



CIVIL SERVICE COMMISSIONS

[Public Safety Civil Service Commission](#)

Commissioner Richard Greene, Chair

Commissioner Stacy Connoles

Commissioner Tom Applegate

Staff

Andrea Scheele, Executive Director

Sarah Butler, Operations & Policy Advisor

Teresa Jacobs, Executive Assistant

PUBLIC SAFETY CIVIL SERVICE COMMISSION

AGENDA

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

DATE: Thursday, March 21, 2024

TIME: 10:00 a.m.

LOCATION: Hybrid meeting remote via Webex or In Person:

In-Person Location: **SMT Room 1679** Seattle Municipal Tower, 700 5th Ave, Seattle, WA 98104. At the 4th floor main building entry security desk, request elevator access to 16th floor and follow the signs to 1679.

Join from the meeting link

<https://seattle.webex.com/seattle/j.php?MTID=me167847bdce652c433ad01213064f71d>

Join by meeting number

Meeting number (access code): **2490 510 0774** Meeting password: **CmNScfKJ672**

Tap to join from a mobile device (attendees only)

+1-206-207-1700,,24905100774## United States Toll (Seattle)

+1-408-418-9388,,24905100774## 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 [24905100774@seattle.webex.com](https://seattle.webex.com)

You can also dial 173.243.2.68 and enter your meeting number.

Need help? Go to <https://help.webex.com>



**CITY OF SEATTLE
PUBLIC SAFETY CIVIL SERVICE COMMISSION
AGENDA**

March 21, 2024 @ 10:00 AM

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

1. **CALL TO ORDER** Commission Chair (PSCSC 2.04)
LAND ACKNOWLEDGEMENT
-

2. **ATTENDEE INTRODUCTIONS**
-

3. **PUBLIC COMMENT**
-

4. **APPROVAL OF MINUTES** January 25, 2024 - Special Meeting
February 13, 2024 - PSCSC Working Retreat
-

5. **HONORING THE SERVICE OF
COMMISSIONER JOEL NARK
2003-2023**
-

6. **ACTION ITEMS** **PROMOTIONAL EXAM PROTEST REVIEW:**
Police Sergeant Written Exam (March 2, 2024)

EXECUTIVE SESSION
May be cancelled if not needed.

PROPOSED ADVISORY OPINION 2024-01

POSSIBLE VOTE ON ADVISORY OPINION

7. **UPDATES/DISCUSSION** **EXECUTIVE DIRECTOR BUDGET & DEPARTMENTAL UPDATES**

- a. Budget Update
- b. Department Update
- c. Financial Interest Statements

CASE STATUS REPORT/APPEAL UPDATES

- d. Willis v. SPD-PSCSC No. 23-01-004A
- e. Swartz v. SPD-PSCSC No. 24-01-001A

FIRE AND POLICE EXAM UNIT UPDATES

- f. Police Exams (Rachael Schade, Police Exams Administrator)
 - g. Fire Exams (Yoshiko Grace Matsui, Fire Exams Administrator)
 - h. Fire and Police Staffing (Hiring/Attrition Numbers)
-

8. **OTHER** i. Collins Complaint-PSCSC No. 24-07-001C
-

9. OLD/NEW BUSINESS

10. ADJOURNMENT

Next Meeting Date: April 24, 2024 @ 10:00 am
(Possible Fire & Police Written and Oral Board Promotional Exam Protest Reviews)



CITY OF SEATTLE
PUBLIC SAFETY CIVIL SERVICE COMMISSION
SPECIAL MEETING-MINUTES
January 25, 2024

Location: WebEx and at SMT 1679

- 1. CALL TO ORDER**
LAND ACKNOWLEDGEMENT

Commission Chair (PSCSC 2.04)

Commission Chair Richard Greene called the January 25, 2024, PSCSC Special meeting to order at 10:00 am.

- 2. ATTENDEE INTRODUCTIONS:**

Commissioner Greene gave attendees an opportunity to introduce themselves. The following people were present: PSCSC Commissioners: Stacy Connole and Tom Applegate. Commission Staff: Andrea Scheele, Executive Director; Sarah Butler, Operations & Policy Advisor; and Teresa Jacobs, Executive Assistant. Commission Counsel/ Assistant City Attorneys: Joe Levan and Anne Vold. And members of the public.

- 3. WELCOME NEW COMMISSIONER**
TOM APPLGATE

The Commission and staff welcomed employee elected Commissioner Tom Applegate

- 4. PUBLIC COMMENT**

The commission began public comment at 10:05 am. Public comment ended at 10:25 am. There was public comment on Rule 10.03.

- 5. APPROVAL OF MINUTES**

December 14, 2023, PSCSC Monthly Meeting: Commissioner Greene moved to accept the minutes. Commissioner Connole seconded the motion. The minutes were approved by acclamation.

- 6. ACTION ITEMS**

2024 Meeting Schedule: The Commission approved the meeting dates for 2024.

EXECUTIVE SESSION

The commission did not go into Executive Session.

