

REDMOND FIRE & RESCUE

CIVIL SERVICE RULES



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RULE I -
GENERAL STATEMENT OF PURPOSE

The purpose of these rules is to implement provisions of Civil Service for the Employees of Redmond Fire & Rescue. These rules represent the sole Civil Service policies for Redmond Fire & Rescue as provided by ORS 242.704 and achieve for the District the following objectives:

- A. To establish a system of personnel administration based on merit principles and scientific methods, governing the appointment, tenure, promotion, layoff, removal and discipline of its officers and members, and other incidents of employment, and to provide an exemption from ORS 242.702 through 242.824 as provided in ORS 242.704.
- B. To promote and increase economy and efficiency.
- C. To establish and maintain a uniform plan of classification based upon the relative duties and responsibilities of positions in the service of Redmond Fire & Rescue.
- D. To provide equal opportunity to all qualified persons to gain employment on a basis of demonstrated merit and fitness to be ascertained by open recruitment and competitive examinations.
- E. To develop a program of recruitment and advancement that will make a career with Redmond Fire & Rescue attractive to persons who possess both ability and integrity.

RULE II -
DEFINITIONS

SECTION 1 DEFINITION OF TERMS

As used in these rules, unless the context clearly requires otherwise:

- A. “Appointing Power” or “Appointing Authority” means the Fire Chief or the Board of Directors of the District vested with authority to appoint to any Civil Service position.
- B. “Appointment” means all means of selection.
- C. “Civil Service” means the civil service system established by these rules.
- D. “Chief Examiner” means the Agent of the Commission who, under the direction of the Commission, administers the examinations and any other aspect of the Civil Service program. The Chief Examiner may serve as the secretary to the Commission.
- E. “Class” or “Classification” means a group of positions in the classified service sufficiently alike in duties, authority and responsibilities that the same qualifications may reasonably be required for, and the same schedule of pay can be equitably applied to all positions in the group.
- F. “Class Specification” means the written description of a class containing a title, statement of duties, authority and responsibilities and the desired minimum qualifications for the class.
- G. “Classified Service” means all positions in the District service for which the appointment of Employees is subject to the Act and these Rules.
- H. “Commission” means the Civil Service Commission created by these Rules.
- I. “Commissioner” means a Civil Service Commission member.
- J. “Demotion” means a transfer of an employee to a position of lower grade or rank either by request, restructuring, or for cause by the appointing power.
- K. “Dismissal” means removal by the appointing power from a position or service within the Fire District either by permission or for cause.
- L. “District” means Redmond Fire & Rescue.
- M. “Members” means District employees whose principal duties consist of preventing or combating fire or preventing the loss of life or property from fire, except those listed as exempt.
- N. “Entrance Register” means a list of persons who have been found qualified by an entrance test for appointment to a position in a particular class.

- O. “Entrance Examination” means a test for positions in a particular class, admission to which is not limited to persons employed by the District.
- P. “Examiner” means a person appointed by the Chief Examiner to conduct examinations. Such examiner shall not be a classified employee of a rank equal to or less than the rank subject to the examination. Specifically, an examiner does not include classified Employees serving as monitors, proctors, or performing other ministerial functions.
- Q. “Governing Body” means the Board of Directors of Redmond Fire & Rescue.
- R. “Layoff” means a separation from District’s service because of a shortage of funds or materials, abolishment of a position or for other reasons not reflecting discredit on an employee and for reasons outside his/her control.
- S. “Personnel Action” means any action taken with reference to appointment, compensation, promotion, transfer, layoff, dismissal or any other action affecting the status of employment.
- T. “Political”, as used in such terms as "political, religious or racial reasons", "political office", and "political party or candidate" shall be understood as referring to partisan politics and contested nomination or election to public office only.
- U. “Position” means any office, place, or appointment.
- V. “Probationary Period” means a working test period of six (6) months for lateral hires and promotions and twelve (12) months for new hires during which an employee is required to demonstrate by actual performance of the duties, fitness for the position.
- W. “Promotion” means a transfer of an employee of the District to a position in class subject to these Rules having a higher maximum salary rate. Employees of the District in the Exempt Service may be considered for promotion if they meet the minimum qualification for the position.
- X. “Promotion Register” means a list of names of persons presently in the employ of the District who have been found qualified by promotional examination for appointment to a position in a particular class.
- Y. “Promotional Examination” means a test which is limited to regular Employees who hold a position or positions in other classes for a period of not less than twelve months.
- Z. “Public Notice” means written or printed notification conspicuously posted on official bulletin boards in all areas of employment, distributed to a newspaper of general circulation in the District for meetings and published for examinations, directed to department heads, with a copy to the secretary of the District for District records.
- AA. “Regular Employee” means either an employee who has been appointed to a position in accordance with the rules of the Civil Service Commission and who has successfully completed a probationary period, or an employee who acquired status through appointment to a position in the classified service on or before July 1, 2011.

- BB. “Rules” means the Civil Service rules adopted by the Civil Service Commission as provided by the State Civil Service Law for Firemen. (ORS 242.702 to 242.990).
- CC. “Suspension” means a temporary removal from duty, with or without pay, of an employee for disciplinary purposes or for the purpose of investigating accusations brought against an employee.
- DD. “Termination” means the involuntary cessation of employment with Redmond Fire & Rescue for cause.
- EE. “Transfer,” means any change of an employee from one position to another in the same class. A normal rotational move is not to be considered a transfer.
- FF. “Vacancy” means a position newly created and not filled or a position that is no longer occupied by its incumbent due to separation from the service, promotion, demotion, or transfer and the incumbent is not expected to return.
- GG. “Work Day” or “Working Day” means a calendar day unless otherwise specified.

RULE III -
ADOPTION AND AMENDMENT OF RULES

SECTION 1 ADOPTION OF CIVIL SERVICE RULES

- A. Rules relating to the administration of the Civil Service Act shall be adopted by the Commission only after public hearing open to any citizen, officer or employee of the District. Five or more day's public notice of such hearing shall be given, setting forth the place and the time of the hearing and the purpose for which it is called. Rules adopted by the Commission shall become effective on a date specified by the Commission and shall be posted on all official bulletin boards of the District.

