



# City of Seattle

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## CIVIL SERVICE COMMISSIONS

**Civil Service Commission**  
Commission Chair Mary Wideman-Williams  
Commissioner Evan Chinn  
Commissioner Joshua Werner

**Staff**  
Andrea Scheele, Executive Director  
Teresa Jacobs, Executive Assistant

## CIVIL SERVICE COMMISSION SPECIAL MEETING AGENDA

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

**DATE:** Monday, November 21, 2022

**TIME:** 2:00 p.m.

**LOCATION:** WebEx and CSC Hearing Room, 16<sup>th</sup> floor of Seattle Municipal Tower.

To attend in person, request access to the 16<sup>th</sup> floor from SMT security at building entry and follow the signs on 16.

### Join from the meeting link

<https://seattle.webex.com/seattle/j.php?MTID=m009a901039c96e6e6e5336fb39b59add>

### Join by meeting number

Meeting number (access code): **2484 054 3034** Meeting password: **5EwEmEpPU33**

### Tap to join from a mobile device (attendees only)

+1-206-207-1700,,24840543034## United States Toll (Seattle)

+1-408-418-9388,,24840543034## 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 [24840543034@seattle.webex.com](tel:24840543034@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 [24840543034.seattle@lync.webex.com](tel:24840543034.seattle@lync.webex.com) Need help? Go to <https://help.webex.com>

**CIVIL SERVICE COMMISSION  
MEETING AGENDA  
November 21, 2022 @ 2:00 p.m.**

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**AUDIO/VIDEO TECH CHECK**

**CHAIR (CSC 2.05)**

1. CALL TO ORDER
2. LAND ACKNOWLEDGEMENT
3. INTRODUCTIONS
4. PUBLIC COMMENT

**ACTION/DISCUSSION ITEMS**

5. APPROVAL OF MEETING MINUTES
  - September 19, 2022 • October 21, 2022
6. CASE STATUS REPORT and APPEALS UPDATE
  - *Sivage v. SDOT*, CSC 22-01-014
7. RETREAT-VALUES DISCUSSION

**STANDING ITEMS**

8. DEPARTMENTAL AND BUDGET UPDATE
9. EXECUTIVE SESSION (May be cancelled if not needed)
10. OLD/NEW BUSINESS
11. ADJOURN

**NEXT CSC MEETING: December 19, 2022, 2 pm  
END OF AGENDA**

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## CIVIL SERVICE COMMISSIONS

Civil Service Commission  
Commission Chair Mary Wideman-Williams  
Commissioner Evan Chinn  
Commissioner Joshua Werner

### Staff

Andrea Scheele, Executive Director  
Teresa R. Jacobs, Executive Assistant

**September 19, 2022**  
**Civil Service Commission Monthly Meeting Minutes**  
*Approved: November 21, 2022*

**1. CALL TO ORDER:**

Commission Chair Mary Wideman-Williams called the meeting to order at 2:01 pm. The meeting was held via WebEx and in person in the Commission's Hearing Room 1679 at SMT.

**2. LAND ACKNOWLEDGEMENT:**

Commission Chair Wideman-Williams opened the meeting with the Land Acknowledgment-*The City of Seattle Civil Service Commission acknowledges that we are on the traditional land of the first people of Seattle, the Duwamish. We honor with gratitude the land, and the Duwamish people, past and present.*

**3. INTRODUCTIONS**

**Commission:** Commission Chair Mary Wideman-Williams, Commissioner Evan Chinn

**Not in Attendance:** Commissioner Joshua Werner

**Staff & Counsel:** Andrea Scheele, Executive Director; Gary Smith, Legal Counsel, Teresa Jacobs, Executive Assistant

**4. PUBLIC COMMENT:** There was no written or verbal public comment.

**5. APPROVAL OF MEETING MINUTES (may be postponed if not available):**

There were no minutes to approve.

**6. RETREAT REVIEW AND NEXT STEPS**

- **CSC Values discussion:** The commission held a retreat in August. The Values discussion was carried over. At today's meeting, there was an opportunity for staff and commissioners to share their thoughts on the retreat. The commission will defer the values discussion to another meeting when all commissioners are present.

