



## CIVIL SERVICE COMMISSIONS

Public Safety Civil Service Commission

Commissioner Richard Greene, Chair

Commissioner Stacy Connole

Commissioner Tom Applegate

## Staff

Andrea Scheele, Executive Director

Sarah Butler, Operations & Policy Advisor

Teresa Jacobs, Executive Assistant

## PUBLIC SAFETY CIVIL SERVICE COMMISSION MEETING AGENDA\*

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

**DATE:** Friday, October 25, 2024

**TIME:** 10:00 a.m.

**LOCATION:** In person @ **SMT Room 1679**-Seattle Municipal Tower, 700 5th Ave, Seattle, WA 98104.

At the 4th floor main building entry security desk, request elevator access to 16th floor and follow the signs to 1679.



### MS Teams Town Hall Meeting Login:

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_YTE3MDcxOWEtNmFhMC00MzgwLTkyOGMtZDg0MDA1ZGE5ZjAw%40thead.v2/0?context=%7b%22Tid%22%3a%2278e61e45-6beb-4009-8f99-359d8b54f41b%22%2c%22Oid%22%3a%220cc67185-726d-44dc-b9dc-4e989f1dfbad%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_YTE3MDcxOWEtNmFhMC00MzgwLTkyOGMtZDg0MDA1ZGE5ZjAw%40thead.v2/0?context=%7b%22Tid%22%3a%2278e61e45-6beb-4009-8f99-359d8b54f41b%22%2c%22Oid%22%3a%220cc67185-726d-44dc-b9dc-4e989f1dfbad%22%7d)

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<https://www.seattle.gov/public-safety-civil-service-commission>



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

**Agenda**

**October 25, 2024 @ 10:00 AM**

Location: MS Teams & SMT 1679

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- A. CALL TO ORDER** Commission Chair (PSCSC 2.04)  
**LAND ACKNOWLEDGEMENT**  
**MEETING GUIDELINES**
- 
- B. INTRODUCTIONS**
- 
- C. PUBLIC COMMENT: GENERAL**
- 
- D. APPROVAL OF MINUTES** September 19, 2024, Meeting
- 
- E. ITEMS OF BUSINESS**
- 1. FIRE AND POLICE EXAM UNIT UPDATES**
    - a. Police Exams (Rachael Schade, Police Exams Administrator)
    - b. Fire Exams (Yoshiko Grace Matsui, Fire Exams Administrator)
    - c. Fire and Police Staffing (Hiring/Attrition Numbers)
  - 2. EXECUTIVE DIRECTOR BUDGET & DEPARTMENTAL UPDATES**
    - d. Budget Update
    - e. Department Update
  - 3. CASE STATUS REPORT/APPEAL UPDATES**
    - f. Hill v. SPD-PSCSC No. 24-01-004A
    - g. Dron v. SFD-PSCSC No. 24-01-005A
    - h. Englund v. SPD-PSCSC No. 24-01-006A
    - i. Willis v. SPD-PSCSC No. 24-01-007A
  - 4. RULEMAKING- PSCSC Rule 9- EXAMINATIONS**
    - j. Executive Director – Briefing on Proposals
      - a. PSCSC Rule 9.12-Passing Grade
      - b. PSCSC Rule 9.23-Keyed Copy Inspection and Protest
    - k. Public Comment on Rulemaking- 9.12 and 9.23
    - l. Discussion and Possible Vote
  - 5. 2025 EXAM SCHEDULE**
    - a. Discussion and Possible Vote
- 
- F. EXECUTIVE SESSION** May be cancelled if not needed
-

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**G. OLD/NEW BUSINESS**

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**H. ADJOURNMENT**

**Next Meeting Date: November 21, 2024 @ 10:00 a.m.  
(Joint Meeting of the PSCSC and CSC)**

**November 21, 2024 @ 11:15 a.m. (PSCSC Meeting)**

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

**Meeting Minutes**  
**September 19, 2024 @ 10:00 AM**  
Location: Teams & SMT 1679

- 1. CALL TO ORDER  
LAND ACKNOWLEDGEMENT** Commission Chair (PSCSC 2.04)

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Commission Chair Greene called the meeting to order at 10:03 a.m.
- 2. ATTENDEE INTRODUCTIONS** Commissioner Greene gave attendees an opportunity to introduce themselves. The following people were present: PSCSC Commissioners: Stacy Connole and Tom Applegate. Commission Staff: Andrea Scheele, Executive Director; Sarah Butler, Operations & Policy Advisor; and Teresa Jacobs, Executive Assistant. Commission Counsel/ Assistant City Attorney: Joe Levan and members of the public were also present. Not present: Anne Vold, Assistant City Attorney.

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- 3. PUBLIC COMMENT** There was no written comment, and no members of the public requested to give public comment.