SECTION 2 AMENDMENT OF RULES

- A. A request for a change in the Civil Service Rules may be submitted at any time by the Board of Directors, Fire Chief, Deputy Fire Chief, Association, Board Member, or other interested party in a written communication to the Commission indicating the proposed change and the reasons therefore. After necessary study, the Commission may amend the Civil Service Rules as it believes proper. The procedure for adoption of rules in Section 1 shall also apply to amendments to the rules.

SECTION 3 APPLICATION OF RULES

- A. Any personnel action taken prior to the official adoption of new or amended rules shall be governed by the rules in effect at the time of the action and shall not be affected by the proposed new or amended rules unless such rule provided for a retroactive effect. If any provision of these rules directly conflicts with an enforceable collective bargaining agreement, the collective bargaining agreement prevails.

SECTION 4 PERSONNEL RULES

- A. Personnel rules relating to salaries, wages, leave, attendance, hours of work, holidays, retirement or any other factor of employment having direct budgetary implications in the classified and exempt service shall be established and administered by the governing body in conformance with laws pertaining to such matters. The Commission has no authority to adopt, modify, or amend such rules.

RULE IV -
DISTRICT SERVICE

SECTION 1 CLASSIFIED SERVICE

A. The classified service includes all positions now existing or hereafter created by Redmond Fire & Rescue and not specifically exempted by these rules whose principle duties consist of preventing or combating fire or preventing loss of life or property from fire, except those listed as exempt. Every position in the classified service shall be filled in accordance with the procedures provided in these rules. Those job duties listed as classified consists of the following:

1. Battalion Chief
2. Captain
3. Engineer/ Paramedic
4. Firefighter/Paramedic
5. Deputy Fire Marshal

SECTION 2 EXEMPT SERVICE

A. The exempt service shall include the following positions whose principle duties, with the exception of Fire Chief, do not consist of preventing or combating fires or preventing the loss of life or property from fire. Exempt positions include, but are not limited to, the following:

1. Positions on the Board of Directors
2. Positions on the Civil Service Commission
3. Fire Chief
4. Deputy Chief
5. Professional Consultants on a fee basis to provide special or technical assistance
6. Employees of special boards, commissions, or committees appointed by the Board
7. Volunteer Members of Redmond Fire & Rescue
8. Temporary Members / Volunteer trainees
9. Clerical employees of Redmond Fire & Rescue
10. Paramedics
11. Community Paramedic
12. Emergency Medical Technicians
13. Office Administrator
14. Chief Financial Officer

RULE V -
ORGANIZATION FOR PERSONNEL ADMINISTRATION

SECTION 1 CIVIL SERVICE COMMISSION

- A. The Civil Service Commission consists of three Members appointed or confirmed by the governing body of the District, a Chief Examiner and such assistants as may be necessary. All actions of the Chief Examiner shall be subject to review and approval of the Commission. Each Commissioner shall be appointed for a three-year term. The initial appointments shall stagger the initial terms so one term expires each year. For all appointments occurring after January 1, 2018, the term will be four years.

SECTION 2 COMMISSION CHAIRPERSON

- A. The Commission shall elect a chairperson at the first meeting of each calendar year.

SECTION 3 MEETINGS OF THE COMMISSION

- A. The Commission shall hold such meetings as may be required for the proper discharge of its duties with a meeting every 90 days (if there is business to perform) and such additional meetings as are requested by any Commission member. Any person subject to these Civil Service Rules may request a special meeting of the Commission; such request shall be granted when good cause is shown. Two Members of the Commission shall constitute a quorum, and the votes of any two Members of such Commission concurring shall be sufficient for the decision of all matters and the transaction of all business to be decided or transacted by the commission. In any event, there shall be at least one Civil Service Commission meeting each year.

SECTION 4 REMOVAL OF COMMISSIONERS

- A. The governing body of the District may remove any Commissioner for incompetency, dereliction of duty or other good cause, after giving due notice in writing of the charges against the Commissioner and an opportunity to be heard publicly on such charges before the body which appointed the Commissioner. A copy of the charges and a transcript of the record of the hearing shall be filed with the governing body of the District.

SECTION 5 CHIEF EXAMINER

- A. The Civil Service Commission shall appoint the Chief Examiner for the Commission. The Chief Examiner may also be the secretary of the Commission. The Chief Examiner, or any other person appointed as secretary, shall keep records of the commission's proceedings, preserve all reports made to it, keep a record of all examinations and investigations held or made under the direction of the commission, and perform such other duties as it may prescribe.

SECTION 6 INTERGOVERNMENTAL AGREEMENTS

- A. The Commission may provide for services through intergovernmental agreements.

SECTION 7 BUDGET

- A. The Commission shall prepare and submit a budget to the governing body of the political subdivision prior to each fiscal year for which an appropriation is needed. The governing body of each political subdivision shall appropriate sufficient funds to carry out the duties of the Commission as provided in these Rules.

SECTION 8 PRESERVATION OF RECORDS AND EXAMINATIONS; PUBLIC RECORDS

- A. The commission shall keep on file all tests, examination papers and their markings, records in commission hearings and all other papers, documents and communications received by it. Except for tests and examination papers and other documents exempt from disclosure by law, reports and files of the commission shall be public records and accessible at reasonable and convenient times. Examination papers shall be accessible only to the commissioners and Employees of the governing body; provided that a person who takes an examination under the provisions shall have access to the examination papers of the person.
- B. The commission shall retain and may destroy the public records described in this section as follows:
1. Original examination papers and their markings and original records in commission hearings shall be retained for at least four years and thereafter may be destroyed if microfilmed copies are retained.
 2. Original or digital copies of all other papers, documents and communications shall be retained for at least four years and thereafter may be destroyed.

RULE VI -
CLASSIFICATION PLAN

SECTION 1 CLASSIFICATION OF POSITIONS

- A. The Fire Chief shall ascertain the duties, authority, responsibilities, and minimum qualifications of all positions in the classified service. After consultation with department officials, the Fire Chief shall recommend to the Civil Service Commission a plan of position classification. The plan will group all positions in the classified service in classes based on their duties, responsibilities, and work requirements. The classification plan shall set forth for each class the title, a statement of duties, responsibilities, and the minimum qualifications that are necessary of the satisfactory performance duties.