## 7. REMAINING 2022 COMMISSION MEETINGS

- **Tentative Dates for November Joint Meeting with PSCSC:** Ms. Scheele notified the commission that the annual joint meeting with PSCSC would be held in November. Ms. Scheele will send both commissions a Doodle for commissioner availability to schedule the meeting.
- **Reschedule December 19 meeting to December 12:** Ms. Scheele proposed moving the December meeting to a week prior to the regularly scheduled meeting. Commissioner Wideman Williams stated the meeting moved to December 12 would be better for her. Commissioner Chin stated he was flexible. Staff will check with Commissioner Werner on his availability.

## 8. CASE STATUS REPORT AND APPEALS UPDATE

- **Clemons v. SDOT, CSC No. 22-01-015:** Ms. Scheele reported on a new appeal filed by Mr. Clemons regarding separation. The appellant also alleged discrimination. The discrimination portion of the appeal was forwarded to SOCR. The appeal will be held in abeyance until completion of SOCR's investigation.
- **Sivage v. SDOT, CSC no. 22-01-014-** Director Scheele reported a first prehearing has been scheduled in this matter. Executive Director Scheele will preside.

## 9. EXECUTIVE DIRECTOR REPORT

**Departmental Work and Budget Update:** Director Scheele provided an update to the commission on ongoing departmental work and budget. **PSCSC:** Ms. Scheele reported work on the PSCSC side which includes appeals and rulemaking process. Ms. Scheele stated she would be recommending a Conflicts of Interest Rule for the PSCSC and recommended the CSC could also include this in their rules. **Civil Service Conference:** Ms. Scheele reminded the commission of the Annual Civil Service Conference being held remotely September 20-22.. **Candidates for PSCSC Commissioner:** Ms. Scheele announced that the PSCSC is seeking a new commissioner for the position being vacated by Commissioner Dorothy Leggett. **Budget:** CIV's budget to actual report was reviewed by the commission.

10. EXECUTIVE SESSION (MAY BE CANCELLED IF NOT NEEDED): There was no Executive Session.

11. OLD/NEW BUSINESS: There was no Old or New Business.

12. ADJOURN: All other business before the Commission having been considered, Commission

Chair Wideman-Williams adjourned the meeting at approximately 2:32 pm

Respectfully submitted on **November 21, 2022**, for the CSC:

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Teresa Jacobs, Executive Assistant

Approved

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Mary Wideman-Williams, Chair



## CIVIL SERVICE COMMISSIONS

Civil Service Commission  
Commission Chair Mary Wideman-Williams  
Commissioner Evan Chinn  
Commissioner Joshua Werner

### Staff

Andrea Scheele, Executive Director  
Teresa R. Jacobs, Executive Assistant

October 21, 2022  
Civil Service Commission Special Meeting Minutes  
*Approved: November 21, 2022*

1. **CALL TO ORDER:**

Commission Chair Mary Wideman-Williams called the meeting to order at 2:03 pm. The meeting was held via WebEx and in person in the Commission's Hearing Room 1679 at SMT.

2. **LAND ACKNOWLEDGEMENT:**

Commission Chair Wideman-Williams opened the meeting with the Land Acknowledgment-*The City of Seattle Civil Service Commission acknowledges that we are on the traditional land of the first people of Seattle, the Duwamish. We honor with gratitude the land, and the Duwamish people, past and present.*

3. **INTRODUCTIONS**

**Commission:** Commission Chair Mary Wideman-Williams, Commissioner Evan Chinn, Commissioner Joshua Werner

**Staff & Counsel:** Andrea Scheele, Executive Director; Gary Smith, Legal Counsel, Teresa Jacobs, Executive Assistant

**Guests:** Annemarie Stewart, HR Interim Strategic Manager, Gabrielle Sivage

4. **PUBLIC COMMENT:** There was no written or verbal public comment.

5. **APPROVAL OF MEETING MINUTES**

•June 27, 2022- Monthly Meeting •July 18, 2022- Monthly Meeting •August 15, 2022- Monthly Meeting: The commission reviewed and approved the minutes collectively. Commissioner Werner moved to accept all minutes as written. Commissioner Chin seconded the motion. The motion passed unanimously. The minutes were approved.