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- 4. APPROVAL OF MINUTES** July 25, 2024, PSCSC Monthly Meeting-Corrected Minutes. The minutes have been corrected to reflect the time of adjournment of the meeting, rather than the next meeting date, as was incorrectly recorded in the minutes approved by the commission at the August 19, 2024, meeting. *Commissioner Greene moved to accept the minutes as corrected. Commissioner Connole seconded the motion. The minutes were approved by acclamation.*

August 22, 2024, PSCSC Monthly Meeting. *Commissioner Greene moved to accept the minutes as corrected. Commissioner Connole seconded the motion. The minutes were approved by acclamation.*

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- 5. EXECUTIVE SESSION** The commission did not go into Executive Session.

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- 6. ACTION ITEMS** There were no commission action items.

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- 7. UPDATES/DISCUSSION**

  - 1. NEW MEETING FORMAT “TOWN HALL” INTRO-Andrea Scheele, Robby Pennington (SIT)**

    - a. Webinar/Teams Town Hall Basics
    - b. Public Comment – Email and in-person
  - 2. INTRODUCTION TO RULEMAKING-EXAMINATIONS**

    - c. PSCSC Rule 9.12-Passing Grade
    - d. PSCSC Rule 9.23-Keyed Copy Inspection and Protest

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**3. EXECUTIVE DIRECTOR BUDGET & DEPARTMENTAL UPDATES**

- e. Budget Update
- f. Department Update

**4. CASE STATUS REPORT/APEAL UPDATES**

- g. Hill v. SPD-PSCSC No. 24-01-004A
- h. Dron v. SFD-PSCSC No. 24-02-004A

**5. FIRE AND POLICE EXAM UNIT UPDATES**

- i. Police Exams (Rachael Schade, Police Exams Administrator)
- j. Fire Exams (Yoshiko Grace Matsui, Fire Exams Administrator)
- k. Fire and Police Staffing (Hiring/Attrition Numbers)
- l. 2025 Exam Schedule Overview-DRAFT

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**8. OLD/NEW BUSINESS**

Civil Service Conference October 1-2, 2024.

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**9. ADJOURNMENT**

Commission Chair Greene adjourned the meeting at 10:53 a.m.

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Minutes submitted **October 25, 2024**, by: Teresa Jacobs

Minutes  Approved  Amended

**October 25, 2024**, by: PSCSC

Signed by PSCSC Commission Chair, Richard Greene

\_\_\_\_\_  
Monthly meetings are recorded, they can be found at:  
<https://www.youtube.com/channel/UCgIMkgpm-XFGWnnYfMRL4tQ>

Previous recordings may be requested via the public records portal at  
<https://www.seattle.gov/public-records>

# Civil Service Commissions (CIV) Budget Report October 2024

2024

Department Expenditures by Account and Month			Revenues are reported as negative values													Version 8.1				
Year			2024																	
City Department ID And Name			VC000 - Civil Service Commissions Dept																	
BSL - Budget Program - Master Project - Detail Project			All																	
Fund ID And Name			All																	
Account Grouping Level One	Account Grouping Level Two	Account Grouping Level Three	Adopted Budget	Revised Budget	01 - Expenses	02 - Expenses	03 - Expenses	04 - Expenses	05 - Expenses	06 - Expenses	07 - Expenses	08 - Expenses	09 - Expenses	10 - Expenses	11 - Expenses	12 - Expenses	YTD Expenses	Encumbrances	Available Balance	Percent Used
Expenditures	Labor	Personnel Benefits	167,210	167,210	14,205	13,247	13,284	13,510	14,078	14,039	26,115	14,027	5,617	5,562	-	-	133,685	-	33,525	80.0%
		Salaries and Wages	476,951	541,539	39,129	34,699	34,858	35,833	37,989	37,789	90,767	37,789	-	-	-	-	348,855	-	192,684	64.4%
	Non-Labor	Services	223,672	318,672	17,893	19,158	18,424	19,171	18,346	18,061	18,413	25,649	19,675	15,133	-	-	189,922	-	128,751	59.6%
		Supplies	13,700	13,700	1	515	787	1,186	539	957	1,105	1,157	1,178	203	-	-	7,628	-	6,072	55.7%
<b>Grand Total</b>			<b>881,534</b>	<b>1,041,122</b>	<b>71,229</b>	<b>67,619</b>	<b>67,353</b>	<b>69,699</b>	<b>70,952</b>	<b>70,846</b>	<b>136,400</b>	<b>78,623</b>	<b>26,470</b>	<b>20,898</b>	<b>-</b>	<b>-</b>	<b>680,090</b>	<b>-</b>	<b>361,032</b>	<b>65.3%</b>

