

**BEFORE THE BOARD OF COMMISSIONERS  
PACIFIC COUNTY, WASHINGTON  
1216 W. Robert Bush Drive  
South Bend, Washington**

**SPECIAL PUBLIC MEETING  
Monday, September 15, 2014  
11:30 AM or shortly thereafter**

**AGENDA**

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**Call to Order**

**Public Comment** *(limited to three minutes per person)*

**ITEMS REGARDING SHERIFF'S OFFICE**

- 1) Consider approval of request for emergency hire of reserve deputies and one appointment

*The Board may add and take action on other items not listed on this agenda and order of action is subject to change.*

*The hearing facility is "barrier free" and accessible by those with physical disabilities. Aids will be provided upon request for those with language/speaking or hearing impediments, but requests need to be received at least five (5) business days prior to this hearing. Such requests may be filed in person at the Commissioners' Office at the address noted above or at 360/875-9337.*



Board of Pacific County Commissioners  
 P O Box 187 \* 1216 W Robert Bush Dr \* South Bend, WA 98586  
 Phone 360/875.9337 / Fax 360/875.9335

**BOH/BOCC meet 2nd and 4th Tuesday of each month, beginning at 9 a.m.**

**REQUESTED MEETING DATE:**  
 09/15/2014

**AGENDA REQUEST FORM**

[TO BE COMPLETED BY THE CLERK/DEP. CLERK OF THE BOARD]

Agenda Item #: \_\_\_\_\_

BOCC ACTION:  APPROVED  DENIED

Initial: \_\_\_\_\_ Date: \_\_\_\_\_

SUBJECT TO ADEQUATE BUDGET APPROPRIATIONS

NO ACTION TAKEN/WITHDRAWN  DEFERRED TO: \_\_\_\_\_

CONTINUED TO DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

OTHER: \_\_\_\_\_

Review:  Clerk of the Board  
 Risk Management  
 Legal

DISTRIBUTION LIST:

<input type="checkbox"/> RF	<input type="checkbox"/> Assessor	<input type="checkbox"/> DPW	<input type="checkbox"/> PACCOM	<input type="checkbox"/> Superior Court
<input type="checkbox"/> CF	<input type="checkbox"/> Auditor	<input type="checkbox"/> EMA	<input type="checkbox"/> PC Fair	<input type="checkbox"/> Treasurer
<input type="checkbox"/> SEA	<input type="checkbox"/> Clerk	<input type="checkbox"/> Health	<input type="checkbox"/> Prosecutor	<input type="checkbox"/> Vegetation Mgmt
	<input type="checkbox"/> Civil Service	<input type="checkbox"/> Juvenile	<input type="checkbox"/> SDC	<input type="checkbox"/> WSU Coop. Ext.
	<input type="checkbox"/> DCD	<input type="checkbox"/> NDC	<input type="checkbox"/> Sheriff	<input type="checkbox"/> Other

**AGENDA ITEM REQUEST**

Please fill out in full or the request may be returned for more information. Also, please attach all pertinent documentation.

DEPARTMENT/OFFICE: Sheriff's Office	DIVISION (if applicable):
OFFICIAL NAME & TITLE: Scott L. Johnson, Sheriff	PHONE / EXT: ext 3395
SIGNATURE:	DATE:
NARRATIVE OF REQUEST	
Request BOCC confirm emergency appointment(s) of Jesse Eastham & Pacific County Reserve Deputies effective Immediately through December 31, 2014 per Civil Service Rules section 10.04 Emergency Appointment & Teamsters 252 CBA (Commissioned Employees) sections 5.5 Emergency Appointed Employee & 10.6 Use of Reserves, Special Deputies & Volunteers.	
RECOMMENDED MOTION (To Be Completed by the Clerk/Deputy Clerk of the Board) Approve the emergency temporary hire of Jesse Eastham and ( _____ #) reserve deputies subject to the following: 1) approval from Civil Service Commission 2) adequate budget appropriations 3) all County policies and Sheriff's office internal policies 4) Sections 5.5.1, 10.6.1 and 10.6.2 of the 252 Collection Bargaining Agreement 5) Section 10.04 of the Pacific County Civil Service Commission rules 6) not to exceed 75 hours per month per reserve and Jesse 7) effective September 15 through December 31, 2014	

**10. CERTIFICATION AND APPOINTMENT**

**10.01 GENERAL PROVISIONS.** Vacancies in the classified civil service shall be filled by reinstatement, promotional appointment, assignment, open graded appointment, transfer, reduction, demotion, or in the absence of an appropriate register, the Secretary may authorize a temporary appointment.

