



**AMENDED AGENDA**  
**REGULAR MEETING OF THE CIVIL SERVICE COMMISSION**

9:30 AM APRIL 16, 2019  
CITY HALL – COUNCIL CHAMBERS  
808 W. SPOKANE FALLS BLVD., SPOKANE, WA 99201

**1. CALL TO ORDER/ROLL CALL**

**2. APPROVAL OF MINUTES**

*Action Required*

- a. February 19, 2018 minutes  
(p. 3)
- b. March 19, 2018 minutes  
(p. 5)
- c. March 26, 2018 minutes  
(p. 6)

**3. PUBLIC COMMENT**

**4. CHIEF EXAMINER'S REPORT**

**5. NEW BUSINESS**

*Action Required*

- a. Findings of Fact, Conclusions of Law and Decision in the A. Eva Appeal  
(Piccolo)(p. 7)
- b. Resolution 2019-01 Classification Updates  
(Bjork/Sullivan)(p. 15)
- c. J Weigelt Appeal of Chief Examiner Decision  
(Richards) (p.29 )

**6. UNFINISHED BUSINESS**

*Action Required*

- a. Police Agency Disqualifiers  
(Richards)(p. 42)

**7. ADJOURN**

**AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION:** The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Spokane Council Chambers in the lower level of City Hall is wheelchair accessible and is also equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of a picture ID) at the City Cable 5 production booth on the first floor, directly above the Chase Gallery or through the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write or email Human Resources at:

- Phone: 509.625.6363
- Address: 808 W. Spokane Falls Blvd, Spokane, WA 99201
- Email: [msteinolfson@spokanecity.org](mailto:msteinolfson@spokanecity.org)

Persons who are deaf or hard of hearing may contact Human Resources through the Washington Relay Service at 7-1-1. All requests for accommodation must be made at least forty-eight (48) hours before the meeting date.

**Notes:**

- The meeting is open to the public, with the possibility of the Commission adjourning into executive session.

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**REGULAR MEETING OF THE CIVIL SERVICE COMMISSION**  
**February 19, 2019 Minutes**

**1. CALL TO ORDER/ROLL CALL**

Commissioner Hult called the meeting to order at 9:30 a.m.  
Commissioners DeCounter and Stephens were present.  
Commissioners Lindsey and Gilmore were absent (excused).

**2. APPROVAL OF MINUTES**

MOTION: Move to approve January 2019 minutes.  
DeCounter/Stephens: Motion passed unanimously.

**3. PUBLIC COMMENT**

- a. Melissa Wittstruck-Managerial and Professional Vice President provided comment regarding Agenda Item 7a.
- b. Joe Cavanaugh-Local 270 President provided comment regarding Agenda Item 7a.
- c. Sgt. Kurtis Reese provided comment regarding Agenda Item 7c.

**4. APPEAL PROCEEDINGS**

- a. A. Eva Procedural Hearing
  - i. Nathaniel Odle-Assistant City Attorney provided an update regarding the Appeal Hearing scheduled for the Civil Service Commission Meeting on March 19, 2019.

**5. CHIEF EXAMINER' REPORT**

Chief Examiner Richards provided updates regarding Civil Service Department operations.

**6. PRESENTATIONS**

- a. Item Bank presented by Barbara Ackermann-Exam and Classification Analyst III

**7. NEW BUSINESS**

- a. Special Budget Ordinance for Project Employee  
MOTION: Move to approve the Project Employee as presented this day.  
Stephens/Decounter: Motion passed unanimously.
- b. Travel Card Approval for Chief Examiner  
MOTION: Move to approve Travel Card for Chief Examiner  
Decounter/Stephens: Motion passed unanimously.
- c. Police Agency Disqualifiers  
Move discussion forward to March Commission Meeting

**8. EXECUTIVE SESSION-PERFORMANCE OF A PUBLIC EMPLOYEE – RCW 42.30.110(1)(g)**

- a. The Commission adjourned into Executive Session at 10:30 a.m. and resumed open session at 10:38 a.m.  
No action was taken.

**9. ADJOURN**

The Commission adjourned at 10:40 a.m.

DRAFT



**REGULAR MEETING OF THE CIVIL SERVICE COMMISSION**  
**March 19, 2019 Minutes**

**1. CALL TO ORDER/ROLL CALL**

Chair Lindsey called the meeting to order at 9:30 a.m.  
Commissioners Gilmore, DeCounter, Hult, and Stephens were present.

**2. A. EVA APPEAL PROCEEDINGS**

- a. The Commission called a recess at 10:56 a.m. and resumed open session at 11:10 a.m.
- b. The Commission called a recess at 12:50 p.m. and resumed open session at 1:04 p.m.

Counsel Mike Piccolo stated for the record that the Commission will continue the A. Eva Appeal Hearing to a time in the near future. Civil Service Staff will coordinate with both counsels and Commission to schedule a hearing; so the City can conclude its' case. Then Appellant can present their case in it's' entirety. Then Commission will deliberate and issue a decision at that next meeting.

**3. ADJOURN**

The commission adjourned at 1:18 p.m.



**SPECIAL MEETING OF THE CIVIL SERVICE COMMISSION**  
**March 26, 2019 Minutes**

**1. CALL TO ORDER/ROLL CALL**

Chair Lindsey called the meeting to order at 9:00 a.m.  
Commissioners Gilmore, DeCounter, Hult, and Stephens were present.

**2. A. EVA APPEAL PROCEEDINGS**

- a. A Motion of Recusal was filed by the appellant's counsel  
The motion was denied.
- b. A Motion of Due Process-Notice Failure was filed by the Appellant's counsel  
The Commission put an offer of continuance to the Appellant's counsel; Appellant's counsel chose to proceed forward with the appeal.
- c. The Commission called a recess at 9:30 a.m. and resumed open session at 9:36 a.m.
- d. The Commission called a recess at 10:29 a.m. and resumed open session at 10:41 a.m.
- e. The Commission adjourned into Executive Session at 12:44 p.m. and resumed open session at 1:43 p.m.  
No action was taken.

MOTION: Move to uphold the Appeal and order the employee reinstated under Rule 8, Section 3 on the basis the City failed to meet the standard under Rule 8, Section 5. The City's letter of discipline reference the various causes for discipline under Section 5, Subsection C, E, and F; the evidence and testimony fails to demonstrate that the City's Administrative Policies for Sexual Harassment and General Harassment were violated given the definitions of Sexual Harassment and Harassment. Stephens/Hult: Motion passed 4-0, with Gilmore abstaining.

**3. ADJOURN**

The commission adjourned at 1:48 p.m.

BEFORE THE CIVIL SERVICE COMMISSION, CITY OF SPOKANE

In Re the Matter of:

Appeal of Demotion by Adriano Eva

FINDINGS OF FACT,  
CONCLUSIONS OF LAW AND  
DECISION OF THE CIVIL SERVICE  
COMMISSION

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On March 19, 2019 and March 26, 2019, the Civil Service Commission (Commission) for the City of Spokane conducted the hearing of the appeal of discipline filed by Adriano Eva. The appeal was in regards to the determination of the City Administrator to demote Mr. Eva from his Recreation Supervisor position to a non-supervisory role within the Parks and Recreation Division. Mr. Eva timely filed his appeals to the Commission on December 28, 2018. The Commission heard oral argument from legal counsel for both Mr. Eva and the City. The Commission heard the testimony from the City's witnesses Chris Cavanaugh, the City's Human Resources Director, Leroy Eadie, the former Director of the Parks and Recreation Division, Jennifer Saxson, the human resources analyst in the Human Resources Department, and Conor Wigert, Carissa Ware and Jennifer Papich, all employees of the Parks and Recreation Department. The Commission also heard the testimony of the witnesses called by Mr. Eva's attorney consisting of Mr. Eva, Madison McLeod and Bob Berg. The Commission also considered all of the documentation submitted to the Commission prior to and during the hearing including the pre-appeal

statements from both parties, the City's General Harassment Policy dated November 17, 2005 (ADMIN 0620-05-53), prior Sexual Harassment Policy dated November 17, 2005 (ADMIN 0620-05-35) and current Sexual Harassment Policy dated January 31, 2018 (ADMIN 0620-18-35).

### FINDINGS OF FACT

A complaint was filed with the City's Human Resources Department on October 2, 2018 by Conor Wigert, Mr. Eva's subordinate, alleging that Mr. Eva violated the City's general harassment and sexual harassment policies by inquiring about Mr. Wigert's sexual orientation, introducing Mr. Wigert as gay to other individuals and making comments that objectified women. An investigation of the complaint was performed by the Human Resources Department resulting in an investigation report issued on October 19, 2019 that determined in part that the evidence presented in the investigation substantiated that Mr. Eva violate the City's General Harassment and Sexual Harassment policies and Civil Service Rule VIII, Sec 5 (c), (e) and (f) based upon Mr. Eva's inquiry into Mr. Wigert's sexual orientation, introduction of Mr. Wigert as gay to other individuals and comments that objectified women. An investigation outbriefing was held on October 23, 2018 and a pre-disciplinary meeting was held on October 30, 2018. A second pre-disciplinary hearing was held on December 5, 2018 to address subsequent actions after the first pre-disciplinary hearing relating to issues of insubordination and retaliatory action.