2023

Department Expenditures by Account and Month			Revenues are reported as negative values													Version 8.1				
Year			2023																	
City Department ID And Name			VC000 - Civil Service Commissions Dept																	
BSL - Budget Program - Master Project - Detail Project			All																	
Fund ID And Name			All																	
Account Grouping Level One	Account Grouping Level Two	Account Grouping Level Three	Adopted Budget	Revised Budget	01 - Expenses	02 - Expenses	03 - Expenses	04 - Expenses	05 - Expenses	06 - Expenses	07 - Expenses	08 - Expenses	09 - Expenses	10 - Expenses	11 - Expenses	12 - Expenses	YTD Expenses	Encumbrances	Available Balance	Percent Used
Expenditures	Labor	Personnel Benefits	165,962	165,962	11,239	10,622	10,645	10,669	10,685	13,094	13,091	16,979	13,075	13,069	13,070	15,426	151,665	-	14,297	91.4%
		Salaries and Wages	470,117	470,117	26,455	24,250	24,214	24,179	24,379	34,499	34,899	52,049	34,699	34,699	35,009	47,619	396,951	-	73,167	84.4%
	Non-Labor	Services	248,241	345,913	16,547	22,860	20,641	19,819	20,550	19,810	21,055	21,176	20,038	20,868	17,444	24,767	245,575	-	100,338	71.0%
		Supplies	10,700	10,700	-	51	1,576	1,701	474	748	1,628	1,164	1,985	2,616	622	1,958	14,522	-	(3,822)	135.7%
<b>Grand Total</b>			<b>895,020</b>	<b>992,692</b>	<b>54,241</b>	<b>57,783</b>	<b>57,077</b>	<b>56,368</b>	<b>56,087</b>	<b>68,152</b>	<b>70,674</b>	<b>91,368</b>	<b>69,797</b>	<b>71,252</b>	<b>66,145</b>	<b>89,770</b>	<b>808,713</b>	<b>-</b>	<b>183,979</b>	<b>81.5%</b>

**PUBLIC SAFETY CIVIL SERVICE COMMISSION  
CASE STATUS REPORT  
October 2024**

<b>OPEN APPEAL/EXAM PROTEST/REQUEST FOR DECISION/COMPLAINT</b>								
<b>Type</b>	<b>CASE NUMBER</b>	<b>APPELLANT</b>	<b>RESPONDENT DEPARTMENT</b>	<b>DATE FILED</b>	<b>ISSUE</b>	<b>Register/Exam/ Position</b>	<b>Issue/Requested Outcome/Status</b>	<b>PRESIDING</b>
A	24-01-004A	Hill	SPD	5-21-2024	Discharge		1 <sup>st</sup> Prehearing scheduled for October 24, 2024.	Executive Director
A	24-01-006A	Englund	SPD	9-23-2024	Suspension		Disciplinary appeal. Appellant is awaiting SPOG decision on possible grievance.	
A	24-01-007A	Willis	SPD	10-1-2024	Suspension		1 <sup>st</sup> Prehearing TBD	

<b>CLOSED APPEAL/EXAM PROTEST/REQUEST FOR DECISION</b>								
<b>Type</b>	<b>CASE NUMBER</b>	<b>APPELLANT/ REQUESTOR</b>	<b>RESPONDENT DEPARTMENT</b>	<b>DATE FILED</b>	<b>ISSUE</b>	<b>Register/Exam/ Position</b>	<b>Issue/Requested Outcome/Status</b>	<b>PRESIDED</b>
A	24-01-005A	Dron	SFD	9-10-2024	Discharge		Executive Director dismissed appeal on 10-10-2024 for lack of timeliness and jurisdiction.	ED

C	24-07-001C	Collins	SFD	1-25-2024	Complaint		Complaint against SFD. Dismissal Order was issued on April 26, 2024.	PSCSC
A	24-01-001A	Swartz	SPD	2-14-2024	Discharge		Appellant voluntarily withdrew disciplinary appeal.	
A	23-01-004A	Willis	SPD	11-13-2023	Suspension		Appellant and Department reached a settlement agreement. Appellant voluntarily withdrew his disciplinary appeal.	PSCSC

A=Appeal (PSCSC 6) E=Exam Protest (PSCSC 9.22) C=Complaint RRM=Request to Review or Modify (PSCSC 2.13.b)

REQUESTS FOR PROBATIONARY EXTENSION				
RPE= Request for Probationary Extension (PSCSC 12.0)				
CASE NUMBER	DEPT	DATE REQUESTED	POSITION/RANK	APPROVED/DENIED
24-05-001RPE	Police	1/22/2024	Officer	Approved
24-05-002RPE	Police	1/22/2024	Officer	Approved
24-05-003RPE	Fire	1/30/2024	Firefighter	Approved
24-05-004RPE	Fire	1/29/2024	Lieutenant	Approved
24-05-005RPE	Fire	1/29/2024	Firefighter	Approved
24-05-006RPE	Fire	1/29/2024	Firefighter	Approved
24-05-006RRPE (2 <sup>nd</sup> Request)	Fire	2/15/2024	Firefighter	Approved
24-05-007RPE	Fire	2/15/2024	Firefighter	Approved
24-05-008RPE	Fire	2/29/2024	Firefighter	Approved
24-05-009RPE	Police	2/29/2024	Officer	Approved



24-05-010RPE	Police	3/14/2024	Officer	Approved
24-05-011RPE	Police	3/22/2024	Officer	Approved
24-05-012RPE	Fire	3/28/2024	Firefighter	Approved
24-05-013RPE	Fire	4/2/2024	Captain	Approved
24-05-014RPE	Police	4/4/2024	Officer	Approved
24-05-015RPE	Fire	6/21/2024	Battalion Chief	Approved
24-05-016RPE	Fire	6/21/2024	Lieutenant	Approved
24-05-017RPE	Fire	7/11/2024	Firefighter	Approved
24-05-018RPE	Police	10-2-2024	Officer	Approved
24-05-019RPE	Police	10-2-2024	Officer	Approved
24-05-020RPE	Police	10-2-2024	Officer	Approved

