shall be impartial.
- 20 1.24.485 Open competitive examinations.
- 1.24.490 Identity of examinees concealed.
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- 1.24.510 Minimum grades on each section.
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- 1.24.971 Railway employees defined.
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* * *

1.24.020 Purpose of Rules.

These Rules set forth the principles and procedures that are to be followed by the City administration in its personnel program, to the end that the City of Tacoma and its employees may have reasonable assurance that personnel problems will be dealt with on a uniform, equitable basis under a single personnel administrator and that the citizens of Tacoma may derive the benefits and advantages which can be expected to result from a competent staff of City employees.

These Rules have been prepared under the premise that it is the intent of the Charter that there should be a centralized, integrated program for personnel administration in all departments and divisions of the City, such program to be administered by the [Personnel/Human Resources](#) Director.

Should any problem arise in the implementation and administration of the personnel program outlined by these Rules which the [Personnel/Human Resources](#) Director is unable to resolve to the satisfaction of the City Manager and the Director of Utilities, such problem shall be resolved by the City Manager and the Director of Utilities, if possible. Whenever the City Manager and the Director of Utilities are unable to reach an accord concerning any matter involving the administration of these Rules, the matter shall be referred to the Civil Service Board, whose findings and determination shall be conclusive.

* * *

1.24.045 Administration of Rules.

The [Personnel/Human Resources](#) Director ~~shall be charged with the responsibility~~ [is responsible](#) for the administration of ~~the provisions of~~ these Rules.

* * *

1.24.061 Appeal.

“Appeal” shall mean a written communication to the Board from a permanent classified employee or [the employee’s](#) ~~his/her~~ designated representative appealing to the Board the following disciplinary actions: suspension for more than 30 days, reduction in rank or pay, or discharge of said employee; and any and all



other controversies or matters, arising out of or in connection with the Personnel Rules. "Appeal" shall not include any matter jurisdiction over which rests with the City Council pursuant to Sections 6.9 and 6.10 of the City Charter, nor with suspensions of 30 days or less, nor with matters which the Board ascertains must be or have been adjudicated under the terms of an existing and applicable collective bargaining agreement.

* * *

1.24.070 Appointing authority.

"Appointing authority" shall mean the City Manager or Director of Utilities or other delegated authority who is empowered to appoint or remove employees of the department over which ~~they have~~she has jurisdiction, subject to these Rules.

* * *

1.24.075 Certify.

To ~~certify~~ shall mean the act of the ~~Personnel~~Human Resources Director in ~~supplying~~verifying to an appointing authority ~~with~~ the names of applicants who are eligible for appointment to the class and positions in the Classified City Service ~~for which certification is requested.~~

* * *

1.24.155 Probationary employee.

"Probationary employee" shall mean any employee who is serving ~~ahis/her~~ probationary period prior to being permanently appointed to a position.

* * *

1.24.160 Probationary period.

"Probationary period" shall mean that period during which an appraisal of an employee's skills, aptitudes and adjustments are made prior to ~~his/her~~ permanent appointment in that position.

* * *

1.24.169 Promotional examination.

"Promotional examination" shall mean an examination open only to employees of such lower classifications as determined by the ~~Personnel~~Human Resources Director.

* * *

1.24.225 Vacancy.

"Vacancy" shall mean an existing position which is not occupied, and for which funds are available and a valid requisition has been received by the ~~Personnel~~Human Resources Director.

* * *

1.24.240 City Manager – Duties.

The City Manager shall:

- A. Be responsible for effective personnel administration in those departments under ~~their~~his/her jurisdiction.
- B. Appoint a ~~Personnel~~Human Resources Director who shall be the administrative head of the ~~Personnel~~Human Resources Department.
- C. Appoint, remove, suspend and discipline all officers and employees of the City under ~~the~~his/her jurisdiction of the City Manager, subject to the Civil Service provisions of the Charter and these Rules and



State law; or ~~he/she may, at his/her discretion,~~ authorize the head of the department or office responsible to ~~the City Manager~~~~him/her~~ to appoint and remove subordinates in such department or office.

1 D. Fix and establish the number of employees in the various City departments and offices under ~~his/her~~~~the~~
2 jurisdiction ~~of the City Manager,~~ and determine their duties and compensation in accordance with the
3 Personnel Rules and Salary Ordinance or Compensation Plan and subject to the approval of the City Council
4 and provisions of the State Budget Law.

E. Perform such other duties and have and exercise such other powers in personnel administration as may be prescribed by law and these Rules.

5 **1.24.250 Director of Utilities – Duties.**

The Director of Utilities shall:

6 A. Be responsible for effective personnel administration in those divisions under ~~their~~~~his/her~~ jurisdiction.

7 B. Appoint, remove, suspend and discipline all officers and employees of the City under ~~his/her~~~~the~~
8 jurisdiction ~~of the Director of Utilities,~~ subject to the Civil Service provisions of the Charter and these Rules
9 and State law; or ~~he/she may, at his/her discretion,~~ authorize the head of the division or office responsible to
10 ~~him/her~~~~the Director of Utilities~~ to appoint and remove subordinates in such division or office.

11 C. Fix and establish the number of employees in the various divisions and offices under ~~his/her~~~~the~~
12 jurisdiction ~~of the Director of Utilities,~~ and determine their duties and compensation in accordance with the
13 Personnel Rules and Salary Ordinance or Compensation Plan and subject to the approval of the Public Utility
14 Board, the City Council and provisions of the State Budget Law.

D. Perform such other duties and have and exercise such other powers in personnel administration as may be prescribed by law and these Rules.

15 **1.24.260 ~~Personnel~~Human Resources Director – Duties.**

16 The City Manager shall appoint a ~~Personnel~~Human Resources Director who shall be responsible for the
17 administrative and technical direction of the City Personnel Program. The ~~Personnel~~Human Resources
18 Director shall:

19 A. Prepare such forms and initiate such procedures as ~~he/she may~~ ~~considered~~ necessary, appropriate, or
20 desirable to carry out the City's Personnel Program.

21 B. Administer the system of position classification for positions within the City based on the duties,
22 responsibilities and nature of work to be performed.

23 C. Administer the Compensation Plan including the periodic review of salary and wage levels in the area to
24 the extent that such levels affect City employment and the periodic investigation of factors affecting the
25 economic level of salaries as represented in cost of living and other indexes.

26 D. Provide for the establishment and maintenance of a roster of all employees in the City Service and such
other personnel records as ~~he/she deems~~~~deemed~~ advisable or necessary.

E. Provide a system of checking payrolls, so as to determine that all persons in the City Service have been properly appointed and are being paid in accordance with these Rules.

F. Develop and administer training and educational programs for employees in the City Service and assist various departments and divisions of the City with such programs.

G. Develop and administer a centralized system for recruitment and selection and examination programs necessary to obtain adequate and competent applicants to meet the needs of the City.

H. Provide information and staff services as requested by the Civil Service Board.

I. Perform such other activities with reference to personnel administration not inconsistent with the City Charter or these Rules, as may be deemed necessary or desirable to enforce the provisions of these Rules, as the City Manager or the Director of Utilities may direct, or as the City Council may require by ordinance.



