



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance 19953

Proposed No. 2025-0085.2

Sponsors von Reichbauer

1 AN ORDINANCE relating to the personnel system;
2 amending Ordinance 9088, Section 1, and K.C.C. 3.12.005,
3 Ordinance 12014, Section 5, as amended, and K.C.C.
4 3.12.010, Ordinance 12014, Section 6, and K.C.C.
5 3.12.020, Ordinance 12014, Section 7, as amended, and
6 K.C.C. 3.12.040, Ordinance 12014, Section 8, as amended,
7 and K.C.C. 3.12.042, Ordinance 12014, Section 9, as
8 amended, and K.C.C. 3.12.044, Ordinance 12014, Section
9 10, and K.C.C. 3.12.050, Ordinance 12014, Section 11, as
10 amended, and K.C.C. 3.12.060, Ordinance 4324, Section
11 14, and K.C.C. 3.12.080, Ordinance 12014, Section 12, and
12 K.C.C. 3.12.090, Ordinance 12014, Section 13, as
13 amended, and K.C.C. 3.12.100, Ordinance 12014, Section
14 14, as amended, and K.C.C. 3.12.110, Ordinance 12014,
15 Section 15, as amended, and K.C.C. 3.12.120, Ordinance
16 12014, Section 34, as amended, and K.C.C. 3.12.123,
17 Ordinance 12077, Section 3, as amended, and K.C.C.
18 3.12.125, Ordinance 4324, Section 38, and K.C.C.
19 3.12.140, Ordinance 12014, Section 18, as amended, and
20 K.C.C. 3.12.180, Ordinance 18572, Section 1, as amended,

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21 and K.C.C. 3.12.184, Ordinance 12014, Section 36, as
 22 amended, and K.C.C. 3.12.188, Ordinance 12014, Section
 23 19, as amended, and K.C.C. 3.12.190, Ordinance 12052,
 24 Section 1, as amended, and K.C.C. 3.12.210, Ordinance
 25 12014, Section 20, as amended, and K.C.C. 3.12.215,
 26 Ordinance 18408, Section 2, as amended, and K.C.C.
 27 3.12.219, Ordinance 12014, Section 21, as amended, and
 28 K.C.C. 3.12.220, Ordinance 18191, Section 4, and K.C.C.
 29 3.12.221, Ordinance 15558, Section 2, as amended, and
 30 K.C.C. 3.12.222, Ordinance 12014, Section 22, as
 31 amended, and K.C.C. 3.12.223, Ordinance 13743, Section
 32 1, as amended, and K.C.C. 3.12.224, Ordinance 7956,
 33 Section 6, as amended, and K.C.C. 3.12.225, Ordinance
 34 19563, Section 7, as amended, and K.C.C. 3.12.227,
 35 Ordinance 12014, Section 23, as amended, and K.C.C.
 36 3.12.230, Ordinance 12077, Section 5, as amended, and
 37 K.C.C. 3.12.240, Ordinance 12014, Section 25, as
 38 amended, and K.C.C. 3.12.250, Ordinance 12014, Section
 39 26, as amended, and K.C.C. 3.12.260, Ordinance 9967,
 40 Section 2, as amended, and K.C.C. 3.12.262, Ordinance
 41 12014, Section 27, as amended, and K.C.C. 3.12.270,
 42 Ordinance 12014, Section 28, and K.C.C. 3.12.280,
 43 Ordinance 12014, Section 29, as amended, and K.C.C.

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44 3.12.290, Ordinance 12014, Section 30, as amended, and
 45 K.C.C. 3.12.300, Ordinance 4324, Section 9, and K.C.C.
 46 3.12.310, Ordinance 12014, Section 31, as amended, and
 47 K.C.C. 3.12.330, Ordinance 12498, Sections 1, 4-7, and
 48 K.C.C. 3.12.335, Ordinance 12014, Section 32, as
 49 amended, and K.C.C. 3.12.350, Ordinance 12014, Section
 50 33, and K.C.C. 3.12.360, Ordinance 16640, Section 3, as
 51 amended, and K.C.C. 3.12.400, Ordinance 12943, Section
 52 13, and K.C.C. 3.12A.010, Ordinance 12943, Section 14, as
 53 amended, and K.C.C. 3.12A.020, Ordinance 12943, Section
 54 15, and K.C.C. 3.12A.030, Ordinance 12943, Section 16,
 55 and K.C.C. 3.12A.040, Ordinance 12943, Section 17, as
 56 amended, and K.C.C. 3.12A.050, Ordinance 12943, Section
 57 18, and K.C.C. 3.12A.060, Ordinance 18696, Section 2,
 58 and K.C.C. 3.12S.010, Ordinance 12014, Section 46, as
 59 amended, and K.C.C. 3.14.010, Ordinance 8179, Section 2,
 60 and K.C.C. 3.14.020, Ordinance 12014, Section 47, as
 61 amended, and K.C.C. 3.14.030, Ordinance 12014, Section
 62 48, as amended, and K.C.C. 3.14.040, Ordinance 1282,
 63 Section 6, as amended, and K.C.C. 3.15.060, Ordinance
 64 12014, Section 50, as amended, and K.C.C. 3.15.020,
 65 Ordinance 12014, Section 54, and K.C.C. 3.15.110,
 66 Ordinance 12014, Section 51, as amended, and K.C.C.

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67 3.15.025, Ordinance 14233, Section 5, as amended, and
68 K.C.C. 3.15.120, Ordinance 12014, Section 52, as
69 amended, and K.C.C. 3.15.030, Ordinance 14233, Section
70 6, as amended, and K.C.C. 3.15.130, Ordinance 14233,
71 Section 7, as amended, and K.C.C. 3.15.140, Ordinance
72 1780, Section 3, as amended, and K.C.C. 3.15.050,
73 Ordinance 197, Section 1, as amended, and K.C.C.
74 3.16.010, Ordinance 11480, Section 5, and K.C.C.
75 3.16.012, Ordinance 10631, Section 2, as amended, and
76 K.C.C. 3.16.015, Ordinance 197, Section 2, as amended,
77 and K.C.C. 3.16.020, Ordinance 11480, Section 7, as
78 amended, and K.C.C. 3.16.025, Ordinance 8658, Section 1,
79 as amended, and K.C.C. 3.16.040, Ordinance 12014,
80 Section 55, as amended, and K.C.C. 3.16.050, Ordinance
81 14287, Section 5, as amended, and K.C.C. 3.16.055,
82 Ordinance 13000, Section 2, as amended, and K.C.C.
83 3.16.060, Ordinance 1902, Section 1, as amended, and
84 K.C.C. 3.28.010, Ordinance 12077, Section 12, as
85 amended, and K.C.C. 3.30.010, Ordinance 11183, Section
86 1, and K.C.C. 3.30.020, Ordinance 10930, Sections 3-4, as
87 amended, and K.C.C. 3.30.030, Ordinance 12077, Section
88 14, as amended, and K.C.C. 3.30.050, Ordinance 12077,
89 Section 15, as amended, and K.C.C. 3.30.060, Ordinance

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90 10930, Section 11, as amended, and K.C.C. 3.30.070,
 91 Ordinance 8575, Section 1, as amended, and K.C.C.
 92 3.36.010, Ordinance 8575, Section 2, as amended, and
 93 K.C.C. 3.36.020, Ordinance 8575, Section 3, as amended,
 94 and K.C.C. 3.36.030, Ordinance 17332, Section 4, and
 95 K.C.C. 3.36.035, Ordinance 16035, Section 5, as amended,
 96 and K.C.C. 3.36.045, Ordinance 16035, Section 6, as
 97 amended, and K.C.C. 3.36.055, Ordinance 16035, Section
 98 7, as amended, and K.C.C. 3.36.065, Ordinance 16035,
 99 Section 8, as amended, and K.C.C. 3.36.075, adding new
 100 sections to K.C.C. chapter 3.15, adding a new section to
 101 K.C.C. chapter 3.30, recodifying K.C.C. 3.15.060, K.C.C.
 102 3.15.110, K.C.C. 3.15.120, K.C.C. 3.15.130, K.C.C.
 103 3.15.140, K.C.C. 3.15.145, and K.C.C. 3.15.135, repealing
 104 Ordinance 4324, Section 7, as amended, and K.C.C.
 105 3.12.030, Ordinance 12014, Section 16, and K.C.C.
 106 3.12.130, Ordinance 4324, Section 37, and K.C.C.
 107 3.12.150, Ordinance 4324, Section 34, and K.C.C.
 108 3.12.160, Ordinance 12014, Section 17, as amended, and
 109 K.C.C. 3.12.170, Ordinance 11149, Sections 1-4, as
 110 amended, and K.C.C. 3.12.187, Ordinance 14591, Section
 111 2, as amended, and K.C.C. 3.12.218, Ordinance 12014,
 112 Section 24, as amended, and K.C.C. 3.12.247, Ordinance

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113 4324, Section 33, as amended, and K.C.C. 3.12.320,
 114 Ordinance 4324, Section 4, and K.C.C. 3.12.340,
 115 Ordinance 9498, Section 14, and K.C.C. 3.12.365,
 116 Ordinance 1282, Section 5, as amended, and K.C.C.
 117 3.15.040, Ordinance 1282, Section 7, as amended, and
 118 K.C.C. 3.15.070, Ordinance 8299, Section 1, and K.C.C.
 119 3.15.080, Ordinance 12014, Section 53, as amended, and
 120 K.C.C. 3.15.100, Ordinance 16818, Section 1, and K.C.C.
 121 3.15.150, Ordinance 16818, Section 2, as amended, and
 122 K.C.C. 3.15.160, Ordinance 16818, Section 3, and K.C.C.
 123 3.15.170, and Ordinance 16818, Section 4, as amended, and
 124 K.C.C. 3.15.180, and establishing an expiration date.

125 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

126 SECTION 1. Ordinance 9088, Section 1, and K.C.C. 3.12.005 are hereby
 127 amended to read as follows:

128 King County (~~recognizes that, in the past, employment and contracting practices~~
 129 ~~did not afford equal opportunities for women, minorities and persons with disabilities,~~
 130 ~~and that such practices have resulted in the underrepresentation of such persons in county~~
 131 ~~employment, in employment by county contractors, and in the utilization of minority-~~
 132 ~~owned and women-owned businesses in county contracts. King County also recognizes~~
 133 ~~that many of the causes of this underrepresentation are societal in nature, and beyond the~~
 134 ~~scope and power of the county to remedy on its own. Nevertheless, King County is~~
 135 ~~determined to be a leader in the implementation of civil rights and compliance policies~~

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~~and programs which will remedy the effects of past discrimination and set the county on~~
~~an affirmative action path))~~ is an equal opportunity employer committed to establishing
and nurturing a workforce that prioritizes equitable treatment for all employees and
residents. King County is determined to be a leader in the implementation of equitable,
and racially and socially just employment programs and policies. K.C.C. chapter 3.12
provides a framework for building such a workforce.

SECTION 2. Ordinance 12014, Section 5, as amended, and K.C.C. 3.12.010 are
each hereby amended to read as follows:

For the purposes of this chapter, all words shall have their ordinary and usual
meanings except those defined in this section which shall have, in addition, the following
meanings. In the event of conflict, the specific definitions set forth in this section shall
presumptively, but not conclusively, prevail.

A.1. "Administrative interns" means employees who are:

a. enrolled during the regular school year in a program of education,
internship, or apprenticeship;

b. legal interns who have graduated from law school but have not yet been
admitted to the Washington State Bar Association; ~~((or))~~

c. veterans temporarily working to gain practical workforce experience; or

d. participants in the Lift Every Youth program.

2. All administrative internships in executive departments shall be approved by
the director. Administrative interns are exempt from the career service under Section 550
of the charter.

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158 B. "AmeriCorps" means those who apply for and are selected to serve in
 159 positions at King County government through either AmeriCorps or Washington Service
 160 Corps programs, or both.

161 C. "Appointing authority" means (~~((the county council, the county auditor,))~~) the
 162 executive, chief officers of executive departments and administrative offices, or division
 163 managers having authority to appoint or to remove persons from positions in the (~~((county~~
 164 ~~service))~~) executive branch.

165 D. "Base rate of pay" means an employee's hourly rate of pay, which includes
 166 longevity and merit pay, but does not include other premiums, special duty, or overtime
 167 pay.

168 E. "Basis of merit" means the value, excellence, or superior quality of an
 169 individual's work performance, as determined by a structured process comparing the
 170 employee's performance against defined standards and, where possible, the performance
 171 of other employees of the same or similar class.

172 (~~((F.))~~) F. "Board" means the county personnel board established by Section 540 of
 173 the charter.

174 (~~((F.))~~) G. "Budgetary furlough" means a circumstance in which projected county
 175 revenues are determined to be insufficient to fully fund county agency operations and, in
 176 order either to achieve budget savings or to meet unallocated budget reductions, which
 177 are commonly known as contras, or both, cost savings may be achieved through
 178 reduction in days or hours of service, resulting in placing an employee for one or more
 179 days in a temporary furlough status without duties and without pay.

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180 ~~((G.))~~ H. "Career service employee" means an ~~((county))~~ employee in the
181 executive branch who is appointed to a career service position as a result of the selection
182 procedure provided for in this chapter, and who has completed the probationary period in
183 the employee's current position.

184 I. "Career service exempt employee" means an employee employed in the
185 executive's office or in an executive department in a position that is not a career service
186 position under Section 550 of the charter. Career service exempt employees serve at the
187 pleasure of the appointing authority.

188 J. "Career service exempt position" means any position excluded as a career
189 service position by Section 550 of the charter. Career service exempt positions are
190 positions to which appointments may be made directly without a competitive hiring
191 process.