**REQUESTS FOR REINSTATEMENT TO ELIGIBLE REGISTER**

RFR=Request for Reinstatement (PSCSC 10.03)

<b>CASE NUMBER</b>	<b>DEPT</b>	<b>DATE REQUESTED</b>	<b>POSITION/RANK</b>	<b>DECISION</b>
24-05-001RFR	Fire	12-14-2023	Lieutenant	Recommended
24-05-002RFR	Fire	12-20-2023	Firefighter	Recommended Reinstatement
24-05-003RFR	Police	12-14-2023	Sergeant	Recommended Reinstatement
24-05-004RFR	Fire	1-5-2024	Firefighter	Not Recommended
24-05-005RFR	Police	1-14-2024	Officer	Recommended Reinstatement
24-05-006RFR	Fire	1-11-2024	Firefighter	Recommended
24-05-007RFR	Fire	1-16-2024	Firefighter	Not Recommended
24-05-008RFR	Police	3-8-2024	Officer	Recommended Reinstatement
24-05-009RFR	Fire	3/22/2024	Firefighter	Not Recommended
24-05-010RFR	Police	4-5-2024	Officer	Request Withdrawn
24-05-011RFR	Police	4-5-2024	Officer	Outside Lookback Period
24-05-012RFR	Police	4-16-2024	Officer	Outside Lookback Period
24-05-013RFR	Police	4-30-2024	Officer	Recommended

24-05-014RFR	Police	5-10-2024	Officer	Recommended
24-05-015RFR	Fire	5-20-2024	Firefighter	Not Recommended
24-05-016RFR	Police	5-24-2024	Officer	Recommended
24-05-017RFR	Fire	5-28-2024	Firefighter	2 <sup>nd</sup> request after reinstatement denied 2023. Informed return to City service by exam (10.03e)
24-05-018RFR	Police	6-4-2024	Officer	Recommended
24-05-019RFR	Police	6-4-2024	Officer	Recommended
24-05-020RFR	Fire	6-9-2024	Firefighter	Not Recommended
24-05-021RFR	Fire	6-10-2024	Firefighter	Recommended
24-05-022RFR	Fire	6-10-2024	Firefighter	Recommended
24-05-023RFR	Fire	6-10-2024	Firefighter	2 <sup>nd</sup> request after reinstatement denied 2023. Informed return to City service by exam (10.03e)
24-05-024RFR	Fire	6-14-2024	Firefighter	Recommended
24-05-025RFR	Fire	6-19-2024	Firefighter	Recommended
24-05-026RFR (2nd Request)	Fire	6-20-2024	Captain	2 <sup>nd</sup> request after reinstatement denied 2023. Informed return to City service by exam (10.03e)
24-05-027RFR	Police	8-8-2024	Officer	Recommended
24-05-028RFR	Fire	9-3-2024	Firefighter	TBD
24-05-029RFR	Fire	9-2-2024	Firefighter	TBD
24-05-030RFR	Police	10-2-2024	Officer	TBD
24-05-031RFR	Fire	9-24-2024	Firefighter	TBD
24-05-032RFR	Police	10-10-2024	Officer	TBD
24-05-033RFR	Police	10-11-2024	Sergeant	TBD
24-05-034RFR	Fire	10-11-2024	Firefighter	TBD



CITY OF SEATTLE CIVIL SERVICE COMMISSIONS

APPEAL NO. PSCSC No. 24-01-007A

FILED: October 1, 2024

**NOTICE OF APPEAL TO THE PUBLIC SAFETY CIVIL SERVICE COMMISSION**

**The appeal must be received by the Executive Director within 10 (ten) days, following the received date or the postmarked date of the final notice from the department to the appellant.**

**INSTRUCTIONS:** Complete all the pages, sign and attach any documents or correspondence that you have received from the Department related to your appeal. Send by postal or hand deliver to the Executive Director, Civil Service Commissions 700 5th Avenue, Suite 1670, PO Box 94729, Seattle, WA 98124-472 or email to [Andrea.Scheele@seattle.gov](mailto:Andrea.Scheele@seattle.gov) or [Teresa.Jacobs@seattle.gov](mailto:Teresa.Jacobs@seattle.gov)

**An original signature of the appellant or authorized representative is required for appeals.**

**i.**

<b>Appellant's Full Name</b>	<b>Work Address</b>	<b>Work Telephone</b>
Ron M. Willis	10049 College Way N, Seattle, WA 98133	
<b>Residence Address</b>	<b>City /State/Zip</b>	<b>Home Telephone/Email</b>
[REDACTED]	[REDACTED]	[REDACTED]
<b>Job Title/Position</b>	<b>Department/Unit</b>	<b>Immediate Supervisor</b>
Police Officer	Seattle Police North Precinct	Tom McLaughlin
<b>Start Date in Position</b>	<b>City Employee Since, Month/Date/Year</b>	<b>Employee ID #</b>
02/02/1995	02/02/1995	[REDACTED]

**ii. ACTION BEING APPEALED: (check one)**

- Suspension
- Discharge
- Demotion

Violation of Article XVI of the Charter of the City of Seattle, PSCSC Ordinance or PSCSC Rules (Please list the rule): \_\_\_\_\_

Other Personnel Related Issue: (Please briefly state the issue): \_\_\_\_\_  
90 hours per week work limit rule  
\_\_\_\_\_  
\_\_\_\_\_

If needed, you may provide the following information on an additional sheet of paper and attach any documents or correspondence that you have received from the Department related to your appeal.