- 7. UPDATES/DISCUSSION**

OPEN PUBLIC MEETINGS ACT AND PUBLIC RECORDS ACT TRAINING
Presenters: Assistant City Attorneys Joe Levan & Aaron Valla

FIRE AND POLICE EXAM UNIT UPDATES

 - a. **Fire and Police Exam Unit:** Yoshiko Grace Matsui, Fire Exams Analyst and Amy Jo Chamberlain, Fire and Police Exams Analyst, gave updates on the Police and Fire Promotional exams, Development Committees, Registers, and Bibliographies.
 - b. **Fire and Police Staffing (Hiring/Attrition Numbers):** Director Scheele gave an update on the Fire and Police staffing.

EXECUTIVE DIRECTOR BUDGET & DEPARTMENTAL UPDATES

 - c. **Budget and Department Update:** Director Scheele provided the monthly department and budget update.

CASE STATUS REPORT/APPEAL UPDATES: The commission reviewed the January case status report and Director Scheele gave an update on the **Willis v. SPD-PSCSC No. 23-01-004A** appeal.

8. **OLD/NEW BUSINESS**

There was no old or new business.

9. **ADJOURNMENT**

Commission Chair Greene adjourned the meeting at 11:42 am

March 21, 2024

Minutes submitted by: Teresa Jacobs

Minutes approved and signed by: Commissioner Richard Greene, Chair

Signed:

Monthly meetings are recorded, they can be found at:

<https://www.youtube.com/channel/UCgIMkgpm-XFGWnnYfMRL4tQ>

Previous recordings may be requested via the public records portal at

<https://www.seattle.gov/public-records>



CITY OF SEATTLE
PUBLIC SAFETY CIVIL SERVICE COMMISSION
WORKING RETREAT-MINUTES
February 13, 2024

Location: WebEx and at City Hall B&C Room L280

1.	CALL TO ORDER LAND ACKNOWLEDGEMENT	Commission Chair (PSCSC 2.04) Chair Greene called the February 13, 2024, PSCSC Working Retreat to order at 9:30 am.
2.	ATTENDEE INTRODUCTIONS	Commissioner Greene gave attendees an opportunity to introduce themselves. The following people were present: <u>PSCSC Commissioners</u> : Stacy Connole and Tom Applegate. <u>Commission Staff</u> : Andrea Scheele, Executive Director; Sarah Butler, Operations & Policy Advisor; and Teresa Jacobs, Executive Assistant. <u>Commission Counsel/ Assistant City Attorneys</u> : Joe Levan and Anne Vold. <u>Fire and Police Exams Unit</u> : Rachael Schade, Police Exams Analyst.
3.	EXECUTIVE DIRECTOR ROADMAP EXECUTIVE SESSION	Director Scheele provided an overview of the retreat agenda. The commission did not go into Executive Session.
4.	UPDATES/DISCUSSION	a. Presentation: Civil Service Retrospective : Sarah Butler presented. b. Training: Exam Development and Administration Rachael Schade presented exams development and administration training. Discussion : Exam Protest
5.	OLD/NEW BUSINESS	There was no old or new business.
6.	ADJOURNMENT	The working retreat adjourned at 1:30 pm.

March 21, 2024

Minutes submitted by: Teresa Jacobs

Minutes approved and signed by: Commissioner Richard Greene, Chair

Signed:

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CIVIL SERVICE COMMISSIONS

Public Safety Civil Service Commission

Commission Chair Richard Greene
Commissioner Stacy Connole
Commissioner Tom Applegate

Andrea Scheele, Executive Director

City of Seattle
Public Safety Civil Service Commission (PSCSC)
Proposed Advisory Opinion 24-01
Issued: TBD

1. Purpose

The purpose of this Advisory Opinion's issuance by the Public Safety Civil Service Commission ("Commission"), is to clarify the process for examination protests and examination protest reviews (often referred to as "examination protest appeals") as related to promotional examinations under PSCSC Rule 9.23. The Commission hopes that this clarity will result in more consistent, transparent, and predictable outcomes in examination protest reviews in accordance with the purpose and intent of Rule 9.23.

2. Relevant Rule or Policy

Rule 9.23 of the PSCSC Rules of Practice and Procedure provides:

9.23 KEYED COPY INSPECTION AND EXAMINATION PROTEST:

- a. Any protest against the scope, content, or practicality of any part of an examination shall be filed in writing with the Seattle Department of Human Resources Director or his/her designee within three business days immediately following the administration of such part or within the time limit specified on the examination instruction sheet.
- b. When a keyed copy is provided, protests against the proposed keyed answers must be filed in writing within three business days or the time limitation specified on the examination instruction sheet. No keyed copy will be provided for inspection on standardized tests or on continuous or periodic examinations.

- c. When a qualifying grade is required on any part of an examination, those who fail to receive the qualifying grade shall be notified and any protest must be filed in writing within three business days after the notices of results have been mailed.
- d. Any protest against scoring or any allegation of clerical error in the final results of an examination must be filed in writing within three business days after the notices of results have been mailed or electronically delivered.
- e. All protests filed in accordance with this rule shall be considered and any proper corrections made. If authorized corrections are applicable to other examinees, the corrections shall be made on all examination papers affected.

