

Ordinance No. 120658

Council Bill No. 113961

The City of Seattle  
Council Bill/Ordinance

AN ORDINANCE relating to the Civil Service systems of the City; transferring functions of the Public Safety Civil Service Commission and amending Chapters 4.04 and 4.08 of the Seattle Municipal Code.

CF No. \_\_\_\_\_

*me*  
11-20-01 Passes As Amended

Date Introduced: <u>NOV 13 2001</u>		
Date 1st Referred: <u>NOV 13 2001</u>	To: (committee)	<u>BUDGET</u>
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage: <u>11-26-01</u>	Full Council Vote: <u>8-1</u>	
Date Presented to Mayor: <u>11-26-01</u>	Date Approved: <u>11/30/01</u>	
Date Returned to City Clerk: <u>12/3/01</u>	Date Published: <u>1/4/02</u>	T.O. <input type="checkbox"/> F.T. <input checked="" type="checkbox"/>
Date Vetoes by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

This file is complete and ready

*Law Department*

Law Dept. Review

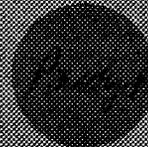
# The City of Seattle - Legislative Department

PAGELER

Council Bill/Ordinance sponsored by: \_\_\_\_\_

*Margaret Page*  
Councilmember

## Committee Action:



*Ⓢ*  
Passes As Amended S-1 (No. Melker)

This file is complete and ready for presentation to Full Council. Committee: \_\_\_\_\_

(initial/date)

*Law Department*

Law Dept. Review

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Review

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*Ⓢ* Document  
Submitted  
Full Council

ORDINANCE 120658

1  
2  
3 AN ORDINANCE relating to the Civil Service systems of the City; transferring functions of the Public  
4 Safety Civil Service Commission and amending Chapters 4.04 and 4.08 of the Seattle Municipal  
Code.

5 **WHEREAS**, the City of Seattle is facing substantial budgetary shortfalls for the 2002 budget year due  
6 to severely declining revenue sources; and

7 **WHEREAS**, Initiative 747 has been approved by the voters of the State of Washington, and as a result  
8 the City expects additional revenue shortfalls in 2002 and beyond; and

9 **WHEREAS**, in light of these projected budgetary shortfalls and recent revenue projections, the  
10 Executive proposed city-wide cuts to the 2002 proposed budget; and

11 **WHEREAS**, during the budget planning process for 2002, the City Council and Executive identified  
12 further cost-saving measures and additional opportunities for streamlining and reducing inefficiencies  
13 while continuing to provide governmental services; and

14 **WHEREAS**, the City Council and Executive have determined that certain inefficiencies currently exist  
15 within the Public Safety Civil Service Commission Department which can be addressed effectively by  
16 certain corrective measures; and

17 **WHEREAS**, reorganizing the Public Safety Civil Service Commission Department, transferring certain  
18 functions and staff positions from the Public Safety Civil Service Commission Department to the  
19 Personnel Department, and eliminating certain positions within the Public Safety Civil Service  
20 Commission Department will accomplish several goals, including: Immediate budget savings, longer  
21 term economies of scale in city operations, improved management oversight of Public Safety Civil  
22 Service Commission functions and staff transferred to the Personnel Department, the provision of  
23  
24



1 additional support and resources of the Personnel Department for those transferred functions and staff,  
2 and administrative and management efficiencies; and

3 **WHEREAS**, the reorganization of the Public Safety Civil Service Commission contemplated by this  
4 ordinance will not affect the existence or independence of the three-member commission or the  
5 commission's jurisdiction and authority over appeals; and

6 **WHEREAS**, in the 2002 budget ordinance, the City Council expressed its intent to transfer the  
7 administrative function of special examinations previously performed by the Public Safety Civil Service  
8 Commission Department to the Personnel Department and also add the equivalent of the Public Safety  
9 Civil Service Special Exams Analyst positions to the Personnel Department; and

10 **WHEREAS**, all functions previously performed by the Public Safety Civil Service Commission  
11 Department will continue to be performed by the Commission, its staff, or the Director of Personnel; and

12 **WHEREAS**, the City Council and Executive have determined that the functions of the City's public  
13 safety civil service system will remain the same, and that the City's public safety civil service system  
14 will continue to substantially accomplish the purposes of RCW 41.08 and 41.12 in providing for the  
15 administration of a public safety civil service system in accordance with state law; and

16 **WHEREAS**, this reorganization is intended to maintain an orderly civil service system for public safety  
17 employees that substantially accomplishes the purposes of RCW 41.08, 41.12, and 41.56;

18 **NOW THEREFORE**

19  
20 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

21  
22 **Section 1.** Effective January 1, 2002, Section 4.04.020 of the Seattle Municipal Code is amended as  
23 follows:  
24



1 **SMC 4.04.020 Purpose.**

2 The purpose of this chapter is to establish for the City a system of personnel administration based upon  
3 merit principles as enumerated in the City Charter, Article XVI, Section 4 (as amended) (~~((Note 1))~~) and  
4 upon fair and uniform procedures for recruitment, selection, development, and maintenance of an  
5 effective and responsible work force and to substantially accomplish the purposes of RCW 41.08, 41.12  
6 and 41.56.

7  
8 **Section 2.** Effective January 1, 2002, Section 4.04.030 of the Seattle Municipal Code is amended to  
9 include the following definitions in alphabetical order and the remaining definitions shall be renumbered  
10 accordingly:

11 **4.04.030 Definitions**

12 Unless another meaning is clearly indicated from the context, as used in this title:

13 \*\*\*

14 3. "Certify" for Public Safety Civil Service employees means verify to the appointing authority that a list of  
15 names of candidates for employment has been selected from the list of persons tested and found eligible for  
16 employment.

17 \*\*\*

18 23. "Provisional employee" for Public Safety Civil Service employees means an employee who was  
19 appointed to a position for which no register existed.

20 \*\*\*

21 25. "Register" for Public Safety Civil Service employees means a list of candidates for employment who  
22 have passed an employment examination, whose names may be chosen and certified by the Commission for  
23 submission to the appointing authority for consideration for employment.

1 \*\*\*

2 **Section 3.** Effective January 1, 2002, Section 4.04.040 of the Seattle Municipal Code is amended as  
3 follows:

4 **4.04.040 Administration**

5 A. There shall be a personnel system for the City, administered by the Director of Personnel. The  
6 Director shall be appointed, confirmed, and removed as provided in Section 3.24.030 C.

7 B. The duties of the Director include:

8 1. Promote the improvement of City personnel administration, and personnel standards within  
9 the City;

10 2. Lead City departments, offices, boards, and commissions, and their personnel offices, in  
11 the development of effective personnel programs. To help the Director perform this duty, the personnel  
12 offices of City departments shall keep the Director informed of their actions;

13 3. Act as the City's central agency for establishing standards for personnel practices which are  
14 uniform as is practicable from department to department;

15 4. At the Mayor's direction, develop, implement, and administer a centralized affirmative  
16 action program in conjunction with City rights agencies;

17 5. Develop and administer a system of classification of positions of employment in the City,  
18 and a wage and salary plan therefor;

19 6. Develop and administer centralized employee relations functions, relating to standard  
20 grievance procedures, collective bargaining, employee morale and motivation, and employee discipline  
21 and termination;

22 7. Develop and implement employee safety programs in addition to those which may be  
23 provided within departments, and develop safety programs in coordination with departments;  
24



1 8. Develop, monitor, and/or approve departmental training plans.

