

**CITY OF SEATTLE**  
**ORDINANCE** 127127  
**COUNCIL BILL** 120876

AN ORDINANCE relating to the civil service; transferring the function of the Fire and Police Exams Unit from the Seattle Department of Human Resources to the Civil Service Commissions Department; and amending Sections 4.04.030, 4.04.040, 4.08.070, and 4.08.110 of the Seattle Municipal Code.

WHEREAS, since 1896, the Seattle City Charter required a civil service system to ensure that employment is predicated on applicants' qualifications to perform the work and is insulated from political pressures. The Public Safety Civil Service Commission (PSCSC) has overseen the public safety portion of the system as an independent body for uniformed police officers and fire fighters since 1978 and is currently housed in the Civil Service Commissions Department; and

WHEREAS, the Fire and Police Exams Unit in the Seattle Department of Human Resources (SDHR) develops and administers entry level and promotional exams and compiles hiring eligibility lists for members of the uniformed public safety civil service, under the authority of and overseen by the PSCSC and pursuant to Washington State law, the City Charter, and the Seattle Municipal Code; and

WHEREAS, in 2001, the City Council passed Ordinance 120658, transferring substantive powers, including authority over the Fire and Police Exams Unit and its function from the PSCSC to the Personnel Department, now called SDHR; and

WHEREAS, after passage of Ordinance 120658, the Seattle Police Officers' Guild (SPOG) sued The City of Seattle, alleging that transferring the PSCSC's substantive powers, including authority over the Fire and Police Exams Unit under the direction of the Personnel

Director, infringed on the independence of the PSCSC as required under chapter 41.12 of the Revised Code of Washington; and

WHEREAS, in 2004 in *Seattle Police Officers' Guild v. City of Seattle*, 121 Wn. App. 453

(2004), the Washington Court of Appeals ruled in favor of SPOG and voided the ordinance, and the City Council passed Ordinance 121747 in early 2005, affirming the PSCSC's independence and control over this function, and characterizing the Personnel Director's role as "administrative and ministerial"; and

WHEREAS, the duties performed by the Fire and Police Exams Unit are core functions of the PSCSC and not SDHR, and in 2024, both departments have entered into a Memorandum of Agreement with the Mayor's Office effectuating a transfer of the Fire and Police Exams Unit to PSCSC; and

WHEREAS, both SDHR and the Civil Service Commissions Department have submitted via the 2025-2026 biennium budget process the transfer of related positions and non-labor budget respectively, and Seattle Municipal Code Chapters 4.04 and 4.08 must be revised accordingly; NOW, THEREFORE,

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

Section 1. Section 4.04.030 of the Seattle Municipal Code, last amended by Ordinance 127006, is amended as follows:

**4.04.030 Definitions**

Unless another meaning is clearly indicated from the context, as used in this Title 4:

\* \* \*

~~((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.))~~

\* \* \*

~~((26. "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 2. Section 4.04.040 of the Seattle Municipal Code, last amended by Ordinance 124567, is amended as follows:

#### 4.04.040 Administration

\* \* \*

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;

- 1                   4. At the Mayor's direction, develop, implement, and administer a centralized
- 2 affirmative action program in conjunction with City rights agencies;
- 3                   5. Develop and administer a system of classification of positions of employment
- 4 in the City, and a wage and salary plan therefor;
- 5                   6. Develop and administer centralized employee relations functions, relating to
- 6 standard grievance procedures, collective bargaining, employee morale and motivation, and
- 7 employee discipline and termination;
- 8                   7. Develop and implement employee safety programs in addition to those which
- 9 may be provided within departments, and develop safety programs in coordination with
- 10 departments;
- 11                  8. Develop, monitor, and/or approve departmental training plans((-)) ;
- 12                  9. Develop and administer a centralized system and regular procedures for
- 13 recruitment and selection of City employees;
- 14                  10. Conduct personnel research and staff resource planning for the City;
- 15                  11. Develop and administer a regular system of performance evaluation of City
- 16 employees;
- 17                  12. Develop and administer benefit programs, other than retirement benefits
- 18 administered by the Employee's Retirement Board, for City employees;
- 19                  13. Assist various City departments in layoff and reinstatement actions;
- 20                  14. Appoint, remove, and supervise the officers and employees of the Seattle
- 21 Department of Human Resources;

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

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

6                   17. Contract for special personnel services ((he/she)) the Director deems  
7 necessary, upon approval of the City Council;

8                   18. Review all City payrolls to ensure that each employee is receiving the proper  
9 pay((-)) ; and

10                   19. Provide staff support for entry-level and promotional exams in service to the  
11 Public Safety Civil Service Commission, as requested by the Executive Director of the Public  
12 Safety Civil Service Commission.

13                   ~~((C. With respect to the Public Safety Civil Service system enumerated in Section~~  
14 ~~4.08.060, the duties of the Director shall be administrative and ministerial, including any~~  
15 ~~support provided by the Director's staff. The duties of the Director include:~~

16                   ~~1. Provide staff support to the Public Safety Civil Service Commission,~~  
17 ~~including staff to assist the Commission in the preparation and administration of entry level~~  
18 ~~and promotional examinations for the Seattle Police and Fire Departments. The Director's staff~~  
19 ~~shall also assist the Commission to develop the appropriate registers based on test scores and~~  
20 ~~service credits.~~

21                   ~~a. The level of staff support provided shall not be increased above that~~  
22 ~~assigned to Public Safety Civil Service System duties in 2004, including contracts for~~

~~consulting services, unless there is a corresponding increase in the Seattle Department of Human Resources budget.~~