SECTION 2 ADOPTION OF CLASSIFICATION PLAN

- A. The Civil Service Commission shall provide an opportunity for input on the classification plan from Chief Officers, supervisors, employees, and other interested persons. The Commission shall approve a plan of classification and the allocation of positions thereto.

SECTION 3 ADMINISTRATION OF PLAN

- A. Revisions of classifications, reallocations within the approved classifications, abolition of classes, the establishment of new classes and other changes, will be recommended by the Fire Chief as often as necessary in order that the classification plan will reflect current work situations.

SECTION 4 USE OF CLASS TITLES

- A. The class title set forth shall be used to designate positions in all official records, vouchers, payrolls, and other communications. No person shall be appointed to or employed in the classified service under a class title which has not been approved by the Commission and included in Redmond Fire & Rescue's classification plan.

RULE VII -
APPLICATIONS AND EXAMINATIONS

SECTION 1 EXAMINATION ANNOUNCEMENTS

A. Type of Examination.

The governing body of the District or the Fire Chief reserves the right to declare whether any open or new position shall be filled by a promotional or entrance examination. Entrance examinations shall be open to both qualified Employees and non-members.

B. Distribution of Announcements. The commission shall hold public competitive examinations to ascertain the fitness of applicants for all positions in the civil service. Public announcements of examinations shall be given at least two weeks in advance of the last date for filing applications. Such announcements shall be posted on the official bulletin boards of the District, the District website, and once a week for two weeks in a newspaper of general circulation in the District. The Chief Examiner may provide for such other publicity as deemed advisable to attract sufficient numbers of qualified candidates. The appointing power shall take necessary steps to bring announcements to the attention of all eligible Employees and eligible Volunteer Members.

C. Content of Announcements. Official notices of examinations shall state the duties and pay of positions in the classes for which the examinations are to be held, the qualifications required, the time, place, and manner of making application for admission to such examinations, the different parts of tests, the closing date for filing applications, and any other information which may be considered pertinent.

SECTION 2 ELIGIBILITY TO COMPETE IN EXAMINATIONS

A. Minimum Qualifications. The Appointing Power shall establish and may revise minimum qualification for a position including but not limited to experience, training, physical condition, and other factors that relate to the ability of candidates to perform effectively the duties of a class.

B. Entrance Examinations.

Examinations to establish entrance registers shall be open to all persons who meet minimum entrance qualifications and other requirements for the class as stated in the class specification and as set forth in the announcement. When assessing minimum qualifications, the Commission and Chief Examiner will comply fully with state and federal law, including laws governing disability, veterans preference, and equal opportunity employment.

C. Promotional Examinations. Promotional examinations shall be open to employees who meet the minimum qualifications as stated in the class specification and as set forth in the announcement, and who have been employed by the District for a period of not less than twelve months immediately preceding the filing date specified on the announcement.

SECTION 3 APPLICATIONS

A. Filing of Applications. All applications must be made using the designated District application form and received before the closing date specified in the examination

announcement. Each application must be signed by the applicant, and such signature constitutes a certification that all information contained therein is true to the best of the applicant's knowledge. The Commission may conduct pre-employment investigations to verify the past employment record and to obtain other information relating to the qualifications of the applicant.

- B. Freedom from Bias. The application form shall contain no question so formed as to elicit any information concerning political, racial, color, sex, age, national origin, marital status, religious affiliations, or other characteristics protected under state or federal law of the applicant. However, this provision shall not prevent inquiry as to whether the applicant supports the Constitution of the United States of America.

SECTION 4 ADMISSION TO EXAMINATIONS

- A. Each candidate whose application has been accepted for an examination shall be notified at least 72 hours in advance of the examination by mail, email, personal contact or other personal service regarding the time and place of the examination. The notice shall be considered authorization for admission. No person shall be permitted to take an examination without such authorization or other satisfactory evidence of the acceptance of application. Any applicant whose application has been accepted but who, because of illness or other good cause, is unable to appear, may at the sole discretion of the Chief Examiner, be given the examination at a later date.

SECTION 5 DISQUALIFICATION OF APPLICANTS

- A. The Chief Examiner may reject the application of any person for admission to an examination or decline to examine any applicant who:
1. Is found to lack the qualifications prescribed for admission to the examination as announced in the public notice.
 2. Is found to be unfit because of previous employment or driving record or for other reasons reflecting discredit on the applicant.
 3. Is physically unfit to perform effectively the duties of the class.
 4. Has been convicted of a crime involving moral turpitude or who has been dismissed from the public service for delinquency or misconduct, or has been dishonorably discharged from the armed forces of the United States.
 5. Has used, or attempted to use, political pressure or bribery to secure an advantage in testing or appointment.
 6. Has made false statements of any material fact or practiced, or attempted to practice, deception or fraud in application or examination.
 7. Has taken the same examination within the six month period preceding the examination date.

8. Has otherwise violated the provisions of these rules.
- B. Any person whose application has been rejected by the Chief Examiner may appeal such action to the Civil Service Commission.

SECTION 6 EXAMINATION ADMINISTRATION

- A. Conduct of Examinations. The Chief Examiner shall designate the number of examiners necessary to conduct examinations, and provide them with instructions. The Chief Examiner may also arrange for the use of public buildings in which to conduct these examinations. The Chief Examiner may delegate these responsibilities to other Chief Officers.
- B. Frequency of Examinations.
1. Entrance examinations will be conducted on an “as needed” basis with 90 days notification to the Commission, but at least every 30 months.
 2. Promotional examinations will be conducted as follows:
 - a. When there are four or more positions in a classification, promotional examinations to establish a promotional register for the classification shall be given. The governing body of the District or the Chief Examiner reserves the right to determine when examinations will occur and to set the examination schedule for each classification. Examinations for each classification will occur at least every 30 months and at such other times when there are no candidates eligible for promotion on the eligible register.
 - b. When there are less than four positions in a classification, promotional examinations to establish a promotional register for the classification shall be given at “as needed” to establish an eligible register.
- C. Anonymity of Applicants. The identity of persons taking written examinations shall not be disclosed to examiners except where conditions of anonymity are impractical.