## **6. CASE STATUS REPORT and APPEALS UPDATE**

- **Sivage v. SDOT, CSC 22-01-014:** Director Scheele gave background about Ms. Sivage's appeal. Gabrielle Sivage a former employee with SDOT filed an appeal regarding her termination from SDOT. Ms. Scheele found it to be timely. A prehearing conference was held September 22. Ms. Sivage was present and represented herself, Jesse Green, Strategic HR Manager, was present on behalf of the department. Ms. Sivage requested in writing that her appeal be delegated to the Office of the Hearing Examiner (OHE). During the prehearing, Ms. Sivage withdrew her request for delegation to OHE. At today's meeting Ms. Sivage who is representing herself, addressed the commission on her appeal and preference for the Commission to set dates for hearing her appeal. Annemarie Stewart, who was present on behalf of Jesse Green, read a statement from Mr. Green stating that the department's preference is that CSC hears this case. Ms. Scheele provided the commission information on how many days the hearing is scheduled, and the number of potential witnesses and exhibits. Ms. Scheele stated that the department would need half a day and Ms. Sivage would need two days. SDOT would call two witnesses. Ms. Sivage's witness list is extensive. Ms. Scheele expressed her concerns that given the number of witnesses and the lengthy preliminary exhibit list submitted by Ms. Sivage, that it could not be done in three days.

**This item was taken out of order**

## **9. EXECUTIVE SESSION (MAY BE CANCELLED IF NOT NEEDED):**

- **The commission went into Executive Session at 2:30 pm. The Executive Session ended at 3:09 pm**

Commissioner Chin moved to retain the matter CSC to hear the appeal of Ms. Sivage. Commissioner Werner seconded the motion. The motion passed. Ms. Scheele stated she will work on the order and issue it to the parties including today's vote. Ms. Scheele will speak with the parties to schedule the hearing and set discovery deadlines.

## **7. RETREAT REVIEW AND NEXT STEPS**

- **CSC Values discussion:** The commission tabled this item from the September meeting to allow Commissioner Werner to be present. Commissioner Werner gave his reflection on the retreat. The commission went on to discuss the commission core values. Commissioner Wideman-Williams proposed that each commissioner take one value and send a statement on what they believe that core value means to them. It will be compiled, and the commission will review at its next meeting.

8. **EXECUTIVE DIRECTOR REPORT**

**Departmental Work and Budget Update:** Director Scheele provided an update to the commission on ongoing departmental work and budget. **PSCSC:** Ms. Scheele informed the commission that there are number of disciplinary appeals before the PSCSC.

**Rulemaking:** Ms. Scheele notified the commission that she is working on the PSCSC Rules of Practice and Procedure. The proposed rules will go to publication and before the PSCSC in November for a vote. **Budget:** The commission viewed a new budget format. Ms. Scheele stated she will continue to work with CIV's budget analyst on revising the budget print out. **Additional Position:** Ms. Scheele notified the

commission that she worked on and submitted class specifications to the Classification and Compensation unit for the position of Strategic Advisor or Manager 2 for CIV.

10. **OLD/NEW BUSINESS: Joint Meeting:** Ms. Scheele notified the commission that the topics for the Joint Meeting with the PSCSC on November 7 has been sent out to each commissioner.

11. **ADJOURN:** All other business before the Commission having been considered, Commission Chair Wideman-Williams adjourned the meeting at approximately 3:40 pm

Respectfully submitted on **November 21, 2022**, for the CSC:

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Teresa Jacobs, Executive Assistant

Approved

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Mary Wideman-Williams, Chair



**CIVIL SERVICE COMMISSION  
CASE STATUS REPORT (CSR)  
November 2022**

**FILED/OPEN:**

CASE NUMBER	APPELLANT	RESPONDENT DEPARTMENT	DATE FILED	RULE/CODE	ISSUE	STATUS	PRESIDING OFFICER
22-01-015	Clemons	SOOT	8-24-2022	5.01B, Personnel Rules	Discharge  Appellant Alleges Discrimination	CSC Appeal In Abeyance until completion of Investigation by SOCR	TBD  Discrimination Referred to SOCR
22-01-014	Sivage	SOOT	4-2-2022 (extension granted until June 10, 2022)	5.018, Personnel Rules (multiple), SMC 4.04.070	Discharge	1st PHC held on 9-22-22. Hearing dates TBD	CSC

**DISMISSED/CLOSED:**

CASE NUMBER	APPELLANT	RESPONDENT DEPARTMENT	DATE FILED	RULE/CODE	ISSUE	DISPOSITION
22-01-013	Griffith	SPU	3-28-2022	5.018	Discharge	Settled/ Dismissed
21-01-041	LaBelle	Parks	10-15-2021	5.018	Discharge	1 <sup>st</sup> Prehearing held December 10, 2021 Respondent filed a Motion to Dismiss. ED sent an Order Granting Motion Dismiss-1-28-2022
22-05-001	Garza	SOOT	1-13-2022	<b>P.R.</b> 1.4, 1.5, 2.1, 2.2, 2.3, 3.2, 3.3, 3.5, 4.1, 4.3, 11; SMC 4.04.260(A) & PR 5.8.100 Abuse of Employee Evaluation Procedures, retaliation for concerted and protected employment activity	Performance Evaluation	Withdrawal requested. Dismissed

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

In the matter of the appeal of

**GABRIELLE SIVAGE,**

Appellant

v.

