



# City of Seattle

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## CIVIL SERVICE COMMISSIONS

### Civil Service Commission

Commission Chair Mary Wideman-Williams

Commissioner Amy Bonfrisco

Commissioner Angelique Davis

### Staff

Andrea Scheele, Executive Director

Teresa Jacobs, Executive Assistant

## CIVIL SERVICE COMMISSION MEETING AGENDA

*The agenda is subject to change to address immediate Commission concerns.*

**DATE:** Tuesday, February 14, 2022

**TIME:** 2:00 p.m.

**LOCATION:** WebEx

Join from the meeting link

<https://seattle.webex.com/seattle/j.php?MTID=m1dd3b833b660e1322d6e7df6c5599672>

Join by meeting number

Meeting number (access code): **2482 617 1019** Meeting password: **npXs2k5sfb2**

Tap to join from a mobile device (attendees only)

+1-206-207-1700,,24826171019## United States Toll (Seattle)

+1-408-418-9388,,24826171019## United States Toll

Join by phone

+1-206-207-1700 United States Toll (Seattle)

+1-408-418-9388 United States Toll

Global call-in numbers

Join from a video system or application

Dial [24826171019@seattle.webex.com](tel:24826171019@seattle.webex.com)

You can also dial 173.243.2.68 and enter your meeting number.

Join using Microsoft Lync or Microsoft Skype for Business

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**CIVIL SERVICE COMMISSION  
MEETING AGENDA  
February 14, 2022 @ 2:00 p.m.**

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**AUDIO/VIDEO TECH CHECK**

**CHAIR (CSC 2.05)**

1. CALL TO ORDER
2. LAND ACKNOWLEDGEMENT
3. INTRODUCTIONS
4. PUBLIC COMMENT

**ACTION ITEMS**

5. APPROVAL OF MEETING MINUTES
  - January 17, 2022-CSC Monthly Meeting

**STANDING ITEMS**

6. CASE STATUS REPORT
  - LaBelle v. Parks-CSC No. 21-01-04-*Case update*
7. EXECUTIVE DIRECTOR REPORT
  - Departmental Work and Budget Update
8. EXECUTIVE SESSION (May be cancelled if not needed)
9. OLD/NEW BUSINESS
  - Updates on CSC Special Election for Employee-Elected Member and Anticipated Nomination/Appointment of City Council Appointee

**COMMISSIONER RECOGNITIONS AND APPRECIATION**

10. RESOLUTION OF THE CIVIL SERVICE COMMISSION, HONORING COMMISSIONER ANGELIQUE M. DAVIS
11. RESOLUTION OF THE CIVIL SERVICE COMMISSION, HONORING COMMISSIONER AMY BONFRISCO
12. ADJOURN

**NEXT CSC MEETING: TBD  
END OF AGENDA**

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CHAIR (CSC 2.05)

1. CALL TO ORDER
2. LAND ACKNOWLEDGEMENT
3. INTRODUCTIONS
4. PUBLIC COMMENT

## 5. APPROVAL OF MEETING MINUTES

- January 17, 2022-CSC Monthly Meeting



# City of Seattle

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## CIVIL SERVICE COMMISSIONS

### The Civil Service Commission

Commission Chair Mary Wideman-Williams

Commissioner Amy S. Bonfrisco

Commissioner Angelique M. Davis

### Staff

Andrea Scheele, Executive Director

Teresa R. Jacobs, Executive Assistant

January 18, 2022

## Civil Service Commission Monthly Meeting

*Approved: February 14, 2022*

1. **CALL TO ORDER:** Commission Chair Mary Wideman-Williams called the meeting to order at 2:11 pm. The meeting was held via WebEx per the Washington Governor's Proclamation No. 20-28.

## 2. INTRODUCTIONS

### Commission and Staff in Attendance:

Commission Chair Mary Wideman-Williams

Commissioner Angelique M. Davis

Commissioner Amy Bonfrisco

Andrea Scheele, Executive Director

Teresa Chen, Assistant City Attorney

Mele Hefa, Administrative Assistant (Temp)

### Not in Attendance:

Teresa R. Jacobs, Executive Assistant

3. **LAND ACKNOWLEDGEMENT:** Commission Chair Wideman-Williams opened the meeting with the Land Acknowledgment-*The City of Seattle Civil Service Commission acknowledges that we are on the traditional land of the first people of Seattle, the Duwamish. We honor with gratitude the land, and the Duwamish people, past and present.*

4. **PUBLIC COMMENT:** No one requested to speak.