SECTION 7 POSTPONEMENT OR CANCELLATION OF EXAMINATIONS

- A. In the event a sufficient number of qualified applicants have not made application for any test, the Chief Examiner may postpone the last filing date, or cancel the test. In such case, written notice shall be given to the applicants and appointing authorities concerned.

SECTION 8 CHARACTER OF EXAMINATIONS

- A. Tests. Tests shall be practical and competitive, and must be designed to determine the qualifications, fitness and ability of candidates to perform the duties of the class for which a register is to be established. They may be written, oral, physical, in the form of a

demonstration of skill, an evaluation of training and experience, or any combination of such types. They may take into consideration education, experience, aptitude, capacity, knowledge, character, physical fitness, length and quality of service, and other qualifications to determine the relative fitness of the candidates, and shall not be related to political or religious preference. Applicants selected for appointment shall be required to pass a pre-employment physical examination administered by a licensed physician.

- B. Open-Continuous Examinations. When necessary to meet continuing requirements for filling positions, and when there is no immediately available large pool of applicants for a class, the closing date for any test may be indefinite, and the applicants may be tested continuously in such manner and at such times and places as the Chief Examiner may provide. A closing date for an open-continuous test may be set at any time by giving public notice, at least two weeks prior to the effective date.

SECTION 9 RATING OF EXAMINATIONS

- A. Method of Rating. In all tests a minimum rating shall be established which is required to achieve eligibility. Such minimum ratings may also apply to the rating on any parts of the test, and candidates may be required to obtain minimum ratings on separate parts in order to receive passing grades, or to be rated on the remaining parts of the tests. The final earned rating of each competitor shall be determined by adding the earned rating on each part of the test in accordance with weights established prior to the date of the test. Ratings shall be based on a scale of 100 points.
- B. Rating of Experience and Training. When a rating of experience and training forms a part of a test, the Chief Examiner shall develop procedures for the evaluation of those factors that will serve to assist in the selection of the best qualified candidates. Procedures that are adopted shall give due regard to quality, recency and amount of experience, and to the pertinence and amount of training. In establishing the value that a rating of experience and training shall bear to the total test, and in determining the length of time for which experience credit shall be awarded, consideration shall be given to the amount of learning time required to perform efficiently the duties of the position.

SECTION 10 NOTIFICATION OF EXAMINATION RESULTS

- A. The rating of each test shall be completed and the resulting list established as soon as practical after the date on which the test was held. Each person competing in a test shall be given notice of their final rating. Each person competing in a test may, during the thirty-day period following notification of examination results, review their examination papers and have the rating reviewed and corrected if an error is found. No correction shall invalidate any appointment previously made from the list. The right to review the test is limited to the applicant, Commissioners, their staff and Employees of the governing body. Tests may be reviewed only during regular business hours at the office of the Commission.

SECTION 11 PREFERENCE FOR MILITARY VETERANS

- A. In all competitive entrance examinations, preference status shall be given to every veteran and disabled veteran who has successfully completed all phases of a civil service test. Preference means that the score of a veteran who has passed the test shall be increased by

five (5) preference points of the total points available and the score of a disabled veteran who has passed the test shall be increased by ten (10) preference points. All such points shall be added to the total combined test score of the veteran and shall not be allocated to any single feature or part of the examination. This provision is to be interpreted to comply with ORS 408.225 -.235 and any modifications thereof.

SECTION 12 VOLUNTEER PREFERENCE

- A. In all competitive entrance examinations, preference status shall be given to all active, in good standing Redmond Fire & Rescue volunteer firefighters who have served a minimum of one (1) year. An active volunteer that is in good standing with the Fire District and meets Fire District requirements shall qualify for an increase in their score of one (1) point for each year of service up to five (5) points of the total points available provided the volunteer successfully completed all phases of a civil service test. Such points shall be added to the total combined test score of the volunteer and shall not be allocated to any single feature or part of the examination.

SECTION 13 EMPLOYEE PREFERENCE

- A. In all competitive entrance examinations, preference status shall be given to all active, in good standing Redmond Fire & Rescue EMS employees who have served a minimum of one (1) year. An active EMS employee that is in good standing with the Fire District and meets Fire District requirements shall qualify for an increase in their score of one (1) point for each year of service up to five (5) points available provided the EMS employee successfully completed all phases of a civil service test. Such points shall be added to the total combined test score of the EMS employee and shall not be allocated to any single feature or part of the examination.

RULE VIII -
REGISTERS

SECTION 1 ESTABLISHMENT OF REGISTERS

- A. The Commission shall establish and maintain lists of eligibles necessary to provide an adequate supply of qualified candidates for positions in the classified service. Lists shall be established by class of employment and shall be District-wide in application.

SECTION 2 KINDS OF REGISTERS

- A. Entrance Register. An entrance register shall be established for such class of positions to be filled on an entrance basis and shall consist of the names of all persons who have passed the entrance test for that class.
- B. Promotion Registers. A promotion register shall be established for each class of positions to be filled on a promotional basis and shall consist of the names of all Employees who have passed a promotional test for the class.
- C. Recall Register. A recall register shall be established for each class of position to be filled on a recall basis. The register shall consist of the names of all employees that have been laid off.

SECTION 3 ORDER OF NAMES ON ENTRANCE REGISTERS

- A. Entrance Registers.
1. Laid-off Employees. Each entrance register shall be headed by the names of persons who have been regular Employees and who were laid off from a position in that class involuntarily for any reason unrelated to discipline.
 2. Eligibles. Names of eligibles shall be placed on lists in the order of their final earned ratings plus any veterans or volunteer preference credits to which they may be entitled. Candidates of equal standing shall take rank upon the register according to the order in which their applications were received.
- B. Promotion Registers.
1. Demoted Employees. Each promotion register shall be headed by the names of persons who have been regular Employees and who were demoted or reclassified to a lower class from a position in that class involuntarily for any reason unrelated to discipline.
 2. Eligible Members. Names of eligibles shall be placed on lists in the order of their final earned ratings. Candidates of equal standing shall take rank upon the register according to the order in which their applications were received.
- C. Order of Names. The order of names of persons laid off shall be ordered such that the name of the person who was last laid off is first on the register.