J. Establish and maintain a centralized personnel recordkeeping process for all employees.

1 **1.24.270 Civil Service Board – Powers and duties.**

2 A. The Civil Service Board shall make and promulgate all Civil Service and Personnel Rules and
3 amendments thereto necessary to carry out and enforce the purpose of the Civil Service provisions of the City
4 Charter, and shall file all such proposed rules and amendments with the City Clerk, who shall present the
5 same to the City Council at its next regular meeting. Within 45 days after the filing thereof with the City
6 Clerk, the Council shall by ordinance adopt such proposed rules or amendments; provided, however, that the
7 Council by an affirmative vote of not less than two-thirds of its membership may change, alter, amend, add
8 to, reject or repeal any such proposed Civil Service rules or amendments. In the event the City Council shall
9 fail to adopt, change, alter, amend, add to, or reject any such rules or amendments within the 45 days time
10 limit hereinabove provided for, then the City Clerk shall cause to be published such rules or amendments in
11 the official newspaper of the City of Tacoma, and such rules or amendments shall 10 days thereafter become
12 effective to all intents and purposes the same as if adopted by the Council and published as an ordinance.

13 B. The Civil Service Board shall have the following functions in the administration of the Personnel
14 Program:

15 1. To advise the Council and administrative officials on all matters relating to Civil Service and personnel
16 administration in the City service.

17 2. To investigate any or all matters relating to conditions of employment in the service of the City, either in
18 response to employee complaints or on its own initiative.

19 3. To investigate and pass upon the claim of any person whose name appears on an eligible list that the
20 person~~he/she~~ has been deprived of a position to which they are~~he/she is~~ entitled under the provisions of this
21 chapter and the Civil Service and Personnel Rules governing the classified service, in which case the decision
22 of the Board shall be binding on the appointing authority; provided, that such person shall not be entitled to
23 any claim for salary from the City for the period prior to the date of filing such claim.

24 4. To hear appeals from any action suspending for more than 30 days, reducing in rank or pay, or discharging
25 any employee in the classified service, and further to hear appeals on any and all other controversies or
26 matters arising out of or in connection with the Civil Service and Personnel Rules. The findings and
27 decisions of the Board shall be reduced to writing and shall be final and binding upon all parties concerned.

1 **1.24.350 Maintenance of Classification Plan.**

2 The ~~Personnel~~ Human Resources Director shall be responsible for the proper maintenance of the
3 Classification Plan so that it will reflect continuously, on a current basis, the duties being performed by each
4 employee in the City Service and the class to which each position is allocated.

5 The ~~Personnel~~ Human Resources Director shall make necessary amendments to the Classification Plan
6 including the addition of required new classes, revision of existing classes and deletion of obsolete classes.
7 Changes and reallocations within the Classification Plan shall be made as follows:

8 A. The ~~Personnel~~ Human Resources Director shall analyze the duties and responsibilities to be assumed by
9 incumbents of proposed new positions and using such appraisal as a basis, assign the position to the
10 appropriate class within the Classification Plan. A new class specification shall be prepared to cover each
11 additional position which is created and for which the Classification Plan does not provide a satisfactory job
12 description of the position.

13 B. Changes in the duties and responsibilities of a position involving either the addition, reduction or
14 modification of assignments shall be reported to the ~~Personnel~~ Human Resources Director by the department
15 head concerned. If the changes are determined to be permanent and are sufficiently significant to justify
16 reallocation to a different classification, the ~~Personnel~~ Human Resources Director shall assign the position to
17 the class which is appropriate under the modified circumstances.



C. The ~~Personnel~~Human Resources Director shall periodically review the classification of positions and audit duties and responsibilities, and on the basis of ~~such~~his/her reappraisal make such changes as are necessary to keep the Classification Plan up to date and in step with current conditions. Reallocations of positions under the provisions of this section shall be the responsibility of the ~~Personnel~~Human Resources Director, but ~~the Human Resources Director~~he/she shall give due consideration to the recommendations of the administrative officials concerned.

1.24.360 Status of employees affected by reclassification.

The status of permanent or probationary employees affected by reclassification or reallocation occurring in the administration of the Classification Plan shall be resolved in the following manner:

A. Any permanent employee whose position is allocated to a class in the Classification Plan which has a higher maximum salary than the class in which ~~he/she has~~ status is held shall be considered to be a temporary appointee to the higher class and shall be eligible to compete for the reallocated position, notwithstanding existing eligible lists for the higher class; provided, that an employee coming under this provision shall be certified, if successfully passing the examination, regardless of rank attained. The names of the eligible employees shall be certified in accordance with Sections 1.24.600 through 1.24.800 of these Rules. If the employee is appointed as a result of such examination and certification, ~~he/she~~the employee shall have probationary status in the class. If the employee is not appointed as a result of the examination, ~~he/she~~the employee shall be assigned or, upon the approval of the appointing authorities concerned, be transferred to a position in ~~his/her~~the old class, or demoted or laid off in accordance with the provisions of these Rules. In order for an employee to be reclassified under the provisions of this section, the following criteria must be satisfied:

1. The reason for the reclassification is the gradual accretion of new duties and responsibilities over a period of two years or more immediately preceding the effective date of such reclassification.
2. The accretion of duties has taken place during the incumbency of the present incumbent.
3. That the added duties and responsibilities upon which the reclassification is based have not been previously assigned to a class of the same or lower level.

B. Any employee with permanent Civil Service status whose position is allocated to a class which has a lower maximum salary shall be assigned or, upon approval of the appointing authorities concerned, be transferred to a vacant position having the same classification as that in which the employee has permanent Civil Service Status, or the employee shall be granted status in the lower class without further examination or loss in pay and ~~his/her~~the employee's name shall be placed on the appropriate eligible lists, until certified for appointment for the higher class in which ~~he/she holds~~ permanent Civil Service status is held.

C. Incumbents of positions which are reallocated to a class which the ~~Personnel~~Human Resources Director determines to be substantially equivalent to the positions occupied by such personnel at the time reallocation action is taken, shall be given permanent status in the classification to which they are allocated.

1.24.370 Classification status of employees resulting from consolidation of classes.

When the class of work of an employee is consolidated with another class, ~~he/she~~the employee shall be granted status in the consolidated class and also retain the classification status ~~he/she~~the employee possesses in ~~his/her~~the former class prior to said consolidation. ~~His/her~~The employee's name shall automatically be placed on the appropriate eligible lists for the former class and ~~he/she~~the employee shall be granted the right to be reinstated to a position in ~~his/her~~the former class should such class be reestablished.

* * *

1.24.410 Filing of applications.

All applicants for positions in the Classified City Service must file ~~written~~an application on the form prescribed by the ~~Personnel~~Human Resources Director. All applications shall be filed ~~in the Personnel Office during office hours and~~ within the time limit fixed in the official announcement of examination. ~~On~~



~~promotional examinations the minimum requirements for eligibility shall be accumulated up to and inclusive of the date prior to the anticipated date of establishment of the new list.~~

1 **1.24.420 General requirements for filing applications.**

2 A. No person shall be admitted to any examination for a position in the Classified City Service until
3 ~~he/she/the person shall have~~ filed an application ~~upon a form provided~~ as prescribed by the
4 ~~Personnel~~ Human Resources Director.

4 B. Every person making application must meet the requirements as shown in the announcement of
5 examination for the particular position for which ~~he/she/the person~~ is applying.

5 C. The ~~Personnel~~ Human Resources Director, after securing the recommendations of the appointing
6 authorities concerned, may prescribe ~~such~~ specific requirements ~~as in his/her judgment are required by the~~
7 ~~nature of necessary for~~ the work to be performed, except that the following ~~specific~~ age requirement at the
8 time of filing application is established:

7 Police Service 19 but must be at least 21 at time of appointment.

8 D. On promotional examinations, the minimum requirements for eligibility shall be accumulated up to and
9 inclusive of the day prior to the anticipated date of the establishment of the new list.

