

SETTLEMENT AGREEMENT

The City of Seattle and the Seattle Police Department (hereafter "the City"), the Seattle Police Officers' Guild (hereafter "the Guild"), and Seattle Police Officer Michael Chin (hereafter "Chin") wish to fully resolve their differences with regards to OPA-IS07-0527, Public Safety Civil Service Commission Case No. 08-006, and King County Superior Court Case No. 08-2-29500-1.

Therefore the Parties agree as follows:

1. The City agrees to withdraw its application for a writ of certiorari in King County Superior Court Case No. 08-2-29500-1.
2. Officer Chin will be reassigned to the Traffic Unit on October 15, 2008, will be assigned to motorcycles, and will work the same hours that he did before being removed from the Traffic Unit. The commander of the Traffic Unit may assign Officer Chin to any motorcycle squad working those hours. Officer Chin's seniority in the Traffic Unit will be the same as if he had never left the Unit.
3. All Department records will reflect that the Public Safety Civil Service Commission overturned the disciplinary action taken by the Department in OPA-IS07-0527, and the Department may not use the evidence developed in

that case against Officer Chin and will not reference the case in any disciplinary action or performance review.

4. Officer Chin will be treated the same as any other member of the Traffic Unit and will not be subjected to any separate requirements, including but not limited to the approval of his off-duty work permits or monitoring of his regular working hours, his overtime hours, or his off-duty hours. Officer Chin, as any other sworn employee may be subjected to special monitoring of his work hours or his off-duty work if his conduct requires such monitoring.
5. Whether Officer Chin is assigned to the Motorcycle Drill Team is within the discretion of the commander of the Traffic Unit. Officer Chin will be provided the same opportunity as any other member of the Traffic Unit to be a member of the Drill Team, and any decision regarding his membership on the Drill Team will be made in the same manner as any other applicant. The investigation of OPA-IS 07-0527 may not be used in any manner as a basis for denying Officer Chin assignment to the Drill Team.
6. While assigned to patrol, Officer Chin lost opportunities to work overtime in the Traffic Unit. To compensate for those lost earnings, the City will pay Officer Chin a total of \$5,000.00. This amount of money will be treated as overtime earnings and will have the standard payroll deductions. The City also will credit Officer Chin with 100 hours of additional compensatory time. Officer Chin may not cash out any of these 100 hours of compensatory time.
7. The Guild agrees that sworn officers and sergeants can work no longer than eighteen consecutive hours in a 24-hour period. Officers and sergeants must

have a rest period of at least six consecutive hours in the 24- hour period. "Work" includes regular department shift hours, department and/or court overtime, and law enforcement off-duty employment. A sworn Department supervisor of the rank of lieutenant or above may waive the application of this standard for the needs of the Department. Exceptions can be considered for assignments and/or off-duty employment situations including but not limited to duties which allow a paid rest period, such as house sitting, traveling security, or overnight jewelry show type assignments.

8. This Agreement does not affect Section 7.3(B) of the collective bargaining agreement between the Guild and the City. This Agreement also does not apply to employees working the 24-hour shift in the Harbor Unit when they are actually working that shift.
9. Upon the request of either the Guild or the City, those two parties to this Agreement will execute a separate Memorandum of Understanding setting forth the agreement detailed in paragraphs 7 and 8 above.

All parties to this Agreement are responsible for their respective costs and fees, including any attorney fees, associated with the OPA-IS investigation, the appeal to the Public Safety Civil Service Commission, and the application for the writ of certiorari filed in King County Superior Court.

Dated this 14th day of October 2008.



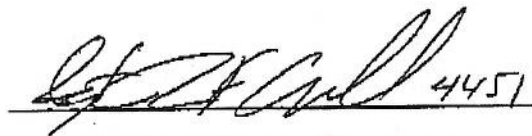
R. Gil Kerlikowske, Chief of Police

Dated this 16 day of October 2008.



Michael Chin, Seattle Police Officer

Dated this 15th day of October 2008.



Rich O'Neill, President, Seattle Police Officers' Guild