SECTION 4

DURATION OF REGISTERS

- A. Entrance Registers. The duration of eligibility on an entrance register resulting from a layoff is limited to not more than eighteen (18) months from the date of separation from the District service. An entrance register may not be canceled unless it has been in effect for at least twelve (12) months or is exhausted with fewer than three eligible names. No entrance register will be kept in effect for longer than thirty (30) months.
- B. Promotion Registers. The duration of eligibility on a promotional register resulting from demotion or downward reclassification is limited to not more than eighteen months from the date of such demotion or reclassification. A promotion register shall continue in force for a period determined at the time the list is authorized, typically two years or when no names remain on the list. The Commission, by action taken before the expiration date, may change the expiration date.
- C. Recall Register. Any laid-off employee shall be placed on a new register for up to eighteen (18) months from the date of the action.

SECTION 5

REMOVAL OF NAMES FROM LISTS

- A. The Chief Examiner may remove a name from a list permanently or temporarily for any of the following reasons:
 - 1. Certification and appointment of an applicant from the list to fill a permanent position.
 - 2. Certification and appointment to fill a permanent position with the same or higher salary range from a different list. However, any applicant whose name is so removed may have it restored by making written application to the Chief Examiner.
 - 3. Failure to respond within five days to a written inquiry of the Chief Examiner or an appointing power relative to availability for appointment.
 - 4. Refusal of an offer of an appointment without adequate explanation.
 - 5. Failure to report for duty within the time specified by the appointing power.
 - 6. Expiration of the term of eligibility on the register.
 - 7. Failure to maintain a record of current address with the Commission, as evidenced by the return of properly addressed unclaimed letter or otherwise.
 - 8. Certification three times to the same appointing authority without receiving appointments.
 - 9. Willful violation of any rules of the provisions of these rules.
 - 10. In the case of promotion lists, separation from the District service.

11. Upon a finding by the Chief Examiner or Commission that the person is not qualified to perform the duties of the class.
 12. Upon a finding of the District and concurrence by the Commission that the applicant is not qualified to perform the duties of the class.
 13. Upon request of the eligible to have his/her name removed.
- B. Any person whose name is removed from the register shall be promptly notified by the Chief Examiner of the reason for such removal.

SECTION 6 RESTORATION OF NAMES TO ELIGIBLE LISTS

- A. An eligible whose name is removed from a list may make a written request to the Chief Examiner for restoration of his/her name to the list. The request must specify the reasons advanced for the requested restoration. The Chief Examiner, subject to appeal to the Commission, shall determine whether evidence submitted justifies approval of the request.

SECTION 7 AVAILABILITY OF ELIGIBLES

- A. It shall be the responsibility of eligibles to notify the Commission in writing of changes in address, or other changes that may affect availability for employment. However, the Chief Examiner may, from time to time, circulate registers or use other methods to determine current availability of eligibles.

RULE IX -
CERTIFICATION AND APPOINTMENT

SECTION 1 FILLING VACANT POSITIONS

- A. All vacancies in classified positions shall be filled as provided in these rules. Whenever an appointing power wishes to fill a vacancy in the classified service, a request for names of qualified eligibles shall be submitted to the Commission. No appointment to a classified position shall be made without prior authorization of the Chief Examiner.

SECTION 2 CERTIFICATION OF ELIGIBLES

- A. Order of Use of Eligible Lists. Upon receipt of a request for certification of eligibles, the Chief Examiner shall certify the proper number of available eligibles from an appropriate list. If no appropriate list exists, the Chief Examiner may authorize appointment by other prescribed means, including the probationary or provisional appointment of a candidate who was previously certified to a Promotional Register and who remains qualified for the position. Appointment shall be made from the promotion or entrance register of certified names, based upon the discretion of the appointing authority.
- B. Order and Number of Names Certified. Names shall be certified in order of standing on the list. If a vacancy is in an entrance position, the names of the top three (3) candidates on the list shall be certified. When more than one (1) vacancy exists, the number of names certified shall equal the number of vacancies plus two (2). If the vacancy is in a promotional position, the names of the top two (2) candidates on the list shall be certified. When more than one (1) vacancy exists for a promotional position, the number of names certified shall equal the number of vacancies plus one (1).
- C. Additional Certification to a Vacancy. The Chief Examiner may certify additional names to a vacancy upon receipt of a written report from an appointing power that, in the Commission's judgment, justifies a finding that one or more of the eligibles certified would not be suitable for the position that is to be filled. Religious, racial, or political reasons shall not be considered as valid reasons for rejection of a candidate. If the rejection of the appointing authority is not approved by the Commission, the Commission shall notify the appointing power of each disapproval and upon receipt of such notice the appointing power shall immediately appoint the certified candidate in question.
- D. Notice of Eligibles Not Appointed. Those persons certified to the District but not appointed shall be so notified by the appointing power within five (5) days after an appointment is made. This rule will not apply in the case of persons who waive, decline, or fail to appear for an interview.
- E. Restoration of Names to the Register. The names of those persons certified to the District but not appointed shall be restored to the register unless subject to Rule VIII, Section 5.
- F. Appointing Authority. The appointing authority has full discretion in making appointments from the list of qualified names submitted, regardless of ranking on the list.

- G. Order in Which Certification Will Be Issued. Eligibles shall be certified for vacancies occurring in a class in order of receipt of requisitions.

SECTION 3 TYPES OF APPOINTMENTS

- A. Probationary Appointment. The appointing power shall make Probationary appointments from the list of candidates certified. Such appointments are conditioned upon and subject to the appointee satisfactorily completing probation.
- B. Provisional Appointments. If there are no names of qualified candidates on either the promotional or entrance list for a class in which a vacancy exists, the Chief Examiner may authorize the provisional appointment of a person meeting the minimum prerequisites for the class to which the position is allocated. No position shall be filled by provisional appointment more than once in any calendar year. A provisional appointment is terminated after three months or when the Chief Examiner establishes an appropriate list, certifies available eligibles, and an appointment is made for the position. Notice of all provisional appointments made shall be reported to the Commission at its next regular meeting.
- C. Relief Appointments. The appointing authority may make transfers or relief appointments to fill a temporary absence in a classified position. Such relief appointments shall be made from the appropriate eligibility lists where administratively feasible, or the appointing authority may appoint individuals who meet the minimum prerequisites of the class who are known to have the ability necessary to perform in said position. The appointing authority will notify the Chief Examiner of any relief appointment that is expected to exceed twelve (12) weeks. Relief appointment shall not be considered a promotion, if to a position which would otherwise have a higher pay scale, and return to the employee's regular position shall not be considered a demotion.