Reason for this appeal (Please include dates, location and action): \_\_\_\_\_  
Excessive suspension time for violating 90 hours per work limit, North Precinct  
November 2023

Remedy Sought (What do you want?): \_\_\_\_\_ Reduction in suspension time amount

III. UNION:

WHAT IS THE NAME OF YOUR UNION ASSOCIATION OR GUILD?

SPOG \_\_\_\_\_ Local Number: \_\_\_\_\_

I HAVE /  I HAVE NOT filed a grievance on the same issues that I identified in this appeal, with my union or bargaining unit.

- This matter  IS /  IS NOT the subject of arbitration pursuant to a collective bargaining agreement.

IV. ATTORNEY/AUTHORIZED REPRESENTATIVE:

An Attorney or a representative is NOT required for the appeal process.

- Do you have an attorney or another person representing you for this appeal?  YES  NO  
If yes, please have your attorney submit a NOTICE OF APPEARANCE to the Commission Office and Department. All documents and information related to the appeal will go to the attorney or representative.

Name: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Signature of Attorney/Representative: (If filling out this form):

Date

**A. APPELLANT:**

If you do not have an attorney or a representative, please enter the address where All documents related to this appeal should be sent:

Mailing Address: \_\_\_\_\_

Personal Email: \_\_\_\_\_

Home/Cell Phone (Include Area Code): \_\_\_\_\_

Ron M. Willis

*Ron M Willis*

APPELLANT'S NAME (PLEASE PRINT)

SIGNATURE OF APPELLANT

DATE

City of Seattle Civil Service Commissions

Seattle Municipal Tower, 700 Fifth Avenue, Suite 1670 PO Box 94729 Seattle, WA 98124-4729

Tel (206) 233-7118, Fax: (206) 684-0755, <http://www.seattle.gov/CivilServiceCommissions/>

*An equal employment opportunity employer. Accommodations for people with disabilities provided upon request*

## **RULEMAKING-PSCSC Rule 9-EXAMINATIONS**

### **Rule 9.12 PASSING GRADE**

### **Rule 9.23 KEYED INSPECTION AND EXAMINATION PROTEST**

- Chapter 4.08 City Charter
- Notice of Publication Daily Journal of Commerce
- Current Rules of Practice and Procedure  
(Amended 12-14-2023-9.12 and 9.23 only)

## **Chapter 4.08 - PUBLIC SAFETY CIVIL SERVICE<sup>[5]</sup>**

[https://library.municode.com/wa/seattle/codes/municipal\\_code?nodeId=TIT4PE\\_CH4.08PUSACISE](https://library.municode.com/wa/seattle/codes/municipal_code?nodeId=TIT4PE_CH4.08PUSACISE)

### **4.08.070 - Powers and duties of Commission.**

The Commission shall:

- A. Make suitable rules to carry out the purposes of this chapter and for examination, appointments, promotions, transfers, demotions, reinstatements, suspensions, layoffs, discharges, and any other matters connected with the purposes of this chapter. Such rules may be amended, modified or rescinded from time to time and all rules and amendments thereof shall be printed for free public distribution.

## **City of Seattle**

### **NOTICE OF PROPOSED RULE MAKING**

The Seattle Public Safety Civil Service Commission ("PSCSC"), acting under the authority of SMC 4.06.070, section A, proposes to amend the following Public Safety Civil Service Commission Rules of Practice and Procedure:

- Rule 9.12 PASSING GRADE
- Rule 9.23 KEYED COPY INSPECTION AND EXAMINATION PROTEST

The public may view the proposed rule changes on the commission's website: <https://www.seattle.gov/public-safety-civil-service-commission/news-and-updates>

Interested persons are invited to submit public comment the following ways:

By email to [publicsafety@seattle.gov](mailto:publicsafety@seattle.gov). Include "Public Comment" in the subject line, or

In person at a special meeting of the PSCSC on October 25, 2024, at 10:00 a.m. the meeting is located at the Seattle Municipal Tower in the PSCSC hearing room at 700 Fifth Avenue, Suite 1679, Seattle, Washington 98104.

Written comment must be received no later than 12:00 p.m., on October 24, 2024. The Commission may take final rulemaking action at its special meeting on October 25, 2024, at 10:00 a.m.

Dates of publication in the Seattle Daily Journal of Commerce, October 10 and 11, 2024.