**10.02 REQUEST FOR CERTIFICATION.** Whenever an appointing authority wishes to fill a vacancy, a request for certification shall be submitted to the Secretary. The request shall show the number of positions or vacancies to be filled, the class title, tenure of work to be performed, cause of the vacancy, or if a new position, authority for the appointment, and any other details necessary for full description of the position to be filled.

**10.03 CERTIFICATION**

a. Certification to fill a vacancy shall be made by the Civil Service Department from registers in the following order and as provided in this rule:

- (1) Reinstatement
- (2) Promotional
- (3) Open Graded

b. Order of reinstatement:

(1) If a vacancy is to be filled from the reinstatement register, the following shall be the order of certification:

- a. Regular employees in the order of their length of service. The regular employee on such register who has the most service credit shall be first reinstated;
  - b. Probationers, without regard to length of service. The names of all probationers upon the reinstatement register shall be certified together.
- (2) Nothing in this rule shall prevent the reinstatement of any regular or probationary employee for the purpose of transfer to another department, either for the same class or for voluntary reduction in class, as provided in these rules.

c. (1) If a vacancy is to be filled from a promotional register, the Secretary shall certify to the appointing authority the names of the three available eligibles who stand highest on the appropriate register.

(2) If a vacancy is to be filled from an open graded register, the Secretary shall certify to the appointing authority the names of the three available eligibles who stand highest on the appropriate register.

d. If two or more vacancies are to be filled from any of the above registers other than the reinstatement register, the name of one additional person shall be certified for each additional position.

e. If an appointing authority makes an acceptable showing that any of the eligibles certified are not available or that they do not respond, sufficient additional names shall be furnished to complete the certification.

f. Where a certification of eligibles with special experience, training or skills is requested in writing by the appointing authority as being necessary for satisfactory performance in a particular position, and the Secretary determines that the reasons given fully justify the request, a certification may be made of only the highest ranking eligibles who possess the special qualifications. Certification of eligibles of only one sex shall not be made unless there is clear evidence that efficient performance of duties to be assigned could be performed only by the sex specified.

g. If a temporary vacancy is to be filled from an open or a promotional register, those eligibles with three months of service who are shown on the register as having been laid off within the last 12 months from the department in which the vacancy exists shall be placed in grade order at the head of the list of eligibles for certification according to rule.

h. The application and the examination papers of a certified eligible shall be available for inspection by the appointing authority.

 **10.04 EMERGENCY APPOINTMENT.** When there is an emergency situation which requires additional personnel, the Secretary may allow the appointing authority

to make an emergency appointment. The appointment may last up to 30 days. Persons appointed may or may not be selected from eligibility registers. No person shall serve as an Emergency Employee more than 120 days in a twelve-month period.

#### 10.05 TEMPORARY APPOINTMENT.



a. When there is no suitable eligible register from which certification for a vacancy can be made, the Secretary may allow the appointing authority to make a temporary appointment. In this instance the temporary appointment may be made for a period not to exceed four months. The temporary appointment shall not exceed sixty (60) days from notice that a proper eligible register for such class is available.

b. If the appointing authority has a public safety need, which cannot be met by any of the eligibles, the Secretary may allow the appointing authority to make a temporary appointment of a person not on the register during the hiring and training process. The temporary appointment shall not exceed sixty (60) days.

c. When the vacancy is caused by an authorized leave and there is a suitable eligible register, the appointment must be in accordance with Rule 10 and 41.14.160 RCW. In this instance the temporary appointment may be for the period of the leave of absence.

d. When the vacancy is caused by the absence of a regular or probationary employee whose pay continues, the Secretary may allow the appointing authority to make a temporary appointment. In this instance the temporary appointment may be made for a period not to exceed four months. Exception: disability leave. In this instance the temporary appointment may be for the period of the length of the disability.

e. Persons appointed for temporary employment are to be chosen from reserve officers or experienced persons on eligible registers whenever possible. If the appointment is necessitated by a leave of absence without pay, a person from the eligible register must be appointed (RCW 41.14.160).

- f. No person may receive more than one temporary appointment in any twelve month period without the approval by vote of the Commission.
- g. No person may receive an extension of a temporary appointment without the approval by vote of the Commission.

*The following amendment was enacted by the Legislature and filed in the office of the Secretary of State on May 9, 2001.*

*"A temporary appointment expires after four months. However, the appointing authority may extend the temporary appointment beyond the four month period up to one year if the Commission continues to advertise and test for the position. If, after one year from the date the initial temporary appointment was first made, there are less than three persons on the eligible list for the class, then the appointing authority may fill the position with any person or persons from the eligible list."*

#### **10.06 "CASUAL" EMPLOYMENT**

- a. "Casual" refers to an employee not regularly scheduled to work or scheduled to work less than eighty (80) hours a month. A Casual employee who works eighty (80) hours or more in each of two (2) consecutive calendar months shall be deemed to be a probationary or temporary employee, as applicable, and shall be provided benefits accordingly.
- b. A Casual employee shall be hired off of a certified register. It shall be the responsibility of the hiring authority to notify the Civil Service Commission at such time as a Casual employee works more than eighty (80) hours each in two consecutive months.