9 **1.24.430 Rejection of application.**

10 The ~~Personnel~~ Human Resources Director may reject any applicant:

11 A. Who lacks any of the minimum qualifications set forth in the examination announcement.

12 B. Who does not meet the medical or physical requirements of the position for which appointment is sought,
13 with or without a reasonable accommodation.

13 C. Who has made false statement(s) in ~~their/his/her~~ application with regard to any material fact or has
14 practiced or attempted to practice any deception or fraud in ~~their/his/her~~ application or examination, or in
15 securing ~~their/his/her~~ eligibility, appointment or promotion.

15 D. Who was previously in the Classified City Service in the same or any other type of employment and was
16 removed for cause or did not resign in good standing.

16 E. Who has used or attempted to use any political pressure to further ~~their/his/her~~ eligibility or appointment or
17 promotion.

17 F. Who has been convicted of a felony or misdemeanor within the last seven years or admitted to criminal
18 activity determined to have a direct relationship to the position for which application is made except that
19 conviction of a felony shall automatically disqualify an applicant for any law enforcement officer position.
20 The seven year limitation shall not apply to positions in the Police Department. Such rejection shall take into
21 consideration the seriousness of the offense, its recency, and the age of the applicant at the time of the
22 occurrence.

20 G. Who has been dismissed from previous employment for delinquency or misconduct.

21 **1.24.440 Postponement and cancellation of examinations.**

22 Any examination may be postponed or canceled at the discretion of the ~~Personnel~~ Human Resources Director.
23 ~~In either case, e~~ Each applicant shall be notified of the postponement or cancellation.

23 **1.24.450 Residence.**

24 A. No person shall be eligible for employment in the Classified City Service who is not a resident of the City
25 at the time of ~~their/his/her~~ original appointment; provided, that the Civil Service Board may waive such
26 residence requirements for employees in the Classified City Service when such waiver is deemed to be for
27 good and sufficient reason among which the following shall be sufficient:

1. Where the nature of the employment requires residence outside the City.



2. When it otherwise serves the best interests of the City.

* * *

1.24.490 Identity of examinees concealed.

The identity of all persons taking a competitive written test shall be concealed from the examiners by the use of an identification number which shall be used on all examination papers. This number shall be used from the beginning of the examination until the papers have all been rated. Any written examination papers carrying the name of the applicant or any other identification mark, or any candidate who reveals ~~their~~his/her identification number to the ~~Personnel~~Human Resources Director or any member of ~~the Human Resources~~his/her staff, directly or indirectly, shall be disqualified and the candidate so notified.

* * *

1.24.510 Minimum grades on each section.

The ~~Personnel~~Human Resources Director may determine the minimum grade for any part or parts of an examination. Any candidate who fails to attain at least this minimum grade shall be considered to have failed the examination and shall not be examined on any further parts, if any are planned.

1.24.520 Review and notification of examination results.

A. No later than the end of the next business day immediately following an open examination, a candidate may submit a written challenge regarding the content of the examination by obtaining a challenge form from the exam proctor or the Human Resources Department and returning it completed back to the exam proctor or Human Resources Department. Within three business days immediately following a promotional examination, a candidate may submit a written challenge regarding the content of the examination by completing a challenge form and returning it to the exam proctor or Human Resources Department.

B. If the candidate demonstrates that a question should be reviewed because it is flawed, the Human Resources Director, or ~~his or her~~ authorized representative, may eliminate the question or make such alterations in the answer key as ~~he or she~~deems appropriate, or, the Human Resources Director may appoint a review board of qualified experts to recommend to ~~the Human Resources Director~~him or her if a question should be eliminated or an alteration be made in the answer key.

C. Each candidate who takes an examination shall be given written notice of the results and, if successful, of ~~their~~his or her final earned score (grade plus any applicable credits) and ~~his or her~~ rank on the eligible list. Candidates shall have the right to inspect their examination papers within five business days of the postmark date of their notice of the establishment of the eligible list resulting from the examination. Such inspection shall be for the purpose of detecting errors in scoring only and shall be made in the presence of the Human Resources Director or ~~his or her~~ authorized representative, and no notes shall be made by the candidate. An error in scoring, if called to the attention of the Human Resources Director or ~~his or her~~ authorized representative within the inspection period, shall be corrected. Requests for inspections, corrections, or adjustments made after this five-business day period will not be considered. During said five-day period, no permanent appointments shall be made from any promotional eligible list.

* * *

1.24.540 Promotional examination.

Vacancies in higher positions in the Classified City Service shall be filled insofar as practicable by the promotion of employees in the Service. The ~~Personnel~~Human Resources Director shall in each case determine whether an open, competitive examination shall be held or a promotional examination held among employees whose previous experience would be natural preparation for the higher position. ~~When the determination is made that there will be~~For a promotional examination, the ~~Personnel~~Human Resources Director shall establish ~~appropriate requirements as to~~previous service and other reasonable requirements for eligibility to take promotional examinations and shall publish ~~all~~such requirements in the ~~examination announcement of each examination.~~



* * *

1.24.575 Joint apprenticeship and training programs.

Employees hired as apprentices or trainees into an approved, Federal, State, or joint labor/management training program will be subject to the following:

A. Apprentices or qualified trainees will be hired from Civil Service eligible lists and their probation shall be for a one year period, notwithstanding provisions to the contrary in Section 1.24.780 of this chapter.

B. Continued enrollment, advancement, and employment is subject to maintaining progress standards set by a joint labor/management apprenticeship and training committee, in accordance with the Standards of Apprenticeship registered with the Federal Bureau of Apprenticeship and Training, Washington State Apprenticeship and Training Council, or joint labor/management training committee.

C. Notwithstanding any other provisions in this chapter to the contrary, an apprentice or qualified trainee who fails for any reason (e.g., medical, performance, aptitude) to successfully complete any of the required steps of the program (in a probationary or nonprobationary status), or does not receive a permanent appointment to the target journey-level classification after three certifications, will be separated as follows:

1. An employee who previously held permanent Civil Service status in a lower classification prior to beginning the apprenticeship or training program shall be returned during ~~their~~^{his/her} probationary period to a position in that classification, unless separated under Section 1.24.940, Disciplinary Action.

2. If no lower Civil Service classification was held at the time of enrollment into an apprenticeship or training program, the employee will be separated from City service.

* * *

1.24.580 Noncompetitive appointments for the severely disabled.

The ~~Personnel~~Human Resources Director is authorized and empowered, subject to the approval of the Civil Service Board, to designate certain existing entry-level positions in the classified service as vacancies occur as noncompetitive training appointments for ~~the severely handicapped persons with severe disabilities~~. Each vacancy must be individually and separately ~~so~~ designated. After such designation, the specific vacancy may be filled by persons duly certified as eligible for such appointment to said training positions for which the Civil Service Board has waived competitive examinations. Upon the certification of the position and the granting of said waiver, the ~~Personnel~~Human Resources Director shall be authorized to recommend to the appointing authority the appointment of one or more designated ~~severely disabled~~ applicants with a severe disability. Such recommendations shall be based on an evaluation of the applicant's education, technical skills, aptitude, background, personality traits, necessary job accommodations, and such other factors as the ~~Personnel~~Human Resources Director deems appropriate.

