



City of Seattle

CIVIL SERVICE COMMISSIONS

Public Safety Civil Service Commission
Commission Chair Christian M. Halliburton
Commissioner Joel A. Nark
Commissioner Sam Pailca

**Public Safety Civil Service Commission
Special Meeting
May 15, 2014
Approved July 17, 2014**

Call to Order: Commission Chair Halliburton called the Public Safety Civil Service Commission meeting to order at 10:00 a.m. The meeting was in Suite 1679 of the Seattle Municipal Tower, 700 Fifth Avenue, Seattle, Washington 98104.

In Attendance:

Commission Chair Christian Halliburton
Commissioner Sam Pailca
Jennifer A. Greenlee, Executive Director
Teresa R. Jacobs, Administrative Staff Assistant
Jeff Slayton, Assistant City Attorney

Not in Attendance:

Commissioner Joel Nark

PUBLIC COMMENT: Dallas Baker, Local 27 was present to discuss the issue of the Legacy Credit proposal (Fire). Mr. Baker did not address the Commission and the issue has been deferred.

1. Approval of Minutes

March 20, 2014 Meeting

April 17, 2014 Meeting

April 28, 2014 Special Joint Meeting:

The Commission reviewed the minutes of March 20 and April 17 and the Joint Meeting held on April 28. 2014 Commissioner Pailca moved to accept the minutes as written. Commissioner Halliburton seconded the motion. The motion passed, the minutes were approved by acclamation and signed by the chair.

- 2. SFD Exam Protests-Captain Written Exam:** There were six appeals submitted to the Commission.

Executive Session: The Commission went into Executive Session at 10:55 am. The Executive Session ended at 11:30 am.

The Commission denied each of the six appeals on the basis of the content of the bibliography and the expectation that the candidate would choose the best answer as reflected by the bibliography. The Commission did note and express concern about the lack of consistency between the content of the bibliographies which is the expected basis for the applicant's answers and what firefighters and officers are actually doing on the scene and are trained to do

City of Seattle Civil Service Commissions

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in their practical training programs. At a future meeting, the Commission would like the departments come in and talk about the test design process and how the decisions about the scope of the questions are made, particularly in light of the perceived differences between the content of the bibliography and the content of their training and the nature of their actual practices. In the future the Commission would always benefit from having a representative of the special examiners or test design team; it would be helpful to have the Commission engage in an interactive conversation with those who are part of the process.

The Commission submitted their appeal worksheet (decisions) on the protests to the Executive Director to forward to Colleen Lafferty and for the record.

3. **USERRA Accommodation Request:** Assistant City Attorney Fritz Wollett and Fire Exams Analyst Colleen Lafferty were present to provide information to the Commission regarding accommodation under the Uniformed Services Employment and Reemployment Rights Act due to a request by Matthew Downen.
4. **Gender Equity & OPA Auditor Reports:** Ms. Pailca wanted to raise some questions regarding the OPA report and request the Commission have some follow up action with respect to the report. Ms. Pailca pointed out the specific recommendations that were made by Anne Levinson, OPA Auditor that relate directly to PSCSC and its membership and functions. There were recommendations in the report regarding a requirement that disciplinary appeals be heard by the PSCSC and changing the membership of the PSCSC and selection of Commissioners. Ms. Pailca stated that the Commission could hold a forum to hear comments from departments, the City, the Guild, the Auditor, and from anyone else who would like to come in and give comment to the Commission about the recommendations. The Commission was in agreement to include this item on a future agenda and look into holding a public hearing. The Executive Director would collect public comment in advance; coordinate a space to accommodate stakeholders who would like to comment on the recommendations made by the Auditor and invite the Auditor and Director of the OPA to be present to answer any questions. Ms. Pailca requested the historical record on the Commission vote counts regarding discipline. Ms. Greenlee stated that information was not tracked; however former decisions are available for review and analysis. The Commission Chair and Executive Director will work together to coordinate a Public Hearing on the matter.

Gender Equity: The Executive Director raised the matter of the recommendation to amend the PSCSC rules to establish new "preference points" for SPD hiring. The report stated the action would not require additional costs (Budget). Ms. Greenlee stated to the Commission that the rules if adopted would impact the budget and the workload of the Exams Analysts. Commission Chair Halliburton recommended the Commission look at the substance of the recommendation without coming up with any formal rules or recommendations or proposals at this time. At a future meeting, the Commission can determine the status of the recommendation and the Commission can decide how it wants to proceed in light of that context. The Commission was in agreement.

5. **Monthly Case Status Report/Appeals Update:** The Commission reviewed the monthly case status report.
 - **Blackmer v. SPD-PSCSC #14-01-005:** The Executive Director updated the Commission on a new appeal that was filed. The acknowledgement was sent, however, it is unknown whether the appellant will go through the appeal process with the Commission or go through the Union. Ms. Pailca commented on the practice of asking

Commission or go through the Union. Ms. Pailca commented on the practice of asking an appellant to confirm their intent and providing a withdrawal form. Ms. Pailca wondered whether it might be consistent with an approach that would be supportive of the appeal. Ms. Greenlee clarified that appellants file with both the Union and the PSCSC to preserve timelines, and then opt to withdraw one. The Executive Director will keep the Commission apprised of the process.

- **Lowe v. SPD-PSCSC # 13-01-007:** The Commissioners will review the Decision and Dissent Order, if there are no changes the Order will be signed and sent to the parties.

6. Executive Director's Report

- **Annual Report Draft:** The Commission reviewed the final draft copy of the 2013 Annual Report. Commissioner Nark will be contacted to review. If there are no additional changes submitted by the Commission, the report will be sent out to constituents.
- **Monthly Summit (Budget) Report:** The Executive Director reported that the budget is on track for May.

7. Executive Session-360 Review of Executive Director:

Executive Session: The Commission went into Executive Session at 12:21 pm the Executive Session ended at 12:33 pm to discuss a personnel matter.

Adjourn: All other business before the Commission having been considered, Commission Chair Halliburton adjourned the meeting at 12:3 pm.

Respectfully Submitted By:

/s/ Teresa R. Jacobs 7/17/2014

/s/ Christian M. Halliburton 7/17/2014



Teresa R. Jacobs
Administrative Staff Assistant

Date: 7-17-14



Christian M. Halliburton
Commission Chair

Date: 7/17/14