

1 Department; Mike Edwards, President, Seattle Police Officers Guild; Alan
2 Bernstein, Appellant.

3 1.1.5 Commission. Testimony, documentary evidence, memoranda and arguments
4 have been received and evaluated. The Commission now makes the following
5 Findings of Fact, Conclusions and Order.

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7 **II. FINDINGS OF FACT**

8 2.1 Alan Bernstein is a Sergeant with the Seattle Police Department.

9 2.2 On March 22, 1997, he took the Commission examination for Police Lieutenant.

10 2.3 Exam results were published on August 29, 1997 and Sergeant Bernstein was
11 among the candidates in the top 25% of the eligibility register.

12 2.4 Sergeant Bernstein appeared before the Senior Leadership Team (SLT) but was
13 not promoted to the position of Police Lieutenant.

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15 **III. CONCLUSION OF LAW**

16 3.1 Alan Bernstein is a Police Sergeant for the Seattle Police Department. The
17 Commission has jurisdiction over the subject matter of and the parties to this action.

18 3.2 At the hearings held on November 17, 1999 and February 2, 2000, the
19 Commissioners heard testimony and reviewed evidence.

20 3.3 We have determined that the Seattle Police Department has not violated the
21 rules of the Commission and that the Department acted properly with regard to the selection
22 process used to select candidates. This process did not constitute a test and was within the
23 prerogative of the Police Chief.

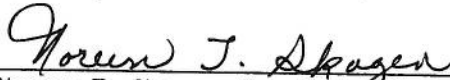
24 3.4 We agree with Commissioner James A. Fossos to the extent of the jurisdiction
25 of the Public Safety Civil Service Commission.

1 IV. ORDER

2 Therefore, the actions of the Seattle Police Department are sustained.

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4 Signed at Seattle, Washington this 31st day of May, 2000.

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6 PUBLIC SAFETY CIVIL SERVICE COMMISSION
OF THE CITY OF SEATTLE

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8 
9 Noreen T. Skagen, Commission Chairperson

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12 Barbara A. Laners, Commissioner

13 DISSENTING: (See Minority Report)

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James A. Fossos, Commissioner

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23 (Appeals/Bernstein052300)