Persons hired under these provisions shall serve a minimum of one calendar year probationary period. Upon successful completion of the probationary period, the ~~Personnel~~Human Resources Director shall be authorized and empowered subject to the approval of the Civil Service Board, to redesignate the trainee position as a regular classified position and to grant status in the classification and position to the ~~severely disabled~~ incumbent who held the trainee position.

For the purposes of this section "~~severely disabled~~ persons with a severe disability" are defined as persons with physical, sensory or mental impairments which would impede the person in performing a major life function. The impairments must be material rather than slight; static and permanent in that they are seldom fully corrected by medical replacement, therapy, medication, or surgical means.

1.24.585 Noncompetitive training positions.

The ~~Personnel~~Human Resources Director is authorized and empowered, subject to the approval of the Civil Service Board, to designate, for limited periods of time, certain existing entry-level positions in the classified service as trainee positions, and to reclassify the same to a specific trainee class.



1 After reclassification of such positions, vacancies occurring thereafter may be filled by trainees duly certified
2 as eligible for appointment to said trainee positions. In certifying said positions as eligible, the Civil Service
3 Board may, for good cause shown, waive competitive examinations. Upon granting of said waiver, the
4 Personnel Human Resources Director shall be authorized to recommend to the appointing authority the
5 appointment of one or more designated trainee applicants. Such recommendations shall be based on an
6 evaluation of the applicants' education, technical skills, aptitude, background, personality traits, and such
7 other factors as the Personnel Human Resources Director deems appropriate. All such appointees shall be
8 considered probationary employees during their period of employment in the trainee position. Such
9 probationary periods shall be for one year and may be extended by the Personnel Human Resources Director
10 for the purpose of establishing an eligible list for a permanent appointment to the position. Such extensions
11 shall not exceed a four month aggregate period of time.

12 **1.24.590 Time interval.**

13 Any person who competes in an examination for a particular class shall not be eligible to compete in another
14 examination for the same class within six months of the establishment of the eligible list resulting from the
15 first examination unless otherwise authorized by the Personnel Human Resources Director.

16 **1.24.600 Posting of eligible lists.**

17 The Human Resources Director shall establish and maintain such eligible lists for the various classifications
18 and subclassifications of positions in the City Service as are necessary to meet the needs of the Service.
19 Candidates receiving a passing grade on examinations shall be notified and take rank upon the proper eligible
20 list in the order of their relative scores. On open lists, ties in score shall hold the same rank on the eligible
21 list. Ties in grades shall be resolved in promotional examinations by length of continuous service. Whenever
22 it becomes necessary to hold a subsequent examination for a classification where there is a continuous need
23 for eligibles or when insufficient applicants are available to maintain an adequate eligible list, the Human
24 Resources Director shall consolidate the lists as follows:

25 A. Open Lists. Such persons who attain a passing grade on the examination shall be inserted on the existing
26 list in the order of their final score on the examination without respect to time of examinations. However,
lateral-entry lists shall not be merged with other open lists.

B. Promotional Lists. Such persons as attain a passing grade on the examination will be placed in their final
rank order at the bottom of the existing list.

C. Departmental Promotional Lists. Where the head of a department determines that the need of ~~their~~
~~his or~~
~~her~~ department requires that eligibility for promotional examinations in the department be limited to persons
regularly appointed in the department on the currently established lists, then such department head may make
such limitation with the approval of the Civil Service Board. In such case, "Departmental Promotional List"
shall mean an eligible list thus established. Persons attaining a passing grade in such examination shall be
placed in their final rank order at the bottom of the existing list.

D. Reemployment Eligibles. Such persons shall be enrolled at the top of the list in order of seniority in the
specific class.

1.24.620 Removal from eligible list.

The Human Resources Director may at any time remove the name of an eligible from an eligible list for any
one or more of the following causes:

A. A written request from the eligible that ~~their~~
~~his or~~
~~her~~ name be removed.

B. Failure to respond to notice to appear for employment interview within the time limited in such notice
unless said eligible is on the promotional list and shall have specifically waived ~~their~~
~~his or~~
~~her~~ right to a
promotional appointment.



1 C. Declination of permanent appointment; provided, however, that the number one eligible on any
 2 promotional list shall have the right to waive a promotional appointment and the waiver of such appointment
 shall not affect ~~their~~his or her status or standing on said list except as to the appointment, or appointments,
 specifically waived. In the event of waiver by the number one eligible, then the number two eligible on a
 promotional list shall be deemed, for the purposes of that appointment, the number one eligible on said list.

3 D. For attempted deception or fraud in connection with any application or test.

4 E. For willfully or corruptly making any false statement, certification, mark, grading, or report in regard to
 any test for appointment held or made under the provisions of these Rules and the Charter.

5 F. In any case where the Human Resources Director finds that an eligible is or has in any manner become
 6 disqualified for the position for which ~~they are~~he or she is listed, in accordance with Section 1.24.430 of
 these Rules.

7 * * *

7 **1.24.625 Waiver of certification.**

8 If, in ~~the~~his/her judgment ~~of the Human Resources Director~~, the best interests of the City would be served,
 9 the ~~Personnel~~Human Resources Director may, at the request of an eligible, withhold or withdraw certification
 of such eligible for a specific vacancy or for a specific period of time. ~~The~~This waiver of certification ~~as~~
 10 ~~outlined herein~~ shall not otherwise affect the individual's eligibility for appointment.

11 **1.24.630 Restoration of names to eligible lists.**

12 Whenever ~~any~~ person's name is removed from an eligible list for any ~~one or more~~ of the causes mentioned in
 the preceding ~~s~~Section 1.24.620, ~~he/she shall immediately be notified~~written notification shall be provided at
 13 ~~his/her~~the last known address ~~thereof unless his/her whereabouts are unknown~~. Such person may, within five
 business days from date of notice of removal, make a written request to the ~~Personnel~~Human Resources
 14 Director for restoration of ~~his/her~~the person's name to such list for the duration of ~~his/her~~ eligibility. The
 request shall set forth the reasons for the conduct resulting in removal of the name from the list, and shall
 15 ~~further~~ specify the reasons ~~advanced~~ for restoration of the name. The ~~Personnel~~Human Resources Director,
 after full consideration of the request, may restore the name to the eligible list or ~~may~~ refuse such request.
 The person shall be notified of the ~~Personnel~~Human Resources Director's action.

16 **1.24.640 General provisions.**

17 A. Vacancies in the Classified City Service shall be filled by reemployment, promotional appointment,
 18 original appointment, transfer, demotion, or reinstatement. Whenever an appointing authority wishes to fill a
 vacancy, a requisition for an employee shall be submitted to the Human Resources Director, or ~~his or her~~
 19 authorized representative, on the ~~prescribed~~ form ~~prescribed by him or her~~. Insofar as practicable, each
 vacancy shall be anticipated sufficiently in advance to permit the Human Resources Director to determine
 who may be available for appointment or, if necessary, to establish a class or list of eligibles.

20 * * *

21 **1.24.650 Methods of filling vacancies.**

22 Upon receipt of a request from the City Manager or Director of Utilities, or their authorized representative,
 for eligibles to consider to fill a vacant position, the Human Resources Director or ~~his or her~~ authorized
 23 representative shall certify the proper number of names from the appropriate employment list or authorize
 some other kind of appointment as provided in these Rules. No appointment, except an emergency
 24 appointment, shall be made without such certification or prior authorization. Employment actions shall be
 made in the following priority:

25 Reemployment Eligibles: If the position to be filled is a permanent one, the Human Resources Director shall
 certify the one name highest of the reemployment eligibles.