SECTION 4 TRANSFERS

- A. Assignment of Duties. An appointing power may, within division or organization unit, assign an employee from one position to another position in the same class without prior approval of the Commission.
- B. Method of Transfer. An appointing power may authorize the transfer of an employee to a similar position in the same classification. An employee may be transferred from a position in one division or organization unit to a position in the same class in another division. A transfer of an employee from a position in one class to a position in another class having a higher salary range constitutes a promotion and is subject to rules governing appointments and promotions. A transfer to a position in a class having a lower salary range constitutes a demotion and shall be subject to rules governing demotions. Transfers must be completed with no more than a ten-day break in service.
- C. Voluntary Demotions. If an employee is qualified and subject to the discretion of the appointing authority, the request may be granted, provided it would not result in the layoff of another employee. Notice of the action shall be provided to the Civil Service Commission.

RULE X -
PROBATIONARY PERIOD

SECTION 1 PURPOSE

- A. A probationary period is an integral part of the examination process. It shall be utilized as an opportunity to observe the employee's work, to provide special training, to assist the employee in adjusting to the new position, and as an aid in making a decision to reject any employee whose work performance or personal conduct is unsatisfactory.

SECTION 2 DURATION OF PROBATIONARY PERIOD

- A. Entrance level employment is subject to a probationary period of twelve (12) consecutive months of actual service. In determining such one (1) year service, time spent in training and schools, away from the District and sick or disability leave time shall not be included. Promotion to any other position within the classified service and lateral hires are subject to a probationary period of six (6) consecutive months of actual service.

SECTION 3 DISMISSAL DURING ENTRANCE PROBATIONARY PERIOD

- A. At any time during the entrance probationary period, the appointing power may terminate the appointment of the person certified if, during any performance test thus afforded, upon observation or consideration of the performance of duty, the appointed person is found unfit or unsatisfactory. The appointing power shall immediately notify the employee and the Commission in writing of any such termination of employment. Such action by the appointing power is not subject to appeal.

SECTION 4 UNSATISFACTORY PERFORMANCE DURING PROMOTIONAL PROBATIONARY PERIOD

- A. If the appointing authority finds an employee on promotional probation to be unfit or unsatisfactory, the appointing power may demote the employee to the previously held position or a comparable position. The appointing authority will report the demotion to the Commission.

SECTION 5 REGULAR STATUS

- A. If no action is taken by the appointing power to terminate or reduce in rank a probationary employee during the probationary period, the employee shall be deemed to have satisfactorily completed the probationary period and the appointment shall be considered to be regular at the end of the specified period of time.

SECTION 6 REMOVAL FROM ELIGIBILITY REGISTER

- A. If an appointment is not made "regular" because of the District's dissatisfaction with the employee's performance during the probationary period and the employee is terminated or reduced in rank, the Employees name shall be removed from the eligibility register for the position.

RULE XI -
SEPARATION IN GOOD STANDING

SECTION 1 REDUCTION IN FORCE

- A. Reason for Layoff. The District may order the layoff of an employee due to the elimination of a position, shortage of funds or work, a material change in duties, changes in an organizational unit, or for other reasons which do not reflect discredit on the service of the employee. Duties performed by laid off employees may be reassigned to other employees already working, who hold positions in appropriate classes. The temporary or permanent separation of an employee from service as a result of disciplinary action shall not be considered a layoff.

SECTION 2 RETURN OF NAMES OF LAID OFF EMPLOYEES TO THE ELIGIBLE LISTS

- A. The names of regular employees who have been laid off shall be placed on the appropriate register as provided in Rule VIII, Section 3.

RULE XII -
DISCIPLINARY ACTIONS

SECTION 1 TENURE OF EMPLOYMENT

- A. No employee of the District who shall have been regularly appointed or inducted into Civil Service under the provisions of these Rules shall be suspended without pay, demoted or discharged except for cause.

SECTION 2 CAUSE FOR DISCIPLINARY ACTION

- A. “Cause” for demotion, disciplinary suspensions without pay or disciplinary reductions in pay and disciplinary discharge of covered Employees includes:
1. Incompetency,
 2. Inefficiency,
 3. Inattention to duty,
 4. Dereliction of duty,
 5. Dishonesty of any type (including false or deliberately misleading information or omissions from employment application),
 6. Intemperance,
 7. Violation of the District’s Drug and Alcohol policy,
 8. Insubordination,
 9. Discourteous treatment of the public or coworkers,
 10. Immoral conduct,
 11. Any plea of guilty or no contest, or conviction of crimes of moral turpitude (such as crimes involving dishonesty) or other crimes related to the ability to perform job duties,
 12. Repeated or serious violations of the District’s policies or standards of employee conduct,
 13. Any willful failure of good conduct tending to injure the public service,
 14. Any willful violation of Redmond Fire & Rescue Values & Expectations.
- B. Examples of Misconduct:
1. Being absent from work without permission or failing to report to the supervisor or department head;
 2. Failing to report for duty upon the expiration of a granted leave of absence;

3. Tardiness;
4. Use of illegal or dangerous drugs, or drinking intoxicating beverages on the job or arriving on the job under the influence of such intoxicants;
5. Failure to follow orders of the supervisor or department head;
6. Excessive absences from work;
7. Failure to perform assigned work in an efficient manner;
8. Inability to get along with fellow employees or your supervisor;
9. Being wasteful of material, property or working time;
10. Falsifying employment application, timecard, personnel or other District documents or records;
11. Unauthorized possession of District or employee property, gambling, carrying unauthorized weapons or explosives or violating criminal laws on District premises;
12. Fighting, throwing things, horseplay, bullying, practical jokes or other disorderly conduct which may endanger the well-being of co-workers or of District operations;
13. Engaging in acts of dishonesty, fraud, theft or sabotage;
14. Threatening, intimidating, coercing, using abusive or vulgar language or interfering with the performance of other employees;
15. Insubordination or refusal to comply with instructions or failure to perform reasonable duties which are assigned;
16. Unauthorized use of District material, time, equipment or property;
17. Damaging or destroying District property through careless or willful acts;
18. Conduct which the District feels reflects adversely on the employee or District;
19. Performance which, in the district's opinion, does not meet the requirements of the position;
20. Negligence in observing fire prevention and safety rules;
21. Failure to work scheduled overtime or working overtime when it was unnecessary or inappropriate;
22. Any discrimination or harassment of an employee or customer of the District based on race color, religion, sex, age, national origin, physical or mental disability, marital and

familial status, veteran's status or membership in any other group protected by law in accordance with applicable federal, state, and local laws. (See Equal Opportunity Employment)

Any action, which reflects discredit upon the service or is a direct hindrance to the effective performance of District functions, shall be considered cause for disciplinary action.

