

The Seattle Ethics & Elections Commission

The SEEC is a seven-member, independent panel of citizen volunteers. The Commission and its staff are responsible for administering the City of Seattle Ethics, Elections, and Whistleblower Protection Codes. Three commissioners are appointed by the Mayor, three by the City Council, and the seventh by the other six. They are confirmed by the City Council and serve overlapping three-year terms.

The Commission is supported by a staff of six employees who provide training, investigate complaints, and issue advisory opinions.

TRAINING AVAILABLE: Departments and employees can receive training on the Whistleblower Protection Code. Call the SEEC Trainer at 206-684-0595 to schedule training.

COMMISSION MEETINGS

You are invited to attend any Commission meeting. Meetings are usually the first Wednesday of the month in the Seattle Municipal Tower.

Copies of the meeting agenda, including time and location, are in our office and on our Internet web site under Commission Activity. You can also call 206-684-8500 for meeting times and locations.



This brochure highlights the Whistleblower Protection Code. The entire law is on the City Clerk's Seattle Municipal Code (SMC) web site, <http://clerk.ci.seattle.wa.us/~public/code1.htm>, under Chapter 4.20. Copies are also available in the SEEC office.

For more information, see the SEEC internet site at <http://www.seattle.gov/ethics/wbpub/wbov.htm>.

City Of Seattle ETHICS AND ELECTIONS COMMISSION

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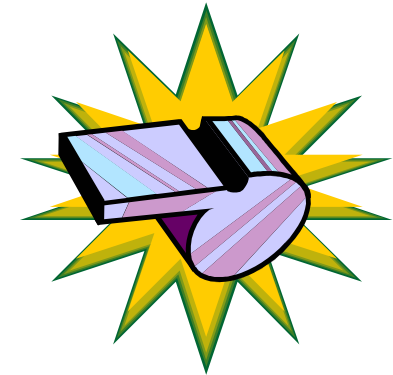
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 City of Seattle

Whistleblower Protection Code

for
City employees, including temporary
and intermittent workers,
and members of boards and commissions



This pamphlet is intended to summarize the procedures, limitations, and recourse available under the City of Seattle Whistleblower Protection Code.

SEATTLE ETHICS AND ELECTIONS COMMISSION

Your advocate for fair, open, and honest government.

City of Seattle Whistleblower Protection Code

Seattle Municipal Code 4.20.800-860



The Seattle Whistleblower Protection Code encourages employees to report, in good faith, City governmental actions they believe are wrong. It also protects employees who make these reports and gives recourse if they experience retaliation.

1. YOUR RIGHT TO REPORT:

City officers and employees, including members of boards and commissions, have the right to report governmental actions that they believe:

- Violate a state, federal, county or City law or rule,
- Abuse authority,
- Create a substantial danger to public health or safety, or
- Result in a gross waste of public funds.

2. LIMITATIONS:

The Whistleblower Protection Code does not protect all employee complaints.

- Personnel actions or actions that an employee simply **disagrees** with are not improper governmental actions under this Code.
- Employees **may not** report privileged information or information that by law cannot be made public.
- Employees who report **their own** wrongdoings are not protected from discipline or termination.

This is a general summary of the Code. For more information, see the SEEC internet site at <http://www.seattle.gov/ethics/wbpub/wbov.htm> or contact SEEC staff at 206-684-8500.

3. WHERE TO REPORT:

Reports of improper governmental actions should be made in writing to the appropriate agency as indicated below:

- Sexual Harassment:** Employee's supervisor, EEO officer, department head, or other City official.
- Employment Discrimination:** Office for Civil Rights.
- Police Misconduct:** Police Department Office of Professional Accountability/Internal Investigations Section.
- Judicial Misconduct:** Washington State Commission on Judicial Conduct.
- Criminal Violations:** County Prosecuting Attorney.
- Election Code or Ethics Code Violations:** SEEC Executive Director.
- All other complaints or if unsure where to report:** SEEC Executive Director.

Except in cases of emergency, employees should wait at least 30 days after making a written report to the person or office listed above before reporting to anyone else.

4. NO RETALIATION:

The law protects employees who in good faith report wrongdoing or help with an official investigation.

Employees cannot lose their jobs or get unsubstantiated bad reviews; have unwarranted changes in their job location, assignments, or pay; or disciplinary actions simply because they filed a whistleblower complaint or helped with an investigation.



Persons who retaliate against a whistleblower are subject to discipline and/or a civil fine up to \$500.00.

5. CONFIDENTIALITY:

The identity of a whistleblower will be kept confidential to the extent allowed by law, unless waived by the employee. Names may be required to be revealed if the case goes to hearing.

6. RETALIATION CLAIMS:

An employee who believes that working conditions have changed for the worse or that there is unfair treatment because he or she filed a whistleblower complaint or helped with an investigation, may ask the Mayor's Office for relief. To do this, the employee must within 30 days of the alleged retaliation deliver a written statement to the Mayor's Office, specifying the alleged retaliation and the requested relief.

The Mayor will forward the complaint to the appropriate department head unless the employee alleges in the complaint that the department head has retaliated. The Mayor or the relevant department head has 30 days in which to respond.

If the employee does not like the response, the employee has the right, within the 15 days after getting the response or 45 days after delivering the written complaint, whichever occurs first, to ask the Mayor's Office for a hearing before a State Administrative Law Judge.



At the hearing, the employee must prove unfair treatment resulting from the employee's whistleblower activity. If this is found to be true, the judge may return the employee to work, with or without back pay. The judge may also order other actions to help the employee return to work and to see that no further retaliation occurs.

The judge may also fine each person who retaliated up to \$3,000 and recommend that the City suspend or dismiss that person. The judge may also award costs and attorney's fees to the winning party.

NOTE: Employees also have a right to challenge alleged unfair disciplinary actions with the Seattle Civil Service Commission.