3. Discussion

The PSCSC Rules of Practice and Procedure (“PSCSC Rules”) Rule 9.23 provides a process for exam protests after a promotional exam, but the rules do not describe the exam development committee’s role in considering the exam protests, nor the Commission’s role reviewing decisions on exam protests. Despite that, the past practice and status quo has been that exam development committees consider and make recommendations on filed exam protests, and the Commission conducts reviews when requested, consistent with the intent of the PSCSC Rules.

Development committee members, City staff and PSCSC Commissioners spend considerable time preparing for and attending exam protest and review meetings. Regarding this process, Commissioners spend significant time and effort familiarizing themselves with the exam, bibliographical materials, and the knowledge, skills, and abilities of the promotional rank at issue.

The Commission endeavors to be consistent and fair when deciding exam protest reviews. To that end, the Commission engaged in a process to review PSCSC Rule 9.23 to provide more consistency, clarity, and transparency related to interpretation of that rule.

4. Policy History

On February 13, 2024, the Commission had a special meeting (described as a “Working Retreat”) in which the Commissioners received an extended training session from members of the PSCSC Exams unit entitled “Exam Development and Administration.” Following that portion of the meeting, the Commissioners engaged in a discussion regarding the exam protest and review process as set forth in PSCSC Rule 9.23. In preparation for and as part of that discussion, the PSCSC Executive Director provided to the Commission a memorandum dated February 7, 2024, with a subject line stating: “PSCSC Exam Protest and Review Process.”

As part of the Commission’s February 13 meeting, the Executive Director provided background information and context regarding Rule 9.23 and the exam protest and review process, and offered recommendations related to clarifying certain aspects of the process, including as

related to the Commission's role in reviewing decisions of the exam development committee when exam protests are brought regarding such decisions. The Commission considered the information presented and deliberated about alternatives to provide further interpretive clarity regarding the process, including through the issuance of an Advisory Opinion.

At its meeting on March 21, 2024, the Commission further considered and deliberated about this matter, and the Commission adopted and issued this Advisory Opinion.

5. Findings

The Commission hereby adopts as findings what is stated above in the preceding sections of this Advisory Opinion. The Commission further adopts as findings the following:

The purpose of a promotional exam is to ensure that eligible candidates on a promotional register possess the requisite knowledge, skills, and abilities to perform the work of the rank (benchmarked by a passing exam score), and to ensure production of a register that reflects candidates' relative merit for promotion to the rank as measured by the exam. Relatedly, the purpose of an exam protest and review pathway is to ensure that exercises and questions on exams are related to the job and the knowledge, skills, and abilities of the job, and to provide a process for review of development committee decisions under PSCSC Rule 9.23.

6. Adoption of Interpretations

To clarify the exam protest and review processes under PSCSC Rule 9.23, the Commission hereby adopts the following interpretations:

1. The Commission interprets the reference in PSCSC Rule 9.23.a. to "scope, content, or practicality" to mean that the question, assessment, or exercise was related to the knowledge, skills, and/or abilities required to perform the work of the promotional rank.
2. The Commission clarifies that a "clearly erroneous" standard applies to its review of decisions by the development committee on exam protests. Under the "clearly erroneous" standard in this context, a decision of the development committee may be reversed by the Commission when, although there is evidence to support the decision, the Commission, in considering all the evidence, is left with the definite and firm conviction that a mistake has been committed. See, e.g., *Whatcom County Fire Dist. No. 21 v. Whatcom County*, 171 Wash.2d 421 (2011). This interpretation is intended to memorialize and clarify the standard of review when the Commission reviews decisions of the development committee regarding exam protests.
3. The Commission hereby clarifies that the term "review" (rather than "appeal") is to be used in relation to the process of reviewing an exam protest decision under Rule 9.23. This will reduce confusion and distinguish it from appeals filed pursuant to PSCSC Rule 6, including disciplinary action appeals (where the Commission acts in its quasi-judicial

role).

4. The Commission hereby clarifies that the process of reviewing and making decisions related to exam protests under Rule 9.23 is not a quasi-judicial process. See, e.g., *Green v. Cowlitz County Civil Service Commission, Cowlitz County*, 19 Wn.App. 210 (1978) (the civil service commission was performing an administrative rather than a quasi-judicial function when it heard appeals of examination results).
5. The Commission hereby recognizes that to the extent possible, ensuring the security and confidentiality of exam materials upholds the integrity and credibility of exam processes and reduces potential legal and reputational risk to the City of Seattle. To that end, paper copies of exam review materials will be available to exam participants and members of the public at exam protest review meetings only.

The Commission hereby directs the Executive Director to adapt administrative processes to effectuate the intent of this advisory opinion, including revision of existing administrative forms, communication with examinees, or tasks as necessary.