On December 7, 2018, the City Administrator issued a letter of discipline involuntarily demoting Mr. Eva from a Recreational Supervisor to a non-supervisory



role within the Parks and Recreation Division based upon the determination that Mr. Eva violated the City's General Harassment and Sexual Harassment policies and Civil Services Rules demonstrating his failure to meet the minimum standards to work in a supervisory capacity. The determination of discipline was based upon the conclusion that Mr. Eva:

- 1) violated the Sexual Harassment Policy when he inquired about Mr. Wigert's sexual orientation, introduced Mr. Wigert as gay to other individuals, and made comments that objectified women;
- 2) stated his requirement for loyalty implicitly stated to Mr. Wigert that submission to his inquiry was a condition of employment, and rejection could be the basis for future employment decisions;
- 3) violated the General Harassment Policy when he inquired about Mr. Wigert's faith, and played gospel music in the workplace despite indications that Mr. Wigert found it offensive; and
- 4) violated City policy relating to insubordinate and retaliatory by contact coworkers about the investigation and sent text messages and emails regarding Mr. Wigert and Ms. Ware.

#### CONCLUSIONS OF LAW

The issue before the Commission is whether the City has cause to discipline Mr. Eva pursuant to Civil Service Rules. Rule VIII Section 5 of the Civil Service Rules regarding "Cause" provides in part that:

Merit principles of employment shall be the primary consideration in any disciplinary action. Employees may be disciplined only for actions which would affect their ability or fitness to satisfactorily perform their assigned duties. Non-merit factors such as race, creed, color, affiliation, national origin, sex, sexual orientation, age, marital status, or the presence of any physical or mental disability may not be considered. The following conditions are compatible to the principles of merit and may be

considered as cause for any classified employee to be suspended, demoted, discharged or otherwise disciplined.

**(c)** Is incompetent or inefficient in the performance of the duties and responsibilities of the position held;

**(e)** Any willful violation of the Charter, these Rules, any written personnel policies, written departmental rules or procedures, or of any reasonable and proper order or direction given by a supervisor, where such violation or failure to obey amounts to an act of insubordination or a serious breach of proper discipline or resulted or might reasonably be expected to result in loss or injury to the City, or the public, or to the prisoners or wards of the City;

**(f)** Has been guilty of conduct unbecoming an officer or employee of the City;

Section 4.0 of the City's General Harassment policy, ADMIN 0620-05-53, provides the definition of "harassment" as follows:

4.1 Harassment is defined as any unwelcome action by any person whether verbal or physical, on a single or repeated basis, which humiliates, insults or degrades.

"Unwelcome" or "unwanted" in this context means any action which the harasser knows or should reasonably know are not desired by the victim of the harassment.

Section 4.0 of the City's Sexual Harassment policy, ADMIN 0620-18-35, provides the definition of "sexual harassment" as follows:

4.1 "Sexual Harassment" is any verbal, non-verbal, or physical behavior of a sexual nature which is unwelcome, uninvited, and offensive to a reasonable person in the recipient's position and alters the condition of the recipient's employment. Sexual harassment is a form of employee misconduct which is demeaning to another person and undermines the integrity of the employment relationship. Harassment may be subtle, manipulative and is not always evident. It does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome and is personally offensive. All forms of gender harassment are covered. Men can be sexually harassed; men can harass men;

women can harass other women. Offenders can be managers, supervisors, co-workers, and non-employees such as clients or vendors.

To discipline an employee, the Civil Service Rules require that the discipline be for cause. The Civil Service Rules require that there be a willful violation of the City Charter, the Civil Service Rules or any personnel policy. Civil Service Rule VIII Section 5 (e). The City's General Harassment policy requires unwelcome action, which the harasser knows or should reasonably have known are not desired by the victim which humiliates, insults or degrades. ADMIN 0620-05-53. The City's Sexual Harassment policy requires behavior of a sexual nature which is unwelcome, uninvited, and offensive to a reasonable person in the recipient's position and alters the condition of the recipient's employment. ADMIN 0620-18-35. The testimony provided to the Commission demonstrated that Mr. Eva's behavior did not meet the definitions of general harassment or sexual harassment under the City's personnel policies, nor did the testimony demonstrate that his conduct was willful under the Civil Service Rules. Testimony was submitted indicating that the conversations between Mr. Eva his subordinates regarding sexual orientation, discussions regarding religion and playing of gospel music was at time initiated by the subordinates and did not demonstrate that the conversations and activities were unwelcome or unwanted. Furthermore, testimony and evidence from various e-mail messages, when read in their entirety, does not demonstrate retaliation or insubordination.

DECISION

Based upon the record reviewed, oral argument presented by the parties, including their respective briefs, and the above Findings of Facts and Conclusions of Law, the Civil Service Commission concludes, by a vote of four to zero with one abstention, that the appeal of Adriano Eva is upheld.

DATED this \_\_\_\_ day of April, 2019.

By: \_\_\_\_\_

Mark Lindsey - Chairperson  
Civil Service Commission

CERTIFICATE OF SERVICE

The undersigned, under penalty of perjury, certifies that on the \_\_\_\_\_ day of April, 2019, I caused a true and correct copy of this document to be forwarded, with all required charges prepaid, by the methods indicated below, to the following person(s):

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Assistant City Attorney Nate Odle	<input type="checkbox"/> VIA FACSIMILE
	<input type="checkbox"/> VIA U.S. MAIL
	<input type="checkbox"/> VIA OVERNIGHT SERVICE
	<input type="checkbox"/> VIA HAND DELIVERY

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Marshall Casey, M Casey Law PLLC	<input type="checkbox"/> VIA FACSIMILE
	<input type="checkbox"/> VIA U.S. MAIL
	<input type="checkbox"/> VIA OVERNIGHT SERVICE
	<input type="checkbox"/> VIA HAND DELIVERY

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Secretary to the  
Civil Service Commission  
Fourth Floor Municipal Bldg.  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201

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Marshall Casey, M Casey Law PLLC	<input type="checkbox"/> VIA FACSIMILE
	<input type="checkbox"/> VIA U.S. MAIL
	<input type="checkbox"/> VIA OVERNIGHT SERVICE
	<input type="checkbox"/> VIA HAND DELIVERY

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Civil Service

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## RESOLUTION 2019-01 CLASSIFICATION UPDATES

### BACKGROUND

Civil Service has identified several job classifications that are currently unused, with zero occupants. We have confirmed with management in each area that there is no intent to fill jobs under these classifications. The M&P Association has agreed with deletion of these classes from active use.

The Electronic Communications Technical Aide (SPN 271) was originally a classification in the Fleet Services Department. Wastewater Management added a position from this job class in 2016. Since that time, Fleet has stopped using this job class. The class specification changes will clarify the work being done in Wastewater and aid in recruiting qualified applicants. Local 270 concurs with these changes.

### PROPOSED CHANGES

Delete the following:

- SPN 072 Program Specialist HMIS
- SPN 073 Program Manager HMIS
- SPN 276 Regional Communications Infrastructure Manager
- SPN 317 Inspector Supervisor
- SPN 455 Credit and Collections Manager

Retitle and adopt specification changes to the following:

- SPN 271 Electronics Technical Aide (from Electronic Communications Technical Aide)

**NATURE OF WORK:**

Performs specialized, technical work assisting in the management of the Spokane Regional Continuum of Care (CoC) Homeless Management Information System (HMIS) database and providing end-user technical support and integration services. Work requires the application of independent judgment in making decisions in accordance with applicable regulations, guidelines and policies or to determine the proper course of action within the limits of standard procedures. Most work is subject to checks and controls to expose errors that may result in financial loss or embarrassment to the City. Employee has regular contact with both inside and outside sources to obtain or supply factual information. Duties are sedentary in nature, performed under normal working conditions and require close attention to prevent errors.

**SUPERVISION:**

Assignments are performed under general supervision for most ongoing work that is covered by established procedures or well-defined policies. Employee plans and arranges own work for recurring assignments, but refers questionable or unfamiliar situations to supervisor.

**ESSENTIAL JOB FUNCTIONS:**

Provide administrative and technical support to department staff and HMIS end-users by developing forms, creating queries and reports, documenting system best practices for distribution, and answering inquiries related to such issues as ad-hoc reports, queries, and optimizing data collection processes.

Conduct on- or off-site and webinar training sessions on various topics related to the general use and maintenance of the HMIS database.

Research and interpret Department of Housing and Urban Development (HUD) data standards to ensure graphical user interface (GUI) workflows and forms conform to specific requirements for programs supported by state and/or federal funding.

Assists with developing training programs, policies and procedures for HMIS end-users to ensure data collection, storage and dissemination complies with information security and confidentiality requirements.

Analyze HMIS end-user data input to identify program or project performance trends, monitor for compliance to data standards, and to recommend best practices.

