



City of Seattle

CIVIL SERVICE COMMISSIONS

The Civil Service Commission

Commission Chair Amy S. Bonfrisco

Commissioner Angelique M. Davis

Commissioner Mary Wideman-Williams

Staff

Andrea Scheele, Executive Director

Teresa R. Jacobs, Executive Assistant

Special Meeting

AGENDA*

Work Retreat of the Civil Service Commission

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

DATE: Monday, October 18, 2021

TIME 1:00 pm- 4:00 pm

LOCATION: WebEx

Join from the meeting link

<https://seattle.webex.com/seattle/j.php?MTID=mf41a4d1e9fe79711b5d5adc2f368b78c>

Meeting number (access code): 1870 86 3789 Meeting password: EQmRwa7Pq78

Tap to join from a mobile device (attendees only)

+1-206-207-1700,,1870863789## United States Toll (Seattle)

+1-408-418-9388,,1870863789## 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 1870863789@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

Dial [1870863789.seattle@lync.webex.com](https://seattle.webex.com) Need help? Go to <https://help.webex.com>

Special Meeting

AGENDA

Work Retreat of the Civil Service Commission

October 18, 2021

Meeting documents will be posted to the commission website on or before the day of the meeting. <http://www.seattle.gov/civil-service-commission/monthly-meetings>

Audio/Video Tech Check

1. **CALL TO ORDER** (Chair)
2. **LAND ACKNOWLEDGMENT** (Teresa)
3. **INTRODUCTIONS** (Chair)
4. **OPENING EXERCISE**
5. **RECAP/PROGRESS APRIL RETREAT** (Andrea)
6. **RSJI DISCUSSION AND GOALS** (Commissioner Davis)
7. **ADMINISTRATION**
 - **Hiring process for CSC Hearing Officer**
8. **EXECUTIVE SESSION**
 - **Discuss performance of a public employee**
9. **ADJOURN**

NEXT MEETING:

Joint Meeting with the PSCSC

Monday, November 15, 2021 @ 2:00 p.m.

***Agendas and Special Meeting Notices:** To receive regular and special meeting agendas and Notices You may sign up at the CSC website <http://www.seattle.gov/civil-service-commission>

Request for public records can be made through the City Public Records Request Center:
<http://www.seattle.gov/public-records>

Civil Service Commission 2021 Fall Work Retreat

October 18, 2021



City of Seattle

Overview

- Land acknowledgment - TJ
- Opening- AS
- Progress update- AS and TJ
- ADA Accommodation Process
- Break
- RSJ and CSC- Commissioner Davis and AS
- Break
- Executive Session- 3:30 pm
- Close



Land Acknowledgement

We want to acknowledge that the city of Seattle and its greenspaces are on stolen Coast Salish land, specifically the ancestral land of the Duwamish, Suquamish, Stillaguamish, and Muckleshoot Tribes. We honor the traditional stewards of these lands and leaders of racial justice who continue to build vibrant communities here today.

- **Pledge:** As a step toward honoring the truth and achieving healing and reconciliation, our organization commits to open all public events and gatherings with a statement acknowledging the traditional Native lands on which we stand. Such statements become truly meaningful when coupled with authentic relationships and sustained commitment. We therefore commit to move beyond words into programs and actions that fully embody a commitment to Indigenous rights and cultural equity.

April Retreat Commitments

- Make public CSC's commitment to anti-racism (website)
- Dedicate space at each meeting to focus on racial equity
- Future work: Examine employee grievance process through anti-racist lens



Communicating our Values

Website Additions:

- [CSC Values](#)
- [RSJ and Anti-Racism](#)

Improvements:

- [Forms](#)
- [Appeals Process](#)

Next steps:

- Employee pamphlet
- Video
- Improve accessibility
- Less tell, more show

Seattle.gov
Mayor Jenny A. Durkan

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Civil Service Commission

Andrea Scheele, Executive Director

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- News & Updates
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- Decisions & Findings
- Laws, Rules & Policies
- Anti-Racism**
- Commissioners & Staff
- Contact Us

Civil Service Commission (CSC)

Our Values

What We Believe

The Civil Service Commission embraces the City of Seattle's Race and Social Justice Initiative (RSJI) and centers equitable treatment of employees. The CSC is actively working to embed racial equity in its processes and to dismantle racist structures and practices over which it has control or influence. The CSC has committed to developing specific RSJ outcomes by January 2022.

The CSC also acknowledges that we are on Indigenous land, the traditional territories of the Coast Salish people.

The Civil Service Commission is committed to doing its work in a way that is transparent, accessible, equitable, and independent.

What We Do

Current News

STAFFING UPDATE

Civil Service Commission staff will be teleworking until further notice.

