

City of Seattle



Director Office of Labor Standards

**Confirmation Packet
February 1, 2018**

Martin S. Garfinkel



City of Seattle

February 1, 2018

The Honorable Bruce A. Harrell
President, Seattle City Council
Seattle City Hall, 2nd Floor
Seattle, WA 98104

Dear Council President Harrell:

I am pleased to transmit to the City Council the following confirmation packet for my appointment of Martin S. Garfinkel as Director of the Office of Labor Standards.

The materials in this packet are divided into two sections:

A. Martin S. Garfinkel

This section contains Mr. Garfinkel's appointment and oath of office forms, his resume, and the press release announcing his appointment.

B. Background Checks

This section contains the report to the Mayor's Office on Mr. Garfinkel's background check.

Martin S. Garfinkel has practiced labor and employment law for over 35 years representing unions and employees in numerous labor disputes, race and gender discrimination cases, and wage claims. He handled several landmark lawsuits that established new legal standards for paid travel time, meal and rest breaks, and misclassification of employees as independent contractors.

In 2015, Martin served on the Labor Standards Advisory Group that proposed enforcement guidelines for Seattle's new Office of Labor Standards. He has worked on many Bar Association committees and is a volunteer with legal clinics at El Centro de la Raza and the Fair Work Center. He also volunteers at Literacy Source in Lake City teaching English and computer skills to recent immigrants.

As we continue to build on the early successes of the Office of Labor Standards, I am confident that Martin is the right person to lead it forward and I urge you to confirm him. If you have any questions about the attached materials or need additional information, please contact Deputy Mayor Shefali Ranganathan at 206-256-6195, or via e-mail, at Shefali.Ranganathan@seattle.gov.

Sincerely,

Jenny A. Durkan
Mayor, City of Seattle

SECTION

A



City of Seattle

February 1, 2018

Martin S. Garfinkel
Seattle, WA
Transmitted via e-mail

Dear Martin,

It gives me great pleasure to appoint you to the position of Director of the Office of Labor Standards (Executive 2), effective February 1, 2018, at an annual salary of \$157,911.

Your appointment as Director is subject to City Council confirmation; therefore, you will need to attend the Council's confirmation hearings. Once confirmed by the City Council, you serve at the pleasure of the Mayor.

Your contingent offer letter provided employment information related to the terms of your employment, benefits, vacation, holiday and sick leave. If you have questions about your employment with the City of Seattle please contact Melissa A. Beatty, Acting Human Resources Director, at 206-615-1622.

I look forward to working with you in your role as Director and wish you success. We have much work ahead of us, and I am confident that the Office of Labor Standards will thrive beyond expectation under your leadership.

Sincerely,

Jenny A. Durkan
Mayor, City of Seattle

cc: Seattle Department of Human Resources



City of Seattle Department Head Notice of Appointment

Appointee Name: <i>Martin S. Garfinkel</i>		
City Department Name: <i>Office of Labor Standards</i>		Position Title: <i>Director</i>
<input checked="" type="checkbox"/> Appointment <i>OR</i> <input type="checkbox"/> Reappointment		Council Confirmation required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Appointing Authority: <input type="checkbox"/> Council <input checked="" type="checkbox"/> Mayor <input type="checkbox"/> Other: <i>Specify appointing authority</i>		Term of Office: <i>Council confirmation to Mayor's discretion</i>
Legislated Authority: <i>SMC 3.15.002</i>		
Background: <p>Martin S. Garfinkel has practiced labor and employment law for over 35 years representing unions and employees in numerous labor disputes, race and gender discrimination cases, and wage claims. He handled several landmark lawsuits that established new legal standards for paid travel time, meal and rest breaks, and misclassification of employees as independent contractors.</p> <p>In 2015, Martin served on the Labor Standards Advisory Group that proposed enforcement guidelines for Seattle's new Office of Labor Standards. He has worked on many Bar Association committees and is a volunteer with legal clinics at El Centro de la Raza and the Fair Work Center. He also volunteers at Literacy Source in Lake City teaching English and computer skills to recent immigrants.</p>		
Date of Appointment: <i>2/1/2018</i>	Authorizing Signature (original signature):	Appointing Signatory: <i>Jenny A. Durkan</i> <i>Mayor</i>



CITY OF SEATTLE ▪ STATE OF WASHINGTON
OATH OF OFFICE

State of Washington

County of King

I, Martin S. Garfinkel, swear or affirm that I possess all the qualifications prescribed in the Seattle City Charter and the Seattle Municipal Code for the position of Director of the Office of Labor Standards; that I will support the Constitution of the United States, the Constitution of the State of Washington, and the Charter and Ordinances of The City of Seattle; and that I will faithfully conduct myself as Director of the Office of Labor Standards.