5.2.2. An employee promoted to a higher paying classification shall be required to serve an additional six (6) month probationary period in the new classification. Failure to perform satisfactorily in the new classification shall result in the employee returning to the classification previously held.

5.3. Regular Employee

5.3.1. An employee appointed from a certification list who has satisfactorily served the full probationary period.

5.4. Temporary Employee

5.4.1. An employee appointed to fill a vacant Civil Service classification for a temporary period of time as determined by the rules and regulations of the Pacific County Civil Service Commission. Temporary employees may be disciplined and/or terminated without recourse to the grievance procedure. The date of hire as a temporary employee shall not establish the employee's hire date for the purpose of seniority nor shall the employee receive credit for probationary time served should the employee subsequently be hired as a regular employee. Temporary employees shall be covered by the terms and conditions set forth in this Agreement.

5.5. Emergency Appointed Employee

5.5.1. An employee appointed on an emergency basis in accordance with the Pacific County Civil Service Rules. An employee filling an emergency position shall be exempt from Union membership and benefits set forth in this Agreement. Contributions required by the health and welfare Subscribers Agreements and as a result of an eligible employee appointed on an emergency basis shall be made by the Employer in accordance with Sections 7.1. and 7.2.



6. COMPENSABLE HOURS

6.1. Hours of Work

6.1.1. The normal work week for full-time employees shall be forty (40) hours in a seven (7) day period, consisting of five (5) eight (8) hour workdays with two (2) consecutive days off unless mutually agreed differently between the employee and the Employer. Employee shall have a minimum of twelve (12) hours between scheduled shifts. The reporting week will be Sunday through Saturday.

6.1.2. Except due to extraordinary circumstances the adjustment of scheduled shift hours shall require at least seven (7) calendar days advance written notice. The advance notice period may be waived by mutual agreement between the Employer and the employee affected. Extraordinary circumstances shall not include Employer scheduling errors or the Employer's burden associated with the payment of overtime provided that overtime appropriation exists.

6.1.3. The below listed conditions shall apply to shift scheduling by normal assignment area (North/South).

- a) Shift schedules shall consist of non-rotating shifts;
- b) Designated shift schedules shall be bid by seniority each calendar year. Sergeants shall bid shifts separately. Such shifts are specifically designed to maximize supervision of field operations; and
- c) The designated shift schedules shall be made available by November 15th of the preceding calendar year. Each employee shall be provided a minimum of three (3) calendar days to submit their shift bid; and
- d) Each shift shall maintain scheduled work days/days off throughout the calendar year; however, daily hours of work for each designated shift may be varied each calendar quarter by up to two (2) hours, plus or minus.
- e) Failure of an employee to submit their shift bid shall constitute a forfeiture of such bid and such employee shall be assigned a shift from those remaining after seniority bidding is completed; and
- f) Designated hours of work may be modified by mutual agreement between the Sheriff or designee and the employee.
- g) Shift scheduling does not preclude daily assignments throughout the county.

6.1.4. Vacancies created by termination, voluntary resignation, or long term disabilities shall be re-bid by seniority at the time the vacancy is filled.

a) Compensation for contact calls shall not be applicable to Sergeants.

6.5. Working out of Classification

6.5.1. An employee working out of classification in an exempt or non-exempt position with a higher rate of pay at the request of the Sheriff or designee for an entire shift shall be compensated for all hours worked at that higher classification's lowest level rate of pay that constitutes an increase in the employee's salary of not less than ten percent (10%). It shall be the employee's responsibility to notify the Employer of a claim for this pay by means of applicable time cards. This provision shall apply to all classifications. This provision shall not apply when Section 4.1.3. has been invoked.

7. EMPLOYEE BENEFITS

7.1. Health & Welfare



7.1.1. Medical, Dental & Vision: Effective January 1, 2011, based upon the previous month's hours, the Employer shall contribute the sum required to Washington Teamsters Welfare Trust for medical, dental and vision coverage outlined below for each full-time or part-time employee [appointed to a .75 full time equivalent (FTE) or higher] covered by this Agreement who was compensated for eighty (80) hours or more in the preceding month. The premium payments shall be made to the Trust office in Seattle, Washington by the 10th day of each month.