Andrea Scheele, Executive Director
andrea.scheele@seattle.gov

Teresa Jacobs, Executive Assistant
teresa.jacobs@seattle.gov

COMMISSION MEETINGS

Special Meeting-Retreat of the CSC- October 18, 2021 @ 1:00-4:00 p.m. Via WebEx

See [Agendas & Minutes](#) for further information.

Meeting documents can be found in [Monthly & Special Meetings](#)

GOVERNOR'S PROCLAMATION 20-28

Open Public Meetings and Public Records Act is extended

CURRENT APPEALS & HEARINGS

FILING AN APPEAL

See [Appeals Process](#) for further information

CITY HOLIDAYS

Progress update, cont.

Outreach - CSC, civil service system, rights, and processes

- Human Resources Leadership Team (HRLT)- All departments
- Seattle Municipal Court
- SDOT (People Logistics and Culture)
- Labor Relations negotiators
- Class Comp
- Law, Mayor's Office, Legislative Departments
- Up next: IT, Finance and Admin Services, SPD, Office of Hearing Examiner

Anti-Harassment/Anti-Discrimination

- Bystander Intervention Training
- Preventing Discrimination in the Workplace Training

ADA in Public Accommodation Training

- 10-unit ADA course series
- Developed disability accommodation process

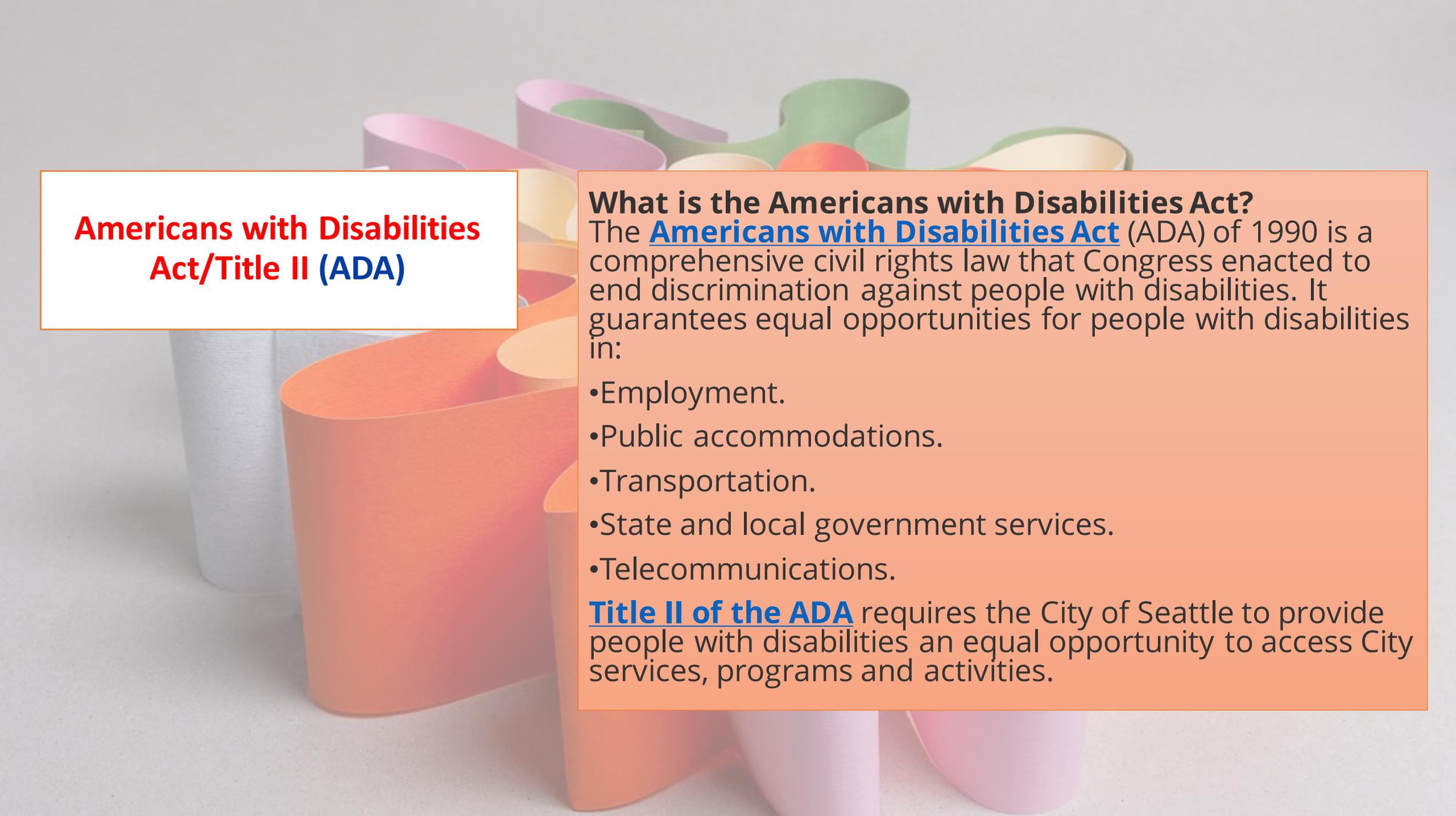


Accommodations

REASONABLE ACCOMMODATIONS FOR CIVIL
SERVICE COMMISSION
MEETINGS AND HEARINGS



City of Seattle



Americans with Disabilities Act/Title II (ADA)

What is the Americans with Disabilities Act?