2 9. Develop and administer a centralized system and regular procedures for recruitment and  
3 selection of City employees;

4 10. Conduct personnel research and staff resource planning for the City;

5 11. Develop and administer a regular system of performance evaluation of City employees;

6 12. Develop and administer benefit programs, other than retirement benefits administered by  
7 the Employee's Retirement Board, for City employees;

8 13. Assist various City departments in layoff and reinstatement actions;

9 14. Appoint, remove, and supervise the officers and employees of the Personnel Department;

10 15. Develop and maintain a personnel management information records system for all City  
11 employees regardless of category of employment or department to which appointed;

12 16. Design experimental programs in human resources management, for the Mayor's  
13 consideration;

14 17. Contract for special personnel services he/she deems necessary, upon approval of the City  
15 Council;

16 18. Review all City payrolls to ensure that each employee is receiving the proper pay.

17 C. With respect to employees of the Public Safety Civil Service system enumerated in SMC 4.08.060,  
18 the duties of the Director include:

19 1. Classify for purposes of examination, all positions covered by said system. No appointments,  
20 promotions or transfers shall be made to or from positions covered by said system except as provided in  
21 SMC Chapters 4.04.040(C) and 4.08.

22 2. Prepare and administer examinations, which shall be graded and open to all who meet  
23 appropriate job-related qualifications; provided that the Director may, by rule, designate other methods  
24



1 of examination based on merit when in the Director's judgment graded examination is not practicable.  
2 Such examinations may include tests of physical fitness and/or manual skill. The Director shall  
3 superintend and keep a record of all examinations. The Director may designate a suitable number of  
4 persons to be examiners to conduct such examinations. The Director shall charge a nonrefundable  
5 application fee of Twenty- five Dollars (\$25) for entry-level firefighter and police officer applicants.  
6 The Director shall waive this fee for indigent applicants upon submission by the applicant of a  
7 declaration of indigency.

8 Examinations for all classes shall be timely prepared and administered by the Director so as to  
9 provide at all times current registers for all classifications. Eligible registers shall remain in effect for a  
10 time determined by the Director; provided, that no eligible register shall remain in effect for more than  
11 two (2) years.

12 3. Provide notice of the time and place and general scope of every examination to be held by  
13 publication in the City official newspaper not less than ten (10) days preceding such examination, and  
14 for promotional exams by posting in the Public Safety Civil Service Commission office and in Police  
15 and Fire Department offices for not less than ninety (90) days, and by other notice deemed reasonable or  
16 necessary by the Director.

17 4. Keep a record of all examinations held under his/her direction.

18 5. Prepare a register for each class of positions in this system from the returns or reports of the  
19 examiners of the persons whose standing upon examination for such class is not less than the minimum  
20 established by the Director. Persons, when graded, shall take rank upon the register as candidates in the  
21 order of their relative excellence as determined by competitive examination. Veteran's preference in  
22 examination and appointment shall be granted as required by federal and state law including RCW  
23  
24



1 41.08.040 and 41.12.040; provided, a person shall be entitled to use such preference only once to  
2 successfully attain an appointment or promotion to a position.

3 6. When a vacant position is to be filled, certify to the appointing authority the names of  
4 candidates in the top twenty- five (25) percent of the eligible register, or the top five (5) candidates,  
5 whichever number is larger, subject to any current affirmative action requirements. Where more than  
6 one (1) position in a class is to be filled, certify one (1) additional name of the person standing next  
7 highest on the register for each additional position. The appointing authority shall fill such positions by  
8 appointment only from the persons certified by the Director.

9 If there are no registers for a class, authorize temporary, provisional appointment to the vacant  
10 position. A provisional appointment shall not continue for a period longer than four (4) months, and no  
11 person shall receive more than one (1) provisional appointment or serve more than four (4) months as  
12 provisional appointee in any twelve (12) month period.

13 7. Adopt suitable rules for examination, classification, eligibility, preparation of registers,  
14 certification and appointments. Such rules may be amended, modified or rescinded from time to time and  
15 all rules and amendments thereof shall be printed for free public distribution.

16 8. Comply with the applicable portions of the Rules of Practice and Procedure of the Public  
17 Safety Civil Service Commission in effect on January 1, 2002, until such time as the Personnel Director  
18 adopts rules to carry out the new duties assigned pursuant to Section 4 of this ordinance.

19 9. Comply with the procedures regarding the promotions of police officers and sergeants set  
20 forth in the effective collective bargaining agreement between the City and the exclusive bargaining  
21 agent of such employees, as approved by ordinance, to the extent such procedures are inconsistent with  
22 the terms of this ordinance, the rules adopted by the Director, or the rules of the Public Safety Civil  
23 Service Commission.



1  
2 **Section 4.** Effective January 1, 2002, Section 4.08.020 of the Seattle Municipal Code is amended as  
3 follows:

4 **SMC 4.08.020 Purpose.**

5 The general purpose of this chapter is to establish a civil service commission ~~((system))~~ to hear the  
6 appeals of ~~((for))~~ employees in the Police and Fire Departments of the City, ~~((governing))~~ regarding  
7 appointments, promotions, promotional testing, layoffs, recruitment, retention, classifications, removals  
8 and discipline, pursuant to Charter Article XVI, ~~((Note 1))~~ which, together with applicable provisions  
9 of the Personnel System established by SMC Chapter 4.04 provide for a civil service system in the  
10 Police and Fire Departments in substantial compliance with RCW Chapters 41.08, 41.12, 41.56. All  
11 appointments and promotions to Police and Fire Department positions, retention therein and removal  
12 therefrom shall be based on merit and according to the ~~((made on the basis and))~~ policies and procedures  
13 hereinafter specified or according to the procedures regarding the promotions of police officers and  
14 sergeants set forth in the effective collective bargaining agreement between the City and the exclusive  
15 bargaining agent of such employees, as approved by ordinance, to the extent such procedures are  
16 inconsistent with those set forth herein. ~~((as in said state law.))~~

17  
18 **Section 5.** Effective January 1, 2002, Section 4.08.050 of the Seattle Municipal Code is amended as  
19 follows:

20 **SMC 4.08.050 Organization of commission -- ~~((Secretary and chief examiner))~~ Executive**  
21 **Director.**

22 A. Immediately after appointment, the Commission shall organize by electing one (1) Commissioner as  
23 Chairman and thereafter hold regular meetings at least once a month, and such additional meetings as  
24



1 may be required for the proper discharge of duties.

2 B. The Commission shall appoint an Executive Director (~~(Secretary and Chief Examiner)~~), who shall  
3 keep the records for the Commission, preserve all reports made to it (~~(,superintend and keep a record of~~  
4 ~~all examinations held under its direction,)) and perform such other duties as the Commission may~~  
5 prescribe.

6 C. Should the position of (~~(Secretary and Chief Examiner)~~) Executive Director be filled by appointment  
7 of a Public Safety Civil Service employee, such employee, if removed as (~~(Examiner)~~) Executive  
8 Director other than for cause, shall be appointed to the first available position in the class from which  
9 he/she was appointed to the position of Executive Director (~~(Secretary and Chief Examiner)~~).