As Adopted by the Public Safety Civil Service Commission on March 21, 2024,

On behalf of the Public Safety Civil Service Commission
Commission Chair Richard Greene

Department Expenditures by Account - Revenues are reported as negative values

#REF!

Year 2024
 City/Depart VC000 - Civil Service Commissions Dept
 BSL - Budg:All
 Fund ID:Anr,All

Values																		
Account Grouping Level One	Account Grouping Level Two	Adopted Budget	Revised Budget	01 - Expenses	02 - Expenses	03 - Expenses	04 - Expenses	05 - Expenses	06 - Expenses	07 - Expenses	08 - Expenses	09 - Expenses	10 - Expenses	11 - Expenses	12 - Expenses	YTD Expenses	Available Balance	Percent Used
Expendit	Labor	644,162	644,162	53,335	47,946	5,562	-	-	-	-	-	-	-	-	-	106,843	537,319	16.6%
	Non-Labor	237,372	237,372	17,894	19,673	14,914	-	-	-	-	-	-	-	-	-	52,482	184,891	22.1%
Grand Total		881,534	881,534	71,229	67,619	20,476	-	-	-	-	-	-	-	-	-	159,324	722,210	18.1%

Department Expenditures by Account - Revenues are reported as negative values

0

Year 2023
 City/Depart VC000 - Civil Service Commissions Dept
 BSL - Budg:All
 Fund ID:Anr,All

Values																		
Account Grouping Level One	Account Grouping Level Two	Adopted Budget	Revised Budget	01 - Expenses	02 - Expenses	03 - Expenses	04 - Expenses	05 - Expenses	06 - Expenses	07 - Expenses	08 - Expenses	09 - Expenses	10 - Expenses	11 - Expenses	12 - Expenses	YTD Expenses	Available Balance	Percent Used
Expendit	Labor	636,080	636,080	37,694	34,871	34,860	34,848	35,064	47,593	47,990	69,028	47,774	47,768	48,080	63,045	548,616	87,464	86.2%
	Non-Labor	258,941	356,613	16,547	22,911	22,218	21,520	21,024	20,558	22,683	22,340	22,022	23,483	18,066	26,725	260,097	96,516	72.9%
Grand Total		895,020	992,692	54,241	57,783	57,077	56,368	56,087	68,152	70,674	91,368	69,797	71,252	66,145	89,770	808,713	183,979	81.5%



City of Seattle

CIVIL SERVICE COMMISSIONS

[Public Safety Civil Service Commission](#)

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Sarah Butler, Operations & Policy Advisor

Teresa Jacobs, Executive Assistant

To: Public Safety Civil Service Commission

From: Teresa R. Jacobs

Date: March 2024

Re: PSCSC Commissioners and CIV Staff Required to Submit Financial Interest Statements for Year 2023.

Hello Commissioners and CIV Staff,

Per [Seattle Municipal Code 4.16.080](#) ("Statements of financial interests"), members and staff of selected City Boards and Commissions are required to submit Financial Interest Statements (FIS) no later than **April 15, 2024**.

The FIS form is attached as well as a Directions/FAQs sheet for filling out the form.

Please fill out the attached **CY2023 FIS form Boards & Commissions** and return to me Teresa.jacobs@seattle.gov.

I will track each submission and provide a report at the commission meeting after returns are compiled. CIV has been 100% compliant with on-time return of FIS.

If you have any questions, please let me know.

Thank you.

CITY OF SEATTLE
CY2023 STATEMENT OF FINANCIAL INTERESTS – BOARDS AND COMMISSIONS

The Seattle Ethics Code (SMC Chapter 4.16) requires certain employees and members of boards and commissions to complete a financial interest statement each year. You have been identified by your department as a board or commission member who must complete one. Please complete this form and return it, **no later than April 15, 2024**, to your department's representative. If you do not know how to contact your department's representative, send your form to the Seattle Ethics and Elections Commission (SEEC). **For help completing the form, you may request a "Frequently Asked Questions" handout from your department's representative or contact the SEEC at ethicsandelections@seattle.gov.**

**PLEASE
PRINT**

BOARD or COMMISSION: _____

MEMBER NAME: _____

Definitions:

For the purposes of this form, "immediate family" means:

- a. a spouse or domestic partner, or
- b. a parent, parent of a spouse or domestic partner, child, child of spouse or domestic partner, sibling, uncle, aunt, cousin, niece, or nephew, if that person either resides with or is a dependent on the Covered Individual's most recently filed federal income tax return.

For the purposes of completing this form, purchasing utilities is not a "transaction" or an "activity."

