RULES AND REGULATIONS OF THE WOODBURY COUNTY IOWA CIVIL SERVICE COMMISSION FOR DEPUTY SHERIFFS

Effective August 1st , 2024

As amended January 15, 2026

AS AUTHORIZED AND DIRECTED BY THE PROVISIONS OF IOWA CODE Ch. 341 A.

Charles T. Hertz, Chairman

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POWERS AND DUTIES OF THE SHERIFF AND HIS DEPUTIES AS PRESCRIBED BY LAW:

As per the 2023 State Code of Iowa, Chapter 331.652 and 653; and 331.903(4), it shall be the duty of the sheriff and his deputies, if any, throughout the county, township, or municipality of which he is such officer, to preserve the peace, to ferret out crime, to apprehend and arrest all criminals, and insofar as is within his power, to secure evidence of all crimes committed, and present same to the County Attorney, Grand Jury, the Iowa District Court, and to file information against all persons whom he knows, or has reason to believe, to have violated the law of the state, and to perform all other duties, civil or criminal, presenting to his office or enjoined upon him by law. Nothing herein shall be deemed to curtail the power or duties otherwise granted to or imposed upon peace officers.

Commission Powers and Duties

1. The powers and duties of the Commission are set forth in Iowa Code Chapter 341A.6. In abbreviated outline they provide that the Commission shall:

2. Adopt, amend, and publish appropriate rules relating to deputy examinations, appointments, promotions, transfers, reinstatements, demotions, suspensions, and discharges.

3. Administer practical tests designed and prepared by the Director of the Iowa Law Enforcement Academy to determine the ability of examined persons to perform the duties of the position for which they are seeking appointment.

4. Conduct and prepare annual investigations and reports concerning the effectiveness and compliance with the provisions of Iowa Code Chapter 341A.

5. Conduct informal hearings concerning matters contemplated by Chapter 341A of the Iowa Code.

6. To hear and determine appeals or complaints respecting the allocation of positions of employment, rejection of those persons certified to the Sheriff for appointment, and such other matters as may be referred to the Commission.

7. To arrange, compile, and administer competitive tests to determine the relative qualifications of persons seeking employment in any class of position and as a result thereof establish eligibility lists for the various classes of positions, and provide those persons discharged because of curtailment of expenditures, reduction in force and for like causes, head the list in the order of their seniority, to the end that they shall be first to be reemployed.

8. Certify to the Sheriff when a vacancy is to be filled, on written request, a list of the persons passing the examination.

9. Keep such records as may be necessary for the proper administration of Chapter 341A.

10. Classify deputy sheriffs and subdivide them into groups according to rank and grade which shall be based upon the duties and responsibilities of the deputy sheriffs.

11. To purchase all necessary supplies, enter contracts, and do all things necessary to carry out the provisions of Chapter 341A.

12. Keep records of the service of each employee in the classified service which shall contain facts and statements on all matters relating to the character and quality of the work done and the attitude of the individual to his work. All such service records and

employee records shall be subject only to the inspection of the Commission.

NOTE: Chapter 341A.6 must be considered in its entirety as the foregoing merely summarizes its provisions.

Commission Meetings

1. The Commission shall hold public meetings from time to time as its chairperson and/or not less than two members of the Commission deem necessary. The Commission's meetings shall be held on a date and time, and at a location to be determined by the chairperson or their designee.

2. Public notice of such meetings shall be provided as required by the applicable laws of the State of Iowa.

3. Two members of the Commission present at any meeting for which proper notice has been given shall constitute a quorum for the transaction of business.

4. Oral examinations conducted by the Commission or panel consisting of a Commission member or members, and persons employed by the Commission to assist in the administration of the examination are not considered an official meeting, but an integral part of the selection process and therefore will not be open to the public.

5. The Commission shall select a Chairperson from its membership at the first meeting of the calendar year where there is a quorum. The Chairperson shall hold the position for two years.