192 ~~((H.))~~ K. "Career service position" means all positions in the ~~((county service~~
193 ~~except for))~~ executive branch except those that are designated as exempt from career
194 service by Section 550 of the charter as follows: all elected officers; the county auditor,
195 the clerk, and all other employees of the county council; the county administrative
196 officer; the chief officer of each executive department and administrative office; the
197 members of all boards and commissions; ~~((the chief economist and other employees of~~
198 ~~the office economic and financial analysis;))~~ the chief economist and other employees of
199 the office of economic and financial analysis; administrative assistants for the executive
200 and one administrative assistant each for the county administrative officer, the county
201 auditor, the county assessor, the chief officer of each executive department and
202 administrative office, and for each board and commission; a chief deputy for the county

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assessor; one confidential secretary each for the executive, the chief officer of each executive department and administrative office, and for each administrative assistant specified in this section; all employees of those officers who are exempted from the provisions of this chapter by the state constitution; persons employed in a professional or scientific capacity to conduct a special inquiry, investigation, or examination; ~~((part-time and))~~ temporary employees; administrative interns; election precinct officials; all persons serving the county without compensation; physicians; surgeons; dentists; medical interns; and student nurses and inmates employed by county hospitals, tuberculosis sanitariums and health departments of the county. All part-time employees shall be exempted from career service membership except, all part-time employees employed at least half time or more, as defined by ordinance, shall be members of the career service.

For purposes of interpreting Section 550 of the charter, ((D))divisions in executive departments and administrative offices as determined by the county council shall be considered to be executive departments ~~((for the purpose of determining the applicability of Section 550 of the charter.~~

~~All part-time employees shall be exempted from career service membership except, all part time employees employed at least half time or more, as defined by ordinance, shall be members of the career service)).~~

~~((F))~~ L. "Charter" means the King County Charter, as amended.

~~((J))~~ M. "Child" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child ~~((of an))~~ to whom the employee ((standing)) stands in loco parentis ~~((to the child, who is:~~

~~1. Under eighteen years of age; or~~

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226 ~~2. Eighteen years of age or older and incapable of self care because of a mental~~
 227 ~~or physical disability)), is a legal guardian or is a de facto parent, regardless of age or~~
 228 dependency status, unless otherwise specified herein.

229 ~~((K.))~~ N. "Class" or "classification" means a position or group of positions,
 230 established under authority of this chapter and chapter 3.15, sufficiently similar in respect
 231 to the duties, responsibilities, and authority thereof, that the same descriptive title may be
 232 used to designate each position allocated to the class.

233 ~~((L.))~~ O. "Classification plan" means the arrangement of positions into
 234 classifications together with specifications describing each classification.

235 ~~((M.))~~ P. "Compensatory time" means time off granted with pay in lieu of pay for
 236 work performed ~~((either))~~ on an authorized overtime basis ~~((or work performed on a~~
 237 ~~holiday that is normally scheduled as a day off. Such e))~~ Compensatory time shall be
 238 granted on the basis of time and one-half.

239 ~~((N. "Competitive employment" means a position established in the county~~
 240 ~~budget and that requires at least twenty six weeks of service per year as the work~~
 241 ~~schedule established for the position.~~

242 ~~Θ.))~~ Q. "Comprehensive leave benefits" means ~~((those))~~ all the leave benefits
 243 described in and subject to this chapter, including leaves for vacations, promotional or
 244 qualifying examinations, bereavement, life-giving or life-saving procedures, sickness,
 245 volunteer service, parental leave, donated leave, and leaves of absence without pay.

246 ~~((P.))~~ R. "Council" means the county council as established by Article 2 of the
 247 charter.

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248 ~~((Q:))~~ S. "County" means King County and any other organization that is legally
249 governed by the county with respect to personnel matters.

250 ~~((R:))~~ T. "~~Demotion~~" means the voluntary or involuntary movement of an
251 employee from a position having a higher maximum pay step to a position having a lower
252 maximum pay step.

253 U. "Department" means the department of human resources or its successor
254 agency.

255 ~~((S:))~~ V. "Developmental disability" means a ~~((developmental))~~ disability, as
256 defined in RCW 71A.10.020~~((2))~~(6), as amended ~~((, attributable to mental retardation,~~
257 ~~cerebral palsy, epilepsy, autism or other neurological or other condition of an individual~~
258 ~~found by the secretary of the Washington state Department of Social and Health Services~~
259 ~~or the secretary's designee to be closely related to mental retardation or to require~~
260 ~~treatment similar to that required for individuals with mental retardation, which disability~~
261 ~~originates before the individual attains age eighteen, that has continued or can be~~
262 ~~expected to continue indefinitely and that constitutes a substantial handicap for the~~
263 ~~individual)).~~

264 ~~((T:))~~ W. "Direct cost" means the cost aggregate of the actual weighted average
265 cost of insured benefits, less any administrative cost therefor. Any payments to ~~((part-~~
266 ~~time and))~~ short-term temporary employees under this chapter shall not include any
267 administrative overhead charges applicable to administrative offices and executive
268 departments.

269 ~~((U:))~~ X. "Director" means the ~~((manager))~~ director of the department human
270 resources or its successor agency.

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271 (~~(V-)~~) Y. "Domestic partners" are two people in a domestic partnership, one of
272 whom is a county employee.

273 (~~(W-)~~) Z. "Domestic partnership" is a relationship whereby two people:

- 274 1. Have a close personal relationship;
- 275 2. Are each other's sole domestic partner and are responsible for each other's
276 common welfare;
- 277 3. Share the same regular and permanent residence;
- 278 4. Are jointly responsible for basic living expenses which means the cost of
279 basic food, shelter, and any other expenses of a domestic partner that are paid at least in
280 part by a program or benefit for which the partner qualified because of the domestic
281 partnership. The individuals need not contribute equally or jointly to the cost of these
282 expenses as long as they agree that both are responsible for the cost;
- 283 5. Are not married to anyone;
- 284 6. Are each eighteen years of age or older;
- 285 7. Are not related by blood closer than would bar marriage in the state of
286 Washington;
- 287 8. Were mentally competent to consent to contract when the domestic
288 partnership began.

289 (~~(X-)~~) AA. "Employed at least half time or more" means employed in a regular
290 position that has an established work schedule of not less than one-half the number of
291 hours of the full-time positions in the work unit in which the employee is assigned, or
292 when viewed on a (~~(calendar year)~~) rolling twelve-month basis, nine hundred ten hours or
293 more in a work unit in which a work week of more than thirty-five but less than forty

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294 hours is standard or one thousand forty hours or more in a work unit in which a forty hour
 295 work week is standard. If the standard work week hours within a work unit varies
 296 (employees working both thirty-five and forty hours) the director, in consultation with the
 297 department, is responsible for determining what hour threshold applies.

298 ~~((Y.))~~ BB. "Employee" means any person who is employed in an executive-
 299 branch career service position or career service exempt position.

300 ~~((Z.))~~ CC. "Employees eligible for comprehensive leave benefits" means full-
 301 time regular, part-time regular, provisional, probationary, and term-limited temporary
 302 employees.

303 ~~((AA.))~~ DD. "Executive" means the county executive, as established by Article 3
 304 of the charter.

305 ~~((BB. "Exempt employee" means an employee employed in a position that is not~~
 306 ~~a career service position under Section 550 of the charter. Exempt employees serve at the~~
 307 ~~pleasure of the appointing authority.~~

308 ~~CC. "Exempt position" means any position excluded as a career service position~~
 309 ~~by Section 550 of the charter. Exempt positions are positions to which appointments may~~
 310 ~~be made directly without a competitive hiring process.~~

311 ~~DD.))~~ EE. "Full-time regular employee" means an employee employed in a full-
 312 time regular position and, for full-time career service positions, is not serving a
 313 probationary period.

314 ~~((EE.))~~ FF. "Full-time regular position" means a regular position that has an
 315 established work schedule of not less than thirty-five hours per week in those work units

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316 in which a thirty-five-hour week is standard, or of not less than forty hours per week in
317 those work units in which a forty-hour week is standard.

318 ~~((FF.))~~ GG. "Furlough day" means a day for which an employee shall perform no
319 work and shall receive no pay due to an emergency budget crisis necessitating emergency
320 budget furloughs.

321 ~~((GG.))~~ HH. "Furloughed employee" means an employee who is placed in a
322 temporary status without duties and without pay due to a financial emergency
323 necessitating budget reductions.

324 ~~((HH.))~~ II. "Grievance" means an issue raised by an employee relating to the
325 interpretation of rights, benefits, or condition of employment as contained in either the
326 administrative rules or procedures, or both, for the career service.

327 ~~((II. "Immediate family" means spouse, child, parent, son-in-law, daughter-in-~~
328 ~~law, grandparent, grandchild, sibling, domestic partner and the child, parent, sibling,~~
329 ~~grandparent or grandchild of the spouse or domestic partner.~~

330 ~~JJ. "Incentive increase" means an increase to an employee's base salary within the~~
331 ~~assigned pay range, based on demonstrated performance.~~

332 ~~KK.))~~ JJ. "Insured benefits" means those insurance benefits described in and
333 subject to this chapter, including medical, dental, life, disability, and vision benefits.

334 ~~((LL.))~~ KK. "Integrated work setting" means a work setting in which the majority
335 of people employed are individuals without disabilities and wages are paid at minimum
336 wage or better.

337 ~~((MM.))~~ LL. "King County family and medical leave" means a leave of absence
338 taken under K.C.C. 3.12.221.

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339 ~~((NN-))~~ MM. "Life-giving and life-saving procedures" means a medically-
 340 supervised procedure involving the testing, sampling, or donation of blood, organs,
 341 fluids, tissues and other human body components for the purposes of donation without
 342 compensation to a person for a medically necessary treatment.

343 ~~((OO-))~~ NN. "Marital status" means the presence or absence of a marital
 344 relationship and includes the status of being married, separated, divorced, ~~((engaged,))~~
 345 widowed, or single ~~((or cohabiting))~~.

346 OO. "Merit increase" means an increase to an employee's base salary supported
 347 by demonstrated performance.

348 PP. "Part-time employee" means an employee employed in a part-time position.
 349 Under Section 550 of the charter, part-time employees are not members of the career
 350 service.

351 QQ. "Part-time position" means ~~((an))~~ a position other than a regular position in
 352 which the part-time employee is employed less than half time, that is less than nine
 353 hundred ten hours in a ~~((calendar year))~~ rolling twelve-month period in a work unit in
 354 which a thirty-five hour work week is standard or less than one thousand forty hours in a
 355 ~~((calendar year))~~ rolling twelve-month period in a work unit in which a forty-hour work
 356 week is standard, except as provided elsewhere in this chapter. Where the standard work
 357 week falls between thirty-five and forty hours, the director, in consultation with the
 358 department, is responsible for determining what hour threshold will apply. Part-time
 359 position excludes administrative intern.

360 RR. "Part-time regular employee" means an employee employed in a part-time
 361 regular position and, for part-time career service positions, is not serving a probationary

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period. Under Section 550 of the charter, ~~((such))~~ part-time regular employees are members of the career service.

SS. "Part-time regular position" means a regular position in which the part-time regular employee is employed for at least nine hundred ten hours but less than a full-time basis in a ~~((calendar year))~~ rolling twelve-month period in a work unit in which a thirty-five hour work week is standard or for at least one thousand forty hours but less than a full-time basis in a ~~((calendar year))~~ rolling twelve-month period in a work unit in which a forty-hour work week is standard. Where the standard work week falls between thirty-five and forty hours, the director, in consultation with the department, is responsible for determining what hour threshold will apply.

TT. "Pay grade" means the numeric value assigned to each pay range in the pay plan.

UU. "Pay plan" means a systematic schedule of ~~((numbered))~~ pay ranges ~~((with minimum, maximum and intermediate steps for each pay range, a schedule of assignment of each classification to a numbered pay range))~~ assigned to pay grades and rules for administration.

~~((UU.))~~ VV. "Pay range" means ~~((one or more pay rates representing the minimum, maximum and intermediate steps assigned to a classification))~~ the range of pay rates consisting of minimum, maximum, and intermediate steps, established for each pay grade.

~~((VV.))~~ WW. "Pay range adjustment" means the adjustment ~~((of the numbered pay range of a classification to another numbered pay range in the schedule based on a classification change, competitive pay data or other significant factors))~~ to the pay range

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385 of a classification to a higher or lower pay range, typically to appropriately reflect
 386 changes in classification content, internal equity considerations, or competitive market
 387 pay data, or any combination thereof.

388 ~~((WW.))~~ XX. "Pay rate" means an individual dollar amount that is one of the
 389 steps in a pay range paid to an employee based on the classification of the position
 390 occupied.

391 YY. "Personnel guidelines" means ~~((only those))~~ operational procedures
 392 promulgated by the director ~~((necessary))~~ to implement personnel policies ~~((or
 393 requirements previously stipulated by ordinance or the charter)). ~~((Such))~~ The personnel
 394 guidelines shall be applicable only to employees assigned to executive departments and
 395 administrative agencies.~~

396 ~~((XX.))~~ ZZ. "Position" means a group of current duties and responsibilities
 397 assigned by competent authority requiring the employment of one person.

398 ~~((YY.))~~ AAA. "Probationary employee" means an employee serving a
 399 probationary period in a regular career service position. Probationary employees are
 400 temporary employees and excluded from career service under Section 550 of the charter.

401 ~~((ZZ.))~~ BBB. "Probationary period" means a period of time, as determined by the
 402 director, for assessing whether an individual is qualified for a career service position to
 403 which the employee has been newly appointed or has moved from another position,
 404 whether through promotion, demotion or transfer, except as provided in K.C.C. 3.12.100
 405 and 3.15.140.

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406 ~~((AAA.))~~ CCD. "Probationary period salary increase" means a within-range
407 salary increase from one step to the next ~~((highest))~~ higher step upon satisfactory
408 completion of the probationary period.

409 ~~((BBB.))~~ DDD. "Promotion" means the movement of an employee to a position
410 in a classification having a pay range with a higher maximum salary.

411 ~~((CCC.))~~ EEE. "Provisional appointment" means an appointment made in the
412 absence of a list of candidates certified as qualified by the director. Only the director
413 may authorize a provisional appointment. An appointment to this status is limited to six
414 months.