~~b. Any contract for consulting services to the Public Safety Civil Service System may be funded from that portion of the Seattle Department of Human Resources' budget dedicated to support the Public Safety Civil Service Commission. Any such contract paid for from Seattle Department of Human Resources funds must be jointly approved by the Seattle Human Resources Director and the Public Safety Civil Service Commission.~~

~~2. Provide staff support to the Public Safety Civil Service Commission by maintaining registers and posting registers appropriately for candidate and public review.~~

~~3. While the Director's staff shall assist the Commission, the Commission or its designee shall certify the candidates for appointment to a particular position. The Public Safety Civil Service Commission shall retain all rule-making powers.))~~

Section 3. Section 4.08.070 of the Seattle Municipal Code, last amended by Ordinance 127026, is amended as follows:

**4.08.070 Powers and duties of Commission.**

The Commission shall:

A. Make suitable rules to carry out the purposes of this ~~((chapter))~~ Chapter 4.08 and for examination, appointments, promotions, transfers, demotions, reinstatements, suspensions, layoffs, discharges, and any other matters connected with the purposes of this ~~((chapter))~~ Chapter 4.08 or as required by chapters 41.08 or 41.12 RCW. Such rules may be amended, modified, or rescinded from time to time and all rules and amendments thereof shall be printed for free public distribution.

\* \* \*

1 C. (~~With the support of the Seattle Human Resources Director pursuant to Section~~  
2 ~~4.04.040, prepare~~) Prepare and administer examinations, which shall be graded and open to all  
3 who meet appropriate job-related qualifications; provided that the Commission may, by rule,  
4 designate other methods of examination based on merit when in the Commission's judgment  
5 graded examination is not practicable. Such examinations may include tests of physical fitness  
6 and/or manual skill. The Commission may designate a suitable number of persons to be  
7 examiners to conduct such examinations. A Commissioner may act as examiner.

8 When preparing or administering exams for entry level police officer candidates, the  
9 Commission should seek to use a public safety testing service that conforms to the extent  
10 possible to all City of Seattle policies that address recruiting, hiring, and retention; provided that  
11 any such exam is consistent with the goals and requirements of the Consent Decree and the  
12 City's Accountability Ordinance (Ordinance 125315).

13 \* \* \*

14 E. (~~With the support of the Seattle Human Resources Director, provide~~) Provide  
15 notice of the time, place, and general scope of every examination not less than ten days  
16 preceding such examination, and for promotional exams by posting in the Commission office  
17 and in Police and Fire Department offices for not less than 90 days, and by other notice  
18 deemed reasonable or necessary by the Commission.

19 \* \* \*

20 G. 1. (~~With the support of the Seattle Human Resources Director, prepare~~) Prepare a  
21 register for each class of positions in this system from the returns or reports of the examiners  
22 of the persons whose standing upon examination for such class is not less than the minimum

1 established by the Commission. Persons, when graded, shall take rank upon the register as  
2 candidates in the order of their relative excellence as determined by competitive examination.

3                   a. Veteran's preference in examination and appointment shall be granted  
4 as required by federal and state law including RCW 41.08.040 and 41.12.040; provided, a  
5 person shall be entitled to use such preference only once to successfully attain an appointment  
6 or promotion to a position.

7                   b. Language preference. An applicant for a Seattle Police Department  
8 (SPD) position deemed fluent in a language other than English may be entitled to have 10  
9 percent credit added to the applicant's examination score for initial hiring or promotion. To  
10 receive such credit on the examination score, the applicant's fluency will be verified by the  
11 hiring authority based on a measure to be established by the Department.

12                   c. Community service/work experience preference. An applicant for an  
13 SPD position who has completed service in the Peace Corps, AmeriCorps, or other verified  
14 equivalent work experience or community service of two years or more, may be entitled to have  
15 10 percent credit added to the examination score. An applicant seeking credit for service in the  
16 Peace Corps must present a Peace Corps Description of Service (DOS) certifying completion of  
17 their service in the Peace Corps. To receive such credit on the examination score, an applicant's  
18 equivalent work experience or community service will be assessed by the hiring authority based  
19 on standards to be established by the SPD. For example, equivalent work experience or  
20 community service might include professional or volunteer experience providing domestic  
21 violence counseling, mental health care, or social services. The equivalent work experience or  
22 community service must be confirmed through regular SPD background verification processes.



2. No applicant for an SPD position may receive more than a single 10 percent credit, which may be either for veteran's preference, language preference, or community service/work experience preference.

\* \* \*

Section 4. Section 4.08.110 of the Seattle Municipal Code, last amended by Ordinance 124567, is amended as follows:

**4.08.110 Filling of vacancies—Probationary period((s))**

\* \* \*

B. No appointment, employment, or promotion in this system shall be deemed complete until after the expiration of a period of one year's probationary service. Before the expiration of the period of probation, the appointing authority may discharge or, in the case of a promotion, demote an appointee upon filing in writing the reasons therefore with ~~((the Seattle Human Resources Director and))~~ the Commission. If an appointee is not then discharged or demoted, ~~((his/her))~~ the appointment shall be deemed complete.

Section 5. This ordinance shall take effect as provided by Seattle Municipal Code  
Sections 1.04.020 and 1.04.070.

Passed by the City Council the 21st day of November, 2024,  
and signed by me in open session in authentication of its passage this 21st day of  
November, 2024.



President \_\_\_\_\_ of the City Council

☒ Approved / ☐ returned unsigned / ☐ vetoed this 26th day of November, 2024.



Bruce A. Harrell, Mayor

Filed by me this 27th day of November, 2024.



Scheereen Dedman, City Clerk

(Seal)