II. New Hire Procedure for Deputy Sheriffs

A. Notice to and Testing of New Hire Applicants

1. The Commission may schedule or postpone competitive new hire testing from time to time as determined by the Commission in consultation with the Sheriff. At least thirty days prior to a scheduled test date, the Commission shall cause notices as to the date, time, and place of the testing to be posted in the offices of the Sheriff, the Woodbury County Courthouse, and the Woodbury County Human Resources Office. Such notices shall, in a reasonable time, also be provided to the Iowa Work Force Development Center and appropriate local groups and/or agencies involved with affirmative action programs and the Equal Employment Opportunities Office. Additional notices may also be published on social media and other locations at the Commission's discretion.

2. In addition to the foregoing, suitable advertisements for the time, date and place of the testing shall be published in the county in a newspaper of general circulation not less than two weeks prior to the testing date. Additional notices may be published at the Commission's discretion.

B. Applications

1. Prior to the testing time and date, each new hire applicant shall complete the application form provided by the Commission. The Commission reserves the right to reject any applicant who:

    a. Does not meet the minimum qualification requirements for the position of a deputy sheriff, including, but not limited to, United States citizenship, Iowa residency, valid driver's or chauffeur's license and the ability to read and write the English language.
    b. Is unable to pass a physical fitness test approved by the Iowa Law Enforcement Academy

c. The application includes one or more materially false statements.
d. Is proven to have used or attempted to use political bribery to secure an advantage in the selection process.
e. Has directly or indirectly obtained information regarding the examination to which, as an applicant, he/she was not entitled.
f. Has previously been dismissed from a similar position for cause, and that dismissal is shown to relate directly to the applicant's ability to successfully perform the duties of a deputy sheriff.
g. Is shown to be an alcohol or drug abuser whose current use of alcohol or drugs prevents such individual from satisfactorily performing the duties of a deputy sheriff.
h. Is shown to have psychological problems or have engaged in pertinent past activities which may reasonably be anticipated will prevent such individual from satisfactorily performing the duties of a deputy sheriff. Competent medical or other appropriate proof shall be required; and/or
i. Fails to meet the minimum vision or hearing requirements.

j. Documentation provided to the Commission of a candidate's background, which would indicate incidents or activities that would undermine public trust.

k. The Commission may, upon conducting an oral interview of any candidate, preclude the candidate from re-applying for the position of deputy sheriff for a set number of years as determined by the Commission. A total ban of re-application shall not be made.

*Note: Any applicant disqualified for any of the above reasons shall be notified in writing of the Commission's decision and the basis thereof.

2. If the applicant is a State Certified Peace Officer and is currently employed by another state law enforcement agency or has left employment with another state law enforcement agency with no more than a six-month break in service, that applicant may request to participate in the lateral transfer process. Such request must be in writing and submitted with the application. Upon receipt of the application with such request, the applicant will advance to the Civil

Service Commission interview phase of the application process without the necessity of undergoing physical fitness tests. A written test is still required. The applicant's previous physical fitness test and written test score can be utilized by the Commission as a part of the hiring process to determine the top ten list as permitted by the Iowa Law Enforcement Academy.

3. The Civil Service Commission shall only certify to the sheriff a maximum four names of persons requesting a lateral transfer.

4. Other lateral transfers may be placed on the second list of ten.
    a. The Commission shall certify a second list of ten qualified candidates. Those names on the second list shall remain confidential to only those members of the Commission and the Personnel Director.

5. In the event of a vacancy on the first list of ten candidates: the first ranking name on the second list shall be moved to the first list and the remaining candidates shall move up accordingly. Provided, however, that a similar lateral, or non-lateral transfer candidate will replace a like vacancy.

C. Testing Procedure

1. The Commission shall personally interview all applicants that successfully completed the physical fitness and written tests and all applicants applying pursuant to Subsection B. (2) (otherwise referred to as eligible applicants)

2. The Commission's interview of each eligible applicant will be conducted at such time and place as the Commission shall designate.

3. If the number of eligible applicants is ten or less, then personal interviews by the Commission shall not be ranked, and all eligible applicants will be certified to the Sheriff as the top ten candidate list. This will also eliminate the restrictions as to the number of lateral transfer applicants.

4. The Sheriff's Office shall provide the commission with each candidate's background investigations.

1. Copies shall be made available to each member and the Personnel Director.

2. Copies shall be available 14 days prior to any scheduled interviews.

3. The Personnel Director shall make printed copies available to each member requesting a paper copy.

4. Scoring for the certified list shall be comprised of several parts:
    a. Written Test
    b. Physical Test
    c. Training
    d. Education
    e. Experience
    f. Psychological Test
    g. Oral Board Exam.