SECTION 3 ACTIONS NOT SUBJECT TO CIVIL SERVICE REVIEW

- A. Disciplinary action that does not result in suspension without pay, demotion, termination, deprivation of special privileges or other loss of economic benefit shall not be subject to these Rules. Specifically, this includes, without limitation, suspensions with pay, oral or written reprimands, or the equivalent thereof, and layoff or demotion for non-disciplinary reasons, including budget restraints, reorganization, or lack of work.

SECTION 4 PROCEDURE FOR TAKING DISCIPLINARY ACTION

- A. If disciplinary action covered by this Rule is to be taken against an employee, it should be done in a manner that will not embarrass the employee before other employees or the public. For all forms of disciplinary action, the supervisor should follow established District procedures and should keep the Fire Chief fully informed of any action taken. Prior to receiving a discipline, the employee will be provided with a written statement of the conduct in question, the level of discipline being considered, and an opportunity to provide any additional information. If the employee requests a hearing with the supervisor, the employee may choose to be represented by any person.

RULE XIII -
APPEALS, HEARINGS AND INVESTIGATIONS

SECTION 1 APPEALS RELATED TO CIVIL SERVICE EXAMS AND HIRING

- A. Applicants who want to appeal their final exam rating may do so within ten (10) calendar days of the date the test results are mailed by sending a written notice of appeal to the Chief Examiner. The notice of appeal must provide a detailed explanation of why the applicant believes the rating is incorrect. The Chief Examiner will review the rating and correct the rating if an error is found. Corrections will be prospective only; no correction will invalidate any appointment previously made from the list.

- B. Applicants whose names are removed from an entrance or promotion register (other than due to the expiration or cancellation of the register as outlined in these rules), may appeal within ten (10) calendar days of the date the notice is mailed by sending a written notice of appeal to the Chief Examiner. The appeal must request restoration to the Register and must include a detailed explanation of why the applicant should be restored to the Register as well as any supporting documentation. The Chief Examiner will review the information and provide a written decision. Applicants who are still not satisfied after receiving the Chief Examiner's decision may appeal to the Commission within fifteen (15) calendar days from the date the decision is mailed. The written appeal to the Commission must include a copy of all material provided to the Chief Examiner, the Chief Examiner's decision, and a detailed explanation of why the applicant believes the Chief Examiner's decision is incorrect. The Commission will investigate and issue a written decision within thirty (30) calendar days.

SECTION 2 APPEALS OF DEMOTIONS, REDUCTIONS IN PAY, SUSPENSIONS WITHOUT PAY, OR DISCHARGES

- A. Appeals. Employees in Civil Service positions may appeal disciplinary demotions, reductions in pay, suspensions without pay, and discharges only as outlined in these Rules. Lesser forms of discipline are not subject to appeal under these Rules.

- B. Represented Employees. All probationary and regular Employees whose employment is governed by the terms of a current collective bargaining agreement and who want to appeal a demotion, reduction in pay, suspension without pay or discharge decision must use the grievance and arbitration procedure in their union contract. Such Employees do not have appeal rights under these Rules unless they waive, in writing and in a timely manner, all rights granted to them to appeal such decision under the current collective bargaining agreement including approval of such waiver by an authorized bargaining unit representative.

- C. Non-Represented Employees. Regular non-union Employees in Civil Service positions who have been demoted, reduced in pay for discipline, suspended without pay or discharged may appeal those forms of discipline to the Commission. Non-union Employees in their initial probationary period do not have appeal rights under these Rules, regardless of the form of discipline. During their probationary period, promoted non-union Employees have appeal rights under these Rules for the referenced actions, except demotion.

- D. All appeals under this section must be made in writing and must be filed with the Commission chair within ten (10) days after the effective date of the demotion, disciplinary reduction in pay, suspension without pay or discharge. In order to be considered by the Commission, written appeals must include:
1. A detailed explanation of the facts leading up to the discipline and the reasons why the employee believes the disciplinary action was improper;
 2. The names of all relevant witnesses; and
 3. A copy of all materials and documentation supporting the complaint.

SECTION 3 DISCIPLINARY HEARINGS

- A. Procedure. Commission hearings on appeals from disciplinary action shall be open to the public and informal. Unless the Commission determines there is good cause to delay the hearing, the hearing will take place within thirty (30) days of the receipt of the appeal. Both the employee and the Appointing Power shall be given written notification of the time and place of a hearing at least ten (10) days in advance, and shall have the right to have subpoenas issued by the Commission, present witnesses, and give evidence before the Commission.
- B. Witness Fees. Every person served with a subpoena requiring attendance before the Commission shall be entitled to the same fees and mileage as are allowed by law to witnesses in civil suits and actions, except that no person shall be entitled to any fees or mileage who is employed in the Public Service or political subdivision to which they are called as a witness. The fees and mileage allowed by this section need not be pre-paid, but the governing body of the political subdivision shall provide for payment thereof when certified by the Commission.
- C. Conduct of Hearings. A hearing before the Commission is intended solely for the purpose of receiving evidence either to refute or to substantiate specific charges which the Commission has been requested to examine. The Commission, in conducting such hearings is not bound by the standard Rules of Evidence.
- D. Counsel or Representative. An employee may choose to be represented by counsel or other person. In appealing a disciplinary action to the Commission, an employee is not required to have counsel but may have counsel present. The appellant may examine and cross-examine witnesses, make statements, summarize testimony, and otherwise conduct a hearing.

