

**BEFORE THE CIVIL SERVICE COMMISSION  
FOR THE CITY OF SEATTLE**

**KATEE MEADE**

Appellant,  
V.

**SEATTLE POLICE DEPARTMENT**

City of Seattle, Respondent

**CSC No. 13-01-006**

**DISMISSAL ORDER**

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**BACKGROUND**

3           On December 6, 2013 the Civil Service Commission received Katee Meade's  
4 appeal of her termination of employment by the Seattle Police Department. The Civil  
5 Service Commission reviewed the appeal at its regularly scheduling meetings and  
6 delegated the appeal to the Office of the Hearing Examiner to determine whether the  
7 Commission had jurisdiction over the appeal.

8           This matter came before the Civil Service Commission on Appellant Meade's  
9 Petition for Review of the Hearing Examiner decision in Civil Service Commission Case  
10 No. 13-01-006 dated June 11, 2014. During its regular meeting on July 16, 2014, the  
11 Commission considered Ms. Meade's Petition for Review. The CSC enters this Order  
12 affirming in part, and reversing in part the decision of the Hearing Examiner.

13           **STANDARD FOR COMMISSION REVIEW OF HEARING OFFICER DECISION**

14           The Commission reviews questions of law de novo, and reviews factual findings  
15 to see if they are supported by substantial evidence in the record. Commission Rules of  
16 Practice and Procedure 6.08.

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**FINDINGS**

18           The Hearing Examiner correctly applied a summary judgment standard to the  
19 Department's Motion to Dismiss. While summary judgment guidelines are not detailed in  
20 Civil Service Commission Rules, motions are permitted by CSC Rule No. 5.14. Case

1 law firmly establishes that a party is entitled to summary judgment in an action when  
2 there is no genuine issue of material fact and the undisputed facts warrant judgment for  
3 the moving party as a matter of law. CR 56(c); Fed. R. Civ. P. 56(c); Anderson v. Liberty  
4 Lobby, Inc., 477 U.S. 242 (1986). Case law has established that agencies may employ  
5 summary proceedings. ASARCO v. Air Quality Coalition, 92 Wn.2d 685, 695-98 (1979);  
6 Kettle Range Conservation Group v. Department of Natural Resources, 120 Wn.App.  
7 434, 456 (2003); Eastlake Cmty. Council v. City of Seattle, 64 Wn. App. 273, 276, 823  
8 P.2d 1132, review denied, 119 Wn.2d 1005 (1992).

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10 Summary judgment is appropriate when "there is no genuine issue as to any  
11 material fact and . . . the moving party is entitled to a judgment as a matter of law." CR  
12 56(c). "The initial burden is on the moving party to show there is no genuine issue of  
13 material fact." American Exp. Centurion Bank v. Stratman, 172 Wn.App. 667, 673, 292  
14 P.3d 128 (2012) (citing Vallindigham v. Clover Park Sch. Dist. No. 400, 154 Wn.2d 16,  
15 26, 109 P.3d 805 (2005)). "When determining whether an issue of material fact exists,  
16 the court must construe all facts and inferences in favor of the nonmoving party."  
17 Ranger Ins. Co. v. Pierce County, 164 Wn.2d 545, 552, 192 P.3d 886 (2008).

18

19 Considering all facts and inferences in favor of Ms. Meade, substantial evidence  
20 does not support a finding that Ms. Meade received notice of her termination on  
21 September 4, 2013. Therefore an issue of material fact exists with the Hearing  
22 Examiner's finding that Ms. Meade's appeal of the denial of her grievance was untimely.

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24 Regardless of the Hearing Examiner's conclusion on timeliness, considering all  
25 facts and inferences in favor of Ms. Meade, substantial evidence does support a finding  
26 that Ms. Meade was a probationary employee, and that proper procedures were  
27 followed with respect to the discharge of a probationary employee.

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1 The Commission would like to acknowledge that claims were raised that are  
2 outside of the Commission's jurisdiction, and notes that they were properly referred to  
3 the appropriate reviewing agency in a timely manner.

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5 The Commission further notes that, during its consideration of this appeal, a  
6 number of issues were raised regarding the settlement of Glaser v. City of Seattle and  
7 whether its technicalities are fully understood by employees.

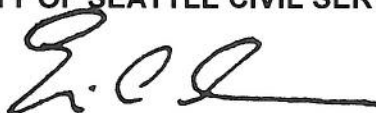
8 **ORDER**

9 The decision of the Hearing Examiner is reversed in part and affirmed in part.  
10 The modification of the decision does not affect the Commission's ultimate conclusion in  
11 this matter.

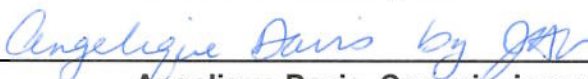
12 The Civil Service Commission hereby dismisses this appeal with ***prejudice***.  
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14 Dated this 20<sup>th</sup> day of *August*, 2014

15  
16 FOR THE CITY OF SEATTLE CIVIL SERVICE COMMISSION

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19 **Eric de los Santos, Chair**

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22 **Angelique Davis, Commissioner**

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25 **Steven Jewell, Commissioner**  
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**7.04 RECONSIDERATION OF COMMISSION DECISION-** A party may move for reconsideration of a Commission decision only on the basis of fraud, mistake or in the event that new evidence comes to light that would justify reconsideration. Such motion shall be filed with the Commission within **fifteen (15) days** of the Commission's final decision.

**7.05 JUDICIAL REVIEW-** In order to seek judicial review of a Commission decision, a party must timely file an appropriate action in Superior Court of the State of Washington for King County as provided by

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OF THE CITY OF SEATTLE**

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**Katee Lou Meade**  
Appellant,

vs.

**Seattle Police Department**  
CITY OF SEATTLE  
Respondent

**DECLARATION OF SERVICE**

**CSC No. 13-01-006**

I, Teresa R. Jacobs, Administrative Staff Assistant of City of Seattle Civil Service Commissions, declare under penalty of perjury under the laws of the State of Washington, that on the date below, I caused to be served upon the below-listed parties, via the method of service listed below, a true and correct copy of the foregoing document: **Dismissal Order**

Party	Method of Service
Appellant: <b>Katee Lou Meade</b> c/o Kevin A. Peck, Attorney at Law <a href="mailto:Kpeck@thepecklawfirm.com">Kpeck@thepecklawfirm.com</a>	<input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger <input type="checkbox"/> US Postal <input type="checkbox"/> Fax <input checked="" type="checkbox"/> E-Mail
Respondent: <b>Seattle Police Department</b> c/o Amy Lowen, Assistant City Attorney <a href="mailto:Amy.Lowen@seattle.gov">Amy.Lowen@seattle.gov</a>	<input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger <input type="checkbox"/> US Postal <input type="checkbox"/> Fax <input checked="" type="checkbox"/> E-Mail
Cc: Mike Fields, Interim HR Director, SPD c/o <b>Sandi Mount, Admin to HR Director</b> <a href="mailto:Sandra.Mount@seattle.gov">Sandra.Mount@seattle.gov</a>  Susan Coskey, Personnel Director c/o <b>Anne Davis, Assistant to Director</b> <a href="mailto:Anne.Davis@seattle.gov">Anne.Davis@seattle.gov</a>	<input type="checkbox"/> Hand Delivery <input type="checkbox"/> Legal Messenger <input type="checkbox"/> US Postal <input type="checkbox"/> Fax <input checked="" type="checkbox"/> E-Mail

DATED: August 21, 2014 at Seattle, Washington.

Teresa R. Jacobs  
Administrative Staff Assistant  
Civil Service Commissions