**10/11(432450)**





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

**RULES OF PRACTICE AND PROCEDURE**

Previously Amended: November 16, 2022

**Most Recently Amended: December 14, 2023**

*Commissioners*

*Stacy Connole, Chair*

*Joel A. Nark*

*Richard Greene*

## **CURRENT\_9.12\_9.23\_AMENDEDRULES12-14-2023**

### **9.12 PASSING GRADE:**

- a. No examinee shall have their name entered on an eligible register without attaining a passing grade in the examination as established by the Executive Director.
  - b. For the Fire promotional exams, tests consisting of interview and evaluation records shall be graded with 100% as the maximum and no minimum score shall be set on the oral exam. Candidates will receive whatever score attained on the oral exam up to 100%
  - c. Except as provided in Rule 9.12 b above, the Executive Director may, before identification of papers, authorize a grading schedule for tests with a minimum passing score which represents an acceptable degree of fitness on such subjects for the class of positions.
- 

### **9.23 KEYED COPY INSPECTION AND EXAMINATION PROTEST:**

- a. Any protest against the scope, content, or practicality of any part of an examination shall be filed in writing with the Seattle Department of Human Resources Director or his/her designee within three business days immediately following the administration of such part or within the time limit specified on the examination instruction sheet.
- b. When a keyed copy is provided, protests against the proposed keyed answers must be filed in writing within three business days or the time limitation specified on the examination instruction sheet. No keyed copy will be provided for inspection on standardized tests or on continuous or periodic examinations.
- c. When a qualifying grade is required on any part of an examination, those who fail to receive the qualifying grade shall be notified and any protest must be filed in writing within three business days after the notices of results have been mailed.
- d. Any protest against scoring or any allegation of clerical error in the final results of an examination must be filed in writing within three business days after the notices of results have been mailed or electronically delivered.
- e. All protests filed in accordance with this rule shall be considered and any proper corrections made. If authorized corrections are applicable to other examinees, the corrections shall be made on all examination papers affected.

**RULEMAKING-PSCSC Rule 9-EXAMINATIONS  
PROPOSED CHANGES-PROCESS HIGHLIGHTS**

- Executive Director Memo



# City of Seattle

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## PUBLIC SAFETY CIVIL SERVICE COMMISSION

**Andrea Scheele, Executive Director**

TO: Public Safety Civil Service Commission and Stakeholders

FROM: Andrea Scheele, Executive Director, Public Safety Civil Service Commission <sup>ASM</sup>

DATE: October 22, 2024

SUBJECT: Proposed Rulemaking and Possible Final Action - PSCSC Rules 9.12, 9.23 – October 25, 2024  
SUBJECT: Executive Director’s Memo on Proposed Rulemaking and Possible Final Action: PSCSC Rules 9.12, 9.23 – Meeting scheduled for October 25, 2024, 10:00 a.m.

The PSCSC is conducting a rulemaking hearing on PSCSC Rules 9.12 and 9.23 in accordance with the City’s rulemaking administrative code. A Notice of Rulemaking was to the Commission’s website and published in Seattle Daily Journal of Commerce on October 10 and 11, at least fourteen (14) days in advance of any potential Rule change. Stakeholder departments, unions, and affinity groups were on October 4, 2024, emailed notice of the proposed changes and information about how to provide comment.

The PSCSC may take final action to revise the Rules at its October 25, 2024, special meeting.

Interested parties were invited to submit public comments the following ways:

1. By email to [publicsafety@seattle.gov](mailto:publicsafety@seattle.gov). Please include the words “Public Comment” in the subject line.
2. Via an online form on the PSCSC website, or
3. In person at a special meeting of the PSCSC on October 25, 2024, at 10:00 am.

### SUMMARY OF PROPOSED RULEMAKING

#### *PSCSC Rule 9.12:*

Rule 9.12.b currently does not require any minimum passing score to pass the oral boards for Fire Lieutenant, Fire Captain, or Battalion Chief. The Commission staff is proposing to remove subsection b (and reference to it in subsection c), which would have the effect of aligning

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#### City of Seattle Civil Service Commissions

Seattle Municipal Tower, 700 Fifth Avenue, Suite 1670 PO Box 94729 Seattle, WA 98124-4729

Tel (206) 233-7118, Fax: (206) 684-0755, <http://www.seattle.gov/CivilServiceCommissions/>

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promotional fire oral board standard-setting processes with that of all other exams developed and administered by the PSCSC by ending the practice of “no-fail” oral boards in Fire promotional exams.

**Context:** In July 2024, SFD requested a Rule change to end the practice of "no fail" promotional oral boards, to ensure that Lieutenant, Captain, and Battalion Chief candidates have demonstrated sufficient proficiency in key areas that the oral boards assess, including tactical decision-making, race and social justice competencies to meet the needs of communities, and verbal communication.

In addition to requesting to end the practice of administering “no-fail” oral boards, SFD requested the Commission set a standard 70% minimum passing score for the oral board portion of the exam, which is weighted at 50% of the total score.

SFD’s proposal was included in the PSCSC’s September 19, 2024, meeting materials.