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### City of Seattle Civil Service Commissions

Seattle Municipal Tower, 700 Fifth Avenue, Suite 1670 PO Box 94729 Seattle, WA 98124-4729

Tel (206) 437-5425, Fax: (206) 684-0755, <http://www.seattle.gov>

An equal employment opportunity, affirmative action employer. Accommodations for people with disabilities provided upon request.

## **5. APPROVAL OF MINUTES**

- **December 20, 2021:** The commission reviewed the minutes of December 20, 2021. Commissioner Bonfrisco moved to accept the minutes as written. Commissioner Davis seconded the motion. The minutes were approved by acclamation and will be signed by the chair.

## **6. CASE STATUS REPORT**

- LaBelle v. Parks-CSC No. 21-01-041-Update: Executive Director Andrea Scheele updated the commission on the status of the appeal of a disciplinary appeal filed by an employee of Parks who was terminated. A first prehearing was held. The department filed a motion to dismiss. Mr. LaBelle has an opportunity to respond. Director Scheele will provide an update on the appeal at the February meeting.

## **7. EXECUTIVE DIRECTOR REPORT**

- **Departmental Work and Budget Update:** Ms. Scheele provided an update to the commission on the current work of commission staff. **Vaccine Mandate Separations/Appeals/Grievance Process:** Ms. Scheele commended Mele Hefa who was hired as the commission's temporary Administrative Assistant to oversee the information and appeals related to the vaccine mandate separations and other civil service projects. **Step 3 Grievances:** Ms. Scheele reported she received an update from SDHR that grievances were filed with SHR by employees at the Step 3 Grievance. Ms. Scheele notified the commission that allegations of discrimination alongside civil service violations are being investigated by the SHR Investigations Unit. **Budget:** Ms. Scheele reported that she is working with the budget analyst on the 2022 Budget load. **Commissioner Appointment:** Ms. Scheele is submitting materials to Council President Juarez who is also the Chair of the Governance Committee regarding the upcoming appointment of a new commissioner.

## **8. EXECUTIVE SESSION (MAY BE CANCELLED IF NOT NEEDED):** There was no Executive Session.

## **9. OLD/NEW BUSINESS:** Commissioner Bonfrisco inquired about the Governor's Proclamation and holding in person meetings. Teresa Chen, Assistant City Attorney, and commission counsel stated there is no change to the Governor's Proclamation. The commission continues to follow the Governor's Proclamation 20-28 and will continue to hold meetings remotely and will discuss further how to return to in person meetings when the proclamation is lifted.

**10. ADJOURN:** All other business before the Commission having been considered,  
Commission Chair Wideman-Williams adjourned the meeting at approximately 2:41 pm

Respectfully submitted on January 18, 2022, for the CSC:

*Teresa R. Jacobs*

\_\_\_\_\_  
Teresa R. Jacobs Executive Assistant

Approved February 14, 2022

\_\_\_\_\_  
Mary Wideman-Williams, Chair

Request for public records, including audio recording of meetings can be made through the City  
Public Records Request Center <http://www.seattle.gov/public-records>

## 6. CASE STATUS REPORT

- LaBelle v. Parks-CSC No. 21-01-04-Case *update*



**CIVIL SERVICE COMMISSION  
CASE STATUS REPORT  
February 2022**

**FILED/OPEN:**

<b>CASE NUMBER</b>	<b>APPELLANT</b>	<b>RESPONDENT DEPARTMENT</b>	<b>DATE FILED</b>	<b>RULE/CODE</b>	<b>ISSUE</b>	<b>STATUS</b>	<b>PRESIDING OFFICER</b>
21-01-041	LaBelle	Parks	10-15-2021		Discharge	1 <sup>st</sup> Prehearing held December 10, 2021 Respondent filed a Motion to Dismiss. ED sent an Order Granting Motion Dismiss	CSC

**DISMISSED/CLOSED:**

<b>CASE NUMBER</b>	<b>APPELLANT</b>	<b>RESPONDENT DEPARTMENT</b>	<b>DATE FILED</b>	<b>RULE/CODE</b>	<b>ISSUE</b>	<b>DATE DISMISSED</b>	<b>PRESIDING OFFICER</b>
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BEFORE THE CIVIL SERVICE COMMISSION  
OF THE CITY OF SEATTLE

BRET T. LABELLE,

Appellant,

vs.

CITY OF SEATTLE, SEATTLE PARKS  
AND RECREATION,

Respondent.

