

# **Bond Case Briefs**

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## **EMPLOYMENT - WASHINGTON**

### **City of Medina v. Skinner**

**Court of Appeals of Washington, Division 1 - November 3, 2014 - P.3d - 2014 WL 5571310**

City sought judicial review of city civil service commission order modifying police officer's discipline and award of back pay as a remedy. The Superior Court granted city's application for a statutory writ of review, and officer appealed.

The Court of Appeals held that:

- Statutory writ of certiorari was not available to city as means of seeking judicial review of decision of city civil service commission, and
- The commission acted illegally to the extent it purported to retain jurisdiction over employment dispute to award back pay to police officer.

Statutory writ of certiorari was not available to city as means of seeking superior court's review of decision of city civil service commission, in which commission found that city did not have cause to terminate police officer, and instead of termination, ordered 60 days without pay, demotion to patrol officer, and back pay. The legislature created a procedure for appeal that gave only the disciplined police officer the right to appeal, and did not provide the city with a right to appeal the commission's decision.

City civil service commission acted illegally to the extent it purported to retain jurisdiction over employment dispute to award back pay to police officer, after the commission suspended police officer in lieu of removal, set a 60-day period of suspension without pay, and demoted officer to patrol officer. The commission only had the authority granted by statute, which provided it with the authority to affirm, modify, or reverse discipline, but which did not authorize it to award damages or other remedies such as back pay, and if the city does not honor its compensation obligations to officer, his remedy is in court, not before the commission.