Please answer every question by checking the appropriate box. **If you answer "yes" to any question, you must complete the corresponding numbered item on Page 2 of this form. Each question refers to the period from January 1, 2023, through December 31, 2023.**

1. In 2023, did you, or any member of your immediate family, including family members employed by the City, **receive compensation** worth \$2,500 or more from any person or entity that engaged in any transaction or activity with the City? **No** **Yes, please complete item 1 on Page 2.**

2. In 2023, did you, or any member of your immediate family, have a **direct financial interest** worth \$1,500 or more in any person or entity that engaged in any transaction or activity with the City? **No** **Yes, please complete item 2 on Page 2.**

3. In 2023, did you, or any member of your immediate family, serve as an officer, director or trustee of an entity that engaged in any transaction with the City? **No** **Yes, please complete item 3 on Page 2.**

I certify under penalty of perjury under the laws of the State of Washington that the information provided on this page and on Page 2 and on all attached sheets is true and correct and that I have made reasonable inquiry to determine the truth, accuracy, and completeness of my responses.

Signature: _____

Date: _____

Signed at _____, Washington
(City or other location must be filled in.)

EXPLANATIONS FOR “YES” RESPONSES ON PAGE 1: *(Use additional sheets if necessary.)* For help completing the form, you may request a “Frequently Asked Questions” handout from your department’s representative or contact the SEEC at ethicsandelections@seattle.gov.

1. Please provide the name and address of each person or entity from which you or an immediate family member **received compensation** valued at \$2,500 or more.

Name: _____

Address: _____

Please provide the name of each City agency involved in each of the above transactions or activities, if known:

2. Please provide the name and address of each entity in which you or an immediate family member had a direct financial interest valued at \$1,500 or more:

Name: _____

Address: _____

Please provide the name of each City agency involved in each of the above transactions or activities, if known:

3. Please indicate (i) the name of the person holding the position (you or an immediate family member); (ii) the title of the office, directorship or trusteeship held; (iii) the name and address of the entity.

Person holding the position: _____

Position held with entity: _____

Entity name: _____

Entity address: _____

Please provide the name of each City agency involved in the above transaction or activity, if known:

PLEASE RETURN TO YOUR BOARD/COMMISSION REPRESENTATIVE

City of Seattle
Financial Interest Statements (FIS)
Step-by-Step Through the FIS Form
Frequently Asked Questions
(City Board and Commission Members)

Carefully read each section of the form including the definitions. **NOTE:** Please legibly print your answers.

Department or Agency: Members of Boards and Commissions should write the name of their board or commission.

Question #1: In 2023, did you, or any member of your immediate family, including family members employed by the City, receive compensation worth \$2,500 or more from any person or entity that engaged in any transaction or activity with the City?

Q: What do you mean by “compensation”?

A: Compensation includes wages, salaries, stipends, fees, and other moneys paid to you or your immediate family members in the previous year. If you were a candidate for public office, it does not include contributions to your campaign for election, which are publicly disclosed elsewhere.

Q: My spouse works for Boeing. Do I list this here?

A: Yes if you have reason to believe that Boeing did business with the City. List every business, organization, or individual that:

1. provided compensation during the year to you or your immediate family; and
2. had dealings with the City.

Q: I have a side business. Do I list this here, or in my response to Question #3?

A: If your business or firm engaged in any transaction with the City during the year, and you received compensation from the business, you should list the business under Question #1. You should also list the firm in your response to Question #3.

Question #2: In 2023, did you, or any member of your immediate family, have a direct financial interest worth \$1,500 or more in any person or entity that has engaged in any transaction or activity with the City?

Q: I have investments through deferred compensation, privately held stocks, and other mutual funds. Do I have to list these? How do I know if they are applicable?

A: You should disclose your ownership of stocks in companies that you know do business with the City. You don't have to research whether companies in which you own stock do business with the City. However, if you know that a company in which you own stock recently completed a major deal with the City, you must disclose your ownership of that company's stock.

You don't have to disclose the individual stocks held by mutual funds in which you own shares. A mutual fund manager can sell all the fund's holdings in a particular company without your knowledge or consent. You've invested in the mutual fund, not the individual companies in which that mutual fund is presently invested.

Q: So, if I have my money in a credit union that does business with the City, I need to list the credit union here?

A: No. Neither deposits in banks, savings and loan associations or credit unions, nor insurance policies need to be reported.

Question #3: In 2023, did you, or any member of your immediate family, serve as an officer, director or trustee of an entity that engaged in any transaction with the City?

Q: Do I list my own business here or in Question #1?

A: List it here in Question #3. If your business provided you with compensation, list it in response to Question #1 as well.

Q: What do you mean by “transactions?”

A: You should consider any dealings with the City, be they contracts or settlements with the City or permits or approvals granted by the City, to be transactions for the purposes of the Code of Ethics. Purchasing utilities, though, is not a transaction.

NOTE: Be sure to carefully read the directions for this question on Page 2 of the form and identify who held the position—you or a member of your family.

#

General Questions

Q: What is the point of these Financial Interest Statements?

A: The financial interest statements help employees and managers identify potential conflicts of interest and assure the public that employees do not have conflicts of interest in City actions on which they work.

Q: Why do I need to fill out a Financial Interest Statement?