The [Americans with Disabilities Act](#) (ADA) of 1990 is a comprehensive civil rights law that Congress enacted to end discrimination against people with disabilities. It guarantees equal opportunities for people with disabilities in:

- Employment.
- Public accommodations.
- Transportation.
- State and local government services.
- Telecommunications.

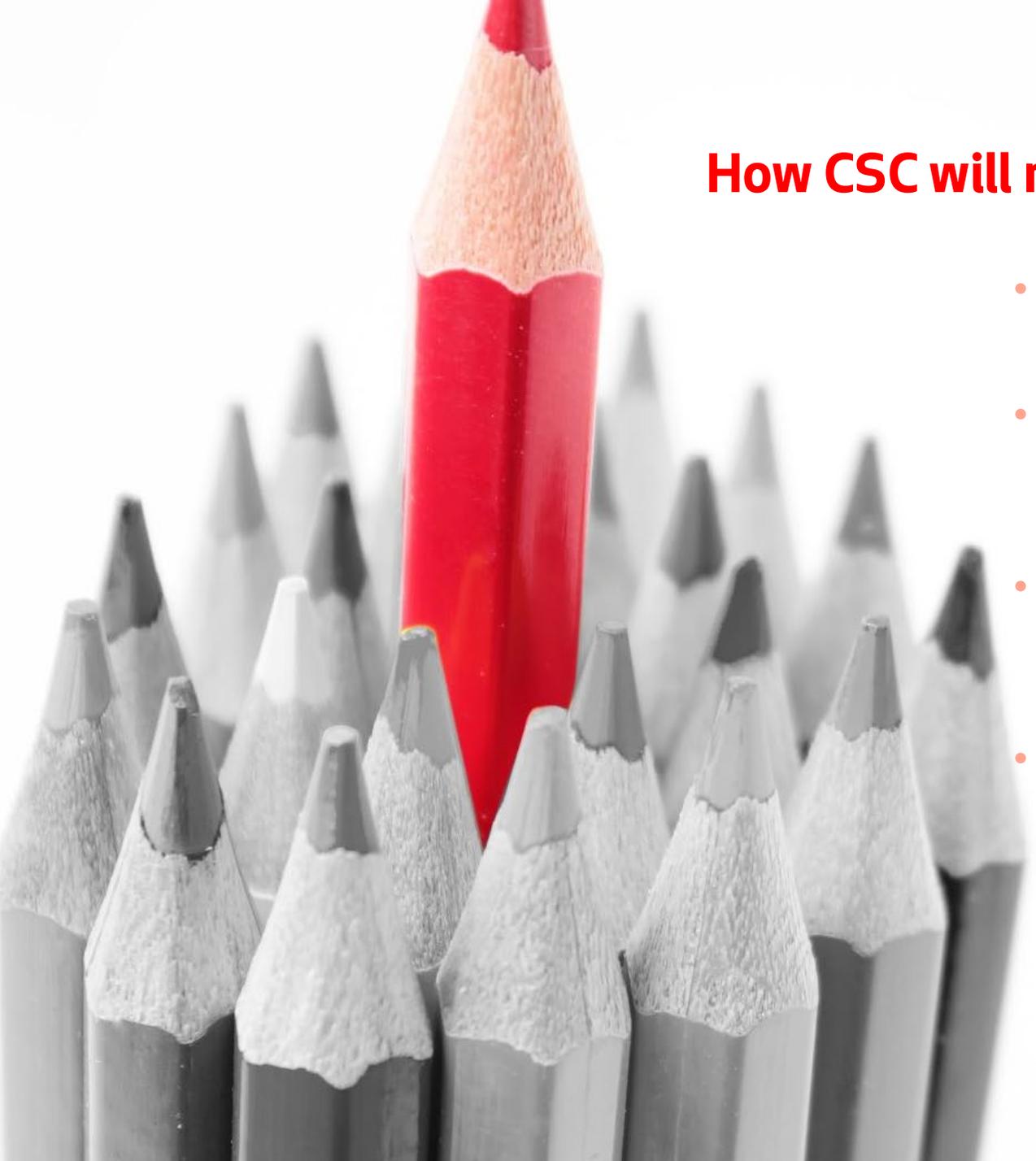
[Title II of the ADA](#) requires the City of Seattle to provide people with disabilities an equal opportunity to access City services, programs and activities.