415 ~~((DDD.))~~ FFF. "Provisional employee" means an employee serving by
416 provisional appointment in a regular career service position. Provisional employees are
417 temporary employees and excluded from career service under Section 550 of the charter.

418 ~~((EEE.))~~ GGG. "Qualifying event" means the birth of the employee's child, the
419 employee's adoption of a minor child, or the foster-to-adopt placement of a minor child
420 with the employee.

421 ~~((FFF. "Recruiting step" means the first step of the salary range allocated to a
422 class unless otherwise authorized by the executive.))~~

423 HHH. "Reclassification" means a change in the classification of a position
424 resulting from a review by the department of human resources where it is found that the
425 duties and responsibilities of the position have been changed permanently and
426 significantly over time or have changed due to a reorganization or council action. A
427 reclassification may result in the position being placed in a higher, lower, or the same pay
428 range.

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429 ~~((GGG.))~~ III. "Regular position" means a position established in the county
 430 budget and identified within a budgetary unit's authorized full time equivalent (FTE)
 431 level as set out in the budget detail report.

432 ~~((HHH.))~~ JJJ. "Salary ~~((or pay rate))~~" means an individual dollar amount that is
 433 one of the steps in a pay range paid to an employee based on the classification of the
 434 employee's position ~~((occupied))~~.

435 ~~((HH.))~~ KKK. "Section" means an agency's budget unit comprised of a particular
 436 project program or line of business as described in the budget detail plan for the previous
 437 fiscal period as attached to the adopted appropriation ordinance or as modified by the
 438 most recent supplemental appropriations ordinance. This definition is not intended to
 439 create an organization structure for any agency.

440 ~~((JJJ.))~~ LLL. "Serious health condition" ~~((means an illness or injury, impairment
 441 or physical or mental condition that involves one or more of the following:~~

442 ~~1. An acute episode that requires more than three consecutive calendar days of
 443 incapacity and either multiple treatments by a licensed health care provider or at least one
 444 treatment plus follow-up care such as a course of prescription medication; and any
 445 subsequent treatment or period of incapacity relating to the same condition;~~

446 ~~2. A chronic ailment continuing over an extended period of time that requires
 447 periodic visits for treatment by a health care provider and that has the ability to cause
 448 either continuous or intermittent episodes of incapacity;~~

449 ~~3. In-patient care in a hospital, hospice or residential medical care facility or
 450 related out-patient follow-up care;~~

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451 4. ~~An ailment requiring multiple medical interventions or treatments by a health~~
 452 ~~care provider that, if not provided, would likely result in a period of incapacity for more~~
 453 ~~than three consecutive calendar days;~~

454 5. ~~A permanent or long-term ailment for which treatment might not be effective~~
 455 ~~but that requires medical supervision by a health care provider; or~~

456 6. ~~Any period of incapacity due to pregnancy or prenatal care;))~~ has the same
 457 meaning as under the federal Family and Medical Leave Act, 29 C.F.R. Sec. 825.113.

458 ~~((KKK.))~~ MMM. "Short-term temporary employee" means a temporary
 459 employee who is employed in a short-term temporary position.

460 ~~((LLL.))~~ NNN. "Short-term temporary position" means a type of position in
 461 which a temporary employee works less than nine hundred ten hours in a ~~((calendar~~
 462 ~~year))~~ rolling twelve-month period in a work unit in which a thirty-five-hour work week
 463 is standard or less than one thousand forty hours in a ~~((calendar-year))~~ rolling twelve-
 464 month period in a work unit in which a forty-hour work week is standard. Where the
 465 standard work week falls between thirty-five and forty hours, the director, in consultation
 466 with the department, is responsible for determining what hour threshold will apply. The
 467 relevant measurement period shall begin anew for a short-term temporary employee after
 468 twenty-six consecutive weeks in an unpaid status.

469 ~~((MMM.))~~ OOO. "Temporary employee" means an employee employed in a
 470 temporary position and in addition, includes an employee serving a probationary period
 471 or under provisional appointment. Under Section 550 of the charter, temporary
 472 employees shall not be members of the career service.

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473 (~~(NNN:))~~ PPP. "Temporary position" means a position that is not a regular
474 position as defined in this chapter and excludes administrative intern. Temporary
475 positions include both term-limited temporary and short-term temporary positions.

476 (~~(OOO:))~~ QQQ. "Term-limited temporary employee" means a temporary
477 employee who is employed in a term-limited temporary position. Term-limited
478 temporary employees are not members of the career service. Term-limited temporary
479 employees may not be employed in term-limited temporary positions longer than three
480 years beyond the date of hire, except that for grant-funded projects capital improvement
481 projects and information systems technology projects the maximum period may be
482 extended up to five years upon approval of the director. The director shall maintain a
483 current list of all term-limited temporary employees by department.

484 (~~(PPP:))~~ RRR. "Term-limited temporary position" means a temporary position
485 with work related to a specific grant, capital improvement project, information systems
486 technology project or other nonroutine, substantial body of work, for a period greater
487 than six months. In determining whether a body of work is appropriate for a term-limited
488 temporary position, the appointing authority (~~(will))~~ shall consider the following:

489 1. Grant-funded projects: These positions will involve projects or activities that
490 are funded by special grants for a specific time or activity. These grants are not regularly
491 available to or their receipt predictable by the county;

492 2. Information systems technology projects: These positions will be needed to
493 plan and implement new information systems projects for the county. Term-limited
494 temporary positions may not be used for ongoing maintenance of systems that have been
495 implemented;

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496 3. Capital improvement projects: These positions will involve the management
497 of major capital improvement projects. Term-limited temporary positions may not be
498 used for ongoing management of buildings or facilities once they have been built;

499 4. Miscellaneous projects: Other significant and substantial bodies of work may
500 be appropriate for term-limited temporary positions. These bodies of work must be either
501 nonroutine projects for the department or related to the initiation or cessation of a county
502 function, project, or department;

503 5. Seasonal positions: These are positions with work for more than six
504 consecutive months, half-time or more, with total hours of at least nine hundred ten in a
505 calendar year in a work unit in which a thirty-five hour work week is standard or at least
506 one thousand forty hours in a calendar year in a work unit in which a forty hour work
507 week is standard, that due to the nature of the work have predictable periods of inactivity
508 exceeding one month. Where the standard work week falls between thirty-five and forty
509 hours, the director, in consultation with the department, is responsible for determining
510 what hour threshold will apply; and

511 6. Temporary placement in regular positions: These are positions used to back
512 fill regular positions for six months or more due to a career service employee's absence
513 such as extended leave or assignment on any of the foregoing time-limited projects.

514 ~~((All appointments to term-limited temporary positions will be made by the~~
515 ~~appointing authority in consultation with the director before the appointment of term-~~
516 ~~limited temporary employees.~~

517 ~~QQQ.))~~ SSS. "Volunteer for the county" means an individual who performs
518 service for the county for civic, charitable, or humanitarian reasons, without promise,

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519 expectation, or receipt of compensation from the county for services rendered and who is
520 accepted as a volunteer by the county, except emergency service worker volunteers as
521 described by chapter 38.52 RCW. A "volunteer for the county" may receive reasonable
522 reimbursement of expenses or an allowance for expenses actually incurred without losing
523 status as a volunteer. "Volunteer for the county" includes, but is not limited to, a
524 volunteer serving as a board member, officer, commission member, volunteer intern, or
525 direct service volunteer.

526 ~~((RRR-))~~ TTT. "Volunteer intern" means volunteers who are either:

527 1. Enrolled during the regular school year in a program of education, internship,
528 or apprenticeship and receiving scholastic credit or scholastic recognition for
529 participating in the internship; or

530 2. Legal interns who have graduated from law school but have not yet been
531 admitted to the Washington State Bar Association.

532 ~~((SSS-))~~ UUU. "Washington state registered domestic partner" means persons
533 who have met the requirements for a valid state-registered domestic partnership as
534 established by RCW 26.60.030 and who have been issued a certificate of state-registered
535 domestic partnership by the Secretary of State's office.

536 ~~((TTT-))~~ VVV. "Work study student" means a student enrolled or accepted for
537 enrollment at a post-secondary institution who, according to a system of need analysis
538 approved by the ~~((higher education coordinating board))~~ Washington student
539 achievement council, demonstrates a financial inability ~~((, either parental, familial or~~
540 ~~personal,))~~ to bear the total cost of education for any semester or quarter.

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541 SECTION 3. Ordinance 12014, Section 6, and K.C.C. 3.12.020 are each hereby
542 amended to read as follows:

543 A. All employees shall hold their positions subject to the conditions stated in the
544 charter, this chapter, department of human resources policies, other applicable
545 ordinances, and the personnel guidelines.

546 B. No employee may engage in any occupation or outside activity which is
547 incompatible with the proper discharge of official county duties, or which would impair
548 independence of judgment or action in the performance of ~~((such))~~ official duties. All
549 employees are specifically referred to the conflict of interest provisions contained in
550 K.C.C. 3.04.

551 C. ~~((The employment of members of the same family or other close relatives of
552 employees shall not be limited except where required by business or job-related
553 necessity. For purposes of this section, "business or job-related necessity" includes those
554 circumstances where the county's actions are based upon a compelling and essential need
555 to avoid business or job-related conflicts of interest, or to avoid the reality or appearance
556 of improper influence or favor.))~~ An employee may not supervise a family member or
557 other close relative or make or influence employment-related decisions about a family
558 member or other close relative, including a hiring decision. For purposes of this section,
559 "~~((same))~~ family member or other close relative~~((s))~~" means the mother, father, child,
560 sister, brother, wife, husband, aunt, uncle, niece, nephew, grandparent, grandchild, in-
561 laws, domestic partner, ~~((children))~~ child of a domestic partner, and relatives of a
562 domestic partner to the same extent such relatives would be included in this paragraph if
563 the employee and the domestic partner were married. ~~((Nothing in this subsection shall~~

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564 ~~be construed to prevent or impede the advancement or promotion of any person~~
565 ~~employed by the county prior to January 1, 1996.))~~

566 SECTION 4. Ordinance 4324, Section 7, as amended, and K.C.C. 3.12.030 are
567 hereby repealed.

568 SECTION 5. Ordinance 12014, Section 7, as amended, and K.C.C. 3.12.040 are
569 each hereby amended to read as follows:

570 A. Full-time regular, part-time regular, provisional, probationary, and term-
571 limited temporary employees shall receive the comprehensive leave benefits provided in
572 this chapter. Short-term temporary employees and administrative interns do not receive
573 comprehensive leave benefits and are only eligible for the sick leave benefits outlined in
574 K.C.C. 3.12.220.

575 B. Full-time regular, part-time regular, provisional, probationary, term-limited
576 temporary employees, and those employees who meet the definition of full time
577 employee under the Patient Protection and Affordable Care Act of 2010, as amended, and
578 including applicable regulations promulgated under the Patient Protection and Affordable
579 Care Act of 2010, as amended, and their spouses or Washington state registered domestic
580 partners, each of their dependent children under age twenty-six and each of the dependent
581 children under age twenty-six of their spouses or Washington state registered domestic
582 partners shall be eligible for medical, dental, life, disability, and vision benefits, except in
583 those instances where contrary provisions have been agreed to in the collective
584 bargaining process and to the extent such benefits are available through insurers selected
585 by the county. The director shall establish specific provisions governing eligibility for
586 these benefits as part of the personnel guidelines and consistent with budget

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587 requirements. The provisions may include waiting periods for employees newly ((-))
588 hired to the county.

589 C. ~~((Part-time and))~~ Short-term temporary employees ~~((, other than probationary,~~
590 ~~provisional and term-limited temporary employees,))~~ who in a rolling twelve-month period
591 exceed the ((calendar year)) working hours threshold ((defined in this chapter)) shall
592 receive compensation in lieu of leave benefits at the rate of ~~((fifteen))~~ twelve and one-half
593 percent of gross pay for all hours worked ~~((less the value of any sick leave benefits~~
594 ~~provided under K.C.C. 3.12.220.A.2))~~, paid retroactive ~~((to the first hour of employment~~
595 ~~and for each hour worked thereafter))~~ back three years. If during that three-year period
596 there has been at least a twenty-six consecutive week period in unpaid status, the payment
597 is made retroactive to the most recent hire date after that break in service. If an employee
598 has not previously received insured benefits provided under K.C.C. 3.12.040.B, the
599 employee shall also receive a one-time only payment in an amount equal to the direct cost
600 of three months of insured benefits, as determined by the director, and, in lieu of insured
601 benefits, in an amount equal to the direct cost to the county for each employee for whom
602 insured benefits are provided, prorated to reflect the affected employee's normal work
603 week, for each hour worked thereafter. The additional compensation shall continue until
604 termination of employment or hire into a full-time regular, part-time regular, or term-
605 limited position. ~~((Further, employees receiving pay in lieu of insured benefits may elect to~~
606 ~~receive the medical component of the insured benefit plan, with the cost to be deducted~~
607 ~~from their gross pay, but an employee who so elects shall remain in the selected plan until:~~
608 ~~termination of employment; hire into a full-time regular, part-time regular or term-limited~~

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609 ~~position; or service of an appropriate notice of change or cancellation during the employee~~
 610 ~~benefits annual open enrollment.~~

611 ~~Part-time and~~) Short-term temporary employees (~~(, other than probationary,~~
 612 ~~provisional and term-limited temporary employees,))~~ who exceed the applicable threshold
 613 are also eligible for cash in lieu of the bus pass benefit provided to regular employees. The
 614 value shall be determined based on the average annual cost per employee as determined in
 615 the adopted budget, prorated to an hourly equivalent based on the employee's normal work
 616 week, and shall be paid retroactive to the first hour worked and for each hour worked
 617 thereafter until termination of employment or hire into a full-time regular, part-time
 618 regular, or term limited position.