Program	Premium as of 01/01/12	LEOFF I Premiums as of 01/01/12
Medical - Plan A	\$1100.70	\$1412.70
Life and A D & D Plan A	\$8.60	\$8.60
Time Loss Plan C	\$5.00	N/A
Disability Waiver	\$11.40	N/A
Dental - Plan "A"	\$125.59	\$125.59
Vision - "Extended" Plan"	\$14.00	\$14.00
Monthly Totals	\$1265.29	\$1560.89

7.1.2. Medical, Dental & Vision: Effective January 1, 2011, based upon the previous month's hours, the Employer shall contribute the sum required for the insurance plans listed in table below to Washington Teamsters Welfare Trust for medical, dental and vision coverage outlined below for each part-time employee [appointed less than .75 full-time equivalent (FTE)] covered by this Agreement who was compensated for eighty (80) hours or more in the preceding month. The premium payments shall be made to the Trust office in Seattle, Washington by the 10th day of each month.

Program	Premium as of 01/01/12
Medical - Plan C	\$682.50
Life and A D & D Plan A*	\$8.60
Time Loss Plan D	\$3.00
Disability Waiver	\$11.40
Dental - Plan "C"	\$39.85
Vision - "Extended" Plan"	\$14.00
Monthly Totals	\$759.35

7.1.3. Maintenance of Benefits. The trustees of the Washington Teamsters Welfare Trust may modify benefits or eligibility of any plan for purpose of cost containment, cost management, or changes in medical technology and treatment. If premium increases are necessary to maintain the current benefits or eligibility, or benefits or eligibility as modified by the trustees, the Employer shall pay a maximum monthly premium cap of \$1060.00 during calendar year 2011, and a maximum of \$1085.00 for calendar year 2012 and 2013. The parties recognize that the aforementioned caps set forth the total Employer contribution to the Health and Welfare plans listed above, as well as the County provided Life Insurance Plan referred to in Section 7.3 and the RWT Plus plan outlined in Section 7.2. Any payments required in excess of the caps shall be funded by the employees via a payroll deduction.

10.4.2. The Sheriff or designee shall schedule each employee for a minimum of thirty-two hours (32) hours of training annually, excluding firearms qualifications.

- a) Such training shall be inclusive of in-house training as well as training taken outside of the department.
- b) The aforementioned minimum shall not be inclusive of travel time to and from such training.
- c) An employee attending any such training shall report such training to the Sheriff's designated training officer and the Employer's Risk Manager.
- d) The thirty two (32) hour minimum may be restricted due to budgetary limitations and staffing levels.

10.4.3. An employee attending Employer-mandated training shall be compensated at the employee's applicable rate of pay including time for an employee commuting to training outside the employee's normal portal to portal travel.

10.4.4. The Sheriff shall pay for tuition or registration fees and reasonable expenses incurred incident to such mandated training attendance.

10.4.5. Voluntary attendance at, and travel to and from any, non-required training courses for the purpose of individual career advancement or enhancement shall not be considered compensable work time in accordance with the Fair Labor Standards Act. Upon request of the employee, an educational reimbursement program is available with the Sheriff's advance approval.

#### 10.5. Policy and Procedure Manual

10.5.1. The Departmental Policy and Procedure manual shall be readily accessible to the employees on the Department's computer system. Employees shall be permitted to make copies of any portion of such manual. It shall be the responsibility of the section supervisors to insure that the manuals are kept up to date. The Section supervisors shall also be required to insure that all employees within their assigned duty section are advised of policy updates or changes. An employee may be required by the Sheriff to acknowledge that he or she has read the manual in its entirety.

10.5.2. All new policies and/or policy updates shall be provided to the employees impacted by such policy and, when applicable, the Union prior to implementation.

10.5.3. The Sheriff recognizes that changes and/or modifications of policies which impact wages, hours or working conditions are mandatory subjects of bargaining as defined by state statute or interpreted by case law and may not be unilaterally implemented without prior agreement with the Union.

#### 10.6. Use of Reserves, Special Deputies & Volunteers

10.6.1. It is agreed that Reserves, Special Deputies or volunteers are only to be used to supplement the work force rather than supplant the work force unless such Reserve, Special Deputy or volunteer is duly certified by the Pacific County Civil Service Commission as a temporary or emergency appointment.

10.6.2. Reserves or non-Civil Service authorized employees shall be prohibited from performing bargaining unit work until such work has been offered to all qualified bargaining unit employees.

#### 10.7. Labor/Management Meetings

10.7.1. Labor/management meetings may be held as needed upon the mutual agreement of the Employer and the Union. The purpose of such meetings is to facilitate communication between the Employer and the Union on matters relating to non-monetary collective issues and concerns affecting the Employer and the bargaining unit.

10.7.2. These meetings are not intended to supplant or replace the grievance procedure, to circumvent the contract provision negotiations procedure, or to air individual employee concerns.

10.7.3. Only the Union Business Agent and two (2) bargaining unit members shall be present for the purpose of representation of the Union's position. No more than three (3) Employer representatives shall be present for representation of the Employer's position.