

October 2, 2020

MEMORANDUM

To: Seattle City Council
From: Karina Bull, Analyst
Subject: CB 119903: Third Quarter Employment Ordinance

On October 5, 2020, the City Council will discuss and may vote on [CB 119903](#), legislation proposed by the Seattle Department of Human Resources (SDHR). This memo summarizes the background and content of the bill.

Summary

This legislation would (1) return eight positions to the civil service system and (2) create a new job title in the Legislative Department. Central Staff has not identified any issues or concerns with the transmitted legislation.

A. Return eight positions to the civil service system

The SDHR Director has determined that the work performed by eight positions no longer meets the criteria for civil service exemption and recommends returning the positions to civil service. See Table 1 for a list of these positions.

Table 1: Eight positions that would return to civil service

	Job Classification	Department	Vacancy Status
1	Strategic Advisor 3	Office of Planning and Community Development	Filled
2	Strategic Advisor 1	Office for Civil Rights	Vacant
3	Management Systems Analyst	Department of Education and Early Learning	Vacant
4	Strategic Advisor 2	Information Technology, Finance and Administrative Services	Vacant
5	Planning and Development Specialist, Senior	Office of Arts and Culture	Vacant
6	Information Technology Professional B-BU	Seattle Department of Transportation	Filled
7	Strategic Advisor 1	Seattle Department of Transportation	Filled
8	Planning and Development Specialist II	Community Police Commission	Vacant

Under the [City of Seattle \(City\) Charter Article XVI, Section 3](#), the civil service system provides public employees with a range of job protections, including but not limited to merit-based hiring and promotions, probationary periods of employment, opportunity for employees to correct performance issues, and “for cause” termination (i.e., termination based only on unsatisfactory job performance). Employees exempt from the civil service system do not serve a probationary period and are subject to “at will employment” (i.e., employment that may be terminated at any time for any reason not prohibited by law).

The Charter requires civil service classification for all City employees except for elected officials, heads of departments, specified appointive offices, assistant City Attorneys, members of boards and commissions, and additional positions exempted by ordinance approved by two-thirds vote of the Council. In total, 90 percent of City positions for regularly-appointment employees (i.e., 11,054 of 12,302 positions) are civil service classified.

[Seattle Municipal Code \(SMC\) 4.13](#) establishes the “additional positions” that are exempted from civil service classification. General categories of these exempt positions include temporary employees, library employees, administrative secretaries, executives, office/maintenance aides, and identified strategic advisors and managers. Specific exempt positions include power marketers in City Light, probation counselors at Municipal Court, and executive assistants with identified position numbers at the City Budget Office, Department of Neighborhoods, Seattle Department of Construction and Inspections, and other departments.

Under [Personnel Rule 2.2](#), the SDHR Director has authority to determine whether positions not explicitly exempted by the Charter merit exemption under SMC 4.13.010. SMC 4.13.010 establishes criteria for this determination by limiting civil service exemption to the following positions:

- Positions requiring a particularly high degree of professional responsiveness and individual accountability;
- Positions requiring a confidential or fiduciary relationship with the appointing authority; or
- Judicial positions requiring insulation as a third branch of government.

After making this determination, the SDHR Director may transmit legislation to Council that recommends returning a position to the civil service system or exempting the position from civil service. The SDHR Director’s recommendation will take effect only upon approval by two-thirds vote of the Council. Council also has authority to introduce legislation on civil service classification.

B. Create a new job title in the Legislative Department

The SDHR Director recommends the creation of a new job title, “Manager-Legislative,” in the Legislative Department. This job title would have the same pay band as the “Strategic Advisor-Legislative” title. The purpose of the job title would be to delineate responsibilities among professional and managerial staff that currently have the same title of Strategic Advisor, and to create opportunities for career progression and succession planning. See Table 2 for details on this job title.

Table 2: Job title that would be created in the Legislative Department

Department	Position	Pay Band
Legislative Department	Manager-Legislative	\$41.01 - \$73.38

Financial Impacts

The Executive indicates that this legislation would not increase costs. Returning positions to the civil service system would not increase costs because the designated positions would remain at the same pay rate after the proposed change. Creating a Manager-Legislative title in the Legislative Department would not automatically increase costs because incumbents currently have another title with the same salary range (i.e., Strategic Advisor-Legislative). Any costs that might be associated with an incumbent’s title change would be absorbed by the Legislative Department’s existing budget authority and would not require appropriation of new funds.

Please contact me if you have questions about this proposed legislation.

cc: Dan Eder, Interim Director