Martin S. Garfinkel

Subscribed and sworn to before me
this ____ day of _____, 2018.

[Seal]

Monica Martinez Simmons, City Clerk

MARTIN S. GARFINKEL



Education

Yale College, B.A. 1974
Northeastern University School of Law, J.D. 1981

Bar Admissions

State of Washington
U.S. District Court, Western District of Washington, Eastern District of Washington, Southern District of New York, and Eastern District of New York
U.S. Court of Appeals, Second, Third and Ninth Circuits
U.S. Supreme Court

Legal Experience

Schroeter Goldmark & Bender, Seattle, WA <i>Shareholder/Of Counsel</i>	2000-present
Frank & Rosen, Seattle, WA <i>Associate/Partner</i>	1991-2000
U.S. Bankruptcy Judge Sidney C. Volinn, Seattle, WA <i>Law Clerk</i>	1990-1991
Gladstein Reif & Meginniss, Brooklyn, NY <i>Associate/Partner</i>	1985-1990
Eisner & Levy, New York, NY <i>Associate</i>	1981-1985

Professional and Civic Involvement

Volunteer, Literacy Source, Seattle, WA
Volunteer, Legal Clinic, El Centro de la Raza, Seattle, WA
Volunteer, Legal Clinic, Fair Work Center, Seattle, WA
Past member, Board of Trustees, Legal Foundation of Washington
Past member, Mayor's Labor Standards Advisory Group
Past elected member, Labor and Employment Law Section, Washington State Bar Association
Past chairperson, Employment Law Section, Washington State Association for Justice
Member, Washington Employment Lawyers Association
Member, Lawyers Coordinating Committee, AFL-CIO
Frequent speaker on labor and employment law topics



City of Seattle
Mayor Jenny A. Durkan

**NEWS RELEASE
FROM THE OFFICE OF THE MAYOR**

FOR IMMEDIATE RELEASE:

Contact: Kamaria Hightower, Mayor's Office, Kamaria.Hightower@seattle.gov

Mayor Durkan Announces New Department Appointments

Seattle (Jan 19) – Mayor Jenny A. Durkan announced two new department leaders in her administration at the Office of Labor Standards and Seattle Information Technology Department. With the departure of Seattle's Chief Technology Officer Michael Mattmiller and Dylan Orr, the Director of the Office of Labor Standards, Tracye Cantrell will serve as Acting Director of the Seattle Information Technology Department and Martin Garfinkel will serve as the Director of the Office of Labor Standards, subject to the confirmation of City Council.

"As I continue to build my cabinet, I want to thank Michael and Dylan for the work they have done for our City and residents. Dylan was critical to jumpstarting the Office of Labor Standards and overseeing the implementation of Seattle's historic minimum wage law," said Mayor Durkan. "Michael has led one of our largest departments and aimed to make Seattle one of the most innovative cities on the frontline of emerging technology."

With the resignation of Michael Mattmiller, Mayor Durkan announced that Tracye Cantrell will serve as Acting Director, effective February 3, 2018. Cantrell currently serves as Chief of Staff at the Seattle Information Technology Department. Durkan will launch a search process to find a candidate for the permanent position.

In addition, Mayor Durkan announced that Martin Garfinkel will serve as the Director of the Office of Labor Standards (OLS) with the resignation of Dylan Orr. Garfinkel will begin as Acting Director on February 1, 2018 and his permanent appointment will be subject to confirmation by the City Council. Since 1982, Garfinkel has practiced labor and employment law representing unions, employees and victims of discrimination and harassment. In 2000, he joined Schroeter Goldmark & Bender. OLS currently implements the City's labor standards for the minimum wage, paid sick and safe time, wage theft, Fair Chance Employment, Secure Scheduling, and Hotel Employee Health and Safety.

"As the Office of Labor Standards has grown in scope and size, I'm confident Marty can provide strong leadership to oversee effective implementation, strategic, enforcement and broad outreach to workers, employers, and residents. Few in Seattle have Marty's breadth and depth of legal experience. I know he'll use his decades of experiences to protect unions, employees and victims of discrimination and harassment and work with Seattle's businesses to reach compliance to our laws," concluded Durkan.

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SECTION

B



City of Seattle

Jenny A. Durkan, Mayor

Date: January 24, 2018

To: Adam Schaefer, City Budget Office

From: Therese Ortega, HR Director, SDHR

Subject: **BACKGROUND CHECK for Martin Garfinkel**

The Seattle Human Resource Department has received a copy of Martin Garfinkel's background check run by A-Check Global. There were no findings that would impact his employment eligibility.

cc: Personnel File