

BEFORE THE CIVIL SERVICE COMMISSION, FOR THE CITY OF SEATTLE

**GEORGIANA ARNOLD AND
VIRGINIA ADAMS**

Appellants,

v.

**HUMAN SERVICES DEPARTMENT,
CITY OF SEATTLE**
Respondent / Employer.

CSC No.11-01-018

**DISMISSAL ORDER
PETITION FOR REVIEW OF HEARING
OFFICER'S DECISION ON PETITION
FOR AN AWARD OF ATTORNEY
FEES**

The Executive Director of the City of Seattle, Civil Service Commission hereby enters the following:

BACKGROUND

On September 19 & 20, 2011, Virginia Adams and Georgiana Arnold ("the Appellant's) respectively, filed appeals with the Civil Service Commission regarding actions taken by their employer, the Human Services Department ("the Department").

On October 5, 2011, the Appellant's submitted a Joint Motion to consolidate their appeals. On October 19, 2011 the Commission granted the appellant's Motion to Consolidate, and the appeal was delegated to the Office of the Hearing Examiner.

On November 3, 2011 the Appellant's submitted a Motion to Appoint a Civil Service Commissioner to hear the appeal. On November 10, 2011 the Department submitted a Response requesting the Commission deny the request for a Civil Service Commissioner.

The Appellant's motion was withdrawn at the Commission's November 16, 2011 meeting.

The hearing was held in March (14, 16, 19), April (2, 16, 30), May (11) and June (1) of 2012. Appellant Virginia Adams was represented by Katrin E. Frank, Attorney and Georgiana Arnold was represented by Judith A. Lonquist, Attorney. The Department was represented by Erin Overbey, Assistant City Attorney.

On July 24, 2012, Sue A. Tanner, Hearing Examiner issued a Findings and Decision in this matter reversing the Departments discipline imposed upon Appellants.

On August 3, 2012, the Appellant's filed a Petition for Award of Attorney's Fees and Costs. On August 10, 2012 the Department responded to the Appellant's Petition.

On August 17, 2012, Sue A. Tanner, Hearing Examiner, denied the Appellant's Petition for attorney's fees "... *the Commission lacks authority to award attorney's fees and costs incurred in connection with a civil service appeal.*"

On August 27, 2012 the Appellant's filed a Petition for Review of Hearing Officer's Decision on Petition for an Award of Attorney's Fees.

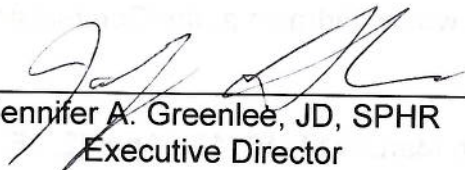
At its September 12, 2012 monthly meeting the Commission reviewed the Petition for Review and affirmed the decision of the Hearing Examiner citing there is no statutory authority in the Seattle Municipal Code for the Civil Service Commission to award attorney's fees.

ORDER

The Civil Service Commission hereby dismisses the Appellant's Petition for Review with ***prejudice***.

Dated this *13th* day of *September*, 2012

FOR THE CITY OF SEATTLE CIVIL SERVICE COMMISSION



Jennifer A. Greenlee, JD, SPHR
Executive Director