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HOUSE BILL 3111

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State of Washington

56th Legislature

2000 Regular Session

By Representatives Delvin and O'Brien

Read first time 02/01/2000. Referred to Committee on State Government.

1 AN ACT Relating to professional advancement in the Washington state  
2 patrol; and amending RCW 43.43.330, 43.43.340, and 43.43.350.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 43.43.330 and 1993 c 155 s 1 are each amended to read  
5 as follows:

6 Appropriate examinations shall be conducted for the promotion of  
7 commissioned patrol officers to the rank of trooper first class,  
8 sergeant, and lieutenant. The examinations shall be prepared and  
9 conducted under the supervision of the chief of the Washington state  
10 patrol, who shall cause at least thirty days written notice thereof to  
11 be given to all patrol officers eligible for such examinations. The  
12 written notice shall specify the expected type of examination and  
13 relative weights to be assigned if a combination of tests is to be  
14 used. Examinations shall be given once every two years, or whenever  
15 the eligible list becomes exhausted as the case may be. After the  
16 giving of each such examination a new eligible list shall be compiled  
17 replacing any existing eligible list for such rank. Only grades  
18 attained in the last examination given for a particular rank shall be  
19 used in compiling each eligible list therefor. The chief, or in his or

1 her discretion a committee of three individuals appointed by him or  
2 her, shall prepare and conduct the examinations, and thereafter grade  
3 and evaluate them in accordance with the following provisions, or  
4 factors: For promotion to the rank of trooper first class, sergeant,  
5 or lieutenant, the examination shall consist of one or more of the  
6 following components: (1) Oral examination; (2) written examination;  
7 (3) service rating; (4) personnel record; (5) assessment center or  
8 other valid tests that measures the skills, knowledge, and qualities  
9 needed to perform these jobs. A cutoff score may be set for each  
10 testing component that allows only those scoring above the cutoff on  
11 one component to proceed to take a subsequent component.

12 **Sec. 2.** RCW 43.43.340 and 1985 c 365 s 6 are each amended to read  
13 as follows:

14 (1) The names of all officers who have passed examinations  
15 satisfactorily shall be placed on an eligible list in the order of the  
16 grade attained in the examinations. The chief, or the committee  
17 mentioned in RCW 43.43.330 at the chief's request, may determine the  
18 lowest examination grade which will qualify an officer for inclusion of  
19 his or her name on an eligible list. Examination papers shall be  
20 graded promptly and an eligible list shall be made up immediately  
21 thereafter. All officers taking an examination shall be informed of  
22 the grade earned.

23 (2) After an eligible list is made up all appointments to a  
24 specialty position and detective and all promotions shall be made from  
25 the five top names on the applicable list, and if needed to comply with  
26 affirmative action goals three additional names referred under  
27 subsection (3) of this section. Not all three additional names need be  
28 promoted at the time they are referred and they may be referred more  
29 than once. Each officer shall be informed in writing as his or her  
30 name is included in the top five on an eligible list or referred under  
31 subsection (3) of this section. No officer whose name appears within  
32 the top five on any eligible list shall be passed over for promotion  
33 more than three times.

34 (3) If the vacancy to be filled is identified as part of the state  
35 patrol's affirmative action goals as established under its affirmative  
36 action plan, the chief may refer for consideration up to three  
37 additional names per vacancy of individuals who are on the eligible  
38 list and who are members of one or more of the protected groups under

1 Title VII of the 1964 Civil Rights Act and chapter 49.60 RCW, or for  
2 federal contract compliance purposes, veterans and disabled veterans as  
3 defined in the Vietnam Era Veterans Readjustment Act of 1974, Title 41  
4 C.F.R., chapter 60, part 60-250.

5 The three additional names referred for each vacancy shall be the  
6 top three members of the protected groups designated by the chief for  
7 referral for that vacancy in accordance with the state patrol's  
8 affirmative action goals. These names shall be drawn in rank order  
9 from the remaining names of protected group members on the eligible  
10 list, after ranking by examination grade. For each vacancy, a total of  
11 three supplementary names may be referred.

12 (4) After having qualified for promotion (~~hereunder~~) under this  
13 section an officer must pass a medical examination and must be  
14 certified as to physical fitness to perform the duties of the advanced  
15 position by one of three doctors designated by the chief of the  
16 Washington state patrol.

17 (5) The state patrol shall consult with the human rights commission  
18 in the development of rules pertaining to affirmative action. The  
19 state patrol shall transmit a report annually to the human rights  
20 commission which states the progress the state patrol has made in  
21 meeting affirmative action goals and timetables.

22 **Sec. 3.** RCW 43.43.350 and 1998 c 193 s 1 are each amended to read  
23 as follows:

24 Eligibility for examination for promotion shall be determined as  
25 follows:

26 Patrol officers with one year of probationary experience, in  
27 addition to three years experience as a regular patrolman before the  
28 date of the first examination occurrence, shall be eligible for  
29 examination for the rank of trooper first class and sergeant; patrol  
30 officers with one year of probationary experience in the rank of  
31 sergeant before the date of the first examination occurrence, in  
32 addition to two years as a regular sergeant, shall be eligible for  
33 examination for the rank of lieutenant.

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