5. The Written Test will comprise a maximum of 50 points.

6. Training, Education and Experience shall comprise a maximum of 30 points.

7. The Physical, and Psychological testing shall be pass/fail.

8. Failure of either the Psychological or Physical testing will result in the disqualification of the candidate from further consideration.

9. The Oral Board Exam shall be before the Civil Service Commission.

10. The Commission, holding a quorum, shall assess the candidate, awarding a maximum of 20 points. Each commissioner shall evaluate the candidate individually.

11. The Commission shall consider each category, however: they are free to award any number of points in any category, up to a maximum of 20 points total for all categories. All scores shall be combined and be divided by the number of commissioners conducting the Oral Exam. This score shall then be added to Written Test, Training, Education and Experience score to produce a final score to be used for ranking.

The Commission will consider the following during the oral interview:

a. Appearance
b. Ability to Communicate
c. Rational Reasoning
d. Life Experiences
e. Responses to Questions

D. Training:

1. Training education and experience shall be broken down to the following subsections for value purposes:

a. 2 points for each 40-hour class, seminar, or school of instruction.

b. 1 additional point for each additional 40 hours under the same schooling.

E. Experience:

1. Full years for will include from date of hire or appointment, provided certification was made within the first year from date of hire. Otherwise, the year will start upon certification.

a. 1 point for each completed year of experience as a certified peace officer.
b. .75 points for each completed year as a certified correctional officer.
c. .5 point for each completed year as a certified part time peace officer.
d. .5 point for each completed year as a certified reserve officer.

e. .25 points for each completed full-time year employed in the private or public sector performing duties related to loss control, safety, or security.

F. Oral Board Examination: This exam will explore and evaluate the candidates'

a. social skills
b. rational reasoning
c. ability to communicate
d. life experiences
e. appearance.

G. Certification of Eligible Applicants

1. Upon completion of the interviews, the Commission shall rank and list the applicants/candidates from highest to lowest in the order of their respective total scores as determined by the physical fitness test, written competitive test, training, education, experience and oral interview. Thereafter, the Commission shall certify to the Sheriff the top ten candidates from such list, together with their respective home addresses. At the Sheriff's written request, the Commission shall supplement the top ten candidate list when the current eligibility list has been reduced to less than ten in number under the provisions set forth in paragraph E below.

2. In the event a tie occurs in ranking, preference shall be given to veterans (as defined in Section 35C.1 of the Code of Iowa). Should two or more candidates be equally ranked and otherwise eligible to fill the 10th position on the top ten list, the candidate with the highest last four numbers of their issued Social Security Number shall be placed on the top ten eligibility list.

H. Removal from Eligibility List

1. A candidate shall be automatically removed from the current top ten eligibility list when:
    a. Hired as a deputy sheriff from the current certified list.
    b. Rejects an offer of such appointment.
    c. Voluntarily withdraw from the eligibility list.
    d. The Commission establishes a new eligibility list.
    e. A candidate fails to meet the minimum requirements for a deputy sheriff as set forth in the Code of Iowa, including the minimum standards of fitness for law enforcement officers as established by the Iowa Law Enforcement Academy as set forth in the Iowa Administrative Code.
    f. The candidate fails to respond to Commission correspondence directed to the individual's address as shown by the Commission records within fourteen days of mailing.
    g. The candidate fails to respond to or complete any part of the application process requested by the sheriff on behalf of the Commission. (e.g. submission of fingerprint cards)

2. The Commission's decision to remove a candidate from the current eligibility list, other than by termination of the entire list, shall be communicated to the affected candidate, together with the reasons for removal, by certified mail, return receipt requested, directed to such candidate's last address according to the Commission's records.

3. Candidates or applicants adversely affected by the Commission's certification of the eligibility list or the removal of the candidate from such list may submit a written request to the Commission setting forth the specific action complained of and the desired remedy. A hearing before the Commission on the matter may be provided at the Commission's discretion. In any event, the Commission shall provide the candidate, in writing, of its final determination.