10  
11 **Section 6.** Effective January 1, 2002, Section 4.08.070 of the Seattle Municipal Code is amended as  
12 follows:

13 **SMC 4.08.070 Powers and duties of Commission.**

14 The Commission shall:

15 A. Make suitable rules to carry out the purposes of this chapter and for (~~(examination, appointments,))~~  
16 promotions, transfers, demotions, reinstatements, suspensions, layoffs, discharges, and any other matters  
17 connected with the purposes of this chapter with the exception of matters related to examination,  
18 classification, eligibility, preparation of registers, certification and appointments. Such rules may be  
19 amended, modified or rescinded from time to time and all rules and amendments thereof shall be printed  
20 for free public distribution. The Commission shall initially be governed by the rules in the "Civil Service  
21 Laws and Rules" adopted February 17, 1965, as amended and in existence as of July 1, 1978. The  
22 Commission may thereafter supplement, amend, supersede or repeal such rules.



1 ~~((B. Classify for purposes of examination, all positions covered by this system. No appointments,~~  
2 ~~promotions or transfers shall be made to or from positions covered by this system except as provided in~~  
3 ~~this chapter.~~

4 ~~C. Prepare and administer examinations, which shall be graded and open to all who meet appropriate~~  
5 ~~job-related qualifications; provided that the Commission may, by rule, designate other methods of~~  
6 ~~examination based on merit when in the Commission's judgment graded examination is not practicable.~~  
7 ~~Such examinations may include tests of physical fitness and/or manual skill. The Commission may~~  
8 ~~designate a suitable number of persons to be examiners to conduct such examinations. A Commissioner~~  
9 ~~may act as examiner. The Commission shall charge a nonrefundable application fee of Twenty-five~~  
10 ~~Dollars (\$25) for entry-level firefighter and police officer applicants. The Commission shall waive this~~  
11 ~~fee for indigent applicants upon submission by the applicant of a declaration of indigency.~~

12 ~~Examinations for all classes shall be timely prepared and administered by the Commission so as to~~  
13 ~~provide at all times current registers for all classifications. Eligible registers shall remain in effect for a~~  
14 ~~time determined by the Commission; provided, that no eligible register shall remain in effect for more~~  
15 ~~than two (2) years with the following temporary exceptions:~~

16 ~~1. The Police Sergeant Promotional Exam register to be posted on December 14, 1997 will remain in~~  
17 ~~effect until July 14, 2000.~~

18 ~~2. The Fire Lieutenant and Fire Captain Promotional Exam registers to be posted on March 20, 1998~~  
19 ~~will remain in effect until August 15, 2000.~~

20 ~~D. Provide notice of the time and place and general scope of every examination to be held by~~  
21 ~~publication in the City official newspaper not less than ten (10) days preceding such examination, and~~  
22 ~~for promotional exams by posting in the Commission office and in Police and Fire Department offices~~



1 ~~for not less than ninety (90) days, and by other notice deemed reasonable or necessary by the~~  
2 ~~Commission.~~

3 ~~E. Prepare a register for each class of positions in this system from the returns or reports of the~~  
4 ~~examiners of the persons whose standing upon examination for such class is not less than the minimum~~  
5 ~~established by the Commission. Persons, when graded, shall take rank upon the register as candidates in~~  
6 ~~the order of their relative excellence as determined by competitive examination. Veteran's preference in~~  
7 ~~examination and appointment shall be granted as required by federal and state law including RCW~~  
8 ~~41.08.040 and 41.12.040; provided, a person shall be entitled to use such preference only once to~~  
9 ~~successfully attain an appointment or promotion to a position.~~

10 ~~F. When a vacant position is to be filled, certify to the appointing authority the names of candidates in~~  
11 ~~the top twenty five (25) percent of the eligible register, or the top five (5) candidates, whichever~~  
12 ~~number is larger, subject to affirmative action requirements. Where more than one (1) position in a class~~  
13 ~~is to be filled, certify one (1) additional name of the person standing next highest on the register for each~~  
14 ~~additional position. The appointing authority shall fill such positions by appointment only from the~~  
15 ~~persons certified by the Commission.~~

16 ~~If there are no registers for a class, authorize temporary, provisional appointment to the vacant position.~~

17 ~~A provisional appointment shall not continue for a period longer than four (4) months, and no person~~  
18 ~~shall receive more than one (1) provisional appointment or serve more than four (4) months as~~  
19 ~~provisional appointee in any twelve (12) month period.~~

20 ~~G.))~~ B. Make investigations concerning the enforcement and effect of this chapter and the rules  
21 prescribed hereunder; and inspect all offices, places, positions, and employments affected by this chapter  
22 and ascertain whether this chapter and all such rules are being obeyed. Such investigations may be made  
23 by the Commission, or by any Commissioner or agent designated by the Commission for that purpose.

24



1 Like investigation may be made on written petition of a person duly verified stating that irregularities or  
2 abuses exist, setting forth in concise language the necessity and grounds for such investigation. In the  
3 course of such investigation, the Commission shall have the power to administer oaths, subpoena and  
4 require the attendance of witnesses and the production of books and papers relevant to such  
5 investigation. Alternatively, investigation or hearing may be conducted by a delegated agent of the  
6 Commission, whose investigation may be aided by subpoenas issued by the Commission.

7 ~~((H))~~ C. To hear and determine appeals or complaints respecting the administration of this chapter  
8 and Section 4.04.040(C) of the Seattle Municipal Code.

9 ~~((I))~~ D. Maintain a roster of employees of this system, and other records as may be necessary for  
10 proper administration of this chapter, and provide all necessary records to the Personnel Director for  
11 inclusion in the City's personnel management information records system.

12 ~~((J))~~ E. Recommend from time to time such City legislation as the Commission may deem advisable for  
13 the betterment of this system and/or the administration thereof.

14 F. Comply with the procedures regarding the promotions of police officers and sergeants set forth in the  
15 effective collective bargaining agreement between the City and the exclusive bargaining agent of such  
16 employees, as approved by ordinance, to the extent such procedures are inconsistent with those set forth  
17 herein.

18  
19 **Section 7.** Effective January 1, 2002, Section 4.08.090 of the Seattle Municipal Code is amended as  
20 follows:

21 **SMC 4.08.090 Qualifications of applicants.**

22 An applicant for a position in the classified Public Safety Civil Service must meet the minimum  
23 qualifications prescribed by the ~~((Commission))~~ Personnel Director, which standards shall be  
24



1 documented by the ((Commission)) Personnel Director to be related to the physical and mental demands  
2 required to perform the duties assigned to the position to which the applicant seeks appointment.

3  
4 **Section 8.** Effective January 1, 2002, Section 4.08.110 of the Seattle Municipal Code is amended as  
5 follows:

6 **SMC 4.08.110 Filling of vacancies -- Probationary period.**

7 A. Whenever a position covered by this system becomes vacant, the appointing authority, if it desires to  
8 fill the vacancy, shall make requisition upon the ((Commission)) Personnel Director for the names and  
9 addresses of persons eligible for and willing and able to accept the appointment. The appointing  
10 authority shall fill such vacancies by appointment from the register of persons certified by the  
11 ((Commission)) Personnel Director therefor. To facilitate the selection of appointees from the persons  
12 so certified, the appointing authority may require such persons to come before him/her and shall be  
13 entitled to inspect such persons' application and examination papers, and may fill such positions by  
14 appointment from the persons so certified without regard to their order of certification.