**SEATTLE DEPARTMENT OF TRANSPORTATION**

Respondent

**FIRST ORDER ON PREHEARING  
MATTERS**

**CSC no. 22-01-014**

Prior to the prehearing conference, Civil Service Commission (CSC) Executive Director Andrea Scheele reviewed the appeal and determined that the employee’s appeal was timely, and as a termination of an employee in the civil service, it was within the Commission’s jurisdiction to hear and decide the matter. Ms. Sivage satisfied the exhaustion requirement/Employee Grievance Procedure, as required by Personnel Rule 1.4 and SMC 4.04.240. The appeal will be conducted pursuant to the CSC Rules of Practice & Procedure. ([https://www.seattle.gov/Documents/Departments/CSC/Links/2014\\_FINAL\\_ADOPTED\\_SIGNED\\_RULES%20.pdf](https://www.seattle.gov/Documents/Departments/CSC/Links/2014_FINAL_ADOPTED_SIGNED_RULES%20.pdf))

On September 22, 2022, Executive Director Scheele presided over a prehearing conference to discuss preliminary matters. Ms. Sivage was present and Jesse Green, SDOT Interim Division Director of People, Culture & Logistics, appeared for SDOT.

1           **1. Request to delegate the appeal to the Office of Hearing Examiner**

2           The Executive Director requested Ms. Sivage provide more information about her request  
3 to the Commission to delegate the hearing and decision in this matter to the Seattle Office of  
4 Hearing Examiner (OHE). Ms. Sivage stated that based on past experience, she felt the  
5 Commission did not have access to independent or correct legal advice. She said she did not  
6 object specifically to Commissioners Wideman-Williams, Chinn, or Werner (who currently  
7 comprise the CSC), but was concerned on a systemic level whether any City agency could hear  
8 and decide her appeal fairly. Partway through the prehearing conference, Ms. Sivage withdrew  
9 her request and requested the CSC conduct a hearing and decide her appeal. She requested to  
10 speak to the commissions directly if there were questions about her request for delegation. SDOT  
11 asked CSC to retain the appeal.

12           The parties reconvened on October 21, 2022, at a special meeting of the CSC, to consider  
13 the question of delegation. The CSC heard from the Executive Director on the history of Ms.  
14 Sivage’s request and withdrawal of the request, and heard from Ms. Sivage and SDOT, both of  
15 whom requested that the CSC retain the appeal. The CSC went into executive session to  
16 deliberate and get legal advice from counsel. In open session, the commission said they would  
17 proceed with hearing Ms. Sivage’s appeal.

17           **2. Issue on appeal:**

18           The issue to be decided is whether the termination decision was made in good faith for  
19 cause under the SMC 4.04 and Personnel Rule 1.3.

20           **3. Preliminary witness lists**

1 The parties discussed their preliminary witness lists and a brief description of each  
2 witness' anticipated testimony.

3 Respondent's preliminary witness list included two fact witnesses.

4 Appellant's preliminary witness list included twelve fact witnesses and three expert  
5 witnesses. Ms. Sivage had not identified experts witnesses at the time of prehearing conference  
6 but agreed to notify SDOT when she does. A witness disclosure deadline will be included in the  
7 hearing scheduling order when issued.

8 **4. Preliminary exhibit lists**

9 The parties discussed their preliminary exhibit lists.

- 10 • Respondent's preliminary exhibit list included six exhibits.
- 11 • Appellant's preliminary exhibit list included forty exhibits, from which she removed nine,  
12 leaving 31 exhibits.

13 **5. Discovery**

14 The discovery process for CSC appeals is governed by PSCSC Rule 5.25. The parties are  
15 responsible for requesting and exchanging information and documents directly with each other,  
16 and disagreements that cannot be resolved shall be brought to the attention of the Presiding  
17 Officer. CSC Rule 5.25.B. Discovery may be prohibited or limited where requests are unduly  
18 burdensome, harassing, or unnecessary under the circumstances of the appeal. CSC Rule 5.25.A.