The Executive Director and exam development staff agree that promotional candidates should be held to an appropriate standard to pass the oral board portion of a promotional exam. However, we recommend against establishing a specific minimum passing score in the PSCSC Rules for the same reasons that were identified by the US Equal Employment Opportunity Commission:

1. Static minimum test scores (aka “cut scores”) could have a disparate impact on applicants who are members of protected classes.
2. Promotional tests vary in how they measure the knowledge, skills and abilities required to successfully perform the work of the rank being tested; utilizing a single cut score may not be appropriate for all exams.
3. Requiring an inflexible cut score removes tools from the PSCSC to offer better alternatives (the ability to adjust cut scores if it is discovered they create the unintended consequences described in reasons 1 and 2 above, or for other legitimate reasons).

**Risk:** Establishing an arbitrary and inflexible cut score can significantly increase the likelihood of employment discrimination claims and reduce the exam's effectiveness in identifying qualified candidates for promotion. This approach is also misaligned with the City's core values of fairness and inclusivity. A rigid and arbitrary passing score lacks the necessary flexibility to adapt to legal risks, as demonstrated in *Ricci v. DeStefano*, where inflexible scoring practices led to discrimination issues.

*PSCSC Rule 9.23:*

The proposed revision to Rule 9.23 would clarify and provide more comprehensive description of past and current practice of the exam protest and review processes.

**Context:** The proposal was developed at the behest of the Commission, to provide clarity and describe the process for exam protests and reviews of exam protests (formerly called “exam protest appeals”). An early iteration of the rule and exam protest practices and policies were discussed at PSCSC meetings on February 13, 2024, and March 21, 2024. The proposal describes the past practice and status quo. Adoption of the changes proposed to Rule 9.23 would not result in a substantive change.

**Highlights of Rule 9.23 proposed revisions:**

- Providing a clearer, more precise description of the exam protest review process
- Describing the role of exam development committee in exam protest consideration
- Clarifying that the Commission applies a “clearly erroneous” standard when reviewing decisions on exam protest
- Clarifying that the term “review” (rather than “appeal”) is to be used in relation to the process of reviewing an exam protest decision under Rule 9.23. This will reduce confusion and distinguish it from appeals filed pursuant to PSCSC Rule 6, including disciplinary action appeals (where the Commission acts in its quasi-judicial role).
- Recognizing that to the extent possible, ensuring the security and confidentiality of exam materials upholds the integrity and credibility of exam processes and reduces potential legal risk to the City of Seattle.

## **RULEMAKING-PSCSC Rule 9-EXAMINATIONS**

### **9.12 PASSING GRADE**

- Current Rule
- Proposed Changes Tracked
- Proposed Changes Accepted

9.12 PASSING GRADE:

- a. No examinee shall have their name entered on an eligible register without attaining a passing grade in the examination as established by the Executive Director.
- b. For the Fire promotional exams, tests consisting of interview and evaluation records shall be graded with 100% as the maximum and no minimum score shall be set on the oral exam. Candidates will receive whatever score attained on the oral exam up to 100%
- c. Except as provided in Rule 9.12 b above, the Executive Director may, before identification of papers, authorize a grading schedule for tests with a minimum passing score which represents an acceptable degree of fitness on such subjects for the class of positions.



Public Safety Civil Service Commission – Proposed Rulemaking  
PSCSC Rule 9.12- Tracked Changes

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~~a.~~

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## **RULEMAKING-PSCSC Rule 9-EXAMINATIONS**

### **9.23 KEYED COPY INSPECTION AND EXANATION PROTEST**

- Current Rule
- Proposed Changes Tracked
- Proposed Changes Accepted

9.23 KEYED COPY INSPECTION AND EXAMINATION PROTEST:

- a. Any protest against the scope, content, or practicality of any part of an examination shall be filed in writing with the Seattle Department of Human Resources Director or his/her designee within three business days immediately following the administration of such part or within the time limit specified on the examination instruction sheet.
- b. When a keyed copy is provided, protests against the proposed keyed answers must be filed in writing within three business days or the time limitation specified on the examination instruction sheet. No keyed copy will be provided for inspection on standardized tests or on continuous or periodic examinations.
- c. When a qualifying grade is required on any part of an examination, those who fail to receive the qualifying grade shall be notified and any protest must be filed in writing within three business days after the notices of results have been mailed.
- d. Any protest against scoring or any allegation of clerical error in the final results of an examination must be filed in writing within three business days after the notices of results have been mailed or electronically delivered.
- e. All protests filed in accordance with this rule shall be considered and any proper corrections made. If authorized corrections are applicable to other examinees, the corrections shall be made on all examination papers affected.

9.23 KEYED COPY INSPECTION AND EXAMINATION PROTEST-~~AND REVIEW.~~

a. ~~Any protest against the scope, content, or practicality of any part of an examination shall be filed in writing with the Seattle Department of Human Resources Director or his/her designee. Keyed Copy Inspection. Examinees shall be able to review a keyed copy of exams within three business days immediately following the administration of such part or within the time limit specified on the examination instruction sheet, whichever period is longer. Keyed copies will not be provided for inspection for standardized tests or for continuous or periodic examinations.~~

**Commented [AS1]:** Clearer, more accurate rule name

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**Commented [AS2]:** Moved exam protests to correct chronological location/order.