A: [Seattle Municipal Code 4.16.080](#), part of the City’s Ethics Code, specifies that people in certain positions must file a statement of their financial interests each year. Department Heads are responsible for giving the names of those people to the Seattle Ethics and Elections Commission (SEEC). The law requires that financial interest statements must be filed by individuals **who in the previous calendar year** were:

- Elected officials (**file a State F-1 with the City Clerk**)
- Department heads
- Division managers reporting directly to department heads
- Assistant City Attorneys
- The Deputy Mayor and each other member of the Mayor's staff with authority to direct the expenditure of City resources
- The City Clerk
- The City Auditor, and each employee in the City Auditor's office who conducts or supervises audits
- Employees with (a) the authority to purchase more than \$5,000 in goods and services, or (b) the authority to negotiate or execute contracts valued at more than \$5,000
- Supervisors of employees with (a) the authority to purchase more than \$5,000 in goods and services, or (b) the authority to negotiate or execute contracts valued at more than \$5,000
- Any other employees designated by the Mayor, City Council, or a Department Director
- Members of City boards or commissions (Members of advisory committees, i.e., committees that do not interpret, administer, or execute City law, do not have to complete statements.)

Q: I used to handle purchases, but I do not anymore. Why do I need to file?

A: The FIS you complete this year is for financial interests you had the previous calendar year. If your department determines that during the previous year your job fits one of the categories of people who must file, then you must file.

Q: Who looks at the Financial Interest Statements?

A: The FIS forms are available in the SEEC office for public review. Records are on file for six years.

Q: Is there any way to get off the list?

A: If you believe you should not be required to file an FIS, you need to resolve that issue within your department. The SEEC does not determine which employees should complete a financial disclosure. The SEEC, as specified by the law, adopts the list that has been submitted by the departments. This list may be amended before the filing date if a request is received by your department.

Q: Public disclosure of my family's holdings will cause us big problems. What can I do?

A: The law provides that you have a right to a hearing before the SEEC if you believe that filing would cause you "manifestly unreasonable hardship." The SEEC may, after your hearing, suspend or modify your reporting requirements if they agree that filing would cause you such hardship and that not filing would not frustrate the purposes of the Ethics Code, which include fostering "public confidence in the integrity of its government."

To be removed from the list due to hardship, the employee must file a timely (prior to April of the reporting year) written request that the Commission waive or modify the reporting requirement. Under the Commission's rules, the Commission can waive or modify the reporting requirement only if one or more of the following three conditions are met:

1. Public disclosure of the employee's financial interests would violate a legally recognizable confidential relationship.
2. The employee would be required to report information for members of his or her immediate family, and such information relates to a financial interest held by that family member under a bona fide separate property agreement, or other bona fide separate status, and the financial interest does not constitute a present or prospective source of income to the employee or to any other person who is dependent upon the employee for support in whole or in part.
3. Reporting would constitute an unreasonable hardship, and the interest in question would present no actual or potential conflict with the proper performance of the duties of the position held.

Q: What if I just don't file?

A: **Failing to file is a violation of the Ethics Code, for which you can be fined.** The Mayor's Office has also made it clear that they expect employees to comply with the FIS filing requirement. If you are identified as someone who must file, then failing to file violates the Ethics Code and subjects you to a fine from the Commission, or discipline by your department.

OPEN APPEAL/EXAM PROTEST/REQUEST FOR DECISION/COMPLAINT

Type	CASE NUMBER	APPELLANT	RESPONDENT DEPARTMENT	DATE FILED	ISSUE	Register/Exam/Position	Issue/Requested Outcome/Status	PRESIDING
A	24-01-001A	Swartz	SPD	2-14-2024	Discharge		Disciplinary appeal. Appellant is awaiting SPOG decision on possible grievance.	TBD
A	23-01-004A	Willis	SPD	11-13-2023	Suspension		Disciplinary appeal-Suspension.	PSCSC
C	24-07-001C	Collins	SFD	1-25-2024	Complaint		Complaint against SFD.	

CLOSED APPEAL/EXAM PROTEST/REQUEST FOR DECISION

Type	CASE NUMBER	APPELLANT/REQUESTOR	RESPONDENT DEPARTMENT	DATE FILED	ISSUE	Register/Exam/Position	Issue/Requested Outcome/Status	PRESIDED
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A=Appeal (PSCSC 6)
 E=Exam Protest (PSCSC 9.22)
 C=Complaint
 RRM=Request to Review or Modify (PSCSC 2.13.b)

REQUESTS FOR PROBATIONARY EXTENSION					
RPE= Request for Probationary Extension (PSCSC 12.0)					
CASE NUMBER	DEPT	DATE REQUESTED	POSITION/RANK	APPROVED/DENIED	
24-05-001RPE	Police	1/22/2024	Officer	Approved	
24-05-002RPE	Police	1/22/2024	Officer	Approved	
24-05-003RPE	Fire	1/30/2024	Firefighter	Approved	
24-05-004RPE	Fire	1/29/2024	Lieutenant	Approved	
24-05-005RPE	Fire	1/29/2024	Firefighter	Approved	
24-05-006RPE	Fire	1/29/2024	Firefighter	Approved	
24-05-006RRPE (2 nd Request)	Fire	2/15/2024	Firefighter	Approved	
24-05-007RPE	Fire	2/15/2024	Firefighter	Approved	
24-05-008RPE	Fire	2/29/2024	Firefighter	Approved	
24-05-009RPE	Police	2/29/2024	Officer	Approved	