SECTION 4 COMMISSION FINDINGS

- A. If, after receiving evidence presented in a hearing on disciplinary actions, the Commission finds the complained-of action taken by the Appointing Power was made in good faith for cause, the Commission may affirm or modify the action. If the Commission finds that the complained-of action taken by the Appointing Power was not made in good faith or for cause, the employee shall be reinstated to the previous position and shall not suffer any loss of pay or status. The Commission, in lieu of affirming the disciplinary action, may modify the order as the circumstances may warrant. The action of the Commission shall be certified

in writing to the Appointing Power who shall put it into effect. All other findings of the Commission resulting from any hearing on complaints or suggestions normally shall be in the form of recommendations. Commission findings will be issued within thirty (30) days of the conclusion of the hearing.

SECTION 5 APPEAL TO CIRCUIT COURT

- A. Any decision of the Commission affecting any regular employee or employees related to suspension without pay, non-probationary demotion, reduction in pay for discipline or discharge, may be appealed to the Circuit Court of Deschutes County, Oregon in accordance with ORS 242.804.

SECTION 6 OTHER COMMISSION INVESTIGATIONS

- A. The Commission will conduct an investigation into the enforcement and effect of these Rules whenever a resident of the District or an employee in a Civil Service position submits a verified written complaint alleging violation(s) or abuse(s) of these Rules. All written complaints must be submitted within thirty (30) days after the alleged violation or abuse, must be signed, and must include:
1. A detailed explanation of the alleged violation(s) or abuse(s) of these Rules;
 2. The Civil Service position(s) that the person believes to be affected by the violation(s) or abuse(s) of these Rules;
 3. The names of relevant witnesses;
 4. A copy of all materials and documentation supporting the complaint.
- B. In addition, the Commission will conduct an investigation whenever it decides that any violation(s) or abuse(s) of these Rules may have occurred within the previous thirty (30) days. Commission investigations will generally include an inspection of all Civil Service positions cited in the complaint and a determination of whether there has been a violation of these Rules. The Commission's decision will be made in writing and will address all matters investigated.

RULE XIV -
RECORDS AND REPORTS

SECTION 1 ROSTER

- A. The Commission shall establish and maintain a roster of all Employees in the classified service showing for each employee the class title, assignment, salary rate, date of employment, and such other employment data as is deemed pertinent.

SECTION 2 REPORTS TO THE COMMISSION

- A. Every appointment, transfer, promotion, demotion, dismissal, change of salary rate, leave of absence without pay, or other temporary or permanent change in the status of classified Employees shall be reported to the Commission in writing on such forms as the Commission may require.

SECTION 3 DESTRUCTION OF RECORDS

- A. Retain examination records including announcement records, position description, and records documenting creation of tests and rating scale; and investigations leading to termination for ten (10) years. Retain unsuccessful applications and other original or any form of copies including digitized records three (3) years after position filled or recruitment. Retain unsolicited applications and resumes for three (3) months if not returned to solicitor.

SECTION 4 PUBLIC RECORDS

- A. Except for examination material, service ratings, personal history, and other confidential papers as may be specified in these rules or by action of the Commission, records of the Commission shall be public records. Such records shall be open to inspection by the public during regular office hours in accordance with such procedures as the Commission may provide, and the Oregon Public Records Law. The Districts public record request policy shall apply to all Commission public record requests.

RULE XV -
PROHIBITIONS AND PENALTIES

SECTION 1 PROHIBITED CONDUCT GENERALLY

No person shall:

- A. Alone or in cooperation with one or more persons, defeat, deceive or obstruct any person in respect to the right of that person of examination or registration according to the regulations prescribed by the Commission under ORS 242.702 to 242.824 and these Civil Service Rules.
- B. Falsely mark, grade, estimate or report upon the examination or proper standing of any person examined, registered or certified pursuant to ORS 242.702 to 242.824 and these Civil Service Rules, or aid in so doing, or make any false representation concerning the same or concerning the person examined.
- C. Furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined, registered or certified or to be examined, registered or certified.
- D. Impersonate any other person or permit or aid in any manner any other person to impersonate the individual in connection with any examination or registration or application or request to be examined or registered.

SECTION 2 POLITICAL CONTRIBUTIONS AND ACTIVITIES

- A. No person holding any position subject to civil service is under any obligation to contribute to any political or religious fund or to render any political service to any person or party. No person shall be removed, reduced in grade or salary or otherwise prejudiced for refusing to do so. No person shall discharge, promote, demote or in any manner change the official rank, employment or compensation of any person subject to civil service or promise or threaten to do so for giving, withholding or neglecting to make any contribution of money or services or any other valuable thing for any political, racial, or religious purpose.
- B. The Commission shall prohibit persons subject to civil service from furthering the cause of any candidate for nomination or election to the governing body of the political subdivision by which they are employed.

SECTION 3 PENALTIES

- A. Willful violation of these Rules may constitute a misdemeanor under ORS 242.990.

RULE XVI -
LEAVES OF ABSENCE

SECTION 1 LESS THAN 90 DAYS IN DURATION

- A. Leaves of absence not exceeding 90 days and without pay may be granted by the Appointing Power to any person under Civil Service, provided that such Appointing Power shall within five (5) days provide notice of such leave to the Commission via the Chief Examiner.

SECTION 2 MORE THAN 90 DAYS DURATION

- A. Leaves of absence in excess of ninety (90) days duration may be granted by the Board of Directors upon written endorsement by the Appointing Power. The Board of Directors shall give immediate notice of such action to the Civil Service Commission.

SECTION 3 MILITARY LEAVE

- A. Military leaves of absence shall be granted by the Appointing Power in accordance with the provisions of the applicable chapters of the Oregon Revised Statutes or Federal law.

CIVIL SERVICE RULES

AS AMENDED & APPROVED BY THE CIVIL SERVICE COMMISSION

ON JUNE 30, 2025

THIS SUPERSEDES THE APPROVAL FROM MARCH 12, 2021

By: _____
Lois Northrup
Civil Service Member

_____ Date

By: _____
Arron Curtis
Civil Service Member

_____ Date

By: _____
Dick Knorr
Civil Service Member

_____ Date

Attest:

_____ Date

Diane Cox
District Recorder