CSC follows these 7 Steps to fulfill an accommodation request*

1. **Identify:** Is an accommodation needed, and what is it?
2. **Time factor:** Is extra time required, or can it be addressed immediately?
3. **Knowledge:** Do I know how to make those arrangements myself?
4. **Research:** Do I need to do research to make the arrangements?
5. **Resources:** Use the **City of Seattle ADA** resources to help with research.
6. **Referral:** If someone else in your department is responsible for fulfilling requests, refer the request to them in a timely manner
7. **Reach out:** If you encounter a roadblock or don't know how to fulfill the request, who should you contact?

[City of Seattle ADA](#) Title II Compliance Program

***Follow Up:** Check in with the requester to find out if their needs were met. Use feedback for future requests.



How CSC will maintain ADA compliance

- **Be thoughtful with content-**
 - Website content ADA compliant.
- **Stay informed on standards-**
 - Compliance standards that are ever-changing, especially as more tools are introduced.
- **Bring in an expert-**
 - Accessibility Resources via ADA monthly meetings and online training through Cornerstone.
- **Give them a way to address concerns-**
 - Email, phone and survey.



Break #1
15 minutes

CSC Racial Equity Foundation

We recognize CSC's role as part of a racist institution, and actively work to:

- Undo past harm;
- Embed equity in every aspect of the CSC's function;
- Help dismantle existing racist structures and practices.



We know that:



Facially neutral policies, practices, rules can have a discriminatory impact on employees



Employees are filing fewer appeals than in past years



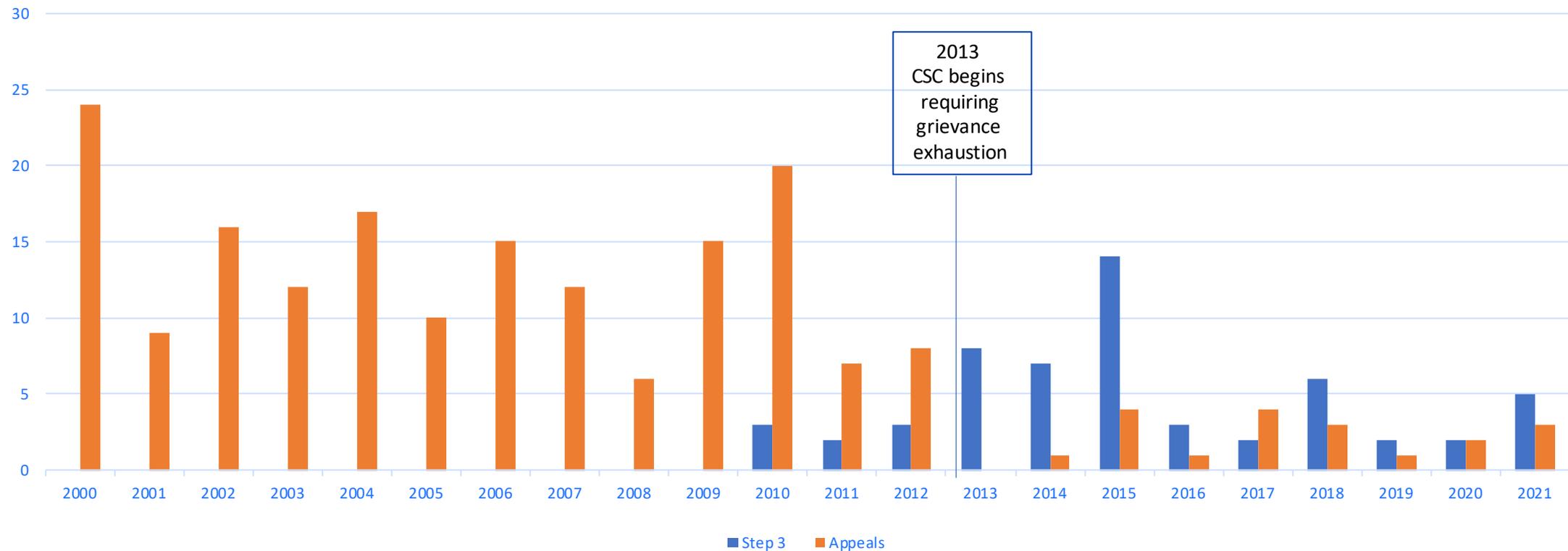
CSC has not historically kept demographic data



What have you observed?