26



1 Departmental Promotional List: If no reemployment eligibles exist, and in the absence of a request to fill the position by other authorized action, the Human Resources Director shall certify one name highest on the departmental promotional list.

2 Promotional List: If no reemployment eligibles exist, and in the absence of a request to fill the position by other authorized action, the Human Resources Director shall certify three names highest on the promotional list.

3 Open List: If no reemployment eligibles exist, and in the absence of a request to fill the position by other authorized action, the Human Resources Director shall certify to the department requesting certification, names from the appropriate open list of eligibles scoring in the top ten ranks. For each additional vacancy, the Human Resources Director shall certify names of eligibles in the next consecutive rank. (Section 1.24.640, subject to Section 1.24.665.)

6 * * *

7 **1.24.655 Absence of eligible list.**

8 When an eligible list does not exist for a classification, eligibles may be certified, upon recommendation of the Human Resources Director and approval by the Civil Service Board, from a layoff or open eligible list for a classification which requires comparable knowledge, skills, and abilities as are required for the vacant position. Acceptance or refusal by an eligible for a position in a classification other than the classification the list was originally established for shall not affect the eligible person's ~~his or her~~ right to be certified for the classification for which they were ~~he or she was~~ originally eligible.

11 * * *

12 **1.24.710 Temporary appointment.**

13 Temporary appointment may be made for a maximum period of six months with the approval of the ~~Personnel~~ Human Resources Director when services are required for a special job or project of limited duration or to fill a permanent position for which no eligible list exists. Temporary appointments may be extended by the appointing authority with the approval of the ~~Personnel~~ Human Resources Director to cover an additional six-month period. However, no position will be filled on a temporary basis or any individual employed on a temporary basis beyond 12 months aggregate time in any two-year period, unless approved by the Civil Service Board.

16 Unless a person or persons on an existing eligible list expresses an unwillingness to accept temporary employment for the class in which the appointment is desired, then appointment shall be made from the appropriate eligible list.

18 In the absence of eligible lists, temporary appointments of qualified persons may be made until such time as an eligible list is established. Within 45 calendar days from the establishment of an eligible list, the appointing authority shall terminate the services of any temporary employee hired and appointed pursuant to Personnel Rule 1.24.650.

21 Temporary appointments may also be made to fill vacancies resulting from permanent employees on authorized leave of absence. The duration of such temporary appointments shall be for the period of time such permanent employee is on such leave of absence.

22 * * *

23 **1.24.735 Appointments to vacancies resulting from permanent or probationary employees on leave of absence without pay for one year.**

24 A position vacant as a result of a permanent or probationary employee being granted leave of absence without pay for a period of one year may be considered as a permanent position, if requested by the appointing authority and approved by the ~~Personnel~~ Human Resources Director, and be filled in the manner provided for in these Rules.

26 * * *



1.24.750 Reinstatement.

1 A. At the request of the appointing authority and upon approval by the ~~Personnel~~Human Resources Director, any person who has resigned from the City Service in good standing or has taken a voluntary demotion, and
2 who had attained permanent status prior to separation or demotion may, within two years from the effective
3 date of ~~his/her~~ separation or demotion, be reinstated to a position in the same department and in the same
4 class as the position ~~he/she~~ held at the time of ~~his/her~~ separation or demotion, provided there are no
employees of the department who have been laid off and whose names appear on the reemployment list for
the class.

5 B. An employee separated due to physical or mental incapacity may be reinstated to ~~his/her~~the former
6 position if able to perform the duties as required, or to any classification for which ~~he/she~~the employee is
7 qualified in the department in which ~~he/she~~the employee was formerly employed, subject to the approval of
the appointing authority and the ~~Personnel~~Human Resources Director. If unable to perform the above duties,
such reinstatement then may be to any position in any department within City Service for which said
employee would be qualified.

8 * * *

1.24.755 Voluntary demotion.

9 A permanent employee may upon written request and approval by the appointing authorities concerned, and
10 the ~~Personnel~~Human Resources Director, be demoted and granted status to a position in a classification
11 having a lower maximum rate of compensation, provided a vacancy exists and no reemployment list exists in
that class. Seniority, if not otherwise established in the lower class, shall commence on the effective date of
such demotion.

1.24.760 Transfers.

12 A position may be filled by transferring an employee. Transfers must be approved by the affected appointing
13 authorities and the ~~Personnel~~Human Resources Director, after taking into consideration the affected
14 employee's preference, as far as is practicable. Requests for transfer must be submitted in writing to the
15 ~~Personnel~~Human Resources Director prior to the effective date of the transfer. Prior to certifying eligibles
from the appropriate lists, the ~~Personnel~~Human Resources Director shall advise the appointing authorities
concerned of the names of those employees who have requested transfer.

1.24.770 Demotion for physical incapacity.

16 When an employee becomes physically incapacitated for the performance of the duties of ~~his/her~~the
17 ~~employee's~~ position, ~~he/she~~the employee may, upon request of the appointing authority or upon ~~his/her~~the
18 ~~employee's~~ own initiative and with the approval of the ~~Human Resources Director~~Personnel Director, be
19 given status and appointed to a position, the duties of which ~~he/she~~the employee is able to perform, in a class
carrying a lower compensation, without regard to previous status in the lower class. Seniority, if not
otherwise established in the lower class, shall commence on the effective date of the demotion.

1.24.780 Probationary period.

20 A. The probationary period shall be regarded as an integral part of the examination process and shall be
21 utilized for closely observing the employee's work, for securing the most effective adjustment of the new
22 employee to ~~their~~his or her position, and for rejecting any employee whose performance or adjustment is not
23 satisfactory.

24 B. All original appointments, except those made from reemployment eligibles, shall be probationary for a
period of nine months after appointment. However,

25 1. Permanent and probationary employees transferred to another department shall serve a probationary period
of six months.

26 2. Appointments of reemployment eligibles shall be probationary for six months if hired into a department
other than the department from which the layoff was initiated.



3. Appointments made of reemployment eligibles shall be probationary for the period of probation remaining unserved at the time of layoff if hired into the department from which the layoff was initiated.

4. All appointments made to entering positions in the Police Department, the class of Fire Fighter, and all appointments made pursuant to the provisions of Section 1.24.585 of these Rules shall be probationary for a one-year period.

5. All other appointments shall be probationary for a period of six months.

6. Employees enrolled in an approved Washington State apprentice program as approved by the Washington State Apprenticeship and Training Council and State Department of Labor and Industries, who are granted status in accordance with Section 1.24.570, shall serve their probation for the journey-level class during the last six months of the apprentice program.

7. A Department Director may request that up to six months of the nine month probationary period be counted for a project employee appointed to a permanent classified position, provided there is no break in service. Such request is subject to the approval of the Human Resources Director and the Civil Service Board.

C. Upon the request of the Department concerned and approval of the Human Resources Director, periods of leaves of absence without pay or sick leave with pay shall be included in computing the probationary period.

D. The appointing authority shall make such periodic reports during the probationary period as the Human Resources Director requires and shall certify to the Human Resources Director on the prescribed form the name of each employee who satisfactorily completes the probationary period.