IV. Ranks and Grades and Promotions

A. First Appointment and Probation

1. When first appointed to duty, a deputy sheriff shall hold the rank of deputy and shall be placed in Grade I - Deputy Probationary.

2. The probationary period shall not exceed nine months in length. However, if the deputy has not then met all the minimum requirements and completed the prescribed recruit training program prescribed by the Iowa Law Enforcement Academy, or other required regional training programs authorized by the Director of the Iowa Law Enforcement Academy, his/her probationary period may be extended up to a maximum of nine months beyond the successful completion of training at the Iowa law Enforcement Academy.

B. Classifications and Grades

1. The tenure of every deputy sheriff holding an office or position of employment under the provisions of Iowa Code Chapter 341A shall be as follows:

   a. 2nd Class - Probationary. The tenure of a probationary deputy is conditioned upon successful completion of the probationary provisions of Iowa Code Chapter 341A.11. During such probationary period, such probationary deputy may be removed or discharged at the discretion of the Sheriff, except as may be otherwise specifically prohibited by law.

   b. 1st Class - Permanent Deputy. Upon successful completion of the probationary period, a probationary deputy shall become a permanent deputy covered under the provisions of Iowa Code Chapter 341A - Civil Service for Deputy County Sheriffs.

   c. Sergeant – (Permanent) These positions consist of all permanent deputies promoted to sergeant under the provisions of Iowa Code Chapter 341A.

d. Lieutenant (Permanent) - This position consists of all persons promoted to this classification under the provisions of Iowa Code Chapter 341A.

2. To the extent provided by Iowa Code Chapter 341A.7, the Sheriff may appoint a Chief Deputy Sheriff and up to two Second Deputy Sheriffs. Such appointees shall so serve solely at the Sheriff's pleasure, except that upon the Sheriff's termination of their duties, they shall revert to the permanent rank held at the time of their appointment, if any. It is understood that the Sheriff has the option of assigning such job titles above the rank of Lieutenant to the appointed non-civil service positions as the Sheriff may determine to be appropriate.

3. Permanent deputies appointed by the Sheriff to the Chief Deputy Sheriff or Second Deputy Sheriff positions may be promoted to a higher permanent rank provided such deputy is on the appropriate Commission approved promotion list.

4. The phrase "permanent deputy" as used in these Rules is strictly limited to the usage set forth in Chapter 341A.11 of the Iowa Code.

C. Promotion Eligibility List

1. The Commission will administer appropriate promotion competitive lists on the following basis:

a. To be eligible for promotion to Sergeant, the deputy must have held the position of deputy in the Office for a minimum of two years (including the probationary period) immediately preceding the date the promotion takes place.

b. To be eligible for promotion from Sergeant to Lieutenant, the deputy must have held the position of Sergeant in the Office for a minimum of the two years immediately preceding the date the promotion takes place.

c. If, in determining the final ranking there is a tie between a veteran (as defined in Section 70.1 of the Iowa Code) and a non-veteran, the veteran will be ranked above the non-veteran.

d. In the event of a tie between candidates for promotion where neither or both are veterans, the candidate who is most senior within the Woodbury County Sheriff's Office shall receive the higher ranking.

D. Duration of Promotion Lists

a. The certified eligibility lists for promotions shall hold preference until the beginning of a new examination, but in no case shall such preference continue longer than one year following the date of certification.

b. If one year should expire from the last date of certification without a new examination being given, the certified eligibility list shall be canceled, and no civil service promotion shall be made until the new list or lists of candidates eligible for promotion have been certified.

E. Seniority

a. A permanent deputy's seniority shall start from the date of last hire as a sheriff's office probationary deputy. It shall continue to accrue while serving in the office as a civil service deputy or in a political appointment capacity as provided by Iowa Code Chapter 341A.7.

b. Probationary employees shall have no seniority until they successfully complete the probationary period at which time seniority shall date from the date of hire as a probationary deputy.

c. Appointments to a Permanent Deputy position shall be subject to successful completion of a nine (9) month probationary period.

d. Promotions to Sergeant, or Lieutenant, shall have a probationary period of 6 months. In such time, the Sheriff may demote for acts or failures to act, subject to Commission review.