15 B. No appointment, employment or promotion in this system shall be deemed complete until after the  
16 expiration of a period of one year's probationary service. Before the expiration of the period of  
17 probation, the appointing authority may discharge or, in the case of a promotion, demote an appointee  
18 upon filing in writing the reasons therefor with the Director of Personnel and the Commission. If an  
19 appointee is not then discharged or demoted, his/her appointment shall be deemed complete.

20 //

21 //

22 //

23 //

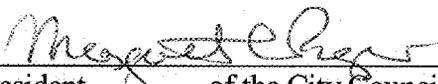
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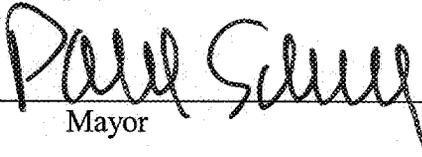
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7 **Section 9.** This ordinance shall take effect and be in force thirty (30) days from and after its approval by  
8 the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall  
9 take effect as provided by Municipal Code Section 1.04.020.

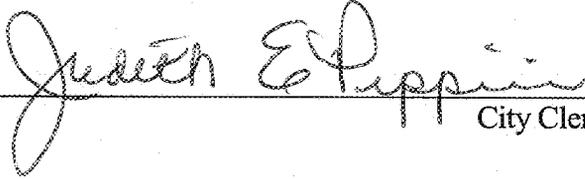
10 Passed by the City Council the 26<sup>th</sup> day of November, 2001, and signed by me in open  
11 session in authentication of its passage this 26<sup>th</sup> day of November, 2001.

12  
13   
President \_\_\_\_\_ of the City Council

14 Approved by me this 30<sup>th</sup> day of NOVEMBER, 2001.

15  
16   
Mayor \_\_\_\_\_

17  
18 Filed by me this 3<sup>rd</sup> day of December, 2001.

19  
20   
City Clerk \_\_\_\_\_

21 (Seal)

22  
23  
24





# City of Seattle

Paul Schell, Mayor

Office of the Mayor

November 9, 2001



Margaret Pageler, President  
Seattle City Council  
600 Fourth Avenue, 11<sup>th</sup> Floor  
Seattle, WA 98104

Dear Council President Pageler:

Please find attached for Council consideration a proposed ordinance that amends Chapters 4.04 and 4.08 of the Seattle Municipal Code, which establish the Public Safety Civil Service Commission (PSCSC) and the Personnel Department.

This proposed ordinance has been developed in conjunction with Council Central Staff to address problems and issues identified by the City Auditor which are of concern to members of the City Council and to me.

Currently, the PSCSC is a very small commission which operates without support from other city departments. It consists of 3 Commissioners, and is staffed by a Secretary/Chief Examiner, 2 examiners (one each for police and fire), and 1 administrative staff person (another  $\frac{3}{4}$  time staff position is vacant) The PSCSC performs two main functions:

- (1) administering written and oral entry-level and promotional examinations for the Police and Fire Departments; and
- (2) hearing appeals of exam results and disciplinary decisions.

In order to give the PSCSC more administrative, managerial, budgeting and other support, the proposed ordinance would transfer the examination functions (and associated staff) to the Personnel Department. The 3 member Commission would continue to hear appeals, and would be staffed by an Executive Director (presumably, the same individual who currently serves as the Secretary/Chief Examiner).

With this proposed reorganization, the PSCSC would function in the same way as the Civil Service Commission, with the Personnel Department administering examinations, and an independent 3-member Commission hearing appeals.

Recognizing that small commissions often lack valuable resources, the Council has in the past reorganized the Design Commission, the Planning Commission and other similar commissions by integrating them into larger City departments that provide the support and the resources that the commissions otherwise would not have. This same solution is proposed for the PSCSC.

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Tel: (206) 684-4000, TDD: (206) 684-8811, Fax: (206) 684-5360, E-mail: mayors.office@ci.seattle.wa.us

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*Council President Pageler*

November 9, 2001

Page 2

In 2001, the City Auditor reviewed the structure of the PSCSC as a result of questions about budget overruns and other problems, and recommended that the PSCSC staff be transferred to the Personnel Department. This recommendation was made to address what the Auditor believed were inherent flaws and weaknesses in PSCSC structure. This proposed ordinance is submitted to implement the Auditor's recommendations and to remedy these structural weaknesses by integrating the PSCSC examination, budgeting and administrative functions with Personnel, which already performs these functions for the Civil Service Commission.

The proposed reorganization will result in some immediate savings. Over the longer term, the reorganization will achieve more significant administrative savings through economies of scale: All of the functions of the PSCSC except appeals hearings will be part of a much larger unit of government.

In short, the proposed reorganization will result in more efficient administration of the police and fire civil service system.

Very truly yours,

A handwritten signature in cursive script, appearing to read "M... for Paul Schell".

Paul Schell



<b>Department:</b> Council Central Staff, Executive Department	<b>Contact Person/Phone:</b> Laura Hitchcock 684-8929	<b>CBO Analyst/Phone:</b> Karl Stickel 684-8085
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**Legislation Title:**

AN ORDINANCE relating to the Civil Service systems of the City; transferring functions of the Public Safety Civil Service Commission and amending Chapters 4.04 and 4.08 of the Seattle Municipal Code.

**Summary of the Legislation:**

The attached legislation proposes a reorganization of the current Public Safety Civil Service Commission (PSCSC) by transferring its examination functions to the Personnel Department. The three-member, independent Commission would continue to hear appeals, and would be staffed by an Executive Director.

This legislation also amends the Seattle Municipal Code to clarify the responsibilities of the Personnel Department, the PSCSC and the new Executive Director.

More specifically, this action has the effect of re-classifying the Secretary/Chief Examiner of the Public Safety Civil Service Commission to a Strategic Advisor II at the same salary (with no net budget effect); abrogating two administrative positions (1 Admin Spec; 1 Admin Staff Assistant) from the PSCSC; transferring two Special Exam Analysts from the PSCSC to the Personnel Department; and zeroing out adding to the Personnel Department all but \$5,000 of the non-personnel costs in PSCSC.

**Background (Include justification for the legislation and funding history, if applicable):**

This proposed ordinance has been developed in conjunction with City Council Central Staff to address problems and issues identified by the City Auditor which are of concern to members of the City Council and to the Executive.

In 2001, the City Auditor reviewed the structure of the PSCSC and recommended that the PSCSC staff be transferred to the Personnel Department. This recommendation was made to address what the Auditor believed were inherent flaws and weaknesses in PSCSC structure and management and oversight authority. The proposed ordinance is submitted to implement the Auditor's recommendations and to remedy these structural weaknesses by integrating the PSCSC examination function (as well as its associated budgeting and administrative functions) with Personnel.