E. At any time during the probationary period, the appointing authority may remove or demote an employee whose performance or adjustment is not satisfactory; provided, that ~~he or she~~the appointing authority shall notify the employee and the Human Resources Director of the reasons for such action. The Human Resources Director, on the basis of this report, may reinstate the employee to the eligible list should such action appear to be in the best interests of the City. If an employee who is promoted to a higher class as a result of certification from an appropriate eligible list or who is transferred, voluntarily terminates ~~his or her~~the probation, or is found unsuited for work of the class during the probationary period, ~~he or she~~the employee shall be restored to a position in the department and class from which ~~he or she~~the employee was promoted or transferred. An employee promoted or transferred to a position may, at any time during ~~his or her~~the employee's probationary period, voluntarily terminate ~~his or her~~the probation.

1.24.790 Acceptance of temporary appointment.

The acceptance by an eligible of an emergency or temporary appointment shall not affect ~~their~~his/her standing on the eligible list for permanent appointment. Such service shall not be counted as part of the probationary period unless such an appointment immediately precedes permanent appointment, in which case it may, at the discretion of the appointing authority, be counted towards the probationary period if such employment is in the same class in the same department and the employee is on an eligible list for such position.

1.24.800 Medical examination.

Appointees to permanent positions in the City Service shall be required to satisfactorily complete a medical examination either prior to actual employment or during the probationary period, as determined by the appointing authority, to determine physical and mental fitness to perform work in the position to which they are appointed. Such medical examination shall be at the expense of the City; provided, that, in the event that there shall exist a contract under which the applicant or employee to be examined is entitled to such examination without the payment therefor of any fee, and any portion of the cost agreed to be paid under said contract shall be payable from funds received by the City from taxation or out of City revenues, then the City shall not be chargeable with the expense of such examination.

All employees of the City during their period of employment may be required by the appointing authority with the approval of the ~~Personnel~~Human Resources Director, to undergo periodic medical examinations to



determine their physical and mental fitness to perform the work of the position in which they are employed. Such periodic medical examination shall be at no expense to the employee.

1 Determination of physical or mental fitness will be by a physician designated by the PersonnelHuman
2 Resources Director. The physician will be provided a description of the work to be performed and its
physical parameters.

3 Where an applicant or employee of the City shall be reported by the examining physician to be physically or
4 mentally unfit to perform work in the position to which appointment is to be made or in which he/she/the
employee is employed, such applicant or employee shall have a period of three working days from the date of
5 his/her notification of such determination by the examining physician to indicate in writing to the
PersonnelHuman Resources Director, his/her/the intention to submit the question of his/her/the physical or
6 mental unfitness to a physician of his/her/their own choice at his/her/their own expense. In the event there is a
7 difference of opinion relative to the diagnosis between the examining physician and the physician chosen by
the applicant or employee, then a physician shall be mutually designated by the examining physician and the
8 physician chosen by the applicant or employee, whose decision relative to the diagnosis shall be final and
binding as to the physical or mental fitness of the applicant or employee to perform the work of the position
to which appointment is to be made or in which he/she/the employee is employed. The costs incurred for such
9 medical examinations shall be borne by the City, except as otherwise provided herein.

10 An applicant finally determined to be physically or mentally unfit shall not be considered for appointment.
When an employee is finally determined to be physically or mentally unfit for service, such employee shall
11 be demoted in accordance with these Rules or separated from the City Service. Such demotion or separation
shall be within five days from the date of final determination of the physical or mental unfitness of the
12 employee, subject, however, to provisions of Section 1.24.950 of these Rules. For the purposes of this
section, the term physician shall also include licensed clinical psychologists in the determination of mental
fitness for employment.

13 * * *

14 **1.24.810 Employee training.**

In order that employees may perform their work more efficiently and that they may be able to qualify for
15 positions of increasing difficulty and responsibility, the PersonnelHuman Resources Director may establish,
direct, operate, and coordinate educational programs for employees in the City Service, and shall cooperate
16 with and assist all departments in such programs. Employees' participation in training programs shall be on a
voluntary basis and training meetings and courses may be held on employees' own time or, with the approval
17 of the appointing authority, during official working hours.

18 **1.24.820 Employee complaints.**

19 STATEMENT OF POLICY:

20 It shall be the policy of the City of Tacoma to adjust complaints of employees promptly and fairly. Within
the framework of existing laws and regulations, every effort shall be made to adjust complaints in a manner
21 mutually satisfactory to employees and management without any interference or subsequent discrimination
against employees who may seek to adjust a complaint.

22 It shall be the policy of the City to make every attempt to resolve complaints within the department at the
lowest possible level. An employee is expected to discuss any complaint initially with his/her/the employee's
23 immediate supervisor. If the informal answer given by the employee's supervisor is not satisfactory, the
employee may appeal in the following manner:

24 Step 1. Within 10 days following the initial contact with his/her/the employee's supervisor the employee or
his/her/the employee's designated representative will present his/her/the employee's specific complaint to
25 his/her/the employee's supervisor in writing. The supervisor will, within five working days, render to the
employee his/her/the decision and the reasons for it in writing. If the employee is not satisfied with the answer
26 given, he/she/the employee may appeal as follows:



1 Step 2. Within five working days of receipt of the supervisor’s answer, the employee (or designated
 2 representative) will forward the complaint in writing to his/herthe employee’s division head or the head of
 the department. The division or department head will, within five working days, render to the employee
his/her decision, and the reasons for it in writing. If the employee is not satisfied with the answer given,
he/shethe employee may present the complaint to the Civil Service Board as follows:

3 Step 3. Within five working days of receipt of the division or department head’s answer, the employee (or
 4 designated representative) will forward the complaint in writing to the ~~Personnel~~Human Resources Director
 who shall, within 10 working days, file a report with the Civil Service Board stating the nature of the
 5 complaint, the procedures utilized thus far in an attempt to resolve it and the issues unresolved. The Civil
 Service Board shall then act as a complaint board and in appropriate circumstances set a time and place for
 hearing such complaint.

6 At the conclusion of a hearing on a complaint, the Board shall render its findings.

7 GENERAL PROCEDURES:

8 A. The Board may call as witnesses at a complaint hearing any persons whose testimony will contribute to
 the adjustment of the complaint.

9 B. All parties to the complaint shall be notified and have the right to be heard at the hearing or to be
 represented by a person of their own choosing.

10 C. Hearings shall be held at such times and in such manner as may be determined by the Board.

11 D. Failure by management to reply to the employee’s complaint within the time limits specified
 automatically processes the complaint to the next level.

12 E. If an employee fails to submit a complaint from one level to the next level within the time limits
 13 established in this complaint procedure, the complaint shall be considered settled on the basis of the last
 decision.

14 F. Any level of review or any time limits established in this procedure may be waived or extended by mutual
 agreement confirmed in writing or by action of the Civil Service Board.

15 G. A complaint must clearly state the basis thereof and the nature of the remedy sought by the employee or
 16 employee’s representative. Complaints which the Board determines are without merit shall be rejected.

17 H. None of the above provisions are intended to prevent or dissuade an employee from processing a
 18 complaint which he/shethe employee believes to involve discrimination based on race, sex, religion, color,
 national origin, age, marital status or presence of a handicap through his/herthe employee’s departmental
 Equal Employment Opportunity Representative or through the City Human Relations Department. The Board
 shall dismiss any complaint or portions of a complaint which has been filed with a city, state or federal
 19 agency or court having authority to order remedy in the case.