V. Discipline and Appeal

A. Cause for Discipline

1. A deputy may be disciplined for good cause only as set forth in the Sheriff's current rules and regulations and/or the provisions of Chapter 341A.11 of the Iowa Code, as amended. Probationary deputies have no rights under 341A. However, the Commission reserves the right to investigate disciplinary circumstances for the purposes of maintaining the integrity, purpose, and intent of the chapter.

B. Notice of Discipline

1. Notice of discipline of a permanent deputy shall be provided to the deputy in writing setting forth the provision(s) of Iowa Code Chapter 341A.11 and/or of the Sheriff's current rules and regulations alleged to have been violated.

2. Such notice shall be personally served on the deputy on or before the end of the third calendar day following the date upon which the disciplinary action is taken. Additionally, a duplicate of the notice shall be e-mailed to the Personell Director on or before the end of the second calendar day following the date of the disciplinary action was taken. Notice to the Commissioners shall be deemed to have been completed as of the postmarked date. Additionally, the Commission members, along with the Personnel Director, shall be given electronic copies of the notification at their current e-mail addresses of record.

C. Appeal from Discipline

1. A deputy may appeal any disciplinary action, as defined in Iowa Code Chapter 341A.12 (i.e., removed, suspended, or demoted), by filing a written notice to that effect with the Commission's Personnel Director within ten calendar days of being notified by the Sheriff of the discipline. A copy of such written appeal must be filed with the Sheriff or his/her

designee on the same calendar day as service is completed on the Commission.

2. The Commission shall set a hearing date for the appeal within the fourteen calendar days immediately following its receipt of such notice of appeal. Such hearing date may be rescheduled by the written agreement by the deputy, Sheriff, and Commission.

3. Not less than four calendar days preceding the day of the hearing, the Sheriff shall deliver to the Commission, in triplicate, a list of the witnesses to be called by the Sheriff, a summary of the anticipated testimony of each such witness, and duplicates of any relevant written or recorded statements made by the appellant. The appellant shall likewise deliver the equivalent materials to the Commission not less than two calendar days preceding the day of the hearing. The Sheriff and the appellant may, upon written request to the Commission, inspect and/or copy any of the materials so submitted to the Commission. The failure of the party to make a timely delivery of the foregoing material to the Commission will be noted by the Commission and may constitute a waiver of the right to introduce witnesses and/or testimony unless good cause for the failure is shown.

   a. Upon written request, the Commission will make available to the parties any relevant materials in its files, subject to approval by the Woodbury County Attorney's Office.

   a. Unless the deputy prior to the hearing makes a written request otherwise, the hearing shall be open to the public.

   b. While not required, any party may choose to be represented by counsel in all matters concerning the disciplinary action.

   c. Civil Service Employees shall have the right to object to or comment on a written letter of reprimand or admonishment of which they are

the subject; by submitting a written reply to the letter within ten days after receiving the written reprimand or admonishment, in which case, the deputy shall cause a copy of the reply to be delivered both to the Sheriff and to the Commission. Said letter of reprimand or admonishment is not appealable to the Commission, but the reply shall be made part of such deputy's permanent personnel record, and it shall be reviewed and considered by the Commission, if such deputy makes an appeal to the Commission of his subsequent removal, suspension, or demotion pursuant to Chapter 341A.12 of the Iowa Code.

D. Diminutions

1. Whenever the number of deputies in a particular classification or rank is greater than the number of deputies authorized by the Board of Supervisors for that classification or rank, the Sheriff shall reduce the necessary number of deputies to the number of deputies authorized by the Board of Supervisors by suspending their permanent rank for an indefinite period. The deputies suspended shall be those having the least seniority in the affected classification or rank. If such seniority is equal, then the one having the least seniority in the Office shall be the one suspended.

2. Any deputy suspended from any classification or rank shall revert to the next lower classification or rank and shall receive a certificate from the Commission stating that the deputy was honorably suspended due to a diminution and will be returned to the higher classification or rank as positions in the higher classification or rank become available. Upon such a position becoming available, appointments shall be made from those honorably suspended and shall be made according to the seniority of the deputy in the rank to which they are being reappointed.