619 SECTION 6. Ordinance 12014, Section 8, as amended, and K.C.C. 3.12.042 are
 620 each hereby amended to read as follows:

621 A. The county shall offer to those employees who are qualified to receive medical
 622 benefits the opportunity to participate in ~~((a))~~ qualifying Internal Revenue Code Sections
 623 125 and 129 dependent care assistance programs. The department of human resources
 624 shall incorporate the dependent care assistance program in its employee flexible benefit
 625 program.

626 B. The costs of administering the dependent care assistance program shall be fully
 627 borne by the county and existing and future employee benefits shall not be reduced as a
 628 result of the cost of administering the program. Savings in county paid payroll taxes, if any,
 629 resulting from this program shall accrue to the county.

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630 C. Non-represented employees who are qualified to receive medical benefits shall
631 be offered the dependent care assistance program whether or not represented employee
632 groups choose to participate in the program.

633 SECTION 7. Ordinance 12014, Section 9, as amended, and K.C.C. 3.12.044 are
634 each hereby amended to read as follows:

635 A. ~~((Employees))~~ An employee who receives medical, dental, life and disability
636 insurance, and vision benefits shall ~~((designate their))~~ show proof of the employee's spouse,
637 ~~((their))~~ the employee's Washington state registered domestic partner, ~~((their))~~ the
638 employee's dependent children under age twenty-six, and the dependent children under age
639 twenty-six of ((their)) the employee's spouse or Washington state registered domestic
640 partner ~~((in an Affidavit of Marriage/Domestic Partnership))~~ with a copy of a marriage
641 certificate or a certification of state-registered domestic partnership by the Washington
642 Secretary of State's Office in order for ~~((such))~~ the spouse, Washington state registered
643 domestic partner, ((and/)) or children to receive ((such)) the benefits, to the extent ((such))
644 the benefits are available to ((them)) the spouse, Washington state registered domestic
645 partner, or children. ~~((The director shall prescribe the form of the affidavit. In the~~
646 ~~affidavit, the employee shall:~~

647 1. ~~Attest to the following:~~

648 a. ~~if married, that the employee is currently married to the individual identified~~
649 ~~by name on the affidavit, or~~

650 b. ~~if participating in a domestic partnership, that:~~

651 (1) ~~the employee is currently in a domestic partnership with the individual~~
652 ~~identified by name on the affidavit;~~

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653 ~~(2) the employee meets all the qualifications of a domestic partnership, as~~
654 ~~defined by this chapter; and~~

655 ~~(3) any prior domestic partnership in which the employee or the employee's~~
656 ~~domestic partner participated with a third party was terminated at least ninety days prior to~~
657 ~~the date of said affidavit or by the death of that third party, and if such prior domestic~~
658 ~~partnership had been acknowledged pursuant to this chapter, that notice of the termination~~
659 ~~of the prior domestic partnership, whether by death of the domestic partner or otherwise,~~
660 ~~was provided to the county at least ninety days prior to the date of said affidavit;~~

661 ~~2. Agree to notify the county if there is a change of the circumstances attested to~~
662 ~~in the affidavit; and~~

663 ~~3. Affirm, under penalty of law, that the assertions in the affidavit are true.))~~

664 B. The employee shall provide the county with a notice of termination of marriage
665 or Washington state registered domestic partnership, on a form prescribed by the director,
666 upon dissolution of a marriage or termination of a Washington state registered domestic
667 partnership, within thirty days of termination of the marriage or domestic partnership. A
668 marriage or Washington state registered domestic partnership shall be deemed terminated
669 as provided under state law. ~~((A domestic partnership shall be deemed terminated:~~

670 ~~1. When the domestic partners no longer meet one or more of the qualifications of~~
671 ~~a domestic partnership, as defined by this chapter; or~~

672 ~~2. Upon the death of a domestic partner.))~~

673 C. ~~((All affidavits of marriage/domestic partnership;))~~ All marriage certificates,
674 certifications of Washington state registered domestic partnerships, and notices of
675 termination of marriage ~~((/))~~ or state-registered domestic partnership ~~((, and any~~

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676 ~~information contained in said affidavits~~ submitted to the county shall be confidential and
677 subject to disclosure only upon express written authorization by the persons identified in
678 the forms or if otherwise required by law.

679 SECTION 8. Ordinance 12014, Section 10, and K.C.C. 3.12.050 are each hereby
680 amended to read as follows:

681 All career service employees shall be members of the county career service
682 mandated by Section 510 of the charter. The recruitment, selection, and promotion of
683 ~~((such))~~ career service employees shall be competitive and shall be based on merit. Career
684 service employees shall have ~~((such))~~ the rights, working conditions, and benefits as are
685 specified by this chapter.

686 SECTION 9. Ordinance 12014, Section 11, as amended, and K.C.C. 3.12.060 are
687 each hereby amended to read as follows:

688 If the functions of another governmental entity are assumed by the county, and if
689 former employees of that entity become county employees, then the director shall
690 determine whether ~~((such))~~ the employees will be members of or exempt from the career
691 service. In making this determination, the director shall apply the standards contained in
692 Section 550 of the charter. The career service status of each employee shall be equivalent
693 to that which the employee would have had, had the employee been a county employee
694 during the term of the former employment. Nothing in this section shall derogate from the
695 county's power to eliminate positions and lay off employees because of lack of work, lack
696 of funds, or considerations of operational efficiency.

697 SECTION 10. Ordinance 4324, Section 14, and K.C.C. 3.12.080 are each hereby
698 amended to read as follows:

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699 Appointment of ~~((county))~~ executive-branch employees ~~((within the executive~~
700 ~~branch))~~ shall be accomplished by the executive, department directors, and division
701 managers. In all cases, the appointing authority shall have the power to remove employees.
702 The appointing authority shall be responsible for the merit evaluation of all employees
703 under ~~((that))~~ their authority.

704 SECTION 11. Ordinance 12014, Section 12, and K.C.C. 3.12.090 are each
705 hereby amended to read as follows:

706 A. The director shall establish ~~((examination))~~ selection procedures for filling
707 existing and anticipated vacant career service positions ~~((in the career service))~~.
708 ~~((Examinations))~~ Selection procedures may be open or promotional, depending upon which
709 will best serve the interests of the county.

710 B. All ~~((examinations))~~ selection procedures for career service positions shall be
711 competitive.

712 SECTION 12. Ordinance 12014, Section 13, as amended, and K.C.C. 3.12.100
713 are each hereby amended to read as follows:

714 A. ~~((There))~~ All employees in career service positions shall ~~((be))~~ serve a
715 probationary period, during which time ~~((a))~~ the appointing authority shall evaluate the
716 probationary employees ~~((shall be evaluated by the appointing authority))~~ to determine
717 qualification for entry into the career service. Except as otherwise provided in this section,
718 an individual's appointment, promotion, demotion, or transfer by competitive process to a
719 career service position is not final unless the employee successfully completes the
720 probationary period. The probationary period shall be determined by the director, but shall
721 be not less than six months or more than one year of actual service, and shall be served by

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those employees who have been newly hired or reemployed or have moved from another
((career service)) position, whether through promotion, demotion, or transfer except:

1. There shall not be a probationary period following a reclassification;

2. If an employee is hired into a career service position and served in a special
duty capacity in the same position or doing substantially similar work within one year of
that hire, the employee shall receive credit towards the employee's probationary period for
the time served in the special duty role;

3. An appointing authority who hires a temporary employee into a career service
position, may count all prior continuous employment in the same position or time
performing the same work toward satisfying the probationary period requirement;

4. A furloughed employee's probationary period shall not be extended as a result
of a budgetary furlough; and

~~((2-))~~ 5. A career service employee who transfers to a position within the
employee's same classification, pay range, and department or agency shall not be required
to serve a probationary period unless the director of the department of human resources or
its successor or the director's designee makes a written finding, in advance of the transfer,
that the essential functions of the new position are substantially different from those of the
employee's previous position, taking into consideration: the specific duties of the position;
the work setting; the skills, training, and experience needed; the level of available support
and supervision; and any other factors the director or designee deems relevant.

B. A probationary employee may be separated from county service at any time
during the probationary period without right of appeal to the personnel board.

Notwithstanding any other provisions of this section, an employee who does not

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745 successfully complete the probationary period in a position to which the employee had
746 been promoted or transferred may be restored to the employee's former position. Such
747 restoration is not mandatory, but is optional at the discretion of the former appointing
748 authority within the limits of available authorized positions. Such restoration shall include
749 restoration of the employee's former salary and all other benefits to which the employee
750 would have been entitled if the promotion or transfer had not occurred.

751 SECTION 13. Ordinance 12014, Section 14, as amended, and K.C.C. 3.12.110
752 are each hereby amended to read as follows:

753 A. It shall be the policy of the county to provide, within budgeted appropriations,
754 training opportunities for employees. The objective of the training policy shall be guided
755 by, but not limited to, the overall objectives of encouraging and motivating employees to
756 improve their personal capabilities in performance of their assigned job duties.

757 B. ~~((The director shall be responsible for planning and executing an adequate
758 training program for employees.~~

759 ~~C.))~~ The county shall pay for any training, certification, or license, except for a
760 driver's license, that is required by the county for the employee's position. ~~((This includes))~~
761 The county shall also provide necessary release time for training that is preapproved by the
762 employee's supervisor.

763 ~~((D.))~~ C. The county shall reimburse an employee for the cost of maintaining their
764 commercial driver's license endorsement or endorsements if they are required by the county
765 for the employee's position.

766 ~~((E.))~~ D. The county shall not reimburse employees for unauthorized training.

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767 ~~((F.))~~ E. Employees wishing to complete educational programs may request a leave
768 of absence without pay for ~~((this))~~ that purpose.

769 SECTION 14. Ordinance 12014, Section 15, as amended, and K.C.C. 3.12.120
770 are each hereby amended to read as follows:

771 A. ~~((Nothing contained in this chapter shall prevent, relieve or otherwise excuse
772 any county officer or employee from the performance of any duty imposed upon the officer
773 or employee by any other law of this county, or from the rendering of service at such times
774 and places as are necessary in order to properly perform the functions of the officer or
775 employee's office or employment.~~

776 ~~B. Except as otherwise provided by ordinance, t))~~ The official workday shall
777 consist of eight hours of work for all full-time ~~((regular and full-time probationary))~~
778 employees. The ~~((lunch hour))~~ meal period shall not be considered ~~((as))~~ part of the
779 workday. ~~((The official workday for other employees shall be determined))~~ Alternative
780 workdays may be approved by the director. In the case of service reductions resulting in a
781 budgetary furlough, departments may reduce work hours or county offices may be closed.

782 ~~((C.))~~ B. ~~((Except as otherwise provided by ordinance, t))~~ The official
783 ~~((workweek))~~ work week shall consist of five working days for all full-time ~~((regular and~~
784 ~~full-time probationary))~~ employees. ~~((The official workweek))~~ Alternative work weeks for
785 ~~((other))~~ employees ~~((shall))~~ may be determined by the director. In the case of service
786 reductions resulting from a budgetary furlough, county offices may be closed, resulting in
787 the reduction of the ~~((workweek))~~ work week.

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788 ~~((D. The county recognizes that there is an occasional need for an employee to~~
789 ~~return to work outside of the employee's normal workday. The personnel guidelines shall~~
790 ~~contain procedures relating to call duty.~~

791 ~~E. The county recognizes a responsibility for action regarding on the job injuries.~~
792 ~~The personnel guidelines shall contain procedures relating to on the job injury.~~

793 ~~F. A career service employee who accepts an appointment to an exempt position~~
794 ~~effective on or after January 1, 1996, and which position and appointment resulted from the~~
795 ~~reorganization of the executive branch as reflected in the creation of certain new positions~~
796 ~~contained in Attachment A to Ordinance 12013 shall retain the employee's career service~~
797 ~~status and rights while holding such exempt position and have the restoration rights set~~
798 ~~forth in this section. This provision is not intended to provide the career service employee~~
799 ~~with a right to the exempt position. But, such employee, if selected for the exempt position,~~
800 ~~could be terminated from the position only for just cause.~~

801 ~~G. A career service employee who accepts a transfer or promotion to an exempt~~
802 ~~position before December 1, 1979, shall, upon separation from the exempt position, be~~
803 ~~allowed to re-enter career service at a position comparable in terms of responsibilities and~~
804 ~~salary or wage (including normal cost of living increases) to the career service position~~
805 ~~formerly held by the employee.)) C. A career service employee accepting ((such)) a~~
806 ~~transfer or promotion ((on or after December 1, 1979)) to a career service exempt position,~~
807 ~~shall have ((such)) a right to ((restoration)) reenter career service, but only if:~~

808 1. The ~~((right to restoration))~~ reentry is exercised within four calendar years from
809 the effective date of the transfer or promotion to a~~((n-exempt))~~ position exempt from career
810 service; and

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811 2.a. ~~((t))~~The former appointing authority, at the appointing authority's discretion,
812 approves the restoration within the limits of available authorized positions; or

813 b. a different appointing authority, having jurisdiction over comparable authorized
814 positions, and at the different appointing authority's discretion, approves the restoration
815 within the limits of available authorized positions.

816 ~~((H. Matters involving wages and hours, including but not limited to minimum
817 wage and overtime compensation, shall be determined in accordance with applicable state
818 and federal laws and regulations.~~

819 ~~I.))~~ D. A career service employee who resigns in good standing or accepts another
820 career service position may be rehired in the same classification or in a lower classification
821 in the same classification series without a competitive hiring process, if the employee is
822 rehired within two years after resignation and the employee meets the current education,
823 experience, and physical qualifications for the position. The employee must serve a
824 probationary period. Employees eligible for comprehensive leave benefits who are rehired
825 within two years may be eligible for restoration of their vacation accrual rate and previous
826 sick leave balances in accordance with K.C.C. 3.12.190 and 3.12.220.