* * *

20 **1.24.860 Residence in the Unclassified City Service.**

21 No person shall be eligible for employment in the Unclassified City Service who is not a resident of this City
 22 at the time of his/her appointment; provided, that the City Council may waive such residence requirements
 for appointive employees in the Unclassified City Service when such waiver is deemed to be for good and
 sufficient reason among which the following shall be sufficient:

23 A. Where the nature of the employment requires residence outside the City.

24 B. To assist in the recruitment of professional and technical personnel.

25 C. When it otherwise serves the best interests of the City.

26



1.24.870 Leave of absence without pay.

1 A. The appointing authority, with the approval of the ~~Personnel~~Human Resources Director, may grant a
2 permanent or probationary employee leave of absence without pay not to exceed one year, except as provided
3 herein in subsections B and C of this section, where granting such leave best serves the interests of the City.
4 No such leave shall be granted except upon written request of the employee submitted in advance stating the
5 reason therefor and the inclusive dates of such leave. Upon expiration of such regularly approved leave the
6 employee shall report for duty in the position held at the time leave was granted. Failure on the part of the
7 employee to report for duty promptly at the expiration of such leave shall be regarded as a voluntary
8 resignation. A request for extension of such leave of absence without pay may be granted for a specific
9 period not exceeding six months. Provided, however, an employee may submit additional written requests for
10 extension of such leave of absence at the expiration of the six-month period. No such leave shall be granted
11 except upon written request of the employee submitted in advance.

12 B. The appointing authority, with the approval of the ~~Personnel~~Human Resources Director, shall grant leave
13 of absence without pay, to a permanent or probationary employee without limitation as to time to enable
14 ~~them~~him/her to take an appointive position in the City Service or any quasi-governmental public agency
15 created and funded jointly by the City and other public body rendering municipal services or while assigned
16 to another governmental entity on an exchange program authorized by law. The appointing authority, with
17 the approval of the ~~Personnel~~Human Resources Director, may grant leave of absence without pay to a
18 permanent or probationary employee to enable ~~them~~him/her to serve as a representative with a labor or
19 employee organization; provided, that the majority membership of such organization consists of employees
20 of the City of Tacoma. A request for leave without pay by an employee in order to accept employment not in
21 the City Service shall, except in unusual circumstances, be considered as insufficient reason for approval of
22 such request.

23 C. The appointing authority, with the approval of the ~~Personnel~~Human Resources Director, shall grant leave
24 of absence without pay to permanent or probationary employees for the purpose of service in the Armed
25 Forces; provided, that such request for such leave shall be in writing and accompanied with validated copy of
26 military orders ordering such employee into active service with the Armed Forces.

D. Where circumstances warrant, the appointing authority may grant an employee leave of absence without
pay for a period not in excess of 15 calendar days in any one calendar year. The appointing authority shall
immediately notify the ~~Personnel~~Human Resources Director of such action.

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1.24.890 Resignation.

Any employee wishing to leave the City Service in good standing shall file with ~~his~~her~~the~~ appointing
authority at least two weeks before leaving, a written resignation stating the date the resignation shall become
effective and the reason for leaving. Failure to comply with this procedure may be considered cause for
denying such employee future employment by the City. Unauthorized absence from work for a period of five
consecutive days may be considered by the appointing authority as a voluntary resignation, not in good
standing. On all resignations, department heads shall forward notices thereof on the prescribed form to the
~~Personnel~~Human Resources Director within 24 hours after receipt.

1.24.900 Layoff and reemployment/recall.

A. The appointing authority may lay off any employee in the City Service whenever such action is made
necessary by reason of shortage of work or funds, the abolition of a position because of changes in
organization, or other reasons outside the employee's control, which do not reflect discredit on the services of
the employee; however, no permanent or probationary employee shall be laid off while there are temporary
employees serving in the same department and in the same class or position for which the permanent or
probationary employee is eligible and available.

B. Layoff of probationary or permanent employees shall be made in inverse order of seniority in the class of
work in the department involved. Where seniority does not establish a definite seniority differential, the order



of layoff shall be determined by the relative standing on the eligible list from which appointed. A permanent or probationary employee, holding ~~their~~his or her position by virtue of promotional appointment, may request demotion to a position in the class from which ~~they were~~he or she was promoted in lieu of layoff. No employee so demoted shall displace a permanent or probationary employee except in order of seniority as determined in these Rules.

C. The names of permanent or probationary employees laid off or demoted in lieu of layoff shall be placed at the top of the eligible list in order of seniority for City-wide consideration for the specific classification from which the layoff took place. Laid off employees shall be eligible for reemployment for a period of two years from the actual date of layoff, except as provided herein.

D. In the event that any department within the City has a permanent vacancy in a classification for which the names of laid off employees are available, the person with the greatest seniority in that classification will be offered the position and will have three days from the date the offer is tendered to accept an offer of reinstatement. A laid off employee may waive three opportunities for reemployment, after which ~~their~~his or her name will be removed from the list.

E. Laid off employees who are rehired shall serve a probationary period of six months unless rehired into the same department from which they were laid off. Employees rehired into probationary status shall not be considered regular employees for any purpose for the duration of their probationary period.

F. In the event an employee fails probation for any reason other than misconduct during the reemployment probationary period, the name of the employee shall be reinstated at the bottom of the reemployment eligible list for the remainder of ~~their~~his or her two years' eligibility.

G. An employee who fails a reemployment probationary period and who is reinstated to the reemployment eligible list shall have no right to a vacancy in the department where ~~they~~he or she failed probation.

H. Any interruption of employment not in excess of 15 calendar days because of adverse weather conditions, shortage of materials or equipment or for other unexpected or unusual reasons shall not be considered a layoff.

1.24.910 Voluntary layoff due to pregnancy.

Any permanent or probationary employee may, for reasons of pregnancy, request separation from the City Service through layoff. The name of such employee shall be placed on the reemployment list for the class and department and the eligible list for the class in accordance with the provisions of Section 1.24.900. The name of such employee shall not be considered for reemployment or appointment until such time as ~~he/she~~the employee submits in writing to the ~~Personnel~~Human Resources Director notification of ~~his/her~~the availability for employment.

* * *

1.24.930 Suspension.

The appointing authority may suspend a permanent employee without pay for disciplinary reasons including but not limited to those set forth in Rule 1.24.940. All suspensions shall be subject to review and approval by the City Manager or the Director of Utilities, ~~as the case may be, and shall require his/her approval~~. A written statement of the reason for the suspension shall be submitted to the ~~Personnel~~Human Resources Director and to the employee affected in each case, within five business days of the time the suspension becomes effective.

Suspensions of ~~30 days~~22 working days or less may be subject to review and recommendation to the proper officials by the Civil Service Board, upon request of the affected employee.

Any suspension in excess of ~~30 days~~(22 working days) may be appealed to the Civil Service Board. The Board shall hear such appeals and issue a decision which shall be final and binding on all parties.

No seniority shall be acquired during the approved period of suspension, except as provided in Section 1.24.085.



1.24.940 Disciplinary action.

1 Any permanent employee may be disciplined for cause by an appointing authority, with the approval of the
2 City Manager or the Director of Utilities, as the case may be, but a written statement of reasons for the
3 discipline and the effective date shall be submitted within five business days to the Personnel/Human
4 Resources Director and a copy thereof personally delivered to or sent by certified mail to the employee
5 affected at their/his/her last known address.

6 Although discipline may be based upon other causes, any one or more of the following shall be sufficient:

7 A. Conviction of a felony or a misdemeanor involving moral turpitude the nature of which demonstrates lack
8 of fitness for the position held.