The legislation will amend the Seattle Municipal Code effective January 1, 2002, and transfer the following functions (including relevant rulemaking functions) of the Public Safety Civil Service Commission to the Director of Personnel:

- Classification of positions for police and fire departments (prescription of minimum qualifications)
- Conduct of examinations for police and fire department candidates -- including preparation, administration, grading, supervising, charging applicants to take the test and waiving fees for indigents
- Notification of time and place of exams
- Preparation and provision of current registers of applicants
- Certification of names of candidates to the appointing authority (documentation of minimum qualifications)
- Authorization to provisionally appoint personnel if necessary



Through two separate Council green sheets, the overall effect of this legislation will have the following 2002 fiscal impacts:

Decreasing the PSCSC Budget:

- Abrogation of 2.0 FTE Special Exams Analysts (\$138,728)
- Abrogation of 1.0 FTE Administrative Spec. I (\$ 43,431)
- Abrogation of 0.75 FTE Administrative Staff Asst. (\$ 42,471)
- Reduction of PSCSC Budget (non-personnel costs) (\$122,497)

**Total Decrease** (\$347,127)

Increasing the Personnel Department Budget:

- Add 2.0 FTE Special Exam Analysts \$138,728
- Increase Personnel Budget (non-personnel costs) \$132,497

**Total Increase** \$271,225

**Total Difference/Savings** \$ 75,902

**Public/Private Partnership Review Status:**

This legislation is not subject to P4 review.

**Is the Legislation Subject to Public Hearing Requirements:**

There is no public hearing requirement.

**Fiscal Sustainability Issues (related to grant awards):**

There are no sustainability issues surrounding this legislation.

***Estimated Expenditure Impacts:***

FUND (List # and/or Account)	2001	2002	2003
General Subfund/V1S00 (PSCSC)		(\$347,127)	
General Subfund/A6410 (Personnel)		\$271,225	
<b>TOTAL</b>		<b>(\$75,902)</b>	

One-time \$ 10,000

On-going \$ (65,902) in 2002, and  
\$ (75,902) in 2003.

**Please note:** An additional \$10,000 in one-time moving expenses is also added to the Personnel Department LOB for the purpose of effecting the move of staff to the PSCSC. However, since this is a one-time expense, there is no intention to add \$10,000 to the Personnel Department's base budget.

***Estimated Revenue Impacts:***

FUND	2001	2002	2003
N/A			
<b>TOTAL</b>			

One-time \$ -0-

On-going \$ -0-



**Estimated FTE Impacts:**

FUND	2001	2002	2003
General Subfund/V1S00 (PSCSC)		(3.75) FTEs	
General Subfund/A6410 (Personnel)		2.0 FTEs	
<b>TOTAL</b>		<b>(1.75) FTEs</b>	

# Full Time: -1.75    # Part Time: N/A    # TES: N/A

**Do positions sunset in the future? If so, when?**

No positions will sunset.

**Other Issues (including long-term implications of the legislation):**

This action is accompanied by a Statement of Legislative Intent (SLI) which directs the Civil Service Commission (CSC) and the PSCSC to develop a Memorandum of Understanding which specifies how administrative staff of the CSC will be shared with the PSCSC.



**Margaret Carter - Title for PSCSC ordinance**

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**From:** Laura Hitchcock  
**To:** Margaret Carter  
**Date:** 11/13/2001 10:49 AM  
**Subject:** Title for PSCSC ordinance  
**CC:** Martha Lester

*Title only*  
*CB113961*  
*00*  
*Sumner*

This is the final title.

*Pager TO: Budget*

AN ORDINANCE relating to the Civil Service systems of the City; transferring functions of the Public Safety Civil Service Commission and amending Chapters 4.04 and 4.08 of the Seattle Municipal Code.

Laura Hitchcock  
Legislative Analyst  
Seattle City Council Central Staff  
1100 Municipal Building  
600 Fourth Avenue  
Seattle, WA 98104-1876  
(206) 684-8929 (tel)  
(206) 684-8699 (fax)



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**STATE OF WASHINGTON – KING COUNTY**

--SS.

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139202  
City of Seattle, Clerk's Office

No. ORDINANCE IN FULL

**Affidavit of Publication**

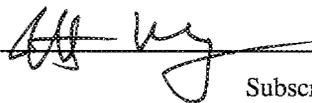
The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:120658 ORD. IN FULL

was published on

12/17/01



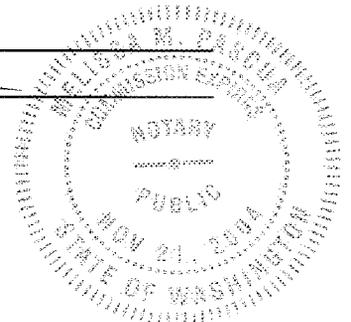
Subscribed and sworn to before me on

12/18/01



Notary public for the State of Washington,  
residing in Seattle

Affidavit of Publication



# State of Washington, King County

## City of Seattle

### ORDINANCE 120658

AN ORDINANCE relating to the Civil Service systems of the City, transferring functions of the Public Safety Civil Service Commission and amending Chapters 4.04 and 4.08 of the Seattle Municipal Code.

WHEREAS, the City of Seattle is facing substantial budgetary shortfalls declining revenue sources; and

WHEREAS, Initiative 747 has been approved by the voters of the State of Washington, and as a result the City expects additional revenue shortfalls in 2002 and beyond; and

WHEREAS, in light of these projected budgetary shortfalls and recent revenue projections, the Executive proposed city-wide cuts to the 2002 proposed budget;

WHEREAS, during the budget planning process for 2002, the City Council and Executive identified further cost-saving measures and additional opportunities for streamlining and reducing inefficiencies while continuing to provide governmental services; and

WHEREAS, the City Council and Executive have determined that certain inefficiencies currently exist within the Public Safety Civil Service Commission Department which can be addressed effectively by certain corrective measures;

WHEREAS, reorganizing the Public Safety Civil Service Commission Department, transferring certain functions and staff positions from the Public Safety Civil Service Commission Department to the Personnel Department, and eliminating certain positions within the Public Safety Civil Service Commission Department will accomplish several goals, including: Immediate budget savings, longer term economies of scale, savings, improved management oversight of Public Safety Civil Service Commission functions and staff transferred to the Personnel Department, the provision of additional support and resources of the Personnel Department for those transferred functions and staff, and administrative and management efficiencies; and

WHEREAS, the reorganization of the Public Safety Civil Service Commission contemplated by this ordinance will not affect the existence or independence of the three-member commission or the commission's jurisdiction and authority over appeals; and

WHEREAS, in the 2002 budget ordinance, the City Council expressed its intent to transfer the administrative function of special examinations previously performed by the Public Safety Civil Service Commission Department to the Personnel Department and also add the equivalent of the Public Safety Civil Service Special Exams Analyst positions to the Personnel Department; and

WHEREAS, all functions previously performed by the Public Safety Civil Service Commission Department will continue to be performed by the Commis-

sion, its staff, or the Director of Personnel; and

WHEREAS, the City Council and Executive have determined that the functions of the City's public safety civil service system will remain the same, and that the City's public safety civil service system will continue to substantially accomplish the purposes of RCW 41.08 and 41.12 in providing for the administration of a public safety civil service system in accordance with state law; and

WHEREAS, this reorganization is intended to maintain an orderly civil service system for public safety employees that substantially accomplishes the purposes of RCW 41.08, 41.12, and 41.56;

### NOW THEREFORE

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

SECTION 1. Effective January 1, 2002, Section 4.04.020 of the Seattle Municipal Code is amended as follows:  
SMC 4.04.020 PURPOSES.

The purposes of this chapter is to establish for the City a system of personnel administration based upon merit principles as enumerated in the City Charter, Article XVI, Section 4 (as amended) ((Note 1)) and upon fair and uniform procedures for recruitment, selection, development, and maintenance of an effective and responsible work force and to substantially accomplish the purposes of RCW 41.08, 41.12 and 41.56.