Plan, coordinate, and implement security measures to safeguard information in computer files against accidental or unauthorized damage, modification or disclosure.

Specify users and user-access levels for each segment of the HMIS database.

Maintain and update HMIS-related documents for recordkeeping, monitoring, reporting and retention purposes using various records management systems software.

Prepare and submit various mandated financial, operational and statistical reports related to homelessness, such as the Annual Homeless Assessment Report (AHAR) and Homeless Point-in-Time Counts (PIC), using the Homelessness Data Exchange (HDX) tool.

Performs related work as required.



## REQUIREMENTS OF WORK:

Knowledge of database management systems, and the ability to create, maintain, manipulate, and retrieve file data and create reports.

Knowledge of data storage technology and storage media tools.

Knowledge of community development and/or human services programs and service delivery methods, with an emphasis on homeless services.

Knowledge of performance and outcome metrics, and the ability to apply, analytical methods and techniques.

Knowledge of rules and regulations related to information security and data confidentiality, e.g. HIPAA, etc., and ability to handle sensitive information.

Knowledge of business software applications, such as word processing, relational database, email and spreadsheet programs, and the ability to learn specialized software applications related to grants management and federal reporting systems.

Ability to read, understand, and interpret technical documentation and professional publications.

Ability to collect, organize and evaluate pertinent data and to prepare clear, concise and complete reports, correspondence, and technical manuals.

Ability to communicate effectively, both orally and in writing, about technical subjects with people who possess little to no technical background.

Ability to exercise sound judgment within the confines of applicable laws, regulations, and department guidelines and policies.

Ability to establish and maintain effective working relationships with other employees and/or outside sources.

## PHYSICAL REQUIREMENTS:

Ability to see, with or without corrective lenses, well enough to read standard print and text displayed on a computer monitor.

Ability to hear sounds, with or without assistive hearing devices, well enough to communicate by telephone.

Ability to operate modern office equipment incidental to the work performed.

Ability to lift and carry, push and/or pull, or move items weighing up to 10 lbs.

## MINIMUM EDUCATION AND EXPERIENCE:

Open Entry Requirements: Associate's degree in information technology or closely related field, AND two years of experience working with relational database management systems in a not-for-profit or public sector agency. An equivalent combination of education and experience may also be qualifying. Must possess valid driver's license or otherwise demonstrate ability to get to and from multiple work locations as required.

New: 7/2015  
Revised: 6/2016

Union: M&P-B

Range: 35

EEO code: 02

**NATURE OF WORK:**

Performs professional, supervisory work related to management of the Spokane Regional Continuum of Care (CoC) Homeless Management Information System (HMIS) database and administration of contracts supported by government grant and financial assistance programs. Duties are varied and require independent action in devising new methods and procedures to monitor compliance with information security policies. Carelessness or lack of judgment may cause considerable financial loss or embarrassment to the City. Employee has regular contact with inside sources that is consulting in nature to ensure compliance with regulations and with outside sources involving enforcement of confidentiality and data security standards to maintain and protect the CoC network and its clients. Duties are sedentary to light in nature, performed under normal working conditions, and require a high degree of concentration to prevent errors.

**SUPERVISION:**

Employee works independently with minimal supervision. General objectives are established and employee selects own method of attainment. Supervises and trains subordinate employees performing HMIS data collection, analysis and technical tasks.

**ESSENTIAL JOB FUNCTIONS:**HMIS PROGRAM MANAGEMENT

- Develops and updates program policies and procedures for adoption by the CoC governance board and ensures compliance with the Department of Housing and Urban Development (HUD) regulations and requirements, including security.
- Prepares reports for presentation to the CoC governance board, division director, and appropriate entities as needed, and supervises the preparation and maintenance of HMIS-related files and documents.
- Supervises and provides technical assistance in the preparation and submission of HUD and the Washington State Department of Commerce reports in accordance with contract requirements, including the Housing and Inventory Count (HIC), Annual Homeless Assessment Report (AHAR), Point In Time (PIT), and HMIS-related portions of the Annual Performance Report (APR).
- Participates in the CoC and other community coalitions and coordinating councils, and represents the HMIS program at technology-related meetings related to long-term planning for information systems management and interagency networking.
- Prepares the annual program budget and exercises control over the expenditure of funds allocated for program operations and related activities.
- Assists the division director, homeless program managers and members of the CoC governance board in monitoring and approving dissemination of data.

HMIS SOFTWARE SUPPORT

- Supervises subordinate technical staff in the support and administration of HMIS software including, but not limited to the following: agency account set-up, system monitoring and testing, problem diagnosis and resolution, and routine software and information maintenance.
- Provides technical guidance in the selection of web-based HMIS software to ensure that vendor software and security incorporates the technical standards determined by HUD, the CoC governance board, clients and provider agencies.
- Serves as primary point of contact between participating agencies, the vendor and other programmers to coordinate system integration, conversion and programming modifications.
- Collaborates with software vendor to maintain quality, accessibility and functionality of HMIS; coordinates and monitors all changes to the database resulting from revisions to HMIS data standards.

**ESSENTIAL JOB FUNCTIONS** (Continued):

- Develops technical specifications for user agency network hardware, software, computer and internet installation standards, and documents system best practices for dissemination.
- Provides and/or oversees HMIS training for user agencies in individual and group settings; identifies and coordinates related staff development and training activities.
- Leads technical support workgroup meetings to gather information and analyzes HMIS software security and audit functions to recommend changes or modifications that enhance the system.
- Assists the division director and HMIS network participants with contract negotiations and/or proposals for hardware, software, service contracts and internet access for HMIS.

Performs related work as required.

**REQUIREMENTS OF WORK:**

Considerable knowledge of advanced database utilities and database structures, theories, principles, and practices.

Knowledge of human services programs and service delivery methods, with an emphasis in the area of homeless services.

Knowledge of federal and state funding sources and the applicable agencies, systems, regulations and requirements pertaining to application, grant, and contract administration, reporting and compliance.

Knowledge of rules and regulations related to information security and data confidentiality, e.g. HIPAA, etc., and ability to handle sensitive information.

Knowledge of supervisory techniques and principles of personnel management.

Knowledge of basic budgeting principles sufficient to develop an annual budget for program operations.

Ability to write reports, business correspondence and procedure manuals, and to develop technical documentation and communicate about technical subjects with people who possess little to no technical background.

Ability to read, analyze, and interpret general business periodicals, professional journals, technical procedures, or government regulations.

Ability to effectively present information and respond to questions from groups of managers, members, governmental bodies/boards, and the general public.

Ability to establish and maintain effective working relationships with other employees and/or outside sources.

**PHYSICAL REQUIREMENTS:**

Ability to see, with or without corrective lenses, well enough to read standard text displayed on a computer screen.

Ability to hear, with or without a hearing aid, and speak well enough to converse on the telephone and communicate with groups.

Enough manual dexterity to write and use office equipment.

Enough physical mobility to travel to multiple work locations.

MINIMUM EDUCATION AND EXPERIENCE:

Open Entry Requirements: Graduation from an accredited four-year college or university with a bachelor's degree in information systems, business or public administration; AND four years of experience administering a Homeless Management Information System (HMIS) or similar relational database, one of which must be supervisory in nature.

Promotional Requirements: Graduation from an accredited four-year college or university with a bachelor's degree in information systems, business or public administration; AND two years of experience in the classification of HMIS Program Specialist (SPN 072.)

All applicants must complete internal Supervisor Series training within the probationary period.

New: 7/2015  
Revised: 1/2016

Union: M&P-B

Range: 45

EEO code: 02

## REGIONAL COMMUNICATIONS INFRASTRUCTURE MANAGER

SPN: 276

### NATURE OF WORK:

Performs supervisory work in the management of design, construction, installation, maintenance, and modification of electronic communications infrastructure equipment for regional communications system users. Duties require independent action in devising new systems or procedures within the limits of procedures, policies and law. Virtually no shift of responsibility to others when an important course of action is taken. Errors in judgment may cause serious embarrassment or considerable financial loss to the City and County. Employee has routine outside contacts which require a high degree of tact, judgment and technical competence. Work is light in nature, performed under occasional hazardous conditions, and requires periods of sustained concentrated attention.

### SUPERVISION:

General objectives are established and employee selects own method to be used assuming full responsibility in area assigned. Employee supervises the operations of the communications infrastructure through subordinate forepersons.

### ESSENTIAL JOB FUNCTIONS:

Assists in the development of policy. Implements policies and procedures.

Prepares plans and specifications for communication systems, upgrades and modifications to transmitter and receiver sites and dispatch centers; monitors work for compliance with design requirements and FCC rules and procedures.

Develops plans, directs and coordinates various activities of personnel engaged in design, construction, installation, and maintenance of regional emergency and government service radio communications infrastructure.

Represents the region and is responsible to the FCC on licensing matters and infractions of FCC rules, and with federal, state and other agencies involving communications matters.

Prepares and presents written and oral status reports on program progress, needs and desirable system changes; assists in development of annual budget estimates for division and the preparation and evaluation of bid specifications.