19 The parties agreed to respond to discovery requests in a timely manner, and to meet and  
20 confer prior to bringing discovery concerns to the Presiding Officer.

1 The Executive Director encouraged the parties focus their discovery on the facts in this  
2 case, and not on extraneous matters. The parties were directed to begin the discovery process  
3 after the prehearing conference.

4 **6. Hearing Length, Prehearing Deadlines and Scheduling the Hearing**

5 The parties agreed that SDOT would need approximately one day to present its case, and  
6 Ms. Sivage would need approximately two days to present her case.

7 Deadlines for the close of discovery, final witness and exhibits list, requests for  
8 subpoenas, due dates for prehearing briefs, and dates of hearing will be forthcoming, and based  
9 on scheduling of the hearing in Spring 2023. The CSC will issue a Notice of Hearing which will  
10 include all relevant deadlines after gathering the availability of parties and commissioners for  
11 hearing.

12 The parties are recommended to review the CSC Rules, and especially [CSC Rule 5-](#)  
13 [Hearings and Appeals](#) to prepare for the hearing.

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**7. Dispute Resolution is Encouraged**

The parties are encouraged to engage in mediation/dispute resolution through the Office of Employee Ombud, or another program they mutually select at any time before or during the appeal, or prior to a decision being rendered.

**FOR THE CITY OF SEATTLE CIVIL SERVICE COMMISSION**

X 

Andrea Scheele  
Executive Director, Civil Service Commission

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

**GABRIELLE SIVAGE**  
Appellant,


v.

**DEPARTMENT OF TRANSPORTATION**  
**CITY OF SEATTLE**  
Respondent

**DECLARATION OF SERVICE**

**CSC No. 22-01-014**

I, Andrea Scheele, declare under penalty of perjury under the laws of the State of Washington, that on the date below, I caused to be served upon the below-listed parties, via the method of service listed below, a true and correct copy of the foregoing document: **First Order on Prehearing Matters**

Party	Method of Service
Appellant: Gabrielle Sivage 	IEIE-Mail

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<b>Respondent: DOT</b> Jesse Green, Interim Division Director, People, Culture & Logistics <a href="mailto:Jesse.Green@seattle.gov">Jesse.Green@seattle.gov</a>	<input checked="" type="checkbox"/> E-Mail
Cc: Kimberly Loving, Director, SHR <a href="mailto:Kimberly.Loving@seattle.gov">Kimberly.Loving@seattle.gov</a>	<input checked="" type="checkbox"/> E-Mail

DATED: November 18, 2022, at Seattle, Washington.



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Andrea Scheele, Executive Director  
Civil Service Commissions

## 11-21-2022 CSC Values Discussion, continued

### Our Values (Draft)

#### The principles that guide our work

- **Integrity** - We fulfill our charge as an independent quasi-judicial body committed to ensuring fair administration of our responsibilities
- **Equity** - We.....
- **Accessibility** – We are open, available, and engaged with all employees who feel harmed by violation of the personnel rules and appeal to the Commission. We seek to reduce barriers to being heard and listen to employees who seek fairness in appeals of demotions, terminations, suspensions, and violations of personnel rules.



Department Expenditures by Account and Month

Version 7.1

Department Name

BSL - Budget Program - Master Project - Detail Project

Fund ID And Name

Year	Account Group	January															YTD Expenses	Encumbrances	Available Balance	Percent Used
		Adopted Budget	Revised Budget	Expenses	February- Expenses	March- Expenses	April- Expenses	May- Expenses	June- Expenses	July- Expenses	August- Expenses	September- Expenses	October- Expenses	November- Expenses	December- Expenses					
2021	Labor	368,325	418,060	21,428	30,923	43,473	31,433	30,271	29,840	28,600	44,447	29,840	29,646	29,788	45,799	395,489	0	22,571	94.6%	
	Non-Labor	154,406	254,406	11,673	11,184	14,214	13,125	13,054	12,203	12,627	12,233	12,369	12,502	14,482	15,382	155,049	0	99,357	60.9%	
2022	Labor	406,411	445,399	25,001	38,538	52,304	32,405	32,409	29,278	25,653	47,605	32,836	32,829	3,230	0	352,089	0	93,310	79.1%	
	Non-Labor	195,146	286,783	11,295	15,051	17,626	14,930	15,700	14,834	16,672	15,515	14,245	14,711	11,812	0	162,390	0	124,393	56.6%	