

# CIVIL SERVICE OVERVIEW SHEET

(This information is primarily for City of Seattle employees.)

**SEATTLE CITY CHARTER: Article XVI. Section 3.--Personnel System and Civil Service**  
*All City employees shall be members of the civil service except elected officers, persons holding appointive offices established by this Charter, assistant City Attorneys, heads of departments and members of boards and commissions created by this Charter or by ordinance. Additional positions may be exempted by ordinance approved by a two-thirds vote of the City Council.*

## WHAT IS CIVIL SERVICE? By Definition;

(1) "The entire body of those employed in the civil administration of a country at a local or national level. Military and elected officials are technically excluded from the term."<sup>1</sup>

(2) "A civil servant or public servant is a civilian career public sector employee working for a government department or agency."<sup>2</sup>

## WHY IS THERE CIVIL SERVICE?

Civil Service was created to protect the public from cronyism and patronage systems that existed in most of the country before the 1900s. Prior to civil service laws, elected officials appointed friends and political supporters to public jobs without consideration of their qualifications or performance and employees in government had no job security. Civil service was established to encourage people to seek public employment and to protect public employees from losing their jobs with changes in political administrations. Most jurisdictions have civil service for their uniformed employees (police and fire). Like the City of Seattle, many, but not all governments also have civil service for non-uniformed or "civilian" employees.

## WHAT RIGHTS (PROTECTIONS) DOES CIVIL SERVICE PROVIDE?

Civil Service protection applies to personnel actions affecting public sector employees. This includes hiring, firing, promoting and demoting employees, even those employees who are members of unions. Under Civil Service a "permanent" or "regular" employee<sup>3</sup> can only be demoted, discharged or suspended for "just cause" and hired or promoted based on merit.

Unlike "at will" employees and employees defined as "exempt" in the City's Municipal Code, an employee covered by civil service may only be removed, suspended, demoted, or discharged from his or her position "for cause" and hired or promoted based on merit. Therefore, if a Civil Service employee feels that a personnel or disciplinary action did not follow this basis, the employee has the right to appeal the action to the Civil Service Commission-an impartial quasi-judicial board. Employees may also appeal other actions that they feel violate Personnel Rules and laws. This includes actions related to:

- Classification and/or Compensation
- Employee Selection
- Performance Evaluation Process
- Political Patronage

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<sup>1</sup> [www.12-12-12.org/bookappi.htm](http://www.12-12-12.org/bookappi.htm)

<sup>2</sup> Wikipedia

<sup>3</sup> Civil Service does not apply to probationary employees. It only applies to "regular" or "permanent" employees. In the City of Seattle, this generally means a person who has completed a one year probationary period. A person on probation does not have civil service protection and may be removed for any reason, so long as it is not for a discriminatory or other inappropriate reason.

# **NOTICE**

**OF**

## **YOUR RIGHT TO APPEAL TO CIVIL SERVICE COMMISSION**

**The Civil Service Commission is established in Article XVI, Section 5 of the Seattle City Charter to hear appeals involving the administration of the Personnel System. The Commission also investigates allegations of political patronage in hiring processes and makes recommendations to the Mayor and City Council regarding the administration of the Personnel System. The Commission's authorities include the right to reinstate employees and award back pay.**

### **WHO MAY FILE AN APPEAL WITH THE COMMISSION?**

All regular City employees<sup>4</sup> have the right to appeal any disciplinary action or personnel decision to the Civil Service Commission provided that they have exhausted their intra-departmental grievance procedures.<sup>5</sup>

### **WHAT DISCIPLINARY ACTIONS<sup>6</sup> MAY BE APPEALED?**

- ◆ Termination    Suspension    Demotion

**WHAT ALLEGED VIOLATIONS OF THE CHARTER, MUNICIPAL CODE, OR RULES MAY BE APPEALED?** (The following are examples of the types of issues that might constitute valid appeals.)

- ◆ Violations of City Charter or Municipal Code and Personnel Rules or Policies;
- ◆ Political Patronage in the hiring process;
- ◆ Out-of-class work without proper compensation;
- ◆ Abuse of employee evaluation procedures;
- ◆ Violations of classification and compensation procedures.

Appeals to the Commission must be filed within 20 calendar days of the date of your Department's notification to you of its final decision in your specific case. You can contact the Commission in Suite 1670 of the Seattle Municipal Tower or at 206 386-1301 or [csc@seattle.gov](mailto:csc@seattle.gov). Inweb: [www.seattle.gov/csc/](http://www.seattle.gov/csc/)

### **CAN UNION MEMBERS UTILIZE THE COMMISSION'S SERVICES?**

Yes. Union members have the option of choosing between the union's grievance process and the Commission's hearing process. Only one process may be used for a complaint. Union membership does not preclude an employee from utilizing the Civil Service Commission.

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<sup>4</sup> Regular employees are those who have successfully completed their probationary period, are not employed by the City as student interns or temporary workers through the Special Employment Programs Unit; and whose positions are not specifically exempted from Civil Service. (SMC 4.04.030(21), (24) (30). Probationary and Temporary Employees may only appeal to the Commission the question of whether their employment status is, in fact, probationary or temporary.

<sup>5</sup> Each department has internal procedures that provide labor and management with an opportunity to resolve issues prior to coming to the Commission. You may consult the Personnel Rules or your Human Resource Manager, or contact the Commission to find more about the procedures that must be followed. (SMC 4.04.260(A) & Personnel Rule 5.8.100)

<sup>6</sup> Letters of Reprimand are not considered "final" disciplinary actions and may not be appealed unless they are being appealed as part of a different type of complaint such as "retaliation" or similar violation.