Consults with various departments on technical engineering problems relating to existing or proposed electronic communications equipment and systems. Utilizes personal computer to perform various administrative and engineering duties. Instructs and advises subordinates in more difficult phases of system design and implementation work.

Responsible for site management of all City/County-owned or leased radio sites, including use by commercial wireless operators.

Performs related duties as required.

**Regional Communications Infrastructure Manager**  
**Page two**

**REQUIREMENTS OF WORK:**

Thorough knowledge of the theories and principles of radio and electronics, and the ability to apply such knowledge to the design, construction, maintenance, modification and repair of communication infrastructure

Thorough knowledge of the standard practices, methods, materials and equipment used in electronic communications system performance testing, maintenance and service.

Thorough knowledge of FCC rules and regulations governing licensing and operation of radio frequency communications equipment.

Considerable knowledge of the hazards inherent in working on high voltage and RF transmitting equipment and the precautions necessary to protect others, self, and equipment from injury.

Ability to plan, coordinate, supervise and train others, maintain a budget

Ability to establish and maintain effective public and internal relations.

Ability to operate a personal computer with standard and specialized applications

Ability to perform complex computations, estimates, plans, and specifications.

**PHYSICAL REQUIREMENTS:**

Ability to review, interpret and analyze printed documents, schematics and blueprints.

Ability to effectively communicate on a two-way radio, telephone and wireless phone.

Ability to work at various work station within the office and to visit various worksites.

Ability to operate equipment necessary for the job.

**MINIMUM EDUCATION AND EXPERIENCE:**

Open Entry Requirements: Graduation from an accredited four-year college or university with a degree in public administration, business administration, information services, or closely related field; AND, five years of experience in the design, installation, construction or maintenance of radio communications or telecommunications equipment and facilities, of which at least two years must have been in a responsible supervisory capacity. Applicants must possess a valid driver's license or otherwise demonstrate ability to move among several work locations as required.

New: 12/08

Reviewed: 4/11

Union: M&P

Range: 50

EEO: 2

**NATURE OF WORK:**

Performs responsible supervisory and skilled technical inspection work in the administration and enforcement of a variety of municipal building and zoning codes and ordinances. Duties are varied, involving the application of independent judgment and decision-making ability within the limits of established law. Carelessness or a lack of judgment in the performance of normal duties may cause serious embarrassment to the city and endanger the health and welfare of the public. Employee has numerous public contacts of a regulatory nature requiring the use of discretion and technical competence. Work is light in nature, performed under varying weather conditions, and requires normal attention to prevent errors.

**SUPERVISION:**

General objectives are established, and the employee selects their own method to be used. Responsible for the activities of a section, and supervises and trains subordinate inspectors performing work of a similar nature.

**ESSENTIAL JOB FUNCTIONS:**

Organizes, assigns, and supervises the work of Lead Inspectors engaged in checking all construction, alteration, repair, and demolition of buildings for conformance to City building and zoning codes, and for safety from fire and collapse. Tracks workloads and efficiencies of inspectors.

Reviews the reports of subordinate inspectors and advises them as to the procedures involved in the proper enforcement of building and zoning codes and the enforcement of offenses against public health.

Identifies areas of training, develops training programs, and schedules trainers. Conducts safety meetings concerning proper and safe inspection procedures, methods, and techniques.

Participates in complex building construction inspections and renders decisions in cases where disputes arise between inspectors and contractors or the public. Prepares correspondence over own signature regarding inspection findings, and code requirements of enforcement.

Interprets laws and regulations pertaining to building construction and confers with builders, architects and contractors concerning the requirements of the building code. Interprets zoning matters, including enforcement.

Confers with the supervisor on evidence gathered and prepares complaints for legal action against violators of building and related ordinances. Testifies and presents evidence at hearings and in courts of law. Recommends and assists in drafting changes in the building codes.

Conducts departmental hearings in accordance with the existing codes. Gives pertinent information in hearings held by the Hearing Examiner. Participates as the Deputy Building Official. Makes on-site fire damage assessments, and issues orders regarding properties.

Represents the City of Spokane in various professional and technical organizations.

Keeps records and makes reports of work accomplished.

Performs related work as required.

**Inspector Supervisor**  
**Page two**

**REQUIREMENTS OF WORK:**

Thorough knowledge of City building codes and zoning ordinances.

Thorough working knowledge of modern principles, standards, and methods of building construction, including a knowledge of materials and equipment used.

Thorough working knowledge of inspection methods, coupled with the ability to apply them properly, and to instruct and supervise subordinates in their application.

Considerable knowledge of the principles and practices of engineering as applied to enforcing building code regulations.

Knowledge of the legal procedures involved in the proper enforcement of building laws and prosecution of violators.

Knowledge of customer service principles and practices. Skill in conveying and instilling customer service principles to and in the inspector work group.

Ability to organize, assign and supervise the work of a group of building inspectors insuring the enforcement of codes and regulations firmly, tactfully, and impartially.

Ability to read and interpret building plans and specifications, interpret work from sketches, penciled layouts, and blueprints, and to determine conformity to building regulations.

Ability to make and interpret reports on work accomplished.

Ability to use good judgment in applying the requirements of building codes to actual situations and to meet the public with firmness and impartiality.

Skill in detecting poor workmanship, inferior materials, and hazards of fire and collapse.

**PHYSICAL REQUIREMENTS:**

Ability to see, with or without corrective lenses, well enough to read code and plans.

Ability to hear, with or without a hearing aid, and speak well enough to converse on the telephone.

Enough body mobility to walk and stoop about a construction site.

Enough manual dexterity to use computer terminals.

**MINIMUM EDUCATION AND EXPERIENCE:**

Promotional Requirements: Two years of experience in the classification of Certified Combination Inspector (SPN: 312) or Lead Building Service Inspector (SPN: 316), or a combination of both.

Applicants must possess a valid driver's license.

New: 9/77

Revised: 8/79, 4/81, 12/87, 7/90, 7/92, 6/93, 7/95, 1/02, 4/13

Reviewed: 12/83, 6/89, 7/97, 8/99, 5/04, 5/06, 6/07, 3/11

Union: M&P

Range: 46

EEO code: 1



## CREDIT AND COLLECTIONS MANAGER

SPN: 455

### NATURE OF WORK:

Performs responsible supervisory, administrative, and skilled technical work in the administration of the credit and collection activities of one or more departments. Duties are varied and require thorough knowledge of the activities of those departments. No specific checks or controls exist and errors, if not detected, could cause considerable embarrassment or financial loss to the City. Employee has considerable public contact, requiring a high degree of technical competence, judgment, and tact. Duties are light in nature, performed under normal working conditions and require more than normal attention to prevent errors.

### SUPERVISION:

Employee works under limited supervision and has responsibility for planning, scheduling and supervising the work of clerical and collections staff in conformance with policy directives.

### ESSENTIAL JOB FUNCTIONS:

Plans, supervises, and participates in the credit and collection activities of one or more departments. Instructs subordinates in procedures and regulations.

Develops operating procedures pertaining to the collection of accounts. Supervises collections and collection follow-up procedures on open accounts in accordance with departmental policies and schedules. Provides for field collection of delinquent accounts, discontinuance of service when necessary, and restoration of service when payment is made.

Supervises employees who interview customers in person or by telephone regarding billing and credit issues, payments, etc.

Receives, investigates, and adjusts complaints involving collections, payments, deposits, credit extensions, etc. Works with other departments to produce correct bills, maintain accurate records, and collect on delinquent accounts.

Reviews and acts on sources of information regarding bankruptcies, civil suits, foreclosures, etc.

Establishes and maintains relationships with outside collection agencies, including contracts and deliverables.

Prepares annual operating budget estimates; prepares monthly accounts receivable and collection reports.

Performs related work as required.

**Credit and Collections Manager**  
**Page two**

**REQUIREMENTS OF WORK:**

Thorough knowledge of City operations relative to customer relations, credit, and collection policies and procedures.

Considerable knowledge of modern business, office, and bookkeeping principles, practices, and procedures.

Ability to plan, assign, train, and coordinate the work of subordinate supervisors and employees.

Ability to develop and utilize efficient methods and procedures, including electronic information processing for billing, credit and collection, delinquent notices, account data and statistics.

Ability to use tact and judgment when dealing with emotionally distraught, irate or unreasonable customers regarding utility billings and payments.

Ability to prepare accurate reports and maintain proper records.

**PHYSICAL REQUIREMENTS:**

Ability to perceive and understand standard print, such as ordinances.

Ability to communicate on the telephone and in person.

Ability to ascend and descend one flight of stairs.

Ability to move and position oneself at various heights.

Ability to operate a keyboard or other data entry device.

Ability to move 10 pound boxes of paper.

Ability to occasionally drive or be driven for up six hours per day.

Tolerance to occasionally work under adverse conditions, such as outdoors in heat and cold.

