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

**MICHAEL CHIN,**  
Appellant,

vs.

**SEATTLE POLICE DEPARTMENT**

**CITY OF SEATTLE**  
Respondent

**Summary Decision**

**PSCSC No. 08-006**

**I. Introduction**

In order to apprise the parties of the nature of the Commission's decision in a case, the Commission has decided to experiment with issuing a Summary Decision as soon as practicable after the conclusion of a hearing. The Commission will later issue final Findings of Fact, Conclusions of Law, and an Order. It is the Commission's intent that applicable time periods, for example appeal time periods, begin to run only upon issuance of the written Findings of Fact, Conclusions of Law, and Order.

**II. Summary Decision**

1           1. The Seattle Police Department did not meet its burden of proving it had  
2 just cause to suspend Appellant Michael Chin for 15 days. The Commission  
3 therefore orders the Department to reverse the suspension and to make Appellant  
4 Chin financially whole for earnings and benefits he lost as a result of the  
5 suspension.

6           2. Appellant Chin met his burden of proving that the Department did not  
7 have just cause to transfer him from the Traffic Unit. The Commission therefore  
8 orders the Department to reassign Appellant Chin to the Traffic Unit and to make  
9 Appellant Chin financially whole for earnings and benefits he lost during the time  
10 period between the date the Department transferred him from the Traffic Unit until  
11 the date upon which the Department transfers Appellant Chin back into the Traffic  
12 Unit, including the average amount of on-duty overtime worked by other officers  
13 assigned to the Traffic Unit during that period.

14           3. The Commission concludes that the Department may, and indeed should,  
15 establish reasonable generally applicable controls regarding on-duty overtime.  
16 Such controls could include generally applicable mandatory reporting and/or  
17 policies establishing maximum overtime hours that may be worked during a  
18 particular period of time. However, in the absence of such generally applicable  
19 controls, the Department did not have just cause to impose discipline on Appellant  
20 Chin in the form of a mandatory overtime reporting requirement that applied only to  
21 him.

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