No. 21-01-041

**ORDER  
GRANTING MOTION TO DISMISS**

THIS MATTER comes before the Civil Service Commission on Respondent's Motion to Dismiss. The following has been submitted to the Civil Service Commission for consideration:

1. Respondent's Motion to Dismiss;
2. Declaration of Sarah Butler;
3. Declaration of Geoff Miller;
4. Declaration of Rochelle Brown;
5. The records and files herein.<sup>1</sup>

FINDINGS AND DETERMINATIONS:

<sup>1</sup> Mr. LaBelle did not submit a response.

1           1.     Appellant Bret LaBelle is a former employee of Seattle Parks and  
2 Recreation (“SPR”).

3           2.     SPR Superintendent Jesús Aguirre terminated Mr. LaBelle’s employment in  
4 a Results of Loudermill memo dated June 29, 2021.

5           3.     On July 14, 2021, Rochelle Brown, SPR’s out-of-class Employee and Labor  
6 Relations Advisor, sent an email to Mr. LaBelle’s work email that attached the Results of  
7 Loudermill memo and a Notice of Termination-Discharge.

8           4.     On July 14, 2021, Ms. Brown also sent the Results of Loudermill and the  
9 Notice of Termination-Discharge to Mr. LaBelle via certified mail at his last known,  
10 address.

11          5.     Mr. LaBelle was represented by the Laborers’ International Union of North  
12 America, Local 242 (“the Union”).

13          6.     On or about July 23, 2021, the Union submitted a grievance on behalf of  
14 Mr. LaBelle for wrongful termination (the “contract grievance”) to the City’s Labor  
15 Relations Division.

16          7.     The Union emailed an addendum to the contract grievance on July 26,  
17 2021, in which it specified that Mr. LaBelle’s termination violated Article 2 (Non-  
18 discrimination) and Article 22 (disciplinary actions) of the Joint Crafts Council collective  
19 bargaining agreement.

20          8.     On August 17, 2021, there was a Step 3 grievance meeting, attended by  
21 Geoff Miller (Labor Negotiator), Leonard Sims (SPR’s Equal Employment Coordinator),  
22 Kathy Wilkens (the Union’s business representative), and Mr. LaBelle.

23          9.     On October 12, 2021, Superintendent Aguirre denied the Union’s Step 3

1 grievance.

2 10. Mr. LaBelle filed this appeal with the Civil Service Commission on October  
3 15, 2021.

4 11. Rule 5.02 of the Civil Service Commission Rules of Practice and Procedure  
5 (“CSC Rules”) provides: “An employee must first exhaust the Employee Grievance  
6 Procedure as described in SMC 4.04.240 and Personnel Rule 1.4 before filing an appeal  
7 with the Civil Service Commission.”

8 12. Personnel Rule 1.4.2 sets forth the grievance procedure that an employee  
9 must exhaust before filing an appeal with the CSC. It is a three-step grievance procedure,  
10 in which a grievance is first submitted to the employee’s immediate supervisor, then to  
11 the employee’s division director, and finally to the City of Seattle Human Resources  
12 Director.

13 13. Grievances brought under Personnel Rule 1.4 are to be initiated at the step  
14 at which there is authority to adjudicate, which in the case of a termination is Step Three.

15 14. Regardless of the step at which the grievance is initiated, the employee  
16 must submit the initial grievance within 20 calendar days of the grievable incident.

17 15. In order to appeal a termination, “the employee must file a grievance  
18 provided by Personnel Rule 1.4 within 20 calendar days of the decision to impose  
19 discipline by the appointing authority.” Personnel Rule 1.3.6.

20 16. CSC Rule 5.03 provides:

21 The Executive Director shall review all appeals to determine whether the  
22 employee has timely filed an appeal, whether the employee has exhausted  
23 the Employee Grievance Procedure, and if the appeal falls within the  
Commission's jurisdiction. If the Executive Director determines that an  
appeal is untimely, premature, or not within the Commission's jurisdiction,

1 the Executive Director shall dismiss the appeal by a dismissal order stating  
2 the reasons for the dismissal. Decisions by the Executive Director may be  
3 appealed to the Commission within twenty calendar (20) days after the date  
4 of the order.

5 17. There is no evidence that Mr. LaBelle submitted a grievance under  
6 Personnel Rule 1.4 to SPR or to the City of Seattle Human Resources Director within 20  
7 days of his termination.