**MINIMUM EDUCATION AND EXPERIENCE:**

Open Entry Requirements: Graduation from an accredited college or university with a bachelor's degree in business administration, accounting, or related field; AND, three years of progressively responsible experience in credit management. Additional experience may be substituted, on a year for year basis for up to two years of the educational requirement

Promotional Requirements: Two years of education (60 semester or 90 quarter credit hours) in accounting, bookkeeping, or credit management; and three years of experience as Accounting Clerk (SPN 106) or higher accounting classification, or in the Utilities Billing section as Utilities Collector (SPN 453), Clerk III (SPN 003), or Clerk IV (SPN 004). At least one year of qualifying experience must be in a supervisory capacity.

All applicants must possess a valid driver's license or evidence of equivalent mobility.

Deleted: 1/87

Reactivated: 3/97

Title Change: 5/03, 1/15

Revised: 4/76, 4/78, 5/80, 5/84, 6/86, 1/98, 1/2000, 5/03, 1/15

Reviewed: 5/82, 1/02, 6/05, 1/09, 10/11

Union: M&P

Range: 44

EEO: 3

## NATURE OF WORK:

Performs semi-skilled electronic/electrical and manual work in the construction, installation, maintenance, and repair of flow measuring equipment, communications equipment, and radio and various other electronic/electrical systems and equipment for all City departments. Duties are routine within defined limits, and necessary experience may be gained on the job. Possible errors can be easily detected or would result in only a minor loss of time. Employee has routine contacts with other employees and vendors. Field work is heavy in nature and is performed in active sewer lines, confined spaces, and outdoors under all weather conditions, requires heavy work outdoors, frequently under adverse weather conditions, with no particular mental or visual strain, while bench work is medium in nature, and is performed under normal working conditions, and requires normal attention is required to prevent errors. May be required to work odd and unusual hours.

## SUPERVISION:

Employee works under general supervision, and refers questionable cases to the supervisor.

## ESSENTIAL JOB FUNCTION:

Assists in the installation, alteration, maintenance and repair of wireless and wired communications equipment and facilities, control devices, automated systems, and other electronic/electrical systems.

Helps install and service electronic data logging and radio communication equipment.

Installs mobile communications equipment. Connects lights, sirens, and other warning devices to control box and insure proper functioning.

Maintains electrical/electronic equipment. Troubleshoots basic malfunctions utilizing appropriate testing devices. Utilizes schematic diagrams and operations manuals to perform basic repairs. Keeps records as required.

Programs, activates, and makes basic repairs to wireless telephone equipment and mobile radios.

Utilizes personal computer for programming and maintenance of radio communication equipment, and record keeping.

Maintains proper stocking levels of installation supplies and required tools. Purchases equipment and supplies.

Assists in installation and erection of antennas and antenna towers. Digs trenches for conduits and antenna wires.

Operates a vehicle and uses various tools and equipment as required.

Cleans and cares for electronic and electrical equipment, uses Uses hand and power tools.

Performs related work as required.

**Electronic ~~Communications~~ Technical Aide**  
**Page two**

REQUIREMENTS OF WORK:

Knowledge of the basic ~~principals~~ principles of electronics/ electricity.

Knowledge of the hazards in working with high voltage equipment and the precautions necessary to prevent injury.

Some knowledge of the standard practices, methods, materials, and equipment used in ~~radio, wireline, and~~ electronics testing, installation, maintenance and repair work.

Some knowledge of mathematics adequate for solving basic electronic/electrical problems.

Ability to understand and follow oral and written instructions.

Ability to work at heights up to ~~475-80~~ feet and work ~~underground~~ in confined spaces.

Ability to establish and maintain effective working relations.

Skill in the use of electronic equipment testing devices, power tools, and hand tools.

PHYSICAL REQUIREMENTS:

Ability to see, with or without corrective lenses, well enough to distinguish color coding and work on microelectronic circuits.

Ability to hear, with or without a hearing aid, and speak well enough to converse on a two-way radio.

Enough body mobility and ability to climb and work from high ladders and antenna towers, and work in tight spaces.

Enough manual dexterity to handle precision tools and do mechanical work, such as inserting small screws.

Ability to slide utility covers weighing up to 125 lbs. out of the way.

Enough strength to handle 50 lb. ~~radios~~.

Tolerance to work under adverse conditions, such as ~~in~~ inclement weather, near high voltage, ~~and~~ in high places, confined spaces, and active sewer lines.

MINIMUM EDUCATION AND EXPERIENCE:

Open Entry Requirements: High school diploma or equivalent; AND, successful completion (grade of C or better) of class work in electronics at a junior college or military/trade school; OR, at least one year of experience as an apprentice or helper in the repair and maintenance of ~~radio or~~ electronics equipment ~~in the mobile communications field~~.

All applicants must possess a valid driver's license.

New: 9/83

Title Change: 6/84, 7/03, TBD

Title Restored: 7/84

Revised: 9/85, 4/88, 2/90, 3/92, 5/98, 4/02, 7/03, 7/08, TBD

Reviewed: 2/88, 4/94, 5/96, 4/00, 6/05, 4/11

Union: 270

Range: 31

EEO code: 7



Civil Service

Fair. Fast. *Friendly.* **Forward.**

BRIEFING PAPER: CHIEF EXAMINER DECISION RE J WEIGELT

APPLICABLE RULE/S

**Civil Service Rule IV Examinations and Eligible Lists, Section 2 Notice:**

Notice of examinations shall be published in at least one issue of the Official Gazette and shall be posted in the office of the Commission as well as in departments, and given such other publicity as deemed necessary. Such notice shall give the date and character of the examination and shall indicate the general qualifications required of applicants. Notices shall fix the period in which applications will be received.

**Civil Service Rule IV Examinations and Eligible List, Section 3 Filing:**

Applicants shall not be admitted to any examination for a position in the classified service until they shall have filed an application under oath upon a form provided by the Commission, which shall show that the established requirements have been met. Application forms shall conform to State and Federal law. Applications must be filed before expiration of the filing period. Applications requiring clarification shall be returned to the applicant to provide supplemental information needed to complete the application by a designated deadline. Applicants shall be provided with written or electronic notification of the date, time and place of the examination. Presentation at the appointed time of a picture ID verified against the list of eligible applicants for the examination shall entitle the applicant to enter the class for examination.

**Civil Service Rule VI Promotion, Section 6 Examinations:**

(a) The rules governing promotional examinations shall, except as herein provided, be the same as for open entry examinations, as stated in Rule IV. Applicants for promotion examination who are on an approved extended leave due to military service, or who are sick or injured, may be administered the examination separately from other candidates if security and integrity of the examination process can be assured. It shall be the responsibility of the applicant to request such consideration at the time of application or hospitalization. In all cases the decision of the Chief Examiner as to whether a separate examination may be conducted shall be final.

BACKGROUND AND CONSIDERATION GIVEN

Rule IV, Section 3 provides a clear policy statement regarding eligibility. It does not allow for exceptions for missing the application period for any reason. Conversely, Rule VI, Section 6 does allow for exceptions for applicants who have applied, and who will be on approved extended military leave as long as they declare the exception at the time of application. This provision is very clear that it is the applicant's responsibility to make such requests and that guarantee is conditional and the decision of the Chief Examiner.

My interpretation of the above is that if exceptions to Rule IV, Section 3 were allowed they would be expressly stated in the language as they are in Rule VI, Section 6. Additionally, the burden of responsibility for one's career trajectory is placed on the applicant, to include adherence to the Civil Service Rules and processes.

With regards to official notice, Commission staff followed the policy outlined in Rule IV, Section 2. The job announcement was sent via email to all city staff on March 18<sup>th</sup> with instructions to post publicly for those who don't have access to email. It was also posted in the Official Gazette issued March 20, 2019.

Potential applicants and current employees can also sign up for electronic notifications for any and all classified positions they may be interested in applying for through the classified jobs page on the City website. In addition, applications for all classified positions are accepted through NeoGov, an on-line system, which is available world-wide, 24/7.

The Civil Service Office also maintains a testing calendar for open and promotional events that are tentatively scheduled to occur throughout the year. This information is available through the internal Civil Service SharePoint site. Language on this site clearly states to contact the Civil Service office for testing information, and that applications will only be accepted during the recruitment period.

## DETERMINATION

In determining Mr. Weigelt's request the above factors were considered. I came to the following conclusions:

Mr. Weigelt missed the filing deadline to which Rule IV, Section 3 applies.

Determination: The role of the Chief Examiner is to execute the policy as adopted by the Civil Service Commission. That policy comes in the form of the Civil Service Rules. In this case the policy statement is quite clear and failure to uphold that would be a gross mis-step, regardless of my feelings related to the nature or validity of the particular circumstance that lead to the missed application deadline. Granting of an exception when the rule clearly does not allow for one is the equivalent of establishing policy, which would be an abuse of my role and authority. This is the primary and foundational argument. The Commission has upheld similar decisions by Chief Examiners in the past.

