



OFFICE OF PROFESSIONAL ACCOUNTABILITY

Closed Case Summary

Complaint Number OPA#2016-0420

Issued Date: 03/09/2017

Named Employee #1	
Allegation #1	<u>Seattle Police Department Manual</u> 5.001 (3) Standards and Duties: Retaliation is prohibited (Policy that was issued April 1, 2015)
OPA Finding	Not Sustained (Unfounded)
Final Discipline	N/A

INCIDENT SYNOPSIS

The complainant employee requested an authorized absence.

COMPLAINT

The complainant employee alleged the Named Employee retaliated against him on two separate occasions:

#1: Named Employee denied complainant employee a vacation request based on an unsubstantiated claim that the complainant employee had sworn at a supervisor.

#2: Named Employee retaliated against him by making an OPA complaint against him after the complainant employee filed a grievance regarding the named employee's actions.

INVESTIGATION

The OPA investigation included the following actions:

1. Review of the complaint memo
2. Search for and review of all relevant records and other evidence
3. Interviews of SPD employees

ANALYSIS AND CONCLUSION

The preponderance of the evidence indicated that the Named Employee in fact was not the final decision maker to approve or disapprove the complainant's Request for Authorized Absence, but in fact it was the discretion of the Bureau Chief. The information written at the bottom of the request was information provided by the Named Employee to the Bureau Chief to inform his decision, which was within his authority to do. Additionally, the Named Employee was directed by his supervisor to deny portions of the complainant's request for time off and was also directed by the Deputy Chief of Police to file the OPA complaint and not conduct any investigation.

FINDINGS

Named Employee #1

Allegation #1

A preponderance of the evidence showed that the Named Employee was not the final decision maker to approve or disapprove the complainant's Request for Authorize Absence, and that the Named Employee was directed by the Deputy Chief of Police to file the OPA complaint. Therefore a finding of **Not Sustained** (Unfounded) was issued for *Standards and Duties: Retaliation is prohibited*.

NOTE: The Seattle Police Department Manual policies cited for the allegation(s) made for this OPA Investigation are policies that were in effect during the time of the incident. The issued date of the policy is listed.