827 E. Overtime work may be authorized by the ~~((department director))~~ appointing
828 authority where necessary to maintain or perform ~~((vital))~~ county services. ~~((and shall be~~
829 ~~paid in accordance with appropriate state and federal law.~~

830 ~~J.))~~ F. If ~~((a))~~ the county ~~((agency or the benefits, payroll and retirement operations~~
831 ~~section of the central employee services division))~~ has determined that an overpayment of
832 wages to a nonrepresented employee has occurred, the ~~((agency or the benefits, payroll and~~
833 ~~retirement operations section of the central employee services division))~~ county shall

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834 provide written notice to the nonrepresented employee consistent with ~~((state law))~~ RCW
835 49.48.210.

836 ~~((K.))~~ G. The following adjudicative process is available~~((, subject to subsection K.~~
837 ~~1. through 12. of this section,))~~ after a decision regarding a nonrepresented employee's
838 challenge to an initial determination of an overpayment of wages:

839 1. A nonrepresented county employee who is dissatisfied with the decision
840 regarding the employee's challenge to the overpayment determination must submit to the
841 manager ~~((of the benefits, payroll and retirement operations section))~~ of the central
842 employee services division a written request for an adjudicative proceeding consistent with
843 RCW 49.48.210;

844 2. The request must comply with RCW 49.48.210;

845 3. A county agency's determination concerning an overpayment to a
846 nonrepresented employee shall be final if the nonrepresented employee fails to request an
847 adjudicative proceeding in the manner prescribed by RCW 49.48.210;

848 4. The manager of benefits, payroll and retirement operations section of the
849 central employee services division shall log the date and time of the request and forward
850 the request to the agency and to the manager of the central employee services division, who
851 shall be responsible for the adjudicative proceeding;

852 5. Within forty-five business days of receipt of the nonrepresented employee's
853 written request for an adjudicative hearing, the manager of the central employee services
854 division shall conduct an adjudicative hearing to review the decision regarding the
855 challenge to the overpayment determination and to determine the final amount of the
856 overpayment, if any, received by the nonrepresented employee. However, the manager of

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857 the central employee services division may, under extenuating circumstances, schedule the
858 adjudicative hearing at a time that is more than forty-five days after the receipt of the
859 request for a hearing. The manager of the central employee services division shall set the
860 time and place of the hearing and give not less than fifteen business days advance written
861 notice to all parties; notice to the nonrepresented employee shall be by certified mail, return
862 receipt requested;

863 6. At the hearing, evidence may be presented by the nonrepresented employee,
864 the agency, and the benefits, payroll and retirement operations section of the central
865 employee services division, but any documents must be provided to the other parties at
866 least five business days before the hearing;

867 7. If the nonrepresented employee fails to attend or participate in the hearing,
868 upon a showing of valid service, the manager of the central employee services division may
869 enter an administrative order declaring the amount claimed, in the notice sent to the
870 employee after the employer's review of the employee's challenge to the overpayment
871 determination, to be assessed against the employee and subject to collection action by the
872 employer as provided in RCW 49.48.200;

873 8. Within thirty business days after the hearing, the manager of the central
874 employee services division shall issue an administrative order that determines the final
875 amount of the overpayment, if any, received by the nonrepresented employee. The
876 manager of the central employee services division shall send a copy of the administrative
877 order, by certified mail, return receipt requested, to the nonrepresented employee at the
878 employee's last known address, to the agency, and to the manager of benefits, payroll and
879 retirement operations section of the central employee services division; however, the

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880 manager of the central employee services division may, under extenuating circumstances,
881 issue an administrative order more than thirty days after the hearing;

882 9. The administrative order issued by the manager of the central employee
883 services division shall be final;

884 10. Once a final administrative order determining the final overpayment amount
885 owed by the nonrepresented employee has been entered, a payroll deduction to recover the
886 overpayment may begin as authorized by state law;

887 11. Nothing in this section precludes an agency or the benefits, payroll and
888 retirement operations section of the central employee services division from entering into a
889 voluntary agreement with a nonrepresented employee to repay any overpayment of wages,
890 consistent with state law; and

891 12. The manager of the central employee services division may be recused from
892 conducting an adjudicative hearing, at the manager's discretion, to avoid any real conflict of
893 interest. If this occurs, the director of the department of human resources or designee shall
894 assume responsibility for the hearing.

895 SECTION 15. Ordinance 12014, Section 34, as amended, and K.C.C. 3.12.123
896 are each hereby amended to read as follows:

897 ~~((The council desires to continue the weapons policy established by the~~
898 ~~Municipality of Metropolitan Seattle prior to assumption of metropolitan functions on~~
899 ~~January 1, 1994, by the county and continued by the council during the 1994—1995~~
900 ~~transition period.))~~ The council recognizes that employees in the Metro transit department
901 interact daily with the public in providing public transportation services, are expected to
902 avoid any potentially volatile situation or confrontation, and are required to contact the

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903 appropriate authority for assistance when necessary. In conjunction with the behavior
904 expected of such employees, it is also the policy that the use, threatened use, or possession
905 of a weapon concealed, licensed or otherwise, by such an employee while in the
906 performance of the employee's official duties or while on county property is strictly
907 prohibited and ~~((will))~~ shall result in termination. This policy does not apply to
908 commissioned police officers under contract with or employed by the county for
909 investigatory, undercover or enforcement reasons.

910 SECTION 16. Ordinance 12077, Section 3, as amended, and K.C.C. 3.12.125 are
911 each hereby amended to read as follows:

912 A. Notwithstanding any other provision of this chapter, in the event the number of
913 hours in the standard work week of a position occupied by a full-time regular employee,
914 part-time regular employee, or ~~((;))~~ term-limited temporary employee is increased, the sick
915 leave and vacation leave accruals of such employee at the time of the increase shall be
916 adjusted upward so as to insure that the equivalent number of sick leave and vacation leave
917 days accrued does not change. For example, if the standard work week of such a position
918 is increased from thirty-five to forty hours, and if at the time of such change the employee
919 occupying the position had accrued seven hours of sick leave, the sick leave accrual of that
920 employee would be adjusted upward to eight hours. ~~((This section shall apply to all
921 employees eligible for comprehensive leave benefits occupying positions where the
922 standard work week of the position was increased on or after July 1, 1991.))~~ After such an
923 increase, such employees shall accrue vacation and sick leave in accordance with the
924 otherwise applicable provisions ~~((of K.C.C.))~~ this chapter ~~((3.12))~~.

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925 B. Separate accounts shall be maintained for any vacation or sick leave accrued
926 before an increase in the number of work-week hours. The "adjusted leave account" shall
927 be used for leave accrued before an increase in the number of work-week hours. The
928 "unadjusted leave account" shall be used for leave accrued subsequent to an increase in the
929 number of work-week hours. Leave in the adjusted leave account shall be used first.

930 C. In the event the number of work-week hours is reduced for any employee whose
931 vacation and sick leave accruals have been adjusted upward under the terms of this section,
932 the remaining hours in the adjusted leave account shall be reduced in the same proportion
933 as the work-week hours are reduced. Under no circumstances shall the adjusted leave
934 account be reduced by a greater proportion than the proportion of the previous upward
935 adjustment. Any leave accrued in the unadjusted leave account shall not be affected by this
936 reduction.

937 D. No adjustment to reduce sick leave or vacation accruals for a furloughed
938 employee shall be made as a result of a budgetary furlough.

939 SECTION 17. Ordinance 12014, Section 16, and K.C.C. 3.12.130 are hereby
940 repealed.

941 SECTION 18. Ordinance 4324, Section 38, and K.C.C. 3.12.140 are each hereby
942 amended to read as follows:

943 (~~Cost-of-living~~) General wage increases as passed by the council annually for
944 county employees shall include elected officials whose salaries are not set by the state.

945 SECTION 19. The following are hereby repealed:

946 A. Ordinance 4324, Section 37, and K.C.C. 3.12.150;

947 B. Ordinance 4324, Section 34, and K.C.C. 3.12.160; and

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948 C. Ordinance 12014, Section 17, as amended, and K.C.C. 3.12.170.

949 SECTION 20. Ordinance 12014, Section 18, as amended, and K.C.C. 3.12.180

950 are each hereby amended to read as follows:

951 A. For purposes of this section:

952 1. "County work force" means persons employed by King County executive

953 departments;

954 2. "Job group" means a grouping of jobs as defined by the United States

955 Department of Labor;

956 3. "Labor force availability rate" means the percentage of persons of color or

957 women with requisite job skills in King County as reported by the United States Census

958 Bureau;

959 4. "Persons of color" means persons in each of the following groups: Blacks;

960 Hispanics; Asian/Pacific Islanders; and Native Americans; and

961 5. "Placement goal" shall equal the labor force availability rate.

962 B. The county is an equal opportunity employer and shall carry out federal, state

963 and local laws and regulations prohibiting discrimination in employment on the basis of

964 race, color, religion, religious affiliation, creed, national origin, ancestry, sex, sexual

965 orientation, gender identity or expression, age (except by minimum age and retirement

966 provisions), marital status, honorably discharged veteran or military status, or the presence

967 of a sensory, mental or physical disability. Further, it is the intent of the county to ensure

968 that employment is based on the principle of equal opportunity and that such a principle

969 shall be implemented in all county personnel-related actions including, but not limited to,

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970 recruitment, hiring, testing, training, promotion, compensation, transfer and all other terms
971 and conditions of employment in all job classifications.

972 C. In order to comply with federal contracting requirements and to ensure equal
973 opportunity for all persons, all county departments shall establish and maintain an
974 effective equal employment opportunity affirmative action plan, as adopted by the
975 council by ordinance. Such an equal employment opportunity affirmative action plan
976 shall promote the objectives of public policy set forth in applicable federal and state laws
977 relating to nondiscrimination, equal employment opportunity, affirmative action and civil
978 rights. Specifically, the plan shall promote the objectives of the State Law Against
979 Discrimination, chapter 49.60 RCW (applicable parts), and provisions of the Washington
980 Administrative Code adopted thereunder. As part of the county's equal employment
981 opportunity affirmative action plan, the executive shall submit by June 1 of every fourth
982 year, commencing with 2018, a proposed ordinance for the approval of an equal
983 employment opportunity affirmative action plan pertaining to executive county
984 departments and agencies to be approved, or modified, by the council by ordinance, or
985 rejected by the council, by January 1 following the plan's submittal to council. The equal
986 employment opportunity affirmative action plan shall include:

987 1. Information related to county work force statistics, which shall include:

988 a. a comparison of labor force availability for women and persons of color to
989 the county's actual labor force for women and persons of color as a summary across all
990 departments. The plan shall also compare labor force availability for women and persons
991 of color to the county's actual labor force for women and persons of color by departments

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992 and job group. The plan shall also summarize the percentage of total goal setting areas
993 which meet or exceed the labor force availability rate;

994 b. a summary of the county work force by job group and by race and gender;

995 c. a discussion of the methodology by which the labor force availability and
996 county work force data is developed and a listing of the county job classifications that are
997 included in each job group;

998 d. the total number of persons with disabilities in each job group within the
999 county work force and the total number of persons with disabilities by department
1000 voluntarily reported by individuals for equal employment opportunity affirmative action
1001 purposes. The plan shall include the number of positions for which an accommodation is
1002 currently in effect;

1003 e. the total number and percentage of employees by salary range and by race
1004 and gender. Salary ranges shall be reported in a manner consistent with the equal
1005 employment opportunity data reported by the United States Census Bureau. The plan
1006 shall include data reported by the United States Census Bureau on the total number and
1007 percentage of the labor force working in King County by salary range and by race and
1008 gender;

1009 f. an analysis by race and gender of the positions filled by promotion during
1010 the prior plan period. For the purposes of this subsection, "promotions" means those
1011 instances in which an individual advances in salary level because the individual changed
1012 to a position with a higher pay range assignment either through a competitive process or
1013 through a reclassification;

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1014 g. a summary by year for the prior plan period on executive_branch
 1015 discrimination complaints by basis of complaint and complaint status. The summary
 1016 shall also include data by department on the number of complaints filed by complaint
 1017 type and the number of people filing complaints; and

1018 h. historical data on the county work force by race and gender. Historical data
 1019 before 2014 is required only to the extent it is readily available;

1020 2. Placement goals for the plan period. For those job groups within departments
 1021 where the actual number of women and persons of color employed is less than projected
 1022 by labor force availability, a placement goal by race and gender shall be established for
 1023 the entire plan period. A placement goal shall equal the labor force availability rate.
 1024 Placement goals are used to measure progress toward achieving equal employment
 1025 opportunity. Placement goals may not be quotas, which must be met, nor do they create
 1026 set-asides for specific groups. Placement goals may not be used to supersede merit
 1027 selection principles. Further, existence of a placement goals does not constitute evidence
 1028 of discrimination. If a placement goal has been established, the plan shall identify the
 1029 labor force availability rate;

1030 3. Implementation plans for departments. Each implementation plan shall:

1031 a. identify the activities proposed each year during the plan period to meet the
 1032 department's placement goals. The plan shall discuss how the proposed activities will
 1033 help the department achieve its placement goals;

1034 b. identify the activities proposed during the plan period by year to recruit,
 1035 retain and promote women and persons of color in the work force; and

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1036 c. identify the specific activities during the plan period, by year, that each
 1037 department will undertake to increase its hiring, retention, and promotion of persons with
 1038 disabilities; and

1039 4. A summary of the results of the prior equal employment opportunity
 1040 affirmative action plan, which shall include:

1041 a. a description of the progress of each department in completing the activities
 1042 listed in subsection C.3. a. through c. of this section proposed in the previous
 1043 implementation plan. The outcomes of each activity shall be reported. The department
 1044 of human resources shall provide an evaluation of the effectiveness of each department's
 1045 implementation activities during the plan period;

1046 b. the status of each placement goal established in the prior equal employment
 1047 opportunity affirmative action plan. For each identified placement goal, the status report
 1048 shall report the:

1049 (1) labor force availability rate;

1050 (2) total number of positions filled for the corresponding job group within a
 1051 department;

1052 (3) of the total number reported under subsection C.4.b.(2) of this section, the
 1053 number of positions that were filled by each race and gender category; and

1054 (4) an actual hiring rate for each race and gender category calculated by
 1055 dividing the number of positions filled by the number of positions filled by each race and
 1056 gender category; and

1057 c. a separate listing of those placement goals for the plan period that were not
 1058 achieved. Placement goals are considered not achieved when the actual hiring rate is less

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1059 than the availability rate for the overall plan period. For each placement goal not
1060 achieved, the plan shall provide an analysis of why the goals were not met including
1061 whether the planned implementation activities were completed. Placement goals shall
1062 only be considered not achieved in those instances in which the total number of hires is
1063 large enough such that it is statistically reasonable to expect under conditions of equal
1064 employment opportunity that the number of hires by race and gender will reflect work
1065 force availability.