Determination: Mr. Weigelt's orders were issued on March 13, 2019. Mr. Weigelt departed on orders on March 19, 2019. There are a variety of ways Mr. Weigelt could have taken proactive steps to ensure he didn't miss the filing deadline, to include:

- Contacting the Civil Service Office prior to departure to discuss upcoming testing dates for items of interest.
- Signing up for job notifications.
- Reviewing applicable Civil Service Rules and contacting the Civil Service office with questions about their applicability.

#### POSSIBLE COMMISSION ACTIONS

If the Commission finds the Chief Examiner didn't appropriately execute the policy, the appropriate action is to uphold the administrative complaint.

If the Commission finds the rule was followed, the appropriate action is to deny the administrative complaint.

If the Commission finds the rule was followed, but the language no longer reflects the Commission's intent, the appropriate action is to deny the administrative complaint and subsequently amend Section 5 to allow for exceptions to be made in the future.

#### Attachments:

- April 8, 2018 Weigelt Appeal
- December 15, 2015 Civil Service Commission Meeting Minutes
- June 18, 2013 Civil Service Commission Meeting Minutes

April 8, 2019

Amber Richards  
Chief Examiner of Civil Service  
City of Spokane  
808 W Spokane Falls Blvd.  
Spokane, WA

Dear Ms. Richards,

Local 270, AFSCME, representing Josh Weigelt, is filing a request with the Civil Service Chief Examiner to have Mr. Weigelt, Parking Specialist I, be allowed to sit for the Parking Specialist II test on Wednesday the 10<sup>th</sup>, 2019. He was under active duty orders for the United States and out of the country on assignment when the City of Spokane Civil Service Administration conducted the sign up period for the Parking Specialist II. Upon his return from military assignment he realized that job opening sign-up had occurred and he had missed this official sign-up period. He then attempted to find relief by contacting you or your staff. He was informed that he was not going to be allowed to sign-up or sit for the test. This is unacceptable. Mr. Weigelt was on official orders and should not be penalized as a result. He believes he is, and we concur.

Mr. Weigelt is fully qualified under the minimum qualifications of the classification to sit for the test.

This is not a reasonable or equitable treatment of military personnel employed by the City and is contrary to actions taken during Desert Storm and other military involvements since then.

If you are not willing to allow Mr. Weigelt to sit for the test, please accept this as an appeal of an administrative decision and place it on the agenda for the April 16, 2019 Civil Service Commission agenda.

Sincerely,

Joe Cavanaugh  
President of Local 270, AFSCME



**CITY OF SPOKANE  
CIVIL SERVICE COMMISSION MEETING  
MINUTES  
December 15, 2015**

Cheryl Beckett, Chair, called the regular meeting to order at 9:30 a.m. Present were Cheryl Beckett, Phyllis Gabel, Mark Lindsey, Craig Hult, and Kathy Sewell.

At the request of Ms. Cheryl Beckett to amend the agenda under Other Business, a motion was put forth by Ms. Phyllis Gabel to amend the agenda to include two items under Agenda Item V - Other Business. The first item was to discuss follow up to the rule change to Rule V, Section III with regards to the open entry firefighter test adopted at the last commission meeting. The second item was an update concerning a personnel management consultation contract. The motion was seconded by Mr. Mark Lindsey and a vote was taken with a unanimous agreement to amend the agenda to add the two items presented under Other Business.

**Agenda Item I.**

**Approval of Minutes:**

Ms. Cheryl Beckett introduced the minutes from the regular meeting of November 17, 2015. Hearing no changes, the minutes stand as written.

**Agenda Item II.**

**Staff Activities:**

The Chief Examiner, Ms. Gita George-Hatcher reported the following statistics for the month of December:

**November:**

Announcements issued:	9	Classifications revised:	3
Examinations:	52	Classifications new/deleted:	0/2
Requisitions received:	28	Requisitions certified:	32
Class Surveys completed:	18	Class Surveys in progress:	9
Requisitions pending:	37	Requisitions canceled:	6
Average days from department initiation of request to receipt in Civil Service:		11.9	
Average days from requisition receipt to certification:		1.6	
Percentage certified within 24 hours:		100%	

The Chief Examiner distributed packets that included the job specifications revised last month. She also distributed the draft business plan for 2016 for the Commission's review before adoption in January. She requested that the Commission let her know after they have had a chance to review, regarding any questions or clarifications that may be needed. Included, was also a copy of the recruitment initiative for 2016 that is a joint effort between the Office of the Mayor, Human Resources and Civil Service. There will be a first ever City sponsored Job Fair in April with the Mayor to announce a Recruitment Initiative kick off. Also included in the packet were approvals on additional step increases for 2016; information on a staff promotion to Analyst III with approval of starting pay step; information regarding internal career progression for staff member involving a voluntary demotion for the purpose of progressing up the Analyst line of progression, and copies of the Civil Service staff retreat summary for the retreat held November 10, 2015. The tasks from this retreat will be assigned shortly.

The Chief Examiner also reported that one minority was hired in the Police Department as a Crime Analyst last month, and a female was promoted in the Fire Department as an Assistant Fire Marshal.

At the request of Ms. Gabel, the Chief Examiner provided a summary of the CPAT Transportability Study that was completed. This study was conducted to ensure that the job of a firefighter was similar to the CPAT test. Ms. George-Hatcher provided information that validity testing is a requirement of CPAT for licensing purposes and for use of the test. She informed the Commission that during the original development of the CPAT, thirty-one tasks were identified as essential to the job of firefighter. From this list of thirty-one, eight events were tested and developed with timelines for passing. In studying the transportability and use of this test for Spokane, sixty-six subject matter experts were involved in the process of testing all the tasks with regards to the job of Firefighter for the City of Spokane. The CPAT was found to be transportable to the City of Spokane and valid for use in the City of Spokane Fire Department.

### **Agenda Item III.**

#### **Classification Resolution:**

Adoption: SPN 597- Video Production Technician, a title change from Audio/Video Technician and revision of the specifications, keeping the same SPN number.

Deletion: The title of Examination and Classification Analyst I due to a title change to Personnel Analyst I that was adopted by the Commission, keeping the same SPN number.

Deletion: The title of Recreation Supervisor I due to a title change to Recreation Supervisor that was adopted by the Commission, keeping the same SPN number.

A motion was put forth by Mr. Lindsey to adopt SPN 597 and delete the two titles of Examination and Classification Analyst I and Recreation Supervisor I. The motion was seconded by Ms. Gabel. There was no discussion and the resolution passed unanimously.

#### **Agenda Item IV.**

##### **Review of Administrative Decision**

Mr. Scott Radtke requested a review of a decision made by the Chief Examiner regarding a denial of an alternate testing date for a Water Service Foreperson promotional exam. Mr. Radtke requested accommodation the week after the application period for the requirement had closed which was one week prior to the testing date of November 16, 2015. Rule 6, section 6 (a) states in part: "*applicants for promotional examination who are on approved extended leave due to military service, or who are sick or injured, may be administered the examination separately from other candidates if security and integrity of the examination process can be assured.*" The previous Chief Examiner had on occasion allowed remote testing accommodation for individuals on vacation when there was a shortage of applicants for the position. These were granted when test security and integrity could be assured, and these exceptions were not provided on a regular basis. The current Chief Examiner and staff take the position that decisions such as these should be made with caution to avoid any appearance of favoritism or discrimination. The current Chief Examiner stated that she has provided remote testing accommodation when the issue involved the applicant being required to attend a mandated work related conference.

In the case of the Water Service Foreperson recruitment, there was an adequate pool of candidates to take the examination, and the newly created eligible list consists of 16 individuals. Additionally, she explained that a regular practice of making accommodation available due to vacations scheduled by applicants could pose an administrative burden for staff given that there are close to two thousand employees in the City of Spokane. The Chief Examiner clarified that the request for accommodation from Mr. Radtke was for an alternate date for the test and not for a remote location.

The Chief Examiner recommended that the decision of the Chief Examiner be upheld. Ms. Beckett posed a question concerning timing and read from Rule 6, section 3, that promotional exams must be published in at least one issue of the Gazette. Ms. Beckett asked when this promotional exam was first posted in the Gazette and when notifications went out to departments and employees. The Chief Examiner informed the Commission that all promotional

exams are published at least two weeks in advance and notice is sent by email to all employees and job announcements are sent to each department to be posted for all employees. This particular job posting was begun in late October. Ms. Beckett wondered if this denial was a timing issue or due to an attempt to stop the relaxing of the rules that sometimes occurred under the former Chief Examiner. The Chief Examiner said the denial was made due to both the timing and inconsistency of past practices. She explained that her main concerns would be the appearance of favoritism or discrimination and the practicality of regularly accommodating employees on vacation while still maintaining the integrity of the testing process.

Ms. Beckett invited Mr. Scott Radtke to come up to the podium. The Chief Examiner swore Mr. Radtke in and he spoke on his behalf. He stated that he was appealing the decision of the Chief Examiner to deny his accommodation of an alternate test time. He stated that his vacation plans were made several months in advance and they could not be changed when the job announcement was published. He knew that the list was expired and was expecting a test to come out but there was no definite date sent for the test and he needed to make his vacation arrangements. Mr. Radtke said that he does not believe this is a fair rule and that management from his department agreed with him. He said he felt that vacations were very important to employees and their families.