REQUESTS FOR REINSTATEMENT					
RFR=Request for Reinstatement (PSCSC 10.03)					
CASE NUMBER	DEPT	DATE REQUESTED	POSITION/RANK	CHIEF DECISION	
24-05-001RFR	Fire	12-14-2023	Lieutenant	TBD	
24-05-002RFR	Fire	12-20-2023	Firefighter-Recruit	Recommended Reinstatement	
24-05-003RFR	Police	12-14-2023	Sergeant	Recommended Reinstatement	
24-05-004RFR	Fire	1-5-2024	Firefighter	Not Recommended	
24-05-005RFR	Police	1-14-2024	Officer	Recommended Reinstatement	
24-05-006RFR	Fire	1-11-2024	Firefighter	TBD	
24-05-007RFR	Fire	1-16-2024	Firefighter	Not Recommended	



CITY OF SEATTLE CIVIL SERVICE COMMISSIONS

APPEAL NO. 24-01-001A

FILED: February 14, 2024 ^{TRJ}

NOTICE OF APPEAL TO THE PUBLIC SAFETY CIVIL SERVICE COMMISSION

The appeal must be received by the Executive Director within 10 (ten) days, following the received date or the postmarked date of the final notice from the department to the appellant.

INSTRUCTIONS: Complete all the pages, sign and attach any documents or correspondence that you have received from the Department related to your appeal. Send by postal or hand deliver to the Executive Director, Civil Service Commissions 700 5th Avenue, Suite 1670, PO Box 94729, Seattle, WA 98124-472 or email to Andrea.Scheele@seattle.gov or Teresa.Jacobs@seattle.gov

An original signature of the appellant or authorized representative is required for appeals.

i. <u>Andrew Swartz</u>	<u>610 5th Avenue Seattle WA, 98104</u>	<u>(206) 625-5011</u>
Appellant's Full Name	Work Address	Work Telephone
<u>Police Officer</u>	<u>Patrol</u>	
Residence Address	City /State/Zip	Home Telephone/Email
<u>October 2015</u>	<u>10/7/2015</u>	<div style="background-color: black; width: 100px; height: 20px;"></div>
Job Title/Position	Department/Unit	Immediate Supervisor
Start Date in Position	City Employee Since, Month/Date/Year	Employee ID #

II. ACTION BEING APPEALED: (check one)

Suspension

Discharge

Demotion

Violation of Article XVI of the Charter of the City of Seattle, PSCSC Ordinance or PSCSC Rules
(Please list the rule): _____

Other Personnel Related Issue: (Please briefly state the issue): Termination of my employment after OPA investigation & loudermill proceedings. I was treated unfairly, unethically and with a level of hostility from OPA director Gino Betts during my loudermill hearing that clearly influenced the Chief Diaz in his final ruling of discipline in my case.

If needed, you may provide the following information on an additional sheet of paper and attach any documents or correspondence that you have received from the Department related to your appeal.

I also feel my termination may not be consistent with other cases where officers were not terminated in the past when they were arrested for a crime.
Reason for this appeal (Please include dates, location and action): During my loudmell

hearing, OPA director Betts stated as fact, accusations that were made against me that were not true from a proven through police investigation to be my case. Furthermore, Director Betts stated I "stalked" multiple people even though I was never charged with let alone convicted of any crime in my case.
Remedy Sought (What do you want?): _____

- I would ultimately like to be re-instated due to my unfair termination.

III. UNION:

WHAT IS THE NAME OF YOUR UNION ASSOCIATION OR GUILD?

Seattle Police Officers Guild Local Number: _____

I HAVE / I HAVE NOT filed a grievance on the same issues that I identified in this appeal, with my union or bargaining unit.

- This matter IS / IS NOT the subject of arbitration pursuant to a collective bargaining agreement.

IV. ATTORNEY/AUTHORIZED REPRESENTATIVE:

An Attorney or a representative is NOT required for the appeal process.

- Do you have an attorney or another person representing you for this appeal? YES NO
If yes, please have your attorney submit a **NOTICE OF APPEARANCE** to the Commission Office and Department. All documents and information related to the appeal will go to the attorney or representative.

Name: _____

Firm: _____

Address: _____

City of Seattle Civil Service Commissions

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

Tel (206) 233-7118, Fax: (206) 684-0755, <http://www.seattle.gov/CivilServiceCommissions/>

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

Email:

Signature of Attorney/Representative: (If filling out this form):

Date

A. APPELLANT:

If you do not have an attorney or a representative, please enter the address where All documents related to this appeal should be sent:

Mailing Address:

Personal Email:

Home/Cell Phone (Include Area Code):

Andrew Swartz

APPELLANT'S NAME (PLEASE PRINT)

[Signature]

SIGNATURE OF APPELLANT

2/14/24

DATE

City of Seattle Civil Service Commissions

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

Tel (206) 233-7118, Fax: (206) 684-0755, <http://www.seattle.gov/CIVServiceCommissions/>

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

I, Steven Collins, a citizen of the state of Washington, am making a complaint under 41.08.040 to the Public Safety Civil Service Commission.


