

## WHAT SHOULD I KNOW BEFORE I FILE AN APPEAL WITH THE CIVIL SERVICE COMMISSION?

### Am I a regular employee covered under civil service?

Note that generally employees that are probationary, intermittent, or temporary are **not** covered by Civil Service. Also **not** covered are employees listed as exempt in [SMC 4.13](#) Exemptions from Civil Service Systems. Most full time regular non-probationary employees are covered.

### Have I been subjected to discipline?

If you have received a final notice of a demotion, suspension or termination you must go through the intradepartmental grievance procedure first, and then you can appeal if you file within 20 days of the conclusion of the grievance process. See [Personnel Rule 1.3](#).

### Did something happen to me that violated the Personnel Rules or SMC 4.04?

If you believe there has been a violation of the [Personnel Rules](#), [Seattle Municipal Code](#) or [City Charter](#), you must go through the intradepartmental grievance procedure first, and then you can appeal if you file within 20 days of the conclusion of the grievance process. Review the Personnel Rules and [SMC 4.04](#).

### Have I gone through the intradepartmental (internal) grievance procedure?

Effective April 15, 2013 before filing with the Commission for **both** discipline and rule violation appeals, you must first go through the intradepartmental grievance procedure. Refer to [Personnel Rule 1.3](#) [Progressive Discipline](#) and [1.4 Employee Grievance Procedure](#) and [SMC 4.04.240](#) Employee Grievance Procedure and [SMC 4.04.260](#) Appeals to Civil Service Commission. Consult with your management or human resources for additional information on the procedure within your department.

### Am I a member of a union and covered by a collective bargaining agreement?

Read your agreement and check with a shop steward or representative from your union. You may have the ability to file a union grievance. Note that you **cannot** pursue both a grievance through the union and a grievance through the Civil Service Commission. The grievance procedure through the union is a separate process from the intradepartmental grievance procedure described above. Most [collective bargaining agreements](#) can be found on the inweb through the Department of Personnel.

### Do I have the names, positions, and contact information for the parties involved and the parties that need to be notified?

This may include witnesses, management, and human resources. You may be able to find information online through the City [staff directory](#).

### Does the Commission represent me in the appeal?

The Commission is a neutral quasi-judicial forum for employees to bring appeals. Commission staff can give information about processes and procedures but cannot advise you regarding your appeal or give

you legal advice. You may consult with an attorney or have an attorney represent you through the appeal hearing at your own cost.

### **Does the Commission award attorney's fees?**

The Washington State Supreme Court ruled that an employee who recovers wages from a commission proceeding, is entitled to attorney fees under RCW 49.48.030, when requested in a separate superior court action. You may view the Decision in the case of **Arnold v. City of Seattle** [here](#)

### **What other options do I have?**

Sometimes issues can be resolved through mediation with the parties involved and parties are encouraged to explore this option. You can contact the City's [Alternative Dispute Resolution](#) program for more information. After filing you may put your appeal on "hold" while you negotiate a resolution or settlement.

For issues of discrimination, harassment and retaliation you should contact the [Seattle Office for Civil Rights](#). Appeals with those allegations are referred to SOCR and not heard by the Commission.

For allegations of ethics violations you should contact the [Seattle Ethics and Elections Commission](#). Appeals with those allegations are referred to SEEC and not heard by the Commission. For allegations of improper governmental actions or whistleblower retaliation review the procedures in SMC 4.20 Sections 800 through 860, SubChapter III - Reporting-Whistleblower Protection. Appeals with those allegations are referred to the Mayor's Office and not heard by the Commission.