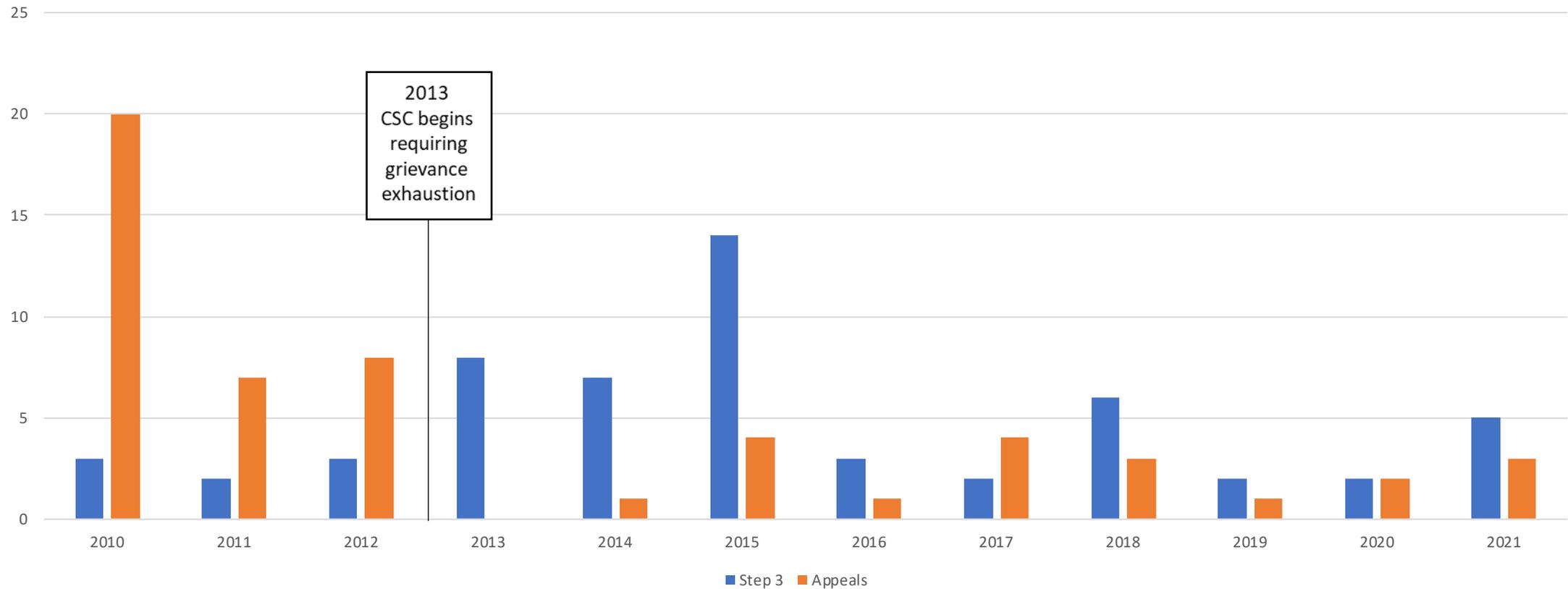
Step 3 grievances and appeals over time 2000-2021



- Step 3 data not currently available prior to 2010.
- Table includes all appeals filed, including classification grievances.



Step 3 grievances and appeals over time 2010-2021



Grievance /Exhaustion History

Pre-1978

SMC included grievance, exhaustion; enforcement seems to have been spotty

1978

Personnel Department directed to create Personnel Rules. PRs request exhaustion of intradepartmental grievance procedure.

2002

SMC clarified non-repped and represented employees could use process

2013

Personnel Rules updated. Made clear exhaustion requirement.