My complaint is simply that Chief Harold Scoggins, administrator for the Seattle Fire Department has terminated the employment of multitudes of firefighters without cause.


Harold Scoggins has forced numerous firefighters to accept undesired retirement without cause.

Harold Scoggins has forced the resignations of firefighters without cause.

Harold Scoggins has made false claims that these firefighters failed to adhere to the mayor's vaccine mandate.

Harold Scoggins has failed to act in good faith in the commission of his duties as administrator of the Seattle Fire Dept. and made decisions based on personal animus, not acting in the best interests of the Seattle Fire Dept and the City of Seattle.


Steven Collins, Citizen

RECEIVED
CITY OF SEATTLE
Jan 25, 2024
~~Jan 25, 2024~~
() CSC () PSCSC
Received By: 
25 January, 2024

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

In the matter of the Complaint by

Steven Collins
Complainant

v.

Seattle Fire Department
Respondent

**ORDER FOR ADDITIONAL
INFORMATION**

PSCSC No. 24-07-001C

BACKGROUND

This matter was initiated by a Complaint dated January 25, 2024, by former Seattle Fire Department (“SFD”) employee Steven Collins. In his Complaint, Mr. Collins states that he is “making a complaint under 41.08.040 to the Public Safety Civil Service Commission.” Complaint, at p.1. The Complaint includes various allegations against SFD Chief Harold Scoggins as “administrator for the Seattle Fire Department.” Id. at p.1.

The Complaint does not include reference to any dates related to the alleged violations. Although the Complaint refers to “41.08.040,” which presumably is in reference to RCW 41.08.040, the Complaint does not refer to any provisions of the Public Safety Civil Service Commission (“PSCSC”) Rules of Practice and Procedure, the Seattle Municipal Code, or the City of Seattle Charter.

LEGAL AUTHORITY

As an initial matter, such complaints submitted to the PSCSC are governed in significant part by the PSCSC Rules of Practice and Procedure, including PSCSC Rule 6.19, which states:

- a. Any employee or department who is adversely affected by an alleged violation of Article XVI of the Charter of The City of Seattle, the Public Safety Civil Service Ordinance or the Public Safety Civil Service Commission Rules of Process and Procedure which does not fall under Rules 6.01(a) or (b), may within ten (10) days of the alleged violation, submit a written complaint to the Executive Director requesting review.
- b. The complaint shall follow the same as Appeals, described in Rule 6.02. The Executive Director will review the complaint and determine appropriate

action. Such action may include investigation into the alleged violation, decision by the Executive Director, and/or referral of the matter to the Commission for decision or a hearing subject to the same rules as an appeal.

ORDER FOR ADDITIONAL INFORMATION

As stated currently, the Complaint lacks material information and the PSCSC Executive Director is seeking such information before making a determination, as a threshold matter, regarding whether the PSCSC has jurisdiction over the alleged violations. See, e.g., PSCSC Rule 6.19. Although the Complaint includes general descriptions of alleged violations, material information that is missing from the Complaint includes the dates of the alleged violations at issue, descriptions regarding how the actions at issue allegedly constitute violations of provisions of the PSCSC Rules of Practice and Procedure, the Seattle Municipal Code, and/or the City of Seattle Charter, and which such provisions are allegedly violated.

Based on the foregoing, the Executive Director finds that there are deficiencies in the Complaint that must be addressed. The Executive Director is hereby providing the opportunity for Mr. Collins to submit an amended complaint to address those deficiencies. It is hereby ordered that Mr. Collins must submit an amended complaint by 4:00 PM on March 8, 2024. If an amended complaint is not timely filed, the matter shall be dismissed without prejudice for failure to comply with the PSCSC Rules of Practice and Procedure, including PSCSC Rule 6.19.

Dated this 21st day of February 2024.

FOR THE CITY OF SEATTLE PUBLIC SAFETY CIVIL SERVICE COMMISSION

Andrea Scheele

Andrea Scheele
Executive Director, Public Safety Civil Service Commission

CERTIFICATE OF SERVICE

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 FOR ADDITIONAL INFORMATION.**

Party	Method of Service
Appellant: Steven Collins [REDACTED]	<input checked="" type="checkbox"/> E-Mail
Respondent: Seattle Fire Department Katrina Kelly, Assistant City Attorney katrina.kelly@seattle.gov Deborah Fiander, Assistant City Attorney deborah.fiander@seattle.gov	<input checked="" type="checkbox"/> E-Mail

Dated this 21st day of February 2024, at Seattle, Washington.

Teresa Jacobs

Teresa R. Jacobs, Executive Assistant
Public Safety Civil Service Commission