

1 **BEFORE THE CITY OF SEATTLE CIVIL SERVICE COMMISSION**  
2

**Frederick W. Rantz**  
**Appellant**

V.

**Finance and Administrative Services**  
**City of Seattle, Respondent**

**ORDER**

On City's Motion to Dismiss  
**CSC No. 11-01-020**

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5 **FACTUAL BACKGROUND**  
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7 The first Pre-hearing Conference in this matter was held on December 8, 2011; Galen Mauden,  
8 Human Resources Director and Terry McLellan represented the City and Mr. Rantz appeared  
9 pro se. The City filed a motion to dismiss this appeal on December 5, 2011. Appellant Rantz  
10 submitted a letter of response the next day, December 6, 2011.  
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12 At the prehearing conference this Hearing Officer took the issue of timeliness under advisement,  
13 specifically whether Mr. Rantz filed his notice of appeal within the required time after receiving  
14 notice of termination, or submitting his resignation. Mr. Rantz had clarified that he was not  
15 appealing his 30-day suspension, and this Hearing Officer declined to dismiss the matter on the  
16 issue of whether appellant's resignation took the matter out of the Commission's jurisdiction.  
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18 The City's position is that Appellant filed his appeal more than 20 days after he received notice  
19 of his termination which came in the form of a letter and oral notice to Mr. Rantz on October 19,  
20 2011, and also in the form of his resignation, which was permitted in lieu of termination, also on  
21 October 19, 2011.  
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23 Mr. Rantz argues that when time was computed earlier in connection with his Last Chance  
24 Agreement (LCA), the City interpreted the time as business days even though the agreement  
25 specified calendar days. Mr. Rantz did not challenge the misinterpretation of the LCA at the  
26 time, but argues the prior misinterpretation creates applicable precedent, and also that he  
27 should be provided some leniency in this current setting due to the prior error.  
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29 The City submitted a copy of a resignation letter by Rantz dated October 19, 2011. Rantz in his  
30 appeal, states he was told on October 19, 2011, that he was being fired. The City also supplied  
31 a copy of the termination letter dated October 19, 2011, to which was attached notice of  
32 appellant's right to appeal to the CSC including notice of the 20-day filing deadline. The CSC file  
33 indicates Rantz' appeal was received on November 14, 2011, by both the date stamp on the  
34 appeal documents and by reference in the Executive Director's letter to appellant dated  
35 November 18, 2011.  
36  
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All Orders entered by the Executive Director shall control the subsequent course of the appeal and hearing. Orders shall be subject to modification only upon timely filing of written exceptions to the Order. The Commission must receive the written exceptions within twenty (20) days after receipt of said Order. Failure to timely raise objections to an Order shall constitute a waiver of such objections, and will preclude the party from introducing new evidence, exhibits, witnesses, issues, objections pertaining thereto, or any other pre-hearing matters at the hearing.