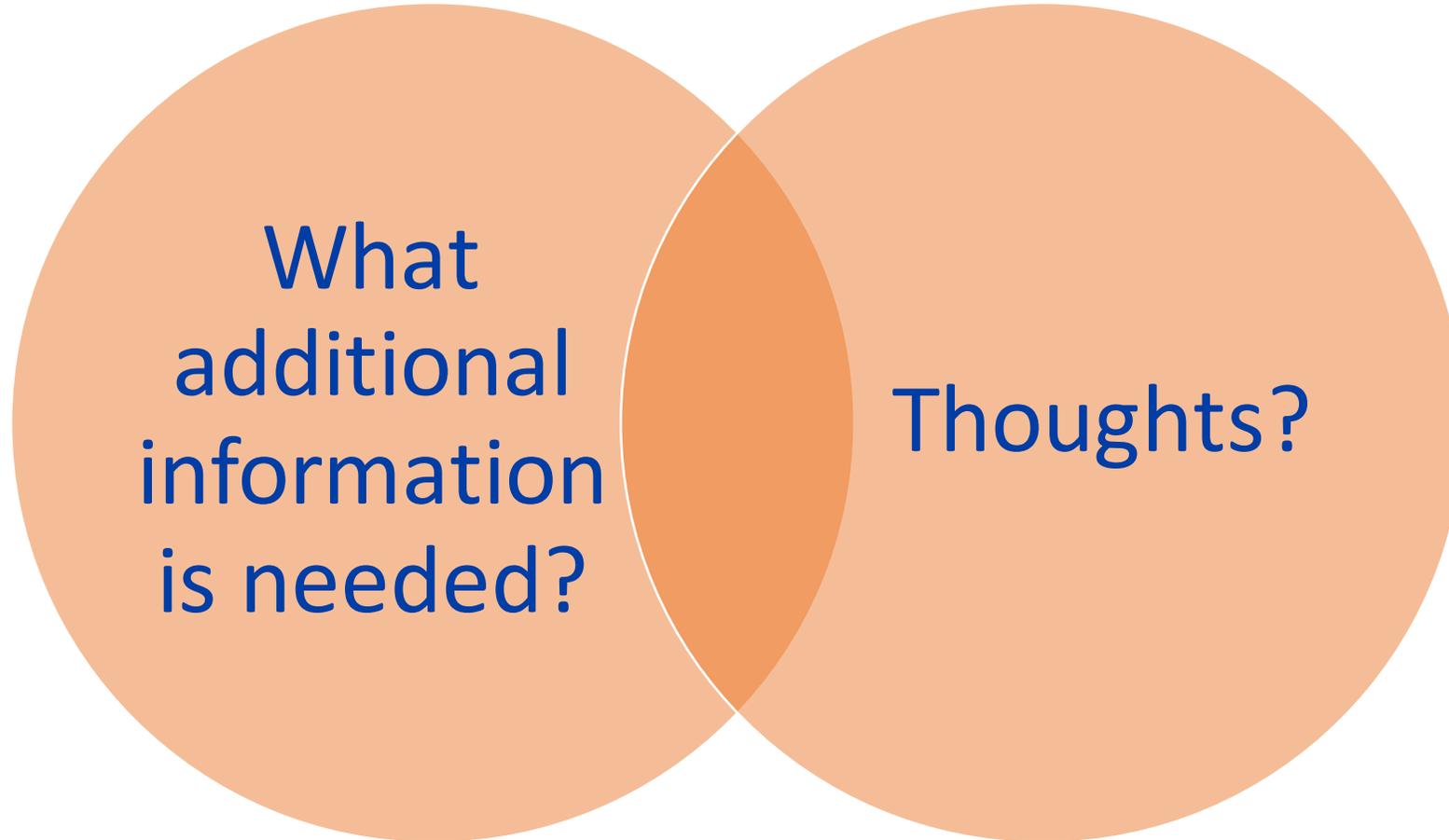
CSC began requiring exhaustion before accepting an appeal.

2014

SMC required department inform employee, in writing, of outcome of Step 3 grievance and notice of employee's right to appeal to the CSC within 20 days.



Pause, Reflect



4.04.240 - Employee grievance procedure.

- A. The Seattle Human Resources Director shall establish rules for the presentation of non-exempt employee grievances in succession, to an employee's immediate supervisor, to the division manager, and to the head of the department for a written decision if necessary.
- B. The Director may advise and assist the head of a department in resolving a grievance and shall seek consistency of treatment of like grievances among the departments, offices, boards, and commissions of the City.
- C. An employee who is represented under the terms of a collective bargaining agreement between the City and an authorized bargaining unit may use the employee grievance procedure authorized herein in lieu of the grievance procedure provided by his or her collective bargaining agreement only when the collective bargaining agreement does not include provisions governing the action the employee wishes to challenge. In no event shall an employee submit the same grievance under more than one recognized grievance procedure.
- D. The head of the department shall inform the employee, in writing, of the outcome of the grievance. Such communication shall include notice of the employee's right to appeal to the Civil Service Commission within 20 days in accordance with section 4.04.260.

(Ord. 124567 , § 18, 2014; Ord. 124454, § 5, 2014; Ord. 120936 § 1, 2002; Ord. 107790 § 22, 1978.)



SMC 4.04.260 - Appeals to Civil Service Commission

- A. A regular employee who is aggrieved thereby may appeal to the Civil Service Commission his/her demotion, suspension, termination of employment, or violation of this Chapter 4.04 or rules passed pursuant thereto, provided that the employee first exhausts the intradepartmental grievance remedies under Section 4.04.240 and the Personnel Rules.
- B. An appeal must meet the following requirements:
 - 1. The employee must provide a concise statement of the reason for appeal.
 - 2. The employee must file the appeal with the Civil Service Commission within 20 days of the appointing authority's final written response to the employee's grievance under subsection 4.04.240.D.

...