**Commented [AS3]:** Added subtitles for clarity/roadmap.

b. ~~When a keyed copy is provided, protests against the proposed keyed answers must be filed in writing within three business days or the time limitation specified on the examination instruction sheet. No keyed copy will be provided for inspection on standardized tests or on continuous or periodic examinations.~~

**Commented [AS4]:** Moved "keyed copy inspection" to correct chronological order

b. ~~Exam Protest and Review Processes. Examinees may file an "exam protest" against any part of an examination in writing with the Public Safety Examiner within the exam review period described in subpart a of this rule. The written exam protest shall explain: 1) how the administration of the exam failed to measure their knowledge, skills, and/or abilities required to perform the work of the promotional rank, and 2) the remedy requested. The Development Committee will rely on its subject matter expertise in evaluating and advising on protest decisions.~~

**Commented [AS5]:** Public Safety Examiner is new title of Exams Analyst

1. ~~Seeking review of an exam protest decision: Any examinee who is dissatisfied with the outcome of an exam protest decision by the Public Safety Examiner may seek further review by filing a request for review with the Commission, in accordance with the instructions provided with the protest decision.~~

2. ~~Standard of review: The Commission shall uphold decisions on exam protests unless they are "clearly erroneous." Under this standard of review, the Commission shall only reverse the decision on protest if, after considering all the evidence, it is left with the definite and firm conviction that a mistake has been made, even if there is some evidence to uphold the decision.~~

3. ~~Confidentiality of exam materials: The Commission recognizes that ensuring the security and confidentiality of exam materials upholds the integrity and credibility of exam processes. Exam materials for protest reviews shall be provided to Commissioners and examinees in a manner that aims to ensure their security and confidentiality.~~

**Commented [AS6]:** Exam protests moved to b.

c. ~~When a qualifying grade is required on any part of an examination, those who fail to receive the qualifying grade shall be notified and any protest must be filed in writing within three business days after the notices of results have been mailed.~~

New description added of exam protest review process. Addition of description is not a change. A substantially similar version was circulated to stakeholders as a draft advisory opinion, 3/2024.

d. ~~Any protest against scoring or any allegation of clerical error in the final results of an examination must be filed in writing within three business days after the notices of results have been mailed or electronically delivered.~~

e. Corrections apply to an entire exam. All protests filed in accordance with this rule shall be ~~considered~~reviewed and any ~~proper~~necessary corrections made. Corrections applied as a result of an exam protest shall also be applied to relevant examinations of all examinees~~If authorized corrections are applicable to other examinees, the corrections shall be made on all examination papers affected.~~

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## City of Seattle Fire & Police Exams Unit

### 2025 Examination Dates and Timelines

October 2024

#### Firefighter– Application, Testing, Oral Boards

- Application Period: October 4 – November 29, 2024
- NTN Video Exams: October 11 – December 6, 2024
- Oral Boards: Jan 21 – Feb 14, 2025 (no Sundays)
- Register published: Tentatively March 3, 2025

#### Promotional Exams Open Application Period

- **Application Period: December 31 – January 14**

#### Police Lieutenant – Written Exam

- Written Exam: March 7
- Protest Period (Tentative): March 10 – 12
- Appeal Period (Tentative): March 13 – 14
- PSCSC Protest Review (if needed): March 20

#### Fire Lieutenant – Written Exam

- Written Exam: March 8
- Protest Period (Tentative): March 10 – 12
- Appeal Period (Tentative): March 13 – 14
- PSCSC Protest Review (if needed): March 20

#### Police Captain – Oral Board

- Oral Board Exam: April 4 – 11
- Protest Period (Tentative): April 14 – 16
- Appeal Period (Tentative): April 17 – 18
- PSCSC Protest Review (if needed): May 15
- Register: August 29, 2025



### **Police Lieutenant – Oral Board**

- Oral Board Exam: April 28 – May 2
- Protest Period (Tentative): May 5 – 7
- Appeal Period (Tentative): May 8 – 9
- PSCSC Protest Review (if needed): May 15
- Register: August 29, 2025

### **Fire Lieutenant – Oral Board**

- Oral Board Exam: May 17 & 18
- Protest Period (Tentative): May 19, 20, 21
- Appeal Period (Tentative): June 3 – 5
- PSCSC Protest Review (if needed): June 19
- Register: August 15, 2025

### **Fire Lieutenant – Assessment Week**

- Oral Board Assessment Week: June 23 – 27

### **Fireboat Engineer – Written Exam**

- Written Exam: June 9
- Protest Period (Tentative): June 10, 11, 12
- Appeal Period (Tentative): June 13, 16
- PSCSC Protest Review (if needed): July 17

### **Fireboat Engineer – Practical Exam**

- Practical Exam: September 8 – 12
- Protest Period (Tentative): September 15, 16, 17
- Appeal Period (Tentative): September 18, 19
- PSCSC Protest Review (if needed): October 16
- Register: December 15, 2025