VI. Miscellaneous

A. Closed Session:

1. The Commission, in keeping with the requirements of the Iowa open meetings law (IA Code Ch 21), may go into executive (closed) session by affirmative vote of two-thirds of its members when:

    a. It is considering any of the reasons for executive sessions set forth in Chapters 17A and 21 of the Iowa Code. (IA Code Ch 17A), (IA Code Ch 21)

2. Rules/Regulations

    a. The Commission shall maintain copies of its own rules and regulations, as well as any rules regulations and policies of the sheriff which affect the conduct and performance of deputies falling under Chapter 341A; and shall make such rules and regulations available for public be provided either via hard copy or electronically. Each deputy shall sign an acknowledgment of the receipt thereof.

    b. The Commission shall amend these rules and regulations as it may deem advisable at any regular meeting by majority vote of its members provided that advance notice of the intent to make amendments to the rules and regulations is given to each Commissioner, the Sheriff, and the deputies under Iowa Code Chapter 341A, at least ten calendar days prior to the meeting at which the amendment(s) is to be voted upon. Posting of changes will be considered notice.

3. Payroll Certification

    a. In compliance with the provisions of Chapter 341A.14, the Commission shall certify the payroll of the Sheriff's Office as it relates to employees within the Commission's jurisdiction.

4. Service on the Commission.

    a. Any required service of notice or delivery of documents to the Commission and/or Commissioners may be satisfied by timely mailing or personal delivery of such notice or documents to the Commission's Personnel Director at the Commission office.

5. Effect of Regulations

    a. These rules and regulations will supersede and replace all previous rules of the Commission as of the date of adoption.

6. Annual Report

    The commission shall prepare an annual report of the assigned duties of the commission. The report shall contain, but is not limited to:

    a. The number of applicant tests requested.
    b. The number of tests administered.
    c. The number of promotional tests requested for each civil service rank.
    d. The number of tests administered for each civil service rank.
    e. The number of lateral transfers from other agencies requested.
    f. The number of grievances filed for alleged violations of civil service protections, type and resolution.
    g. The number of informal queries conducted of personnel to assure compliance with the rules, regulations of the Commission and Sheriff's Office Policy.

h. The report shall be forwarded to the members of the Woodbury County Board of Supervisors and the Woodbury County Attorney. This report shall be made available to the public upon request.
i. The report shall be completed at the end of each calendar year.

7. Political Activity

a. A person shall not be appointed or promoted to, or demoted or discharged from, any position subject to civil service, or in any way favored or discriminated against with respect to employment in the sheriff's office because of the person's political or religious opinions or affiliations or race or national origin or sex, or age. See: (341A.18)

b. A person shall not use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person an appointment or advantage in the appointment to a position subject to civil service, or an increase in pay or other advantage in employment in any such position, for the purpose of influencing the vote or political action of any person or for any consideration.

c. An employee shall not use his official authority or influence for the purpose of interfering with an election or affecting the results thereof.

8. Mandatory Retirement

a. The mandatory retirement date of all deputies shall be the date prior to their 66th birthday. The Sheriff shall notify the employee of such fact six months prior to the separation date and file a copy with the Civil Service Commission.

9. Compliance

a. 1. The Commission shall at irregular times inspect the compliance of the Rules and Regulations of the Commission with the Sheriff and civil service personnel. The compliance inspections shall include:
b. Access to the Woodbury County Sheriff's Office, Policy and Procedures, Memorandums, Orders, Training Material, Training Certifications, and other sources or directives.
c. Access to any physical structure used for Office vehicle maintenance.
d. Access to personnel employed by the Office to include civilian and support personnel.
e. Notification by the Sheriff to the Commission of any “formal” internal affairs investigation commenced on a civil service employee. Notification to the Commission shall be same as notification to the employee in accordance with the Peace Officer Bill of Rights (IA Code 80F.1) and shall not include “informal” investigations that are used to establish the necessity of a formal investigation.
f. Inspections will respect the integrity, safety and security of Office interests.
g. All new hire probationary deputies shall go through a Field Training Program established by the Sheriff. Evaluations of each phase of the program shall be made available, electronically, to the commission members. The commission shall not have any say in the evaluations but shall use the documents to confirm good-faith compliance with the commissions’ rules, regulations, IA Code, and or discriminatory allegations.