9 B. Willful violation of any of the provisions of the Charter, the Ethics Code, or these Rules.

10 C. Willful violation of any lawful and reasonable regulation, order or direction made or given by a superior
11 officer where such violation has amounted to insubordination or serious breach of proper discipline or has
12 resulted in loss or injury to the public.

13 D. Intoxication or drinking intoxicating liquor while on duty, or being addicted to the use of narcotics.

14 E. Incompetency or inefficiency in the performance of duties of the position to which they are/he/she is
15 appointed.

16 F. Wantonly offensive conduct or language toward the public or fellow officers or employees.

17 G. Carelessness or negligence in the use of the property of the City.

18 H. Failure to comply with the lawful provisions of any approved collective bargaining agreements.

19 I. Aiding in assessment or collection from any officer or employee in the City Service for the purpose of
20 securing the nomination or election of any person to municipal office or for the purpose of making a gift to
21 any elective officer or superior officer in the City's employ.

22 J. An attempt to induce any officer or employee of the City to commit an illegal act or act in violation of any
23 lawful or reasonable department regulation.

24 K. The taking or receiving of any fee, gift or other valuable thing in the course of their/his/her work or in
25 connection with it for their/his/her personal gain from any person when such fee or gift is given by such
26 person in the hope or expectation of receiving a favor or better treatment than that accorded to other persons.

L. Conduct unbecoming an officer or employee of the City, either while on or off duty.

M. Employment in gainful occupation in addition to regular City Service duties where such outside
occupation substantially impairs their job performance.

N. Willful and wanton brutality or cruelty to a prisoner or one under arrest or sentence, provided the act
committed was not necessarily and lawfully done in self-defense or to protect the lives of others or to prevent
escape of a person lawfully in custody.

O. Absence without leave, including failure to report for employment on time without just cause.

1.24.950 Employee rights of appeal.

Any permanent employee in the Classified City Service who is aggrieved may submit written appeal to the
Civil Service Board in case of suspension for more than 30 days, dismissal or disciplinary reduction in rank
or pay, or from any and all other matters arising out of or in connection with the Civil Service and Personnel
Rules. Such employee shall file a written appeal within 10 working days following the date of written notice
of suspension, dismissal or the date of reduction in rank or pay. Appeals from any and all other matters
arising out of or in connection with the Civil Service and Personnel Rules shall be submitted within such
time limits as may be designated in other sections of these Rules. Any appeal submitted to the Board shall be
in the form of a concise statement giving the reasons for the appeal. The Board shall dismiss any appeal, or



portions of an appeal, which has been filed with a city, state or federal agency or court having authority to order a remedy in the case.

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The Civil Service Board shall hear and/or investigate appeals with reasonable dispatch and shall give the appointing authority and the affected employee equal opportunity to be heard. Each party shall have an opportunity to call witnesses and present evidence. The hearing shall be held at such times and in such manners as may be determined by the Board. The appointing authority and the affected employee may be represented by counsel or ~~his/her~~ designated representative and the Board shall at such hearings have the power of subpoena and require the attendance of witnesses and the production thereby of books, papers and records pertinent thereto and to administer oaths to such witnesses. The Board shall submit a written report to the City Manager or Director of Utilities in which it shall report its findings and decisions. Such findings and decisions shall be final and binding on all parties concerned. (See also Section 1.24.820)

* * *

1.24.955 Predisiplinary procedure.

A. The following steps shall be completed by the appointing authority prior to making a final decision to dismiss, suspend, or reduce in rank or pay for disciplinary reasons a permanent employee in the Classified City Service, except when the appointing authority deems immediate removal necessary in order to maintain the safety of the community, co-workers, or the reputation, morale or harmony of the organization. The employee must, at a minimum, be:

1. Given advance notice of the proposed action which includes a statement of the reasons for the action;
2. Provided with a copy of the proposed charges and, if practical, a copy of the materials or documents upon which the charges are based;
3. Prior to the proposed disciplinary action, the employee or ~~his/her~~ designated representative has the right to respond either orally or in writing to the authority imposing discipline.

B. If the appointing authority believes a situation exists requiring the immediate termination or suspension of an employee, the appointing authority should carefully document the reasons for such a decision. Such documentation should indicate that the employee's continued presence at the work site could have detrimental consequences or cause public harm. The appointing authority should utilize the predisiplinary procedure to the extent that such utilization is reasonable under the circumstances. In such a situation, the employee may be suspended with pay until the process is completed and a decision reached regarding the potential disciplinary action. In such situations, as described above, the City Attorney and Personnel/Labor Relations Director shall be contacted as soon as possible.

1.24.960 Claim for position.

Whenever any person entitled to certification for employment under the Charter of the City of Tacoma and under the Personnel Rules is deprived of a position to which ~~they are~~~~he/she is~~ entitled under the provisions of the Charter and the Personnel Rules for any reason whatsoever, ~~they~~~~he/she~~ shall file with the ~~Personnel~~Human Resources Director and with the Civil Service Board on a form to be provided by the ~~Personnel~~Human Resources Director, a claim in writing for such position. The Civil Service Board shall have 10 days to investigate and pass upon said claim and if it finds that said person is entitled to said position it shall forthwith certify said fact to the ~~Personnel~~Human Resources Director and to the appointing authority, who shall forthwith appoint such person to such position. Such person shall not be entitled to any claim for salary from the City for the period prior to the date of filing of such claim.

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1.24.973 Extra and relief work.

An extra employee or relief employee ~~shall mean those~~is a railway employees ~~who are~~ appointed from the eligible list and whose services are required only intermittently as ~~called~~determined by the Superintendent, ~~of the Belt Line Rail~~ Division. ~~Such e~~Extra and relief appointments shall be considered permanent appointments, and ~~an~~employees appointed to such positions must hold himself/herself available and ready



for work when called. The [PersonnelHuman Resources](#) Director shall remove from the eligible list the name of any eligible who fails or refuses to accept a position for extra or relief work. Failure of [an](#) employee to report for extra or relief work without good cause shown shall be grounds for dismissal ~~of such employee.~~

* * *

1.24.975 Leave of absence.

Leave of absence for railway employees may be granted by the appointing authority for an aggregate of not to exceed 30 working days in any calendar year upon the oral request of the employee for such reason as the appointing authority may deem sufficient and whenever extra or relief employees are available. Such leaves of absence shall be promptly reported to the [PersonnelHuman Resources](#) Director and in the manner prescribed by ~~him/her~~[the Human Resources Director](#). A railway employee granted a leave of absence for 30 days or more may return to ~~theirhis/her~~ position prior to the expiration of such leave upon application to the Superintendent of the [Belt LineRail Division](#) and the remainder of such leave of absence shall thereupon be canceled. In all other respects relating to leave of absence, the provisions of this chapter shall govern.

1.24.976 Certification of eligibles for Railroad Switching Supervisor, Locomotive Engineer and Railroad Yardmaster.

Upon receipt of a request for Railroad Switching Supervisor, Locomotive Engineers or Railroad Yardmasters, the [PersonnelHuman Resources](#) Director shall certify all names on the appropriate lists.

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1.24.986 Leave of absence for major independent construction or federal aid project appointment.

Permanent employees of the Classified City Service may be appointed to positions on major independent construction projects or federal aid projects. For such employees, the [PersonnelHuman Resources](#) Director is authorized to grant a leave of absence for the period specified and for such time as may be required, up to and including the duration of the projects. Such employees shall continue to accrue seniority and other rights of the Classified Service in their permanent position.

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