1066 D. The executive shall submit a proposed ordinance approving a new four-year
1067 equal employment opportunity affirmative action plan to the council within twelve
1068 months of the publication of the appropriate data from the ten-year United States Census.

1069 SECTION 21. Ordinance 18572, Section 1, as amended, and K.C.C. 3.12.184 are
1070 each hereby amended to read as follows:

1071 A. The Ruth Woo emerging leaders fellowship is hereby created. The fellowship
1072 shall be a paid, full-time, term-limited temporary position and shall be awarded to a
1073 person who has demonstrated a commitment to public service. Priority in selection will
1074 be given to economically disadvantaged college graduates from backgrounds that have
1075 historically lacked equitable access to education, employment, and professional
1076 development opportunities. There shall be at least five fellows at a time in county
1077 employment, who shall serve for a term of one year.

1078 B. The fellow ~~((shall))~~ may be an employee of the department of human
1079 resources. The fellow ~~((shall))~~ may be assigned to work in various county agencies ~~((for~~
1080 ~~periods of three to four months at a time))~~ during the one-year term with the written
1081 approval of the presiding elected official or designee of such agency. The assignments

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1082 ((shall)) may include periods with the council and with executive_branch agencies.

1083 While assigned to an agency the fellow shall be subject to the administrative supervision
1084 of that agency.

1085 C. The Ruth Woo fellow ((shall)) may have the following responsibilities:

1086 1. Assignments may include following a piece of legislation through the
1087 legislative process, preparing briefings, correspondence, or other documents,
1088 communicating with constituents and other county departments, assisting in outreach, and
1089 executive_branch policy administration;

1090 2. The work in the branches and departments ((shall)) may include:

1091 a. ((working)) work on projects related to each branch or department and
1092 seeing them to completion;

1093 b. ((experiencing by directly)) experience working on how policies are
1094 developed and implemented and how they relate to the communities served by the
1095 county;

1096 c. ((participating)) participation in internship orientations, workshops, and
1097 policy exercises; and

1098 d. ((maintaining)) professional, nonpartisan conduct.

1099 D. Each agency shall ((reimburse the department of human resources)) be
1100 responsible for the cost of the fellow for the period assigned to the agency.

1101 E. Annually, a committee to review applicants for the fellowship shall be formed,
1102 composed of members appointed by the executive and the chair of the council. The
1103 committee shall recommend to the department of human resources criteria for the

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1104 selection of applicants, shall screen, interview, and score the applicants and shall
1105 recommend to the department of human resources appointment of the fellow.

1106 SECTION 22. Ordinance 11149, Sections 1-4, as amended, and K.C.C. 3.12.187
1107 are hereby repealed.

1108 SECTION 23. Ordinance 12014, Section 36, as amended, and K.C.C. 3.12.188
1109 are each hereby amended to read as follows:

1110 A. Employees eligible for comprehensive leave benefits under this chapter,
1111 administrative interns, volunteer interns, work study students, AmeriCorps members, and
1112 eligible department of transportation or Metro transit department retirees shall be issued a
1113 ~~((transit))~~ transportation pass entitling the holder to ride without payment of fare on
1114 public transportation services operated by or under the authority of the county. In
1115 addition, those ~~((employees))~~ persons shall be entitled to use the ~~((transit))~~ transportation
1116 pass to ride without payment of fare on public transportation services operated by or
1117 under the authority of Pierce Transit, Kitsap Transit, Sound Transit, Everett Transit, and
1118 Community Transit, subject to agreements with such agencies as may be entered into by
1119 the executive. Use of ~~((transit))~~ transportation passes shall be restricted to such
1120 employees, administrative interns, volunteer interns, work study students, AmeriCorps
1121 members, and department of transportation or Metro transit department retirees and any
1122 unauthorized use shall, at a minimum, result in forfeiture of the passes. With the
1123 exception of administrative interns, volunteer interns, work study students, and
1124 AmeriCorps members, employees not eligible for comprehensive leave benefits under
1125 this chapter shall not receive ~~((transit))~~ transportation passes or any ~~((transit))~~
1126 transportation pass subsidy.

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1127 B. The executive shall cause an appropriate survey to be conducted biennially of
1128 the use of public transportation services by county employees and volunteer interns.
1129 Based on the results of the survey, the projected usage of public transportation services
1130 by county employees, the county's commute trip reduction objectives and other factors
1131 determined appropriate by the executive, the executive shall recommend in the annual
1132 budget an amount to be paid to the public transportation operating account for ~~((transit))~~
1133 transportation passes. The amount recommended by the executive shall not include any
1134 payment for ~~((transit))~~ transportation passes for commissioned police officers, eligible
1135 department of transportation or Metro transit department retirees and employees whose
1136 positions are determined by the director of the Metro transit department to be dedicated
1137 exclusively to the public transportation function. The final amount to be transferred to
1138 the public transportation operating account for ~~((transit))~~ transportation passes shall be
1139 determined by the council as part of the annual budget and appropriation process
1140 consistent with the requirements of the King County Charter and applicable state law.

1141 C. For purposes of this section, "eligible department of transportation or Metro
1142 transit department retiree" means an employee eligible for comprehensive leave under
1143 this chapter who:

1144 1. Separates from employment with the county before January 1, 2019, while
1145 holding a position in the department of transportation determined by the director of the
1146 department of transportation to be dedicated exclusively to the public transportation
1147 function or separates from employment with the county on or after January 1, 2019, while
1148 holding a position in the Metro transit department determined by the director of the Metro
1149 transit department to be dedicated exclusively to the public transportation function; and

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1150 2. On the date of the separation is eligible to receive benefits from a retirement
1151 system established pursuant to state law.

1152 SECTION 24. Ordinance 12014, Section 19, as amended, and K.C.C. 3.12.190
1153 are each hereby amended to read as follows:

1154 A. Employees eligible for comprehensive leave benefits shall accrue vacation
1155 leave benefits as described in and further qualified by this section. Elected officials are
1156 not employees and are therefore not entitled to vacation leave benefits.

Months of Service	Hourly Accrual Rate	Approximate Days/Year
0	0.04620	12.01200
60	0.05770	15.00200
96	0.06160	16.01600
120	0.07700	20.02000
192	0.08080	21.00800
204	0.08470	22.02200
216	0.08850	23.01000
228	0.09240	24.02400
240	0.09620	25.01200
252	0.10010	26.02600
264	0.10390	27.01400
276	0.10780	28.02800
288	0.11160	29.01600
300	0.11540	30.00400

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1157 B. Vacation accrual rates for an employee who works other than the full-time
1158 schedule standard to the employee's work unit shall be prorated to reflect the employee's
1159 normally scheduled work week. No adjustment to vacation accrual rates for a furloughed
1160 employee shall be made as a result of a budgetary furlough.

1161 C. Employees eligible for ~~((vacation))~~ comprehensive leave benefits shall accrue
1162 vacation leave from their date of hire into a comprehensive leave benefit eligible position.

1163 D.1. Employees hired before December 31, 2017, who are eligible for vacation
1164 leave may accrue up to four hundred eighty hours of vacation leave, prorated to reflect
1165 their normally scheduled work ~~((schedule))~~ week.

1166 2. Employees hired January 1, 2018, or thereafter, who are eligible for vacation
1167 leave may accrue up to three hundred twenty hours of vacation leave, prorated to reflect
1168 their normally scheduled work ~~((schedule))~~ week.

1169 3. All employees shall use vacation leave beyond the employee's maximum
1170 accrual amount before the end of the pay period that includes December 31 ~~((of each))~~
1171 every year. Failure to use vacation leave beyond the employee's maximum accrual
1172 amount before the end of the pay period that includes December 31 shall result in
1173 forfeiture of the accrued vacation leave beyond the employee's maximum accrual amount
1174 unless the appointing authority has approved a carryover of the vacation leave because of
1175 cyclical workloads, work assignments, or other reasons ~~((as may be))~~ in the best interests
1176 of the county.

1177 E. Employees eligible for comprehensive leave benefits may use vacation leave
1178 hours in the pay period after they are accrued. Employees who leave county employment

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1179 before successfully completing their first six months of county service shall forfeit their
1180 vacation leave hours and are excluded from the payout provisions in this section.

1181 ~~((F. A furloughed employee shall not be eligible to take or be paid for vacation in~~
1182 ~~lieu of taking a budgetary furlough day.~~

1183 ~~G. In lieu of the remuneration for fifty percent of unused accrued vacation leave~~
1184 ~~at retirement, the director may, with equivalent funds and in accordance with the~~
1185 ~~procedures in K.C.C. 3.12.220.G.2.b, provide eligible employees with a voluntary~~
1186 ~~employee beneficiary association plan that provides for reimbursement of retiree and~~
1187 ~~other qualifying medical expenses.~~

1188 ~~H.))~~ F. An employee who is eligible for comprehensive leave benefits shall be
1189 paid for accrued vacation leave to the employee's date of separation up to the employee's
1190 maximum accrual amount if the employee has successfully completed the employee's
1191 first six months of county service and is in good standing. ~~((Except with the written~~
1192 ~~approval of the executive, the position, if vacated by a nonrepresented employee, shall~~
1193 ~~not be filled until salary savings for the position are accumulated in an amount sufficient~~
1194 ~~to pay the cost of the cash out.))~~ Payment shall be the accrued vacation leave multiplied
1195 by the employee's base rate of pay in effect upon the date of leaving county employment
1196 less mandatory withholdings.

1197 ~~((F.))~~ G. In lieu of payment for fifty percent of unused accrued vacation leave at
1198 retirement, the director may, with equivalent funds and in accordance with the procedures
1199 in K.C.C. 3.12.220.E.2.b., provide eligible employees with a voluntary employee
1200 beneficiary association plan that provides for reimbursement of retiree and other

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1201 qualifying medical expenses. The remaining fifty percent of eligible unused accrued
 1202 vacation leave at retirement shall be paid as outlined in subsection F. of this section.

1203 H. Employees shall not work for compensation for the county in any capacity
 1204 during the time that the employees are on vacation leave.

1205 ~~((J. For employees covered by the overtime requirements of the Fair Labor~~
 1206 ~~Standards Act, vacation leave may be used in fifteen minute increments, at the discretion~~
 1207 ~~of the appointing authority.~~

1208 ~~K. In cases of separation from county employment by death of an~~) I. When a
 1209 current employee dies with accrued vacation leave and ~~((who))~~ the employee has
 1210 successfully completed the employee's first six months of county service, payment of the
 1211 unused vacation leave up to the employee's maximum accrual amount shall be made to
 1212 the employee's estate, or, in applicable cases, as provided for by state law, Title 11 RCW.

1213 ~~((Except with the written approval of the executive, the position, if vacated by a~~
 1214 ~~nonrepresented employee, shall not be filled until salary savings for the position are~~
 1215 ~~accumulated in an amount sufficient to pay the cost of the cashout.~~

1216 ~~L.))~~ J. If an employee resigns, is laid off, or is separated for nondisciplinary
 1217 reasons from a ~~((full-time))~~ regular or ~~((part-time regular))~~ term-limited temporary
 1218 position with the county in good standing ~~((or is laid off))~~ and subsequently returns to
 1219 county employment within two years from the resignation, ~~((or))~~ layoff, ~~((as applicable))~~
 1220 or nondisciplinary separation, the employee's prior county service shall be counted in
 1221 determining the vacation leave accrual rate under subsection A. of this section.

1222 SECTION 25. Ordinance 12052, Section 1, as amended, and K.C.C. 3.12.210 are
 1223 each hereby amended to read as follows:

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1224 A. Employees eligible for comprehensive leave benefits shall be entitled take to
1225 up to five working days of bereavement leave, with a maximum of forty hours, for each
1226 qualifying death of the employee's immediate family members. Part-time employees'
1227 bereavement leave benefits shall be prorated to reflect the employee's work week.
1228 Bereavement leave shall be used within eighteen months of the death. For purposes of
1229 this subsection, "immediate family members" are any of the following:

- 1230 1. The employee's spouse or domestic partner;
- 1231 2. The employee's ward, or any person whom the employee has legal
1232 guardianship or custody of; and
- 1233 3. The following family members of the employee, the employee's spouse, or
1234 the employee's domestic partner:
- 1235 a. a parent, be the person a biological parent, adoptive parent, foster parent,
1236 stepparent, legal guardian, or a person who stood or stands in loco parentis;
- 1237 b. a, grandparent;
- 1238 c. a child, including an unborn child lost due to a stillbirth or miscarriage;
- 1239 d. a child's spouse;
- 1240 e. a grandchild; or
- 1241 f. a sibling.

1242 B. ~~((A furloughed employee shall not be eligible to take or be paid for~~
1243 ~~bereavement leave in lieu of taking a budgetary furlough day.~~

1244 C.)) Employees who are not eligible for comprehensive leave benefits may be
1245 granted leave without pay or be allowed to use compensatory time, if available, for
1246 bereavement leave.

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1247 ~~((D.))~~ C. ~~((In the application of subsections A. or B. of this section, h))~~ Holidays
 1248 or regular days off falling within the prescribed period of absence shall not be charged
 1249 against the bereavement leave entitlement.

1250 ~~((E.))~~ D. ~~((Any a))~~ Additional accrued paid leave to be used as bereavement leave
 1251 may be approved by mutual agreement between the county and the employee.