SECTION 2. Effective January 1, 2002, Section 4.04.030 of the Seattle Municipal Code is amended to include the following definitions in alphabetical order and the remaining definitions shall be renumbered accordingly:  
4.04.030 DEFINITIONS.

Unless another meaning is clearly indicated from the context, as used in this title:

3. "Certify" for Public Safety Civil Service employees means verify to the appointing authority that a list of names of candidates for employment has been selected from the list of persons tested and found eligible for employment.

23. "Provisional employee" for Public Safety Civil Service employees means an employee who was appointed to a position for which no register existed.

25. "Register" for Public Safety Civil Service employees means a list of candidates for employment who have passed an employment examination, whose names may be chosen and certified by the Commission for submission to the appointing authority for consideration for employment.

SECTION 3. Effective January 1, 2002, Section 4.04.040 of the Seattle Municipal Code is amended as follows:  
4.04.040 ADMINISTRATION

A. There shall be a personnel system for the City, administered by the Direc-

tor of Personnel. The Director shall be appointed, confirmed, and removed as provided in Section 3.24.030 C.

B. The duties of the Director include:

1. Promote the improvement of City personnel administration, and personnel standards within the City;
  2. Lead City departments, offices, boards, and commissions, and their personnel offices, in the development of effective personnel programs. To help the Director perform this duty, the personnel offices of City departments shall keep the Director informed of their actions;
  3. Act as the City's central agency for establishing standards for personnel practices which are uniform as is practicable from department to department;
  4. At the Mayor's direction, develop, implement, and administer a centralized affirmative action program in conjunction with City rights agencies;
  5. Develop and administer a system of classification of positions of employment in the City, and a wage and salary plan therefor;
  6. Develop and administer centralized employee relations functions, relating to standard grievance procedures, collective bargaining, employee morale and motivation, and employee discipline and termination;
  7. Develop and implement safety programs in addition to those which may be provided within departments, and develop safety programs in coordination with departments;
  8. Develop, monitor, and/or approve departmental training plans;
  9. Develop and administer a centralized system and regular procedures for recruitment and selection of City employees;
  10. Conduct personnel research and staff resource planning for the City;
  11. Develop and administer a regular system of performance evaluation of City employees;
  12. Develop and administer benefit programs, other than retirement benefits administered by the Employee's Retirement Board, for City employees;
  13. Assist various City departments in layoff and reinstatement actions;
  14. Appoint, remove, and supervise the officers and employees of the Personnel Department;
  15. Develop and maintain a personnel management information records system for all City employees regardless of category of employment or department to which appointed;
  16. Design experimental programs in human resources management, for the Mayor's consideration;
  17. Contract for special personnel services he/she deems necessary, upon approval of the City Council;
  18. Review all City payrolls to ensure that each employee is receiving the proper pay.
- C. With respect to employees of the Public Safety Civil Service system of the Director include:
1. Classify for purposes of examination, appointments covered by said system. No shall be made to or from positions covered by said system except as provided in SMC Chapters 4.04.040, 4.04.041, 4.04.042, 4.04.043, 4.04.044, 4.04.045, 4.04.046, 4.04.047, 4.04.048, 4.04.049, 4.04.050, 4.04.051, 4.04.052, 4.04.053, 4.04.054, 4.04.055, 4.04.056, 4.04.057, 4.04.058, 4.04.059, 4.04.060, 4.04.061, 4.04.062, 4.04.063, 4.04.064, 4.04.065, 4.04.066, 4.04.067, 4.04.068, 4.04.069, 4.04.070, 4.04.071, 4.04.072, 4.04.073, 4.04.074, 4.04.075, 4.04.076, 4.04.077, 4.04.078, 4.04.079, 4.04.080, 4.04.081, 4.04.082, 4.04.083, 4.04.084, 4.04.085, 4.04.086, 4.04.087, 4.04.088, 4.04.089, 4.04.090, 4.04.091, 4.04.092, 4.04.093, 4.04.094, 4.04.095, 4.04.096, 4.04.097, 4.04.098, 4.04.099, 4.04.100, 4.04.101, 4.04.102, 4.04.103, 4.04.104, 4.04.105, 4.04.106, 4.04.107, 4.04.108, 4.04.109, 4.04.110, 4.04.111, 4.04.112, 4.04.113, 4.04.114, 4.04.115, 4.04.116, 4.04.117, 4.04.118, 4.04.119, 4.04.120, 4.04.121, 4.04.122, 4.04.123, 4.04.124, 4.04.125, 4.04.126, 4.04.127, 4.04.128, 4.04.129, 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AN ORDINANCE relating to the Civil Service systems of the City; transferring functions of the Public Safety Civil Service Commission and amending Chapters 4.04 and 4.08 of the Seattle Municipal Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

**Section 1.** Effective January 1, 2002, all recruitment, entry-level and promotional testing and other functions designated by ordinance related to employees of the Police and Fire Departments, as currently performed by the Public Safety Civil Service Commission staff, are hereby transferred from the Public Safety Civil Service Commission Department to the Personnel Department. All testing and recruitment functions shall continue except that said employees who perform those functions, the Special Exam Analysts, shall report to the Personnel Director rather than to the Public Safety Civil Service Commission. Administrative support for testing and recruitment functions shall be supplied by the Personnel Department. The current position of Secretary and Chief Examiner of the Commission shall continue to report to the Commission as an Executive Director. The Public Safety Civil Service Commission shall continue to hear appeals and its jurisdiction in that respect is not changed by this ordinance. This reorganization is intended to maintain an orderly civil service system for public safety employees that substantially accomplishes the purposes of RCW Chapters 41.08, 41.12, and 41.56. Until such time as the Personnel Director adopts rules to carry out the new duties assigned pursuant to Section 4 of this ordinance, the applicable portions of the Rules of Practice and Procedure of the Public Safety Civil Service Commission in effect on January 1, 2002, shall govern.



1           **Section 2.** Effective January 1, 2002, Section 4.04.020 of the Seattle Municipal Code is amended  
2 as follows:

3 **SMC 4.04.020 Purpose.**

4 The purpose of this chapter is to establish for the City a system of personnel administration based upon  
5 merit principles as enumerated in the City Charter, Article XVI, Section 4 (as amended) ~~((Note 1))~~ and  
6 upon fair and uniform procedures for recruitment, selection, development, and maintenance of an  
7 effective and responsible work force all to substantially accomplish the purposes of RCW 41.08, 41.12  
8 and 41.56.

9           **Section 3.** Effective January 1, 2002, Section 4.04.030 of the Seattle Municipal Code is amended to  
10 include the following definitions in alphabetical order and the remaining definitions shall be renumbered  
11 accordingly:

12 **4.04.030 Definitions**

13 Unless another meaning is clearly indicated from the context, as used in this title:

14 \*\*\*

15 3. "Certify" means verify to the appointing authority that a list of names of candidates for employment has  
16 been selected from the list of persons tested and found eligible for employment.

17 \*\*\*

18 25. "Register" means a list of candidates for employment who have passed an employment examination,  
19 whose names may be chosen and certified by the Commission for submission to the appointing authority  
20 for consideration for employment.

21 \*\*\*

22           **Section 4.** Effective January 1, 2002, Section 4.04.040 of the Seattle Municipal Code is amended  
23 as follows:

24



1 **4.04.040 Administration**

2 A. There shall be a personnel system for the City, administered by the Director of Personnel. The  
3 Director shall be appointed, confirmed, and removed as provided in Section 3.24.030 C.