Ms. Beckett asked Mr. Radtke what he thought the commission should do at this time since the test has already been given and the list has been made. Mr. Radtke stated that he realized this but that going forward; the rules should be changed for individuals in the future.

Mr. Paul Traynor, Foreperson for the south side, from the Water Department was also sworn in by the Chief Examiner. Mr. Traynor addressed the Commission and gave some perspective as to the consequences of not providing accommodations for Mr. Radtke to take the test and be on the list for out of grade purposes.

Ms. Beckett asked for a motion as to whether or not to uphold the Chief Examiner's decision. Ms. Gabel made a motion to uphold the Chief Examiner's decision and deny the accommodation requested by Mr. Radtke. The motion was seconded by Mr. Craig Hult. Discussion was opened up to Commissioners and Mr. Hult stated that he was wary of alternate testing dates due to the appearance of test integrity.

Ms. Beckett thanked Mr. Radtke for his comments. A vote was taken and the motion to uphold the Chief Examiner's decision passed unanimously.

**Agenda Item V.**

**Other Business:**

**(1) Discussion of Rule V, section 3 change.**

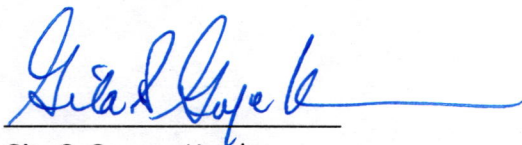
Ms. Beckett opened the discussion regarding the rule change regarding certification of names for Firefighter. At the November meeting, the Commission adopted a rule change to Rule V, Section 3 that had the unanimous support of labor and management.

The discussion about this rule centered on concerns that a rule of ten for the first vacancy plus four for each additional vacancy may be greater than 25% of the list in cases where there are for example, 20 vacancies and an eligible list of 100 to 200 or fewer. Ms. George-Hatcher stated that when tests were given only once every two years, the lists have been large. When the test is given every year and the list refreshed quarterly or on an ongoing basis, the list could be smaller. She explained that when there is a smaller list, the concern is that that the number of names certified to the department could be greater than 25% of the eligible list or involve certification of the entire list, possibly bringing into question whether merit system principles were being applied in those cases. The Chief Examiner stated that checking in regularly to see how this rule is working would be a good idea. Ms. Beckett said staff should monitor the list and how the rule is functioning and report to the Commission.

**(2) Authorization for the Civil Service Committee Chair to increase the contract amount with a Personnel Management Company from \$10,000 to \$11,000.**

A motion to increase the contract amount from \$10,000 to \$11,000 was made by Ms. Kathy Sewell. It was seconded by Ms. Gabel and passed unanimously.

There being no additional business to come before the Commission, the meeting was adjourned at 10:13 a.m.



Gita S. George-Hatcher  
Chief Examiner

## CIVIL SERVICE COMMISSION MEETING

June 18, 2013

Mary Doran, Chair, called the regular meeting to order at 9:30 a.m. All Commission members were present, except Phyllis Gabel, and Jim DeWalt.

### Agenda Item I.

#### Approval of Minutes:

Ms. Doran introduced the Minutes from the regular meeting of May 21, 2013, for approval. Hearing no changes or corrections to the minutes, Ms. Doran stated that the minutes would stand approved as prepared.

### Agenda Item II.

#### Staff Activities:

Glenn Kibbey, Chief Examiner, stated that May had been another busy month for staff with several job announcements issued and a considerable number of examinations administered. Mr. Kibbey noted that so far in 2013, the total number of job announcements issued is fifty-three, a figure that rivals some of the busiest years prior to the economic downturn.

Mr. Kibbey noted that Jennifer Quick, Clerk II, had accepted a transfer to another position in the City, and stated his appreciation for her work. The Chief Examiner also noted that Brian Miyamoto, Examination/Classification Analyst III, would be officially retiring at the end of August, but would be on vacation after this week. He invited Commission members to stop by the office on Thursday for a retirement celebration.

The following statistics were reported for May, 2013:

Announcements issued	7	Classifications under review	43
Examinations	32	Classifications reviewed	5
Requisitions received	30	Classifications revised	5
Requisitions certified	27	Classifications New/Deleted	0/9
Requisitions pending	4	Title Changes	0
Requisitions cancelled	1	Surveys completed/cancelled/pending	0/0/8

Average days from departmental initiation to receipt of requisitions in Civil Service = 15.8

Average days from requisition receipt to certification = 1.0

Percentage of Requisitions Certified within 24 hours of receipt = 88.5%

The Chief Examiner reported additional details regarding examinations administered during May, and reported on qualification changes to the classifications Police Records Specialist, Solid Waste Education Coordinator, Engineering Technician III, Gardener II, and Waste Water Specialist, which had the concurrence of management and the affected bargaining unit(s).

### Agenda Item III.

#### Classification Resolution:

Mr. Kibbey stated that at the time the agenda was published, staff had anticipated having a resolution ready for adoption. He noted that the proposed class specifications have not yet been finalized, and accordingly, the resolution will be delayed.

### Agenda Item IV.

#### Claim/Appeal of Administrative Decision:

The Chief Examiner provided the background information on the appeal filed by David Como, regarding his application for the classification of Park Equipment Specialist. Mr. Kibbey read Civil Service Rule IV, Section 3 for the record, and stated his belief that staff had acted in accordance with it and that Brian Miyamoto had

Agenda Item IV, continued:

made the appropriate determination. Mr. Kibbey stated his recommendation that the Commission take testimony and either uphold the staff determination or provide direction to staff.

Joe Cavanaugh, President of Local 270, addressed the Commission and stated that he was representing Mr. Como in the appeal. Mr. Cavanaugh stated that they were in concurrence with the background statement provided by the Chief Examiner, but that there were some nuances he'd like to explain that created the situation resulting in the appeal today. Mr. Cavanaugh discussed the email correspondence and telephone calls between Mr. Como and Janet Cline, Exam/Class Analyst III, and acknowledged that Mr. Como missed a deadline established by Ms. Cline for completing the additional information on the application. Mr. Cavanaugh stated that as Ms. Cline was away from the office on the Friday when the application was due, Mr. Como had planned to turn it in on the following Monday. Mr. Cavanaugh stated that Mr. Como filed an appeal of Ms. Cline's determination that she wouldn't accept the application beyond the deadline, and that prior to the examination, he and Mr. Como met with Ms. Cline and Brian Miyamoto, acting Chief Examiner, to discuss the situation. He stated that they had a wide-ranging discussion of Mr. Como's qualifications, but that he was not allowed to take the examination due to missing the deadline.

Mr. Cavanaugh stated that Mr. Como had submitted his application during the recruiting period, and that it was just the clarifications that needed to be placed on it. Mr. Cavanaugh stated that Mr. Como was ready, willing, and able to provide the additional information to clarify his experience. Mr. Cavanaugh stated that Mr. Como believes he had complied with what Civil Service staff had asked and requested that the staff determination be overturned so that Mr. Como would be allowed to take the examination and be placed on the eligible list for Park Equipment Specialist where his test score indicates.

Cheryl Becket asked whether the return of the application is done to the analyst or to a group email. Mr. Cavanaugh answered that he believed the return was to be directly to the analyst. Ms. Beckett referenced an email from Ms. Cline to Mr. Como, stating the intent to tentatively accept additional experience, and providing for a deadline to return the information. Mr. Como answered his understanding that he would return the application directly to Ms. Cline. Ms. Beckett asked Mr. Como if he was aware that there was a deadline to complete the application. Mr. Como answered that he was aware of the deadline, and that he had the capability to attach a completed application to an email to Ms. Cline. Mr. Como stated that his work schedule did not allow him to complete the application by the deadline, but that he had completed it over the weekend and was ready to turn it in on Monday morning. Ms. Doran asked Mr. Como if he was saying that he shouldn't have had to complete the application on his own time, not during the work day, prior to the deadline. Mr. Como stated that he didn't get all of the information compiled until Friday evening.

Craig Hult asked the Chief Examiner whether it is typical for an application to go directly to a specific analyst for action or does it go to a central location. Mr. Kibbey answered that an application typically goes through the application portal, and if the clerical staff is unable to determine that an applicant meets the requirement, they refer the application to the analyst responsible for that specific recruitment for a determination. He stated that the analyst then takes over contact with the applicant to make the determination. Mr. Hult asked, given the deadline established by Ms. Cline, whether it is typical for an analyst to work over the weekend to review applications. Mr. Kibbey responded that it would not be.

Ms. Beckett questioned Mr. Como regarding his conversation with Ms. Cline. Ms. Beckett asked Mr. Kibbey regarding a timeline provided to the Commission, and whether Mr. Como or Mr. Cavanaugh had an opportunity to see it. Mr. Kibbey responded that they likely would not have had such opportunity.