1252 SECTION 26. Ordinance 12014, Section 20, as amended, and K.C.C. 3.12.215
 1253 are each hereby amended to read as follows:

1254 ~~((A.1.))~~ The appointing authority shall allow an employee eligible for
 1255 comprehensive leave benefits who is voluntarily participating as a donor in a life-giving
 1256 or life-saving procedure such as, but not limited to, a bone marrow transplant, kidney
 1257 transplant, or blood transfusion to take five days of paid organ donor leave ~~((without~~
 1258 ~~having the leave charged to family leave, sick leave, vacation leave or leave of absence~~
 1259 ~~without pay))~~, but only if the employee:

1260 ~~((a.))~~ A. ~~((g))~~ Gives the appointing authority reasonable advance notice of the
 1261 need to take time off from work for the donation of bone marrow, a kidney, or other
 1262 organs or tissue where there is a reasonable expectation that the employee's failure to
 1263 donate may result in serious illness, injury, pain, or the eventual death of the identified
 1264 recipient; and

1265 ~~((b.))~~ B. ~~((p))~~ Provides written proof from an accredited medical institution,
 1266 organization, or individual as to the need for the employee to donate bone marrow, a
 1267 kidney, or other organs or tissue, or to participate in any other medical procedure where
 1268 the participation of the donor is unique or critical to a successful outcome.

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1269 ~~((2. A furloughed employee shall not be eligible to take or be paid for an organ~~
 1270 ~~donor leave in lieu of taking a budgetary furlough day.~~

1271 ~~B. Time off from work for the purposes set out above in excess of five working~~
 1272 ~~days shall be subject to existing leave policies in this chapter or in any applicable~~
 1273 ~~collective bargaining agreement.))~~

1274 SECTION 27. Ordinance 14591, Section 2, as amended, and K.C.C. 3.12.218 are
 1275 hereby repealed.

1276 SECTION 28. Ordinance 18408, Section 2, as amended, and K.C.C. 3.12.219 are
 1277 each hereby amended to read as follows:

1278 A. Employees eligible for comprehensive leave benefits who have been
 1279 employed with the county for at least six months of continuous service at the time of a
 1280 birth, adoption, or foster-to-adopt placement of a minor child, and are either
 1281 nonrepresented or represented by a union that has signed a paid parental leave
 1282 memorandum of agreement with the county, are eligible for up to twelve weeks of paid
 1283 parental leave.

1284 B. If both parents work for King County, then each employee is entitled to up to
 1285 twelve weeks of paid parental leave.

1286 C. An employee's supplemental paid parental leave benefit shall be calculated
 1287 based on the employee's accrued paid leave balances at the time of the qualifying event.
 1288 The employee shall receive the equivalent of the employee's full salary for up to a total of
 1289 twelve weeks, when combined with the employee's accrued leaves, except for one week
 1290 of sick leave and one week of vacation leave, or the equivalent for benefit time off. For
 1291 example, if an employee has two weeks of accrued vacation and three weeks of accrued

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1292 sick leave at the time of the qualifying event, the employee shall be granted nine weeks
1293 of supplemental paid leave, bringing the total available paid parental leave to twelve
1294 weeks.

1295 D. An employee may use supplemental paid leave and accrued paid leave in any
1296 order and is not required to use any of the accrued paid leave as paid parental leave.

1297 E. An employee on paid parental leave shall be compensated at the employee's
1298 base rate of pay.

1299 F. An employee should provide notice to the designated representative of the
1300 employee's department that the employee intends to participate in the program. The
1301 notice should meet the notice requirements for taking family and medical leave under
1302 federal law.

1303 G. Paid parental leave must begin and end within twelve months after the
1304 qualifying event. In the case of adoption or foster-to-adopt placement, leave must be
1305 taken within one year of the child's birth or placement in the employee's home. The
1306 department of human resources shall have the discretion to administer paid parental leave
1307 in a way that supports the employee and child, including allowing use of leave after more
1308 than one year of the child's birth or placement in the employee's home to address special
1309 circumstances in the case of adoption or foster-to-adopt placement.

1310 H. The employee and the employee's supervisor shall agree upon a schedule for
1311 taking paid parental leave that is consistent with the county's operational needs. An
1312 employee may use the paid parental leave on a part-time or intermittent basis as long as it
1313 is consistent with the county's operational needs and is approved in writing by the
1314 supervisor before the leave begins.

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1315 I. Paid parental leave shall run concurrently with King County family and
1316 medical leave, as well as federal and state family and medical leave, to the extent
1317 permitted by law.

1318 J. During the time that an employee is on leave in the program, the employee's
1319 job shall be protected to the same extent that an employee's job is protected while the
1320 employee is on family or medical leave under federal or state law. No retaliatory action
1321 may be taken against an employee for participating or planning to participate in the
1322 program or for exercising the employee's rights under Ordinance 18408. In particular,
1323 permission to use accrued paid leave shall not be denied or delayed on the basis that the
1324 employee intends to participate in the program. This is a general statement of county
1325 policy that cannot form the basis of a private right of action.

1326 K. Taking leave under the paid parental leave program shall not affect an
1327 employee's health benefits or an employee's accrual of paid leave, which shall continue
1328 during the period of paid parental leave.

1329 L. Employees shall not be compensated in any manner for not using the
1330 supplemental paid parental leave.

1331 M. An employee who does not return to work for at least six months of
1332 continuous service following the paid parental leave, shall be required to reimburse King
1333 County for the supplemental paid parental leave funds received. This does not apply to
1334 an employee whose employment ends involuntarily, such as if the employee is laid off or
1335 medically separated.

1336 If an employee is taking paid parental leave intermittently, the six months begins
1337 after the last day the employee used paid parental leave. An employee whose position is

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1338 scheduled to end in a timeframe that would not enable the employee to return to work for
1339 six months following the leave, is not entitled to take paid parental leave.

1340 SECTION 29. Ordinance 12014, Section 21, as amended, and K.C.C. 3.12.220
1341 are each hereby amended to read as follows:

1342 A.1. Except for employees covered by subsection A.3. of this section, employees
1343 eligible for comprehensive leave benefits and district court judges shall accrue sick leave
1344 ~~((benefits))~~ at the rate of 0.04616 hours for each hour in pay status exclusive of overtime
1345 up to a maximum of eight hours per month~~((; except that if an hourly employee works in~~
1346 ~~excess of seventy-four hours in one week, the employee shall accrue sick leave at the rate~~
1347 ~~of 0.025 hours for each hour worked in excess of seventy-four))~~. The monthly maximum
1348 for employees whose work schedule is less than a forty-hour work week shall be
1349 prorated. For example, the maximum for an employee with a thirty-five-hour work week
1350 would be seven hours per month. In limited circumstances, an employee may receive
1351 additional sick leave accruals at the rate of 0.025 hours for each hour in pay status to
1352 ensure compliance with Washington state's paid sick leave law. Except for district court
1353 judges, elected officials do not accrue sick leave. No adjustment to reduce sick leave
1354 accruals for furloughed employee shall be made as a result of a budgetary furlough.

1355 2. Short-term temporary employees and administrative interns shall accrue sick
1356 leave at the rate of 0.025 hours for each hour in pay status.

1357 3. Employees who are members of the Law Enforcement Officers and
1358 Firefighters (LEOFF) 1 retirement system, judges pro-tem, commissioners, and short-
1359 term temporary employees who are employed in social service programs designed to help
1360 youth gain basic work training skills, such as Work Experience (WEX) participants and

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1361 Division of Youth Services (DYS) youth employment workers, shall not accrue sick
1362 leave.

1363 B. Employees are entitled to use sick leave after it is accrued.

1364 C. ~~((For employees covered by the overtime requirements of the Fair Labor~~
1365 ~~Standards Act, sick leave may be used in fifteen minute increments.~~

1366 ~~D.))~~ There shall be no limit to the number of sick leave hours accrued and carried
1367 over to the following year by employees eligible for comprehensive leave benefits.

1368 Short-term temporary employees and administrative interns may carry over forty hours of
1369 unused sick leave to the following year, all other unused accrued sick leave shall be
1370 forfeited.

1371 ~~((E. For employees covered by the overtime requirements of the Fair Labor~~
1372 ~~Standards Act, sick leave may be used in fifteen minute increments.~~

1373 ~~F.))~~ D.1. Separation from or termination of county employment except ~~((by~~
1374 ~~reason of retirement or layoff due to lack of work, funds, efficiency reasons or separation~~
1375 ~~for medical reasons))~~ for circumstances outlined in subsection E.1. of this section, shall
1376 cancel all sick leave accrued to employees ~~((eligible for comprehensive leave benefits))~~
1377 as of the date of separation or termination.

1378 ~~((2. Separation from, retirement from or termination of county employment~~
1379 ~~shall cancel all sick leave accrued to short term temporary employees and administrative~~
1380 ~~interns as of the date of the separation, retirement or termination.~~

1381 ~~—3.))~~ 2. Should an employee, other than an employee who cashed out sick leave
1382 under subsection E.1. of this section, return to county employment within two years,
1383 accrued sick leave shall be restored. If a retiree cashed out sick leave under subsection

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1384 E.1. of this section and is rehired within one year, that employee is ((not)) entitled to have
 1385 ((any)) the remaining sixty-five percent of their sick leave restored. If a retiree cashed
 1386 out sick leave under subsection E.1. of this section and is rehired after one year, no sick
 1387 leave is restored.

1388 ((G.)) E.1. Except for short-term temporary employees, administrative interns,
 1389 and employees covered by the Law Enforcement Officers and Firefighters (LEOFF) 1
 1390 retirement system, employees eligible to accrue sick leave who have successfully
 1391 completed at least five years of county service and who retire as a result of length of
 1392 service or who ~~((terminate by reason of death))~~ die while employed shall be paid, or their
 1393 estates paid or as provided for by Title 11 RCW, as applicable, an amount equal to thirty-
 1394 five percent of their unused, accumulated sick leave multiplied by the employee's base
 1395 rate of pay in effect upon the date of leaving county employment less mandatory
 1396 withholdings. ~~((This provision is predicated on the requirement that, except with the~~
 1397 ~~written approval of the executive, the position, if vacated by a nonrepresented employee,~~
 1398 ~~shall not be filled until salary savings for the position are accumulated in an amount~~
 1399 ~~sufficient to pay the cost of the cash out.))~~ For the purposes of this subsection ((G.)) E.1.,
 1400 "retire as a result of length of service" means an employee is eligible, applies for and
 1401 begins drawing a pension from the Law Enforcement Officers and Firefighters (LEOFF),
 1402 Public Employees' Retirement System (PERS), Public Safety Employees' Retirement
 1403 System (PSERS),² or the city of Seattle Retirement Plan immediately upon terminating
 1404 county employment. An employee is only eligible to cash out thirty-five percent of the
 1405 employee's sick leave balance one time, even if the employee subsequently returns to
 1406 county employment.

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1407 2.a. In lieu of ~~((the remuneration for unused sick leave at retirement))~~ payment
1408 for thirty-five percent of unused sick leave, the director may~~((, with equivalent funds,))~~
1409 also provide eligible employees with a voluntary employee beneficiary association plan
1410 that provides for reimbursement of retiree and other qualifying medical expenses. Under
1411 K.C.C. 3.12.190.G., in lieu of ~~((the remuneration))~~ payment for fifty percent of unused
1412 vacation leave at retirement, the director may also fund the voluntary employee
1413 beneficiary association plan.

1414 b. The director shall adopt procedures for the implementation of all voluntary
1415 employee beneficiary association plans. At a minimum, the procedures shall provide
1416 that:

1417 (1) each group of employees hold an election to decide whether to implement
1418 a voluntary employee beneficiary association plan for a defined group of employees. The
1419 determination of the majority of voting employees in a group shall bind the remainder
1420 consistent with regulatory requirements. Elections for represented employees shall be
1421 conducted by the appropriate bargaining representative. Elections for nonrepresented
1422 employees shall be conducted in accordance with procedures established by the director
1423 or designee;

1424 (2) the director or designee has discretion to determine the scope of employee
1425 groups voting on whether to adopt a voluntary employee beneficiary association plan.
1426 The director shall consult with bargaining representatives and elected officials in
1427 determining the scope of voting groups; and

1428 (3) any voluntary employee beneficiary association plan implemented in
1429 accordance with this subsection ~~((G.))~~ E.2. complies with federal tax law. Disbursements

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1430 in accordance with this subsection ((G.)) E.2. shall be exempt from withholdings((;)) to
 1431 the extent permitted by law((; and

1432 ~~(4) employees shall forfeit remuneration under subsection G.1. and 2. of this~~
 1433 ~~section if the employee belongs to a group that has voted to implement a voluntary~~
 1434 ~~employee beneficiary association plan and the employee fails to execute forms that are~~
 1435 ~~necessary to the proper administration of the plan within twelve months of retirement by~~
 1436 ~~reason of length of service, as defined in subsection G.1. of this section.~~

1437 ~~H.1. An employee must use all of the employee's accrued sick leave and any~~
 1438 ~~donated sick leave before taking unpaid leave for the employee's own health reasons)).~~

1439 3. If the employee has an injury or illness that is compensable under the
 1440 county's workers compensation program, then the employee has the option to augment or
 1441 not augment wage replacement pay with the use of accrued sick leave. ((A furloughed
 1442 employee shall not be eligible to take or be paid for sick leave in lieu of taking a
 1443 budgetary furlough day.

1444 ~~2. For a leave for family reasons, the employee shall choose at the start of the~~
 1445 ~~leave whether the particular leave would be paid or unpaid, but when an employee~~
 1446 ~~chooses to take paid leave for family reasons the employee may set aside a reserve of up~~
 1447 ~~to eighty hours of accrued sick leave.))~~

1448 4. A furloughed employee who is on county family medical leave as provided
 1449 for in this section shall retain county benefits during furlough days.

1450 ((3.)) 5. An employee who has exhausted all of the employee's accrued sick
 1451 leave may use accrued vacation leave before going on leave of absence without pay, if
 1452 approved by the employee's appointing authority. ((A furloughed employee shall not be

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1453 ~~eligible to take or be paid for vacation leave in lieu of sick leave in lieu of taking a~~
 1454 ~~furloUGH day.))~~ If caring for a family member, use is at the employee's discretion and is
 1455 not subject to approval by the appointing authority.