4 B. The duties of the Director include:

- 5 1. Promote the improvement of City personnel administration, and personnel standards within the City;
- 6 2. Lead City departments, offices, boards, and commissions, and their personnel offices, in the  
7 development of effective personnel programs. To help the Director perform this duty, the personnel  
8 offices of City departments shall keep the Director informed of their actions;
- 9 3. Act as the City's central agency for establishing standards for personnel practices which are uniform  
10 as is practicable from department to department;
- 11 4. At the Mayor's direction, develop, implement, and administer a centralized affirmative action  
12 program in conjunction with City rights agencies;
- 13 5. Develop and administer a system of classification of positions of employment in the City, and a wage  
14 and salary plan therefor;
- 15 6. Develop and administer centralized employee relations functions, relating to standard grievance  
16 procedures, collective bargaining, employee morale and motivation, and employee discipline and  
17 termination;
- 18 7. Develop and implement employee safety programs in addition to those which may be provided  
19 within departments, and develop safety programs in coordination with departments;
- 20 8. Develop, monitor, and/or approve departmental training plans.
- 21 9. Develop and administer a centralized system and regular procedures for recruitment and selection of  
22 City employees;
- 23 10. Conduct personnel research and staff resource planning for the City;
- 24



- 1 11. Develop and administer a regular system of performance evaluation of City employees;
- 2 12. Develop and administer benefit programs, other than retirement benefits administered by the
- 3 Employee's Retirement Board, for City employees;
- 4 13. Assist various City departments in layoff and reinstatement actions;
- 5 14. Appoint, remove, and supervise the officers and employees of the Personnel Department;
- 6 15. Develop and maintain a personnel management information records system for all City employees
- 7 regardless of category of employment or department to which appointed;
- 8 16. Design experimental programs in human resources management, for the Mayor's consideration;
- 9 17. Contract for special personnel services he/she deems necessary, upon approval of the City Council;
- 10 18. Review all City payrolls to ensure that each employee is receiving the proper pay.

11 C. With respect to employees within the Public Safety Civil Service system defined at SMC 4.08.060,  
12 the duties of the Director shall also include:

- 13 1. Classify for purposes of examination, all positions covered by said system. No appointments,  
14 promotions or transfers shall be made to or from positions covered by said system except as provided in  
15 SMC Chapters 4.04 and 4.08.
- 16 2. Prepare and administer examinations, which shall be graded and open to all who meet appropriate  
17 job-related qualifications; provided that the Director may, by rule, designate other methods of  
18 examination based on merit when in the Director's judgment graded examination is not practicable. Such  
19 examinations may include tests of physical fitness and/or manual skill. The Director shall superintend  
20 and keep a record of all examinations. The Director may designate a suitable number of persons to be  
21 examiners to conduct such examinations. A Director may act as examiner. The Director shall charge a  
22 nonrefundable application fee of Twenty- five Dollars (\$25) for entry-level firefighter and police officer



1 applicants. The Director shall waive this fee for indigent applicants upon submission by the applicant of  
2 a declaration of indigency.

3 Examinations for all classes shall be timely prepared and administered by the Director so as to provide  
4 at all times current registers for all classifications. Eligible registers shall remain in effect for a time  
5 determined by the Director; provided, that no eligible register shall remain in effect for more than two  
6 (2) years.

7 3. Provide notice of the time and place and general scope of every examination to be held by  
8 publication in the City official newspaper not less than ten (10) days preceding such examination, and  
9 for promotional exams by posting in the Public Safety Civil Service Commission office and in Police  
10 and Fire Department offices for not less than ninety (90) days, and by other notice deemed reasonable or  
11 necessary by the Director.

12 4. Prepare a register for each class of positions in this system from the returns or reports of the  
13 examiners of the persons whose standing upon examination for such class is not less than the minimum  
14 established by the Director. Persons, when graded, shall take rank upon the register as candidates in the  
15 order of their relative excellence as determined by competitive examination. Veteran's preference in  
16 examination and appointment shall be granted as required by federal and state law including RCW  
17 41.08.040 and 41.12.040; provided, a person shall be entitled to use such preference only once to  
18 successfully attain an appointment or promotion to a position.

19 5. When a vacant position is to be filled, certify to the appointing authority the names of candidates in  
20 the top twenty- five (25) percent of the eligible register, or the top five (5) candidates, whichever  
21 number is larger, subject to affirmative action requirements. Where more than one (1) position in a class  
22 is to be filled, certify one (1) additional name of the person standing next highest on the register for each  
23  
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1 additional position. The appointing authority shall fill such positions by appointment only from the  
2 persons certified by the Director.

3 If there are no registers for a class, authorize temporary, provisional appointment to the vacant position.  
4 A provisional appointment shall not continue for a period longer than four (4) months, and no person  
5 shall receive more than one (1) provisional appointment or serve more than four (4) months as  
6 provisional appointee in any twelve (12) month period.

7  
8 **Section 5.** Effective January 1, 2002, Section 4.08.020 of the Seattle Municipal Code is amended  
9 as follows:

10 **SMC 4.08.020 Purpose.**

11 The general purpose of this chapter is to establish a civil service commission ~~((system))~~ to hear the  
12 appeals of ~~((for))~~ employees in the Police and Fire Departments of the City, ~~((governing))~~ regarding  
13 ~~((appointments,))~~ promotions, promotional testing ~~((layoffs, recruitment, retention, classifications,~~  
14 ~~removals))~~ and discipline, pursuant to Charter Article XVI, ~~((Note 1))~~ which, together with applicable  
15 provisions of the Personnel System established by SMC Chapter 4.04 provide for a civil service system  
16 in the Police and Fire Departments ~~((all in))~~ in substantial compliance with RCW Chapters 41.08, 41.12,  
17 41.56. All appointments and promotions to Police and Fire Department positions, retention therein and  
18 removal therefrom shall be based on merit and according to the ~~((made on the basis and))~~ policies and  
19 procedures hereinafter specified ~~((as in said state law)).~~

20  
21 **Section 6.** Effective January 1, 2002, Section 4.08.050 of the Seattle Municipal Code is amended  
22 as follows:



1 **SMC 4.08.050 Organization of commission -- ~~((Secretary and chief examiner))~~ Executive**  
2 **Director.**

3 A. Immediately after appointment, the Commission shall organize by electing one (1) Commissioner as  
4 Chairman and thereafter hold regular meetings at least once a month, and such additional meetings as  
5 may be required for the proper discharge of duties.

6 B. The Commission shall appoint an Executive Director ~~((Secretary and Chief Examiner))~~, who shall  
7 keep the records for the Commission, preserve all reports made to it, ~~((superintend and keep a record of~~  
8 ~~all examinations held under its direction,))~~ and perform such other duties as the Commission may  
9 prescribe.

10 C. Should the position of ~~((Secretary and Chief Examiner))~~ Executive Director be filled by appointment  
11 of a Public Safety Civil Service employee, such employee, if removed as ~~((Examiner))~~ Executive  
12 Director other than for cause, shall be appointed to the first available position in the class from which  
13 he/she was appointed to the position of Executive Director ~~((Secretary and Chief Examiner))~~.