Commission members had questions for Janet Cline, Exam/Class Analyst III, regarding her interaction with Mr. Como and the deadline for submitting the application. Ms. Cline answered questions regarding the interactions, process, and timelines established. Ms. Beckett asked if Mr. Como had been able to meet the 5:00 p.m., Friday deadline, what would have been the first opportunity for the application to be reviewed. Ms. Cline answered Monday Morning. Mr. Hult asked whether emails went directly to Ms. Cline or to a group email address. Ms. Cline answered that it is a direct email address.

Agenda Item IV, Continued:

Ms. Beckett questioned Ms. Cline regarding her email to Mr. Como stating the intent to tentatively accept the application. Ms. Cline said she had spoken with Mr. Miyamoto, who advised her to tentatively accept the information provided by Mr. Como, but that it had to be documented on the application, as so much information had been provided over the phone or through email. She stated that the deadline had been established in consultation with Mr. Miyamoto, due to the fact that the exam date was approaching, and it was already a week past the end of the recruiting period. Ms. Beckett questioned Ms. Cline regarding the tentative acceptance; whether it was just a matter of getting the information on an application or whether there were still questions of qualification. Ms. Cline referred to her email to Mr. Como which stated that the updated application would still have to be reviewed in order to determine whether the minimum requirements were met.

Mr. Kibbey stated that it is standard office procedure to tentatively accept information taken over the phone, or email, but that the requirements are not considered to be met until documented on the application, which includes the oath of application.

Joe Cavanaugh stated that an employee not particularly familiar with Civil Service processes was trying to comply as best he could. Mr. Cavanaugh suggested that had Ms. Cline written in her email that as she wouldn't be there on Friday, Mr. Como could contact Mr. Miyamoto with questions, the issue could have been resolved at that point, and we wouldn't have been here today.

Commission members indicated that they had no further questions. Ms. Beckett asked legal counsel Mike Piccolo whether an executive session was required for deliberations. Mr. Piccolo answered that an executive session would not be required due to the nature of the appeal, but that past practice has been to go into executive session to deliberate. An executive session was called to deliberate at 10:09 a.m. The Commission returned from executive session at 10:28 a.m.

Ms. Doran asked Mike Piccolo to clarify results of votes taken when there are only three members of the Commission available to hear an appeal. Mr. Piccolo stated that pursuant to Rule XI, Section 8(a), a quorum of the Commission may render a decision on an appeal provided that the decision receives at least three affirmative votes of the Commission. Mr. Piccolo noted that the rule was put into place for situations such as this, and stated that without three affirmative votes, a motion would fail.

Ms. Doran asked if there was a motion. Ms. Beckett moved to accept the appeal. Mr. Hult seconded the motion. Ms. Beckett stated that the basis for her motion was that there was potential confusion regarding the information provided to Mr. Como, and that she would give him the benefit of the doubt in this very narrow circumstance. Mr. Hult stated his agreement and belief that the information provided to Mr. Como may have been confusing. He continued that, putting himself into the shoes of the applicant, he would agree with comments made by Ms. Beckett.

Ms. Doran stated that she disagreed, believed that Ms. Cline went out of her way to assist Mr. Como, and that saying that she was tentatively accepting an application should not give anybody the feeling that they would not have to complete an application. Ms. Doran said that she believes that Ms. Cline stating in an email that she didn't work on Friday was simply a courtesy, and that an employee would know that others in the office would be available for assistance. Ms. Doran concluded that she believed a clear deadline had been set, that Mr. Como missed it for whatever reason, and that it could have been done on his own time, which is when a lot of people fill out applications.

Hearing no further discussion, Ms. Doran called for a vote. Ms. Beckett and Mr. Hult voted aye, and Ms. Doran voted no. She asked Mr. Piccolo to clarify the results given two aye votes and one nay vote. Mr. Piccolo stated that the motion fails on a vote of two to one due to a lack of three affirmative votes.

Mr. Cavanaugh addressed the Commission, and asked what rights Mr. Como has to appeal to the full Commission. Mr. Piccolo responded that the results are final, as everyone was aware there were only three Commissioners seated prior to the start of the hearing. Mr. Cavanaugh stated that he was troubled with the result, and that he would be stating his dissatisfaction to the Civil Service Rule review committee.



Agenda Item IV, Continued:

Ms. Beckett stated her opinion that everyone can walk away with a lesson today. Mr. Cavanaugh responded that unfortunately, Mr. Como will walk away with the hardest lesson.

Mr. Hult asked if this is the type of issue that would be discussed with the rule review committee. Mr. Kibbey stated the committee has discussed the application process, and there are suggestions for clarifying language, but had the changes been in effect, they would not have altered the outcome in this case. Mr. Kibbey also noted that the current eligible list for the classification of Park Equipment Specialist has only nine open-entry names on it. He continued that with less than ten names, the Park Department could reject the list, at which point it would be re-opened for application and testing.

Mr. Cavanaugh stated that he would be discussing the issue of continuances with the rule review committee. Mr. Kibbey responded that a continuance could have been requested at the time the agenda item was announced. He continued that the policy regarding continuances is that one administrative continuance can be granted to each party by the Chief Examiner. He continued that a request for a second continuance would go to the Commission Chair for a determination, and any further requests would go to the Commission for determination. Mr. Cavanaugh stated that in all the years he has represented before the Commission, he did not know that. Mr. Cavanaugh thanked the Commission for their time.

Mr. Hult asked whether it is possible when an appeal is on the agenda to ask for an RSVP from Commission members. Mr. Kibbey responded that staff does inquire as to whether Commission members are going to be available prior to each meeting. Mr. Hult stated his thought that all Commission members should be here when possible, as these issues and decisions do affect people.

Agenda Item V.  
Appeal of Promotional Pass Over.

Mr. Kibbey stated that the appeal of promotional pass over had been withdrawn.

Agenda Item VI.  
Other Business:

Hearing no further business to come before the Commission, Ms. Doran adjourned the meeting at 10:43 a.m.



Glenn Kibbey  
Chief Examiner



Civil Service

Fair. Fast. *Friendly.* **Forward.**

## POLICE AGENCY DISQUALIFIERS

### BACKGROUND

Police agency disqualifiers are considered cause for disqualifying uniformed police applicants from the hiring process. These are generally more in-depth than the cause defined for non-law enforcement personnel. This is because of the nature of work required by uniformed officers, and more importantly, because of the critical role law enforcement plays in fostering public trust and public safety.

Disqualifiers should be objective, job related, and reflect the minimum standard the Commission is willing to accept with regard to police applicants. Balance must be achieved in order to establish a solid bar without being overly restrictive.

The Police Department does not appear to have a formally adopted set of agency disqualifiers. They have been using an internal document to determine cause in the past. This was unintentional, however, it is problematic because an appointing authority does not have authority to establish cause; that authority belongs to the Commission.

This issue was recently identified. Since that time, Civil Service staff and Police Department staff have worked together to develop a draft list of agency disqualifiers that could be used to constitute cause for removal.

If adopted, this document will be used to:

- pre-screen applicants before they are added to the eligibility list and sent to the appointing authority, and
- disqualify applicants for items discovered during the background investigation process

This will correct the issue identified above, and will also serve to streamline the hiring process for police on both the Civil Service and appointing authority sides.

Attachment:

Police Agency Disqualifiers

## CITY OF SPOKANE CIVIL SERVICE – POLICE AGENCY DISQUALIFIERS

Applicants shall be automatically disqualified for employment with the Spokane Police Department in the following circumstances

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### DRIVING

- Traffic crime conviction for DUI or Reckless Driving in the last 5 years. Two or more DUI convictions total. Diversion or other similar action shall be the same as a conviction.
- Suspension of driver's license for any cause other than an administrative suspension, within the past 3 years.
- 3 or more moving violations in the past 3 years.
- 2 or more at-fault accidents in the past 3 years.

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### DRUG USAGE

- Any illegal use, distribution, or possession of any controlled substance, as an adult, within 5 years prior to application.
- Any drug test of the applicant, during the course of the hiring process, where illegal drugs are detected.
- Use or possession of marijuana as an adult, within one year prior to application for employment.
- Conviction or admission of the illegal use of any controlled substance while employed in a criminal justice capacity.
- Manufacture or cultivation of a drug or illegal substance, as an adult.

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### CRIMINAL ACTIVITY

- Any felony conviction as an adult.
- Conviction of any crime under a domestic violence statute as an adult.
- Conviction of two or more misdemeanor offenses classified as a misdemeanor under Washington law as an adult within five years of application.
- Conviction of any crime against a child.

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### EMPLOYMENT

- Failing to be truthful or honest, by act or omission, at any stage of the hiring process; including training and certification.
- Dishonorable Discharge, Bad Conduct Discharge, or dismissed from any branch of the US Armed Forces, except for reasons of sexual orientation.

- Discharge for material cause from any position of criminal justice employment.
- Law Enforcement Certification, denied or revoked, for misconduct in this or another state.

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#### FINANCIAL

- Conviction for failure to pay income tax, or judicial finding of failure to pay child support.

DRAFT