1456 ((F.)) F. Paid ((S.))sick leave may be used for the following reasons:

1457 1. ~~((An absence))~~ For self-care or to care for a family member:

1458 a. ~~((resulting from the employee's))~~ due to a mental or physical illness, injury,
 1459 or health condition;

1460 b. to ~~((accommodate the employee's need for))~~ obtain medical diagnosis, care,
 1461 or treatment of a mental or physical illness, injury, or health condition; or

1462 c. ~~((for the employee's need for))~~ to receive preventive medical care;

1463 2. ~~((To allow the employee to provide care:~~

1464 a. ~~for a family member with a mental or physical illness, injury or health~~
 1465 ~~condition;~~

1466 b. ~~for a family member who needs medical diagnosis, care or treatment of a~~
 1467 ~~mental or physical illness, injury or health condition; or~~

1468 c. ~~for a family member who needs preventive medical care;~~

1469 3.)) When a King County facility is closed by order of public official for any
 1470 health-related reason, or when an employee's child's school or place of care is closed by
 1471 order of a public official for a health-related reason, by declaration of an emergency by a
 1472 local or state government or agency, or by the federal government;

1473 ((4.)) 3. To allow the employee to prepare for, or participate in, any judicial or
 1474 administrative immigration proceeding involving the employee or employee's family
 1475 member;

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- 1476 4. For absences that qualify for leave under the domestic violence leave act,
1477 chapter 49.76 RCW;
- 1478 5. For absences to increase the safety of the employee or a family member when
1479 the employee or a family member has been a victim of trafficking under RCW
1480 9A.40.100;
- 1481 6. For family and medical leave available under federal law, state law, or King
1482 County ordinance. Sick leave may not be used to supplement partial day wage
1483 replacement available under Washington state paid family and medical leave; and
- 1484 7. When an employee has been exposed to a contagious disease and must
1485 quarantine.
- 1486 ~~((J.))~~ G. For purposes of sick leave, "family member" means any of the
1487 following:
- 1488 1. A child~~((including a biological, adopted or foster child, a stepchild or a child~~
1489 ~~to whom the employee stands in loco parentis, is a legal guardian or is a de facto parent,~~
1490 ~~regardless of age or dependency status, or the child))~~ of the employee or of the
1491 employee's domestic partner;
- 1492 2. The parent of an employee, employee's spouse, or employee's domestic
1493 partner. Parent includes:
- 1494 a. a biological parent;
- 1495 b. an adoptive parent;
- 1496 c. a de facto parent;
- 1497 d. a foster parent;
- 1498 e. a stepparent;

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1499 f. a legal guardian; or
 1500 g. a person who stood or stands in loco parentis to the employee, employee's
 1501 spouse, or employee's domestic partner;

1502 3. A spouse;

1503 4. A domestic partner;

1504 5. A grandparent;

1505 6. A grandchild; ~~((or))~~

1506 7. A sibling; or

1507 8. Any individual who regularly resides in the employee's home or where the
 1508 relationship creates an expectation that the employee care for the person, and that
 1509 individual depends on the employee for care.

1510 ~~((K.))~~ H.1. An employee injured on the job may not simultaneously collect sick
 1511 leave and workers' compensation payments in a total amount greater than the net regular
 1512 pay of the employee, though an employee who chooses not to augment the employee's
 1513 workers' compensation wage replacement pay through the use of sick leave shall be
 1514 deemed on unpaid leave status.

1515 2. An employee who chooses to augment workers' compensation payments with
 1516 the use of accrued sick leave shall notify the safety and workers' compensation program
 1517 office in writing at the beginning of the leave.

1518 3. An employee may not collect sick leave and workers' compensation wage
 1519 replacement pay for physical incapacity due to any injury or occupational illness that is
 1520 directly traceable to employment other than with the county;

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1521 ~~((I.))~~ I. Management of the employee's department is responsible for the proper
1522 administration of sick leave benefits. Management of the employee's department may
1523 require an employee to provide reasonable notice of an absence from work, so long as the
1524 notice does not interfere with an employee's lawful use of sick leave.

1525 ~~((M.))~~ J.1. Verification that an employee's use of sick leave is for an authorized
1526 purpose may be required for absences exceeding three days. Verification may not result
1527 in an unreasonable burden or expense on the employee and may not exceed privacy or
1528 verification requirements otherwise established by law.

1529 2. For purposes of fulfilling a request for verification for leave taken related to
1530 an immigration proceeding, an employee may submit, and management of the employee's
1531 department must accept:

1532 a. documentation that the employee or the employee's family member is
1533 involved in a qualifying immigration proceeding from any of the following persons from
1534 whom the employee or employee's family member sought assistance in addressing the
1535 proceeding: An advocate for immigrants or refugees, an attorney, a member of the clergy,
1536 or other professional. The provision of documentation under this subsection does not
1537 waive or diminish the confidential or privileged nature of communications between an
1538 employee or an employee's family member and one or more of the individuals described
1539 in this subsection under RCW 5.60.060 or other applicable law; or

1540 b. an employee's written statement that the employee or the employee's family
1541 member is involved in a qualifying immigration proceeding and that the leave was taken
1542 to prepare for, or participate in, that proceeding.

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1543 3. The documentation or written statement must not disclose any personally
 1544 identifiable information about a person's immigration status or underlying immigration
 1545 protection.

1546 SECTION 30. Ordinance 18191, Section 4, and K.C.C. 3.12.221 are each hereby
 1547 amended to read as follows:

1548 A. An employee who has been employed by the county for twelve months or
 1549 more and has worked a minimum of nine hundred ten hours for a thirty-five-hour
 1550 employee and one thousand forty hours for a forty-hour employee in the preceding
 1551 twelve-month period, may take a total of up to eighteen weeks of King County family
 1552 and medical leave within a twelve-month period for ~~((either))~~:

1553 1. ~~((1))~~The employee's own serious health condition ~~((or))~~;

1554 2. ~~((2))~~To care for a family member with a serious health condition~~((, if the~~
 1555 ~~employee has been employed by the county for twelve months or more and has worked a~~
 1556 ~~minimum of nine hundred ten hours for a thirty-five-hour employee and one thousand~~
 1557 ~~forty hours for a forty-hour employee, and:))~~;

1558 3. To bond with a new minor child within the first twelve months following the
 1559 child's birth or placement with the employee for adoption or foster care;

1560 4. For certain qualifying exigencies related to military service covered by the
 1561 federal Family and Medical Leave Act, 29 U.S.C. Sec. 2601 et seq.; or

1562 5. Any qualifying reason under the federal Family and Medical Leave Act, 29
 1563 U.S.C. Sec. 2601 et seq.

1564 ~~((1.))~~ B. ~~((The))~~ Qualifying family members ~~((is))~~ include the employee's spouse
 1565 or domestic partner, the employee's child, a child of the employee's spouse or domestic

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partner, the parent of the employee or the employee's spouse or domestic partner, or an individual who stood in loco parentis to the employee or the employee's spouse or domestic partner. ~~((; and~~

~~2. The reason for the leave is one of the following:~~

- ~~a. the birth of a son or daughter and care of the newborn child, or placement with the employee of a son or daughter for adoption or foster care, if the leave is taken within twelve months of the birth, adoption or placement;~~
- ~~b. the care of the employee's child or child of the employee's spouse or domestic partner whose illness or health condition requires treatment or supervision by the employee;~~
- ~~c. the care of a family member with a serious health condition; or~~
- ~~d. any qualifying reason under federal family and medical leave law, 29 U.S.C. Sec. 2601 et seq., or state family and medical leave law, chapter 49.78 RCW.~~

~~B.))~~ C. King County family and medical leave may be taken intermittently to the same extent permitted under federal ~~((and state))~~ family and medical leave laws.

~~((C.1.))~~ D. King County family and medical leave shall run concurrently with leave ~~((under 29 U.S.C. Sec. 2601 et seq., and chapter 49.78 RCW,))~~ taken in conjunction with an occupational injury or illness for which the employee is receiving workers' compensation wage replacement payments, and any other leaves ~~((that are))~~ available under federal or state law to the extent permissible by law.

~~((2. When leave is taken for the serious health condition of the employee in conjunction with an occupational injury or illness for which the employee is receiving workers' compensation wage replacement payments, the leave shall run concurrently with~~

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1589 ~~leave under the federal and state family and medical leave and King County family and~~
 1590 ~~medical leave.~~

1591 ~~D. The department is responsible for the proper administration of the King~~
 1592 ~~County family and medical leave benefit.)) E.~~ Verification from a health care provider
 1593 may be required to certify the health condition of the employee or family member for
 1594 King County family and medical leave or federal Family and Medical Leave Act, 29
 1595 U.S.C. Sec. 2601 et seq. requests.

1596 ~~((E.)) F.~~ The county shall continue its contribution toward health care benefits
 1597 when an employee is on King County family and medical leave, regardless of whether
 1598 the employee is in a paid or unpaid status during the leave.

1599 ~~((F.)) G.~~ An employee who returns from King County family and medical leave
 1600 within the time provided in this section is entitled to the same job protection as an
 1601 employee returning from leave under the federal Family and Medical Leave Act, 29
 1602 U.S.C. Sec. 2601 et seq., subject to reductions-in-force provisions as specified in K.C.C.
 1603 3.12.300.

1604 ~~((G.)) H.~~ Failure of an employee to return to work by the expiration date of a
 1605 leave of absence may be cause for termination of the employee from county service.

1606 SECTION 31. Ordinance 15558, Section 2, as amended, and K.C.C. 3.12.222 are
 1607 each hereby amended to read as follows:

1608 A. ~~((Annually, from the first business day in October through the last business~~
 1609 ~~day in November))~~ During the annual giving drive, an employee eligible for
 1610 comprehensive leave benefits may sign a written authorization subject to approval by the
 1611 employee's department director to convert accrued vacation, benefit time off, or

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1612 accumulated compensatory hours, or ~~((both))~~ any combination thereof, into cash to
 1613 benefit up to three nonprofit organizations participating in the King County employee
 1614 annual drive in accordance with K.C.C. chapter 3.36, of the employee's choice.

1615 B. Notwithstanding K.C.C. 3.12.190, an employee eligible for comprehensive
 1616 leave benefits may convert accrued vacation, benefit time off, or accumulated
 1617 compensatory hours, or ~~((both))~~ any combination thereof, into cash to benefit emergency
 1618 or disaster relief efforts. Upon the occurrence of an emergency or disaster, such as fire,
 1619 flood, explosion, storm, earthquake, or epidemic, that results in the loss of either life or
 1620 property, or both, and with the exception of the employee annual drive-related period
 1621 designated under subsection A. of this section, the executive may authorize a period of up
 1622 to forty-five-days ~~((opportunity))~~ for employees eligible for comprehensive leave benefits
 1623 to sign a written authorization to convert accrued vacation, benefit time off, or
 1624 accumulated compensatory hours, or ~~((both))~~ any combination thereof, into cash to
 1625 benefit up to three nonprofit organizations designated by the executive. The employee's
 1626 written authorization is subject to approval by the employee's department director. The
 1627 designated nonprofit organization must be a King County employee annual drive
 1628 participant in accordance with K.C.C. chapter 3.36. This section shall be administered in
 1629 accordance with K.C.C. chapter 3.36.

1630 C. The hours converted under subsection A. or B. of this section must be in full-
 1631 hour increments. The employee's donation must be a minimum of four hours and no
 1632 more than forty hours per calendar year with the exception of the conditions described in
 1633 subsection D. of this section.

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1634 D. An employee eligible for comprehensive leave benefits who earned excess
1635 vacation leave, benefit time off, or compensatory hours, or ~~((both))~~ any combination
1636 thereof, beyond the amount that may be carried over into the next fiscal year may donate
1637 greater than forty hours under subsection A. or B. of this section with approval from the
1638 employee's department director.

1639 E. All King County employees eligible for comprehensive leave benefits may
1640 donate voluntarily in accordance with this section ~~((voluntarily))~~.

1641 F. The department of human resources shall value the hours donated under this
1642 section based on the employee's base rate of pay in effect at the time the approved
1643 conversion authorization is processed. The department of human resources shall process
1644 leave donations authorized under subsection A. of this section within the first two full
1645 weeks in December. The department of human resources shall process leave donations
1646 authorized under subsection B. of this section within the first two full weeks after the
1647 ~~((forty-five-day))~~ period designated in accordance with subsection B. of this section.

1648 G. The net cash value of the accrued vacation, benefit time off, or accumulated
1649 compensatory hours, or ~~((both))~~ any combination thereof, after all mandatory
1650 withholdings, including, but not limited to, withholding in accordance with retirement
1651 plans, federal income tax, and the Federal Insurance Contributions Act~~((;))~~ have been
1652 deducted must be distributed by the department of human resources to the designated
1653 nonprofit organization or organizations.

1654 SECTION 32. Ordinance 12014, Section 22, as amended, and K.C.C. 3.12.223
1655 are each hereby amended to read as follows:

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1656 A.1. An employee eligible for comprehensive leave benefits may donate a
1657 portion of the employee's accrued vacation leave to another employee eligible for
1658 comprehensive leave benefits to be used for any qualifying reason in accordance with
1659 King County family and medical leave under K.C.C. 3.12.221, or under the federal
1660 ~~((f))Family and ((m))Medical ((l))Leave ((law))~~ Act, 29 U.S.C. Sec. 2601 et seq. Such a
1661 donation may only occur upon written request to and approval of the donating and
1662 receiving employees' department director or directors.

1663 2. The number of hours donated shall not exceed the donor's accrued vacation
1664 leave as of the date of the request. No donation of vacation hours shall be permitted
1665 where it would cause the employee receiving the transfer to exceed that employee's
1666 maximum vacation accrual.

1667 3. ~~((A furloughed employee shall not be eligible to take or be paid