14 **Section 7.** Effective January 1, 2002, Section 4.08.070 of the Seattle Municipal Code is amended  
15 as follows:

16 **SMC 4.08.070 Powers and duties of Commission.**

17 The Commission shall:

18 A. Make suitable rules to carry out the purposes of this chapter. ~~((and for examination, appointments,~~  
19 ~~promotions, transfers, demotions, reinstatements, suspensions, layoffs, discharges, and any other matters~~  
20 ~~connected with the purposes of this chapter.))~~ Such rules may be amended, modified or rescinded from  
21 time to time and all rules and amendments thereof shall be printed for free public distribution. The  
22 Commission shall initially be governed by the rules in the "Civil Service Laws and Rules" adopted  
23  
24

1 February 17, 1965, as amended and in existence as of July 1, 1978. The Commission may thereafter  
2 supplement, amend, supersede or repeal such rules.

3 ~~B. ((Classify for purposes of examination, all positions covered by this system. No appointments,  
4 promotions or transfers shall be made to or from positions covered by this system except as provided in  
5 this chapter.~~

6 ~~C. Prepare and administer examinations, which shall be graded and open to all who meet appropriate  
7 job-related qualifications; provided that the Commission may, by rule, designate other methods of  
8 examination based on merit when in the Commission's judgment graded examination is not practicable.  
9 Such examinations may include tests of physical fitness and/or manual skill. The Commission may  
10 designate a suitable number of persons to be examiners to conduct such examinations. A Commissioner  
11 may act as examiner. The Commission shall charge a nonrefundable application fee of Twenty-five  
12 Dollars (\$25) for entry-level firefighter and police officer applicants. The Commission shall waive this  
13 fee for indigent applicants upon submission by the applicant of a declaration of indigency.~~

14 ~~Examinations for all classes shall be timely prepared and administered by the Commission so as to  
15 provide at all times current registers for all classifications. Eligible registers shall remain in effect for a  
16 time determined by the Commission; provided, that no eligible register shall remain in effect for more  
17 than two (2) years with the following temporary exceptions:~~

18 ~~1. The Police Sergeant Promotional Exam register to be posted on December 14, 1997 will remain in  
19 effect until July 14, 2000.~~

20 ~~2. The Fire Lieutenant and Fire Captain Promotional Exam registers to be posted on March 20, 1998  
21 will remain in effect until August 15, 2000.~~

22 ~~D. Provide notice of the time and place and general scope of every examination to be held by  
23 publication in the City official newspaper not less than ten (10) days preceding such examination, and  
24~~



1 ~~for promotional exams by posting in the Commission office and in Police and Fire Department offices~~  
2 ~~for not less than ninety (90) days, and by other notice deemed reasonable or necessary by the~~  
3 ~~Commission.~~

4 ~~E. Prepare a register for each class of positions in this system from the returns or reports of the~~  
5 ~~examiners of the persons whose standing upon examination for such class is not less than the minimum~~  
6 ~~established by the Commission. Persons, when graded, shall take rank upon the register as candidates in~~  
7 ~~the order of their relative excellence as determined by competitive examination. Veteran's preference in~~  
8 ~~examination and appointment shall be granted as required by federal and state law including RCW~~  
9 ~~41.08.040 and 41.12.040; provided, a person shall be entitled to use such preference only once to~~  
10 ~~successfully attain an appointment or promotion to a position.~~

11 ~~F. When a vacant position is to be filled, certify to the appointing authority the names of candidates in~~  
12 ~~the top twenty-five (25) percent of the eligible register, or the top five (5) candidates, whichever~~  
13 ~~number is larger, subject to affirmative action requirements. Where more than one (1) position in a class~~  
14 ~~is to be filled, certify one (1) additional name of the person standing next highest on the register for each~~  
15 ~~additional position. The appointing authority shall fill such positions by appointment only from the~~  
16 ~~persons certified by the Commission.~~

17 ~~If there are no registers for a class, authorize temporary, provisional appointment to the vacant position.~~  
18 ~~A provisional appointment shall not continue for a period longer than four (4) months, and no person~~  
19 ~~shall receive more than one (1) provisional appointment or serve more than four (4) months as~~  
20 ~~provisional appointee in any twelve (12) month period.~~

21 ~~G. Make investigations concerning the enforcement and effect of this chapter and the rules prescribed~~  
22 ~~hereunder; and inspect all offices, places, positions, and employments affected by this chapter and~~  
23 ~~ascertain whether this chapter and all such rules are being obeyed. Such investigations may be made by~~



1 the Commission, or by any Commissioner or agent designated by the Commission for that purpose. Like  
2 investigation may be made on written petition of a person duly verified stating that irregularities or  
3 abuses exist, setting forth in concise language the necessity and grounds for such investigation. In the  
4 course of such investigation, the Commission shall have the power to administer oaths, subpoena and  
5 require the attendance of witnesses and the production of books and papers relevant to such  
6 investigation. Alternatively, investigation or hearing may be conducted by a delegated agent of the  
7 Commission, whose investigation may be aided by subpoenas issued by the Commission.

8 ~~((H))~~ C. To hear and determine appeals or complaints respecting the administration of this chapter.

9 ~~((I. Maintain a roster of employees of this system, and other records as may be necessary for proper  
10 administration of this chapter, and provide all necessary records to the Personnel Director for inclusion  
11 in the City's personnel management information records system.))~~

12 ~~((F))~~ D. Recommend from time to time such City legislation as the Commission may deem advisable for  
13 the betterment of this system and/or the administration thereof

14 **Section 8.** Effective January 1, 2002, Section 4.08.090 of the Seattle Municipal Code is amended  
15 as follows:

16 **SMC 4.08.090 Qualifications of applicants.**

17 An applicant for a position in the classified Public Safety Civil Service must meet the minimum  
18 qualifications prescribed by the ~~((Commission))~~ Personnel Director, which standards shall be  
19 documented by the ~~((Commission))~~ Personnel Director to be related to the physical and mental demands  
20 required to perform the duties assigned to the position to which the applicant seeks appointment.

21  
22 **Section 9.** Effective January 1, 2002, Section 4.08.110 of the Seattle Municipal Code is amended  
23 as follows:  
24



1 **SMC 4.08.110 Filling of vacancies -- Probationary period.**

2 A. Whenever a position covered by this system becomes vacant, the appointing authority, if it desires to  
3 fill the vacancy, shall make requisition upon the ((Commission)) Personnel Director for the names and  
4 addresses of persons eligible for and willing and able to accept the appointment. The appointing  
5 authority shall fill such vacancies by appointment from the register of persons certified by the  
6 ((Commission)) Personnel Director therefor. To facilitate the selection of appointees from the persons  
7 so certified, the appointing authority may require such persons to come before him/her and shall be  
8 entitled to inspect such persons' application and examination papers, and may fill such positions by  
9 appointment from the persons so certified without regard to their order of certification.

10 B. No appointment, employment or promotion in this system shall be deemed complete until after the  
11 expiration of a period of one year's probationary service. Before the expiration of the period of  
12 probation, the appointing authority may discharge or, in the case of a promotion, demote an appointee  
13 upon filing in writing the reasons therefor with the Commission. If an appointee is not then discharged  
14 or demoted, his/her appointment shall be deemed complete.

15  
16 **Section 10.** This ordinance shall take effect and be in force thirty (30) days from and after its  
17 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after  
18 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

19 Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2001, and signed by me in open  
20 session in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_, 2001.

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22 \_\_\_\_\_  
23 President \_\_\_\_\_ of the City Council  
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Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
City Clerk

(Seal)

