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**BEFORE THE CITY OF SEATTLE
PUBLIC SAFETY CIVIL SERVICE COMMISSION**

In the Matter of:

**Ian Condon,
Requestor**

PSCSC No. 23-05-010RFR

**ORDER DENYING REQUEST FOR
RECONSIDERATION OF AN ACTION OF
THE EXECUTIVE DIRECTOR**

Findings of Fact and Conclusions of Law

As described by letter dated April 17, 2023 to Requestor Ian Condon (“Requestor”) from Executive Director Andrea Scheele (“Executive Director”) of the City of Seattle Public Safety Civil Service Commission (“PSCSC” or “Commission”), the PSCSC received from the Requestor on April 10, 2023¹ a request to be placed on the reinstatement register for the rank of Firefighter following separation, pursuant to Rule 10.03 of the PSCSC Rules of Practice and Procedure. The letter indicated that the Requestor was separated on November 18, 2021 due to noncompliance with the City’s vaccine mandate and the department’s inability to find a reasonable accommodation. The Executive Director’s decision letter further informed the Requestor that the request for reinstatement to the eligible register was denied because the request did not meet the criteria set forth in Rule 10.03.

Via email dated April 21, 2023, the Requestor requested reconsideration of the actions of the Executive Director. In that email, the Requestor indicated that the action in question was the Executive Director’s denial of the Requestor’s “reinstatement to employment on the firefighter register for the Seattle Fire Department.”

¹ The April 17, 2023 letter from the Executive Director refers to April 13, 2023 as the date of the request. The Requestor made the request via mail dated April 10, 2023, so the correct date of the request is April 10, 2023.

1 On May 17, 2023, the Commission conducted a hearing in this matter and considered the
2 Requestor's request for the Commission to reconsider and review the Executive Director's
3 decision to deny the Requestor's request to be placed on the eligible register. The Requestor
4 attended the hearing and provided testimony to the Commission.

5 After due consideration, including review and consideration of the materials submitted to
6 the Commission in this matter and the oral presentation and argument presented at the May 17,
7 2023 hearing, the Commission hereby sets forth its conclusions of law and order in this matter.

8 Rule 10.03 of the City of Seattle Public Safety Civil Service Commission Rules of Practice
9 and Procedure states, in relevant part:

- 10 a. A former employee who resigned, retired, or was separated for medical or
11 disability reasons but not granted disability retirement may request return of
12 their name to a supplemental register to be considered with the open graded
13 eligible register for the classification or rank. Such request must be made
14 within one year from date of resignation, retirement, or separation due to
15 disability; provided, the Executive Director may extend the above time
16 limitation for not to exceed an additional four years upon satisfactory showing
17 that such extension would be to the best interests of the City;

18 The Commission's finding and conclusion is that the decision of the Executive Director to
19 deny the Requestor's request to be placed on the eligible register pursuant to Rule 10.03 was
20 properly decided and the Requestor has not established an error of fact or law. The Commission
21 finds and concludes that Rule 10.03.a. states, in relevant part:

22 A former employee who resigned, retired, or was separated for medical or
23 disability reasons but not granted disability retirement may request return of
24 their name to a supplemental register to be considered with the open graded
25 eligible register for the classification or rank. ...

26 Here, the Requestor did not resign, retire, or separate for medical or disability reasons.
27 Therefore, the Commission finds and concludes that the Executive Director properly concluded
28 that the Requestor does not meet the criteria set forth in Rule 10.03, and specifically Rule
29 10.03.a., as stated. The Commission further finds and concludes that the Executive Director's
30 denial of the Requestor's request to be placed on the eligible register conforms with the
31 requirements of the PSCSC Rules.

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ORDER

Pursuant to the foregoing, the Commission hereby AFFIRMS the Executive Director's decision pursuant to Rule 10.03 to deny the Requestor's request to be placed on the eligible register, and DENIES the Requestor's reconsideration request for the Commission to revise, modify, or overturn the Executive Director's denial decision.

Dated this 30th day of June, 2023.

FOR THE CITY OF SEATTLE PUBLIC SAFETY CIVIL SERVICE COMMISSION

Stacy Connoles

Stacy Connoles

Chairperson of the City of Seattle Public Safety Civil Service Commission

JA Nark

Joel Nark

City of Seattle Public Safety Civil Service Commissioner

Richard Greene

Richard Greene

City of Seattle Public Safety Civil Service Commissioner

CERTIFICATE OF SERVICE

I, Teresa R. Jacobs, declare under penalty of perjury under the laws of the State of Washington, that on the date below, I caused to be served upon the below-listed parties, via the method of service listed below, a true and correct copy of the foregoing document: **Order Denying Request for Reconsideration of an Action of the Executive Director.**

Party and Other Interested Parties	Method of Service
Requestor: Ian Condon [REDACTED]	<input checked="" type="checkbox"/> E-Mail
For the City: Dori Towler (Seattle Fire Department, Human Resources) Dori.Towler@seattle.gov Hannah Kosten (Seattle Fire Department, Human Resources) Hannah.Kosten@seattle.gov Yoshiko Grace Matsui (Seattle Department of Human Resources, Fire & Police Exams Unit) Yoshiko.GraceMatsui@seattle.gov	<input checked="" type="checkbox"/> E-Mail

Dated this 30th day of June 2023, at Seattle, Washington.

Teresa R. Jacobs

Teresa R. Jacobs, Executive Assistant
Civil Service Commissions