



Public Safety Civil Service Commission

Public Safety Civil Service Commissioners:

James A. Fossos

Barbara Laners

Noreen Skagen

Secretary and Chief Examiner

Ruby Dell Harris

BEFORE THE PUBLIC SAFETY CIVIL SERVICE COMMISSION

In the Matter of the Appeal of) Findings of Fact, Conclusions of Law
Lawrence D. Woodson) and Order

I. INTRODUCTION

On March 23, 1999, a hearing was held at the Public Safety Civil Service Commission office regarding the disciplinary action taken against Lawrence D. Woodson. Firefighter Woodson was given a one-shift suspension by Fire Chief James E. Sewell for failure to obey a direct order from a class instructor.

1.1 Appearances

1.1.1 Appellant: Firefighter Lawrence Woodson was represented by Charles Hawkins, Director, Local 27.

1.1.2 Department: The Seattle Fire Department was represented by Ginger James, Personnel Director.

1.1.3 Witnesses (for Appellant): James Babcock, Seattle Fire Department. (Witness Carol Pfeiffer was unable to attend due to illness.)

1.1.4 Witnesses (for Department): Assistant Chief Don Taylor, Seattle Fire Department; Battalion Chief Mitch Shlosser, Seattle Fire Department; and acting Captain Randy Hansen, Seattle Fire Department. Chief Taylor met with Secretary and Chief Examiner Ruby Dell Harris, Charles Hawkins, and Ginger James on March 19, 1999 due to his vacation plans on the scheduled March 23, 1999 hearing date. His testimony was recorded and played at the hearing on March 23, 1999.

- 1.2 Commission: The hearing was conducted by Commission Chairperson James A. Fossos, Commissioners Barbara Laners and Noreen Skagen. Testimony, documentary evidence, memoranda and arguments have been received and evaluated. The Commission now makes the following Findings of Fact, Conclusions of Law and Order.

II. FINDINGS OF FACT

Firefighter Lawrence Woodson attended a class on Weapons of Mass Destruction on May 6, 1998.

- 2.1 At this class, the instructor, Fire Capt. Randy Hansen noticed Firefighter Woodson dozing off and, after one of the breaks, Firefighter Woodson moved to the rear table of the room. Fire Capt. Hansen testified he asked Firefighter Woodson to return to his original seat near the middle of the room. Fire Capt. Hansen solicited the aid of Fire Battalion Chief Jim Morton to assist in this matter.
- 2.2 Firefighter Woodson was asked on two separate occasions, but not directed, to return to his seat. The third time Firefighter Woodson was then directed to return to his seat immediately but refused Capt. Hansen's direct order.
- 2.3 Fire Captain Hansen wrote up the incident and recommended 60 demerits.
- 2.4 The recommendation went through the chain of command with the final decision made by Chief James A. Sewell for a one (1) shift suspension.
- 2.5 Firefighter Woodson appealed the one-shift suspension on basis that the discipline was too harsh for the incident.

III. CONCLUSIONS OF LAW

- 3.1 Lawrence Woodson is a firefighter with the City of Seattle Fire Department. The Commission has jurisdiction over the subject matter of and the parties to this action.
- 3.2 At the hearing held on March 23, 1999, the Commissioners heard testimony and reviewed evidence.

Lawrence Woodson
Findings of Fact

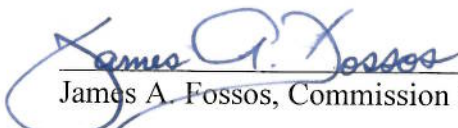
- 3.3 The Commissioners determined that a violation did occur and that charges were warranted.
- 3.4 Based on the testimony, Commissioners James A. Fossos and Barbara Laners overturned the one (1) shift suspension and ordered thirty (30) demerits and sixty (60) days probation for Firefighter Woodson. The minority vote of Commissioner Noreen Skagen sustained Chief James Sewell decision of a one (1) shift suspension. The majority and minority reports are attached.

IV. ORDER

That the one (1) shift suspension ordered for Firefighter Lawrence Woodson be reduced to thirty (30) demerits and sixty (60) days probation.

Signed at Seattle, Washington on April 7, 1999.

PUBLIC SAFETY CIVIL SERVICE COMMISSION



James A. Fossos, Commission Chairperson (Majority Vote)



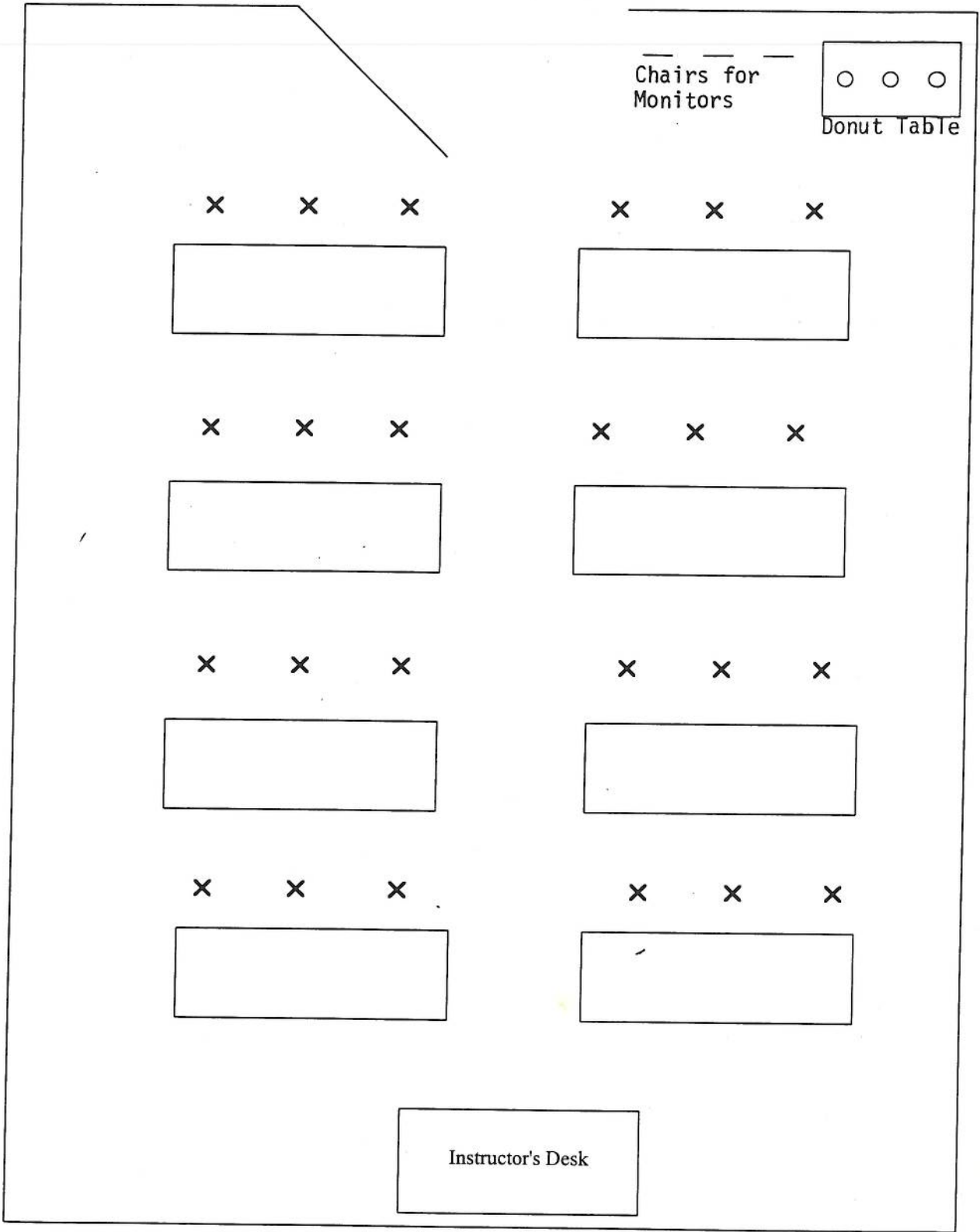
Barbara Laners, Commissioner (Majority Vote)



Noreen Skagen, Commissioner (Minority Vote)

Attachments

(Appeals/WoodsonFOF)



X = Chairs



City of Seattle

Paul Schell, Mayor

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

In the matter of the Appeal of)
Lawrence D. Woodson)

MAJORITY REPORT

MAJORITY REPORT from the Commission Hearing Held on March 23, 1999

In the matter of the Lawrence D. Woodson's appeal of his one-shift suspension by the Seattle Fire Department, the Commissioners determined a violation did occur and that charges were warranted.

A majority of the Commissioners recommends that under 6.1 Table of Offenses and Penalties, Section B, that a penalty of Intermediate Insubordination did occur and that 30 Demerits and 60-day probation be assessed against Fire Fighter Woodson for his actions that took place in a training class given by the Seattle Fire Department on May 6, 1998. It was the feeling of the majority Commissioners that Fire Fighter Woodson understands that his behavior was wrong and that it will not be tolerated in the future.

Signed at Seattle, Washington on April 7, 1999.

PUBLIC SAFETY CIVIL SERVICE COMMISSION OF THE CITY OF SEATTLE


James A. Fossos, Commission Chairperson (Majority Vote)


Barbara A. Laners, Commissioner (Majority Vote)

(Appeals/Woodson-MajVote)





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

In the matter of the Appeal of)
Lawrence D. Woodson) MINORITY REPORT

MINORITY REPORT from the Commission Hearing Held on March 23, 1999.

In the matter of the Lawrence D. Woodson appeal of his one-shift suspension by the Seattle Fire Department, the Commissioners determined a violation did occur and that charges were warranted.

A minority of the Commissioners recommends that under 6.1 Table of Offenses, Section C, that a violation of Major Insubordination did occur and that the penalty of One Shift be assessed against Fire Fighter Woodson for his actions that took place in a training class given by the Seattle Fire Department on May 6, 1998.

Based on the testimony, Commissioner Noreen Skagen determined that Firefighter Woodson was asked by the Instructor, Fire Captain Randy Hansen, to return to his original seat in the classroom on two separate occasions, and Firefighter Woodson ignored Captain Hansen's requests. Firefighter Woodson was then directed by Captain Hansen to return to his seat immediately and Firefighter Woodson refused Captain Hansen's direct order. A One Shift suspension is the lowest penalty allowed under 6.1, 1c: "Refusal to obey legitimate orders," (in a non-emergency situation). Commissioner Skagen concurs with the Majority Report that Firefighter Woodson understands that his behavior was wrong and that it will not be tolerated in the future. She disagrees that the level of the offense should be reduced to Intermediate Insubordination, an offense that is defined as: "Disrespect, insolence or like behavior," behavior that is disruptive and offensive but does not rise to the level of refusing to obey the direct order of a commanding officer.

Signed at Seattle, Washington on April 7, 1999.

PUBLIC SAFETY CIVIL SERVICE COMMISSION
OF THE CITY OF SEATTLE

Noreen T. Skagen (Minority)
Noreen T. Skagen, Commissioner