*The Personnel Rules no longer refer to the intradepartmental grievance procedure. We may recommend it be updated to the Employee Grievance Procedure.



City of Seattle

What is the grievance procedure?

• Personnel Rule 1.4.2

Personnel Rule 1.4 – Employee Grievance Procedure

1.4.0 Authority

SMC 4.04.050 and subsequent revisions thereto, Rule-making Authority

SMC 4.04.240 and subsequent revisions thereto, Employee Grievance Procedure

SMC 4.04.260 and subsequent revisions thereto, Appeals to Civil Service Commission

1.4.1 Application of this Rule

- A. The provisions of this Rule apply to regularly appointed employees who have probationary, trial service or regular status except as specifically provided within the Rule.
- B. This Rule does not apply to employees who are exempted by state law, the City Charter or SMC Chapter 4.13 from compliance with the Personnel Rules or SMC Chapter 4.04 related to selection, discipline, termination or appeals of personnel actions to the Civil Service Commission.
- C. The provisions of this subchapter shall be applied to employees of the Seattle Municipal Court except where they conflict with any policies or procedures of the Court and/or General Court Rule 29.

1.4.2 Procedure

- A. A regular, trial service or probationary employee may initiate a grievance when there is a disagreement between the employee and his or her supervisor or employing unit concerning the proper application of provisions of the Seattle Municipal Code Chapter 4.04 or Personnel Rules and any policies or procedures adopted pursuant thereto, except as follows:
 1. An employee who is represented under the terms of a collective bargaining agreement between the City and an authorized bargaining unit may utilize this grievance procedure to grieve the improper application of provision of the Seattle Municipal Code Chapter 4.04, or the Personnel Rules, policies and procedures adopted pursuant thereto. Alleged violations of the collective bargaining agreement are not grievable using the procedure provided in this Rule.
 2. The classification and compensation decisions rendered by the Seattle Human Resources Director are not grievable under this Personnel Rule. An employee may, however, grieve an alleged violation of any provisions of SMC 4.04, the Personnel Rules and policies or procedures adopted pursuant thereto that govern the processes of classifying and setting compensation for employment positions if the employee believes that those processes were not followed.
- B. The employee grievance procedure shall consist of three steps. In an effort to expedite the grievance process, grievances shall be filed at the step in which there

Personnel Rule 1.4
Revised April 2013

Chapter 1, page 20

is authority to adjudicate, provided that the supervisor(s) be notified of any step that is skipped. If the employee and the department are not able to agree on which step the grievance shall be initiated, the employee shall file the grievance at Step One. The employee and his or her departmental management shall make a reasonable effort to settle grievances at the lowest possible step.

1. Step One. The employee shall present a written request for a meeting with his or her immediate supervisor within 20 calendar days following the grievable incident. At the meeting, the employee shall identify
 - a. The grievable incident;
 - b. The provision of Seattle Municipal Code Chapter 4.04 or the Personnel Rule or policy or procedure adopted pursuant thereto that he or she believes was improperly applied, and
 - c. The remedy he or she seeks.

Within 14 calendar days of the meeting, the supervisor shall provide a response, verbally or in writing, to the grievant, indicating whether the supervisor found that the grievance has merit, the reasons for that determination, and, if the grievance has merit, what remedy he or she proposes.

If the supervisor does not have the authority to resolve the grievance or denies the grievance at Step One, the supervisor shall instruct the employee that he or she may proceed to Step Two.

2. Step Two. If the grievance is not resolved at Step One, the employee shall present the grievance in writing to his or her division director within 14 calendar days following receipt of the Step One response. The employee's written description of his or her grievance must be signed and dated and shall include the information provided at Step One as well as an explanation of why the employee found the Step One outcome unacceptable. If the grievance is initially submitted at Step Two, the employee shall present the grievance in writing to his or her division director within 20 calendar days of the grievable incident. The employee's written description of his or her grievance must be signed and dated and shall include the information required at Step One.

The division director shall provide a written response within 14 calendar days of the presentation of the Step Two grievance, informing the grievant of the outcome of his or her review and any proposed remedy. Denial of the grievance shall permit the employee to proceed to Step Three.

If the division director denies the grievance, does not have the authority to resolve the grievance, or if the division director is the employee's immediate supervisor and has responded to the grievance at Step One, the division director shall instruct the employee that he or she may proceed to Step Three.

Personnel Rule 1.4
Revised April 2013

Chapter 1, page 21

3. Step Three. If the grievance is not resolved at Step Two, the employee shall submit a Step Three grievance to the City Seattle Human Resources Director within 14 calendar days after the date of the division director's response. The Step Three grievance shall consist of:
 - a. The written Step Two grievance;
 - b. The division director's response to the Step Two grievance;
 - c. An explanation of any and all reason(s) the employee finds the Step Two response unacceptable; and
 - d. A cover sheet signed and dated by the grievant that clearly identifies the submittal as a Step Three grievance.

If the grievance is initially submitted at Step Three, the employee shall present the grievance in writing to the Seattle Human Resources Director within 20 calendar days of the grievable incident. The employee's written description of his or her grievance must be signed and dated and shall include the information required at Step One.

The Seattle Human Resources Director shall review the grievance and may meet with the grievant and any other individuals the Director identifies as having additional relevant information about the grievable incident. The Seattle Human Resources Director shall provide a report of his or her investigation to the grievant and the grievant's appointing authority within 14 calendar days after receipt of the Step Three grievance or within 7 calendar days after meeting with the grievant, whichever is later.

In addition, the Seattle Human Resources Director shall provide to the appointing authority a confidential recommendation for resolution of the grievance. The appointing authority may consider the Seattle Human Resources Director's recommendation for resolution, but he or she shall be responsible for determining the grievance resolution.

The appointing authority will answer the grievance setting forth his or her decision in writing within seven (7) calendar days after receipt of the Seattle Human Resources Director's recommendation. The appointing authority shall notify the employee of his or her right to appeal the suspension, demotion or termination to the Civil Service Commission.

- C. The timelines provided in Personnel Rule 1.4.2 B may be extended by mutual written agreement of the aggrieved employee and the appropriate management representative at the relevant step. The employee's failure to comply with these timelines, absent an agreement to extend them, shall constitute his or her withdrawal of the grievance. Failure of the appropriate management representative to comply with these timelines shall allow the employee to proceed to the next step.

1.4.3 Alternative Dispute Resolution

Personnel Rule 1.4
Revised April 2013

Chapter 1, page 22



PR 1.4.4 Appeal to Civil Service Commission

If a regular employee exhausts this grievance procedure and remains dissatisfied with the outcome of an action that falls within the jurisdiction of the Civil Service Commission, he or she may file an appeal with the Civil Service Commission in accordance with Seattle Municipal Code Section 4.04.260:

A. In order to appeal an action that is upheld by the grievance process, the employee must file a “Notice of Appeal” with the Civil Service Commission within 20 calendar days of the delivery of the Step Three grievance response.

B. The 20 calendar days begins to run on the date of delivery of the notice of the Step 3 grievance response and right to appeal is given to the employee personally or delivered by messenger to the employee’s most recent address as shown on departmental records. If the notice of grievance response and right to appeal is mailed, the 20 calendar days begins to run on the third calendar day after the notice is mailed.



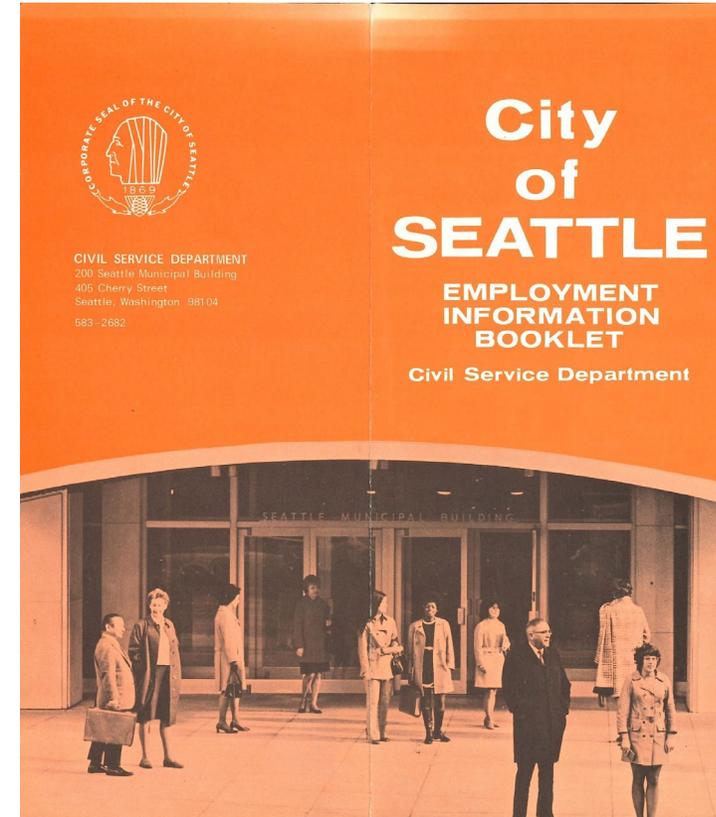
Open discussion

- Do we know who is most impacted?
- Can we identify barriers?
- Do we need more data/information?
- Short term goal? Longer term goal?
- How to measure success?



Break #2

15 minutes (if needed)



Executive Session

- To discuss performance of a public employee
- 3:30 pm