8 18. The grievance submitted by the Union on July 23, 2021, was a grievance  
9 for alleged violations of the parties' collective bargaining agreement.

10 19. Employees may not pursue both a union grievance and an internal  
11 employee grievance process/CSC appeal on the same subject matter.

12 20. Mr. LaBelle failed to satisfy the Employee Grievance Procedure set forth in  
13 Personnel Rule 1.4 prior to filing this appeal.

14 21. His time to submit a grievance to the Human Resources Director has  
15 expired.

16 22. The Civil Service Commission therefore lacks jurisdiction to hear Mr.  
17 LaBelle's appeal.

18 IT IS HEREBY ORDERED that Respondent's Motion to Dismiss is GRANTED. Mr.  
19 LaBelle's appeal is dismissed with prejudice.

20 DATED this 28th day of January, 2022.

21 FOR THE CITY OF SEATTLE CIVIL SERVICE COMMISSION

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Andrea Scheele, Executive Director  
Civil Service Commission

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

**BRET LABELLE**  
Appellant,  
v.  
**SEATTLE PARKS AND RECREATION**  
CITY OF SEATTLE  
Respondent

**DECLARATION OF SERVICE**  
**CSC No. 21-01-041**

I, Teresa R. Jacobs, 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: **Order Granting Motion to Dismiss**

Party	Method of Service
<b>Appellant: Bret LaBelle</b> [REDACTED]	<input checked="" type="checkbox"/> E-Mail
<b>Respondent: Seattle Parks and Recreation</b> c/o Molly Daily, Assistant City Attorney <a href="mailto:molly.daily@seattle.gov">molly.daily@seattle.gov</a>	<input checked="" type="checkbox"/> E-Mail
Cc: Kim Fabel, Legal Assistant <a href="mailto:Kim.Fabel@seattle.gov">Kim.Fabel@seattle.gov</a>  Kimberly Loving, Interim Director, SHR <a href="mailto:Kimberly.loving@seattle.gov">Kimberly.loving@seattle.gov</a>	<input checked="" type="checkbox"/> E-Mail

DATED: January 28, 2022, at Seattle, Washington.

*Teresa R. Jacobs*  
\_\_\_\_\_  
Teresa R. Jacobs,  
Executive Assistant  
Civil Service Commission

## 7. EXECUTIVE DIRECTOR REPORT

- Departmental Work and Budget Update

**CIV Budget to Actuals  
As of January 25, 2022**

			TRANS_TYPE						
EXPENSE_CATEGORY	PROJECT_DESCR	ACCOUNT_DESCR	Adopted Budget	Actuals	Balance before Encumbrances	Available Balance	% Spent	% Available (After Encumbrances)	
Nonpersonnel Svcs	<b>VCADMIN - Leadersh</b>	531030 - Supplies-Office Supplies	2,700.00		2,700.00	2,700.00	0.0%	100.0%	
		549020 - Isf-Fas Alloc	108,850.00	9,070.82	99,779.18	99,779.18	8.3%	91.7%	
		541310 - Services-Legal Notices	500.00		500.00	500.00	0.0%	100.0%	
		541320 - Services-Court Reporters	500.00		500.00	500.00	0.0%	100.0%	
		541550 - Services-Parking	500.00		500.00	500.00	0.0%	100.0%	
		542900 - Rentals-Other	2,000.00		2,000.00	2,000.00	0.0%	100.0%	
		544050 - Reimburse-Meetin Refresh&Meals	200.00		200.00	200.00	0.0%	100.0%	
		545010 - Travel Costs-Out-Of-City	1,500.00		1,500.00	1,500.00	0.0%	100.0%	
		545030 - Travel Costs-Conf, Conv, Sem	1,533.00		1,533.00	1,533.00	0.0%	100.0%	
		546010 - Fees-Dues & Memberships	1,000.00		1,000.00	1,000.00	0.0%	100.0%	
		549070 - Isf-Itld Alloc	25,297.00		25,297.00	25,297.00	0.0%	100.0%	
		549080 - Isf-Itld Billed	354.00		354.00	354.00	0.0%	100.0%	
		549100 - SDHR Allocation	35,862.00		35,862.00	35,862.00	0.0%	100.0%	
		532020 - Equipment-Software Purchases	1,000.00		1,000.00	1,000.00	0.0%	100.0%	
		545040 - Travel Costs-In City	600.00		600.00	600.00	0.0%	100.0%	
		541280 - Services-Courier And Delivery	500.00		500.00	500.00	0.0%	100.0%	
		541380 - Services-Admin Charges	1,550.00		1,550.00	1,550.00	0.0%	100.0%	
		541250 - Services-Recycling	50.00		50.00	50.00	0.0%	100.0%	
		541260 - Services-Disposal Of Materials	50.00		50.00	50.00	0.0%	100.0%	
		531010 - Supplies-Subscrips/Pubs/Books	10,000.00		10,000.00	10,000.00	0.0%	100.0%	
		545020 - Travel Costs-Training Classes	600.00		600.00	600.00	0.0%	100.0%	
<b>Nonpersonnel Svcs Total</b>			<b>195,146.00</b>	<b>9,070.82</b>	<b>186,075.18</b>	<b>186,075.18</b>	<b>4.6%</b>	<b>95.4%</b>	
Personnel Svcs	<b>VCADMIN - Leadersh</b>	510010 - Salaries & Wages	282,769.00		282,769.00	282,769.00	0.0%	100.0%	
		510020 - Holiday		677.90	(677.90)	(677.90)			



Personnel Svcs	<b>VADMIN - Leadersh</b>	510070 - Part Time-Salaries & Wages	34,590.00		34,590.00	34,590.00	0.0%	100.0%
		520010 - Fica	15,498.00	229.74	15,268.26	15,268.26	1.5%	98.5%
		520020 - Medicare	4,181.00	53.74	4,127.26	4,127.26	1.3%	98.7%
		520070 - Insurance Prem-Health & Dental	30,891.00	3,230.00	27,661.00	27,661.00	10.5%	89.5%
		520090 - Insurance-Group Fund Life	206.00	0.79	205.21	205.21	0.4%	99.6%
		520100 - Insurance-Longterm Disability	39.00	0.09	38.91	38.91	0.2%	99.8%
		520300 - Pension-City Retirement Sys	36,996.00	109.82	36,886.18	36,886.18	0.3%	99.7%
		520080 - Insurance-Wash St FML		6.00	(6.00)	(6.00)		
		510110 - Salaries & Wages-Temp/Intermit	1,184.00	3,058.40	(1,874.40)	(1,874.40)	258.3%	-158.3%
		520110 - Insurance-Death Benefit Pay	19.00	1.20	17.80	17.80	6.3%	93.7%
		520320 - Employee Assistance Premium	38.00		38.00	38.00	0.0%	100.0%
		520011 - Fica Fsa Dcap & Health		44.11	(44.11)	(44.11)		
	<b>VCCIVILSV - Civil Sen</b>	510010 - Salaries & Wages		10,109.06	(10,109.06)	(10,109.06)		
		510020 - Holiday		395.92	(395.92)	(395.92)		
		510070 - Part Time-Salaries & Wages		2,400.00	(2,400.00)	(2,400.00)		
		520010 - Fica		877.46	(877.46)	(877.46)		
		520020 - Medicare		205.22	(205.22)	(205.22)		
		520090 - Insurance-Group Fund Life		11.85	(11.85)	(11.85)		
		520100 - Insurance-Longterm Disability		1.81	(1.81)	(1.81)		
		520300 - Pension-City Retirement Sys		1,958.34	(1,958.34)	(1,958.34)		
		520080 - Insurance-Wash St FML		23.25	(23.25)	(23.25)		
		520110 - Insurance-Death Benefit Pay		22.80	(22.80)	(22.80)		
		510040 - Vacation		1,583.68	(1,583.68)	(1,583.68)		
<b>Personnel Svcs Total</b>			<b>406,411.00</b>	<b>25,001.18</b>	<b>381,409.82</b>	<b>381,409.82</b>	<b>6.2%</b>	<b>93.8%</b>
			<b>601,557.00</b>	<b>34,072.00</b>	<b>567,485.00</b>	<b>567,485.00</b>	<b>5.7%</b>	<b>94.3%</b>
			<b>601,557.00</b>	<b>34,072.00</b>	<b>567,485.00</b>	<b>567,485.00</b>	<b>5.7%</b>	<b>94.3%</b>

9. OLD/NEW BUSINESS

Updates on CSC Special Election for Employee-Elected Member and Anticipated Nomination/Appointment of City Council Appointee

10. RESOLUTION OF THE CIVIL SERVICE COMMISSION,  
HONORING COMMISSIONER ANGELIQUE M. DAVIS

11. RESOLUTION OF THE CIVIL SERVICE COMMISSION,  
HONORING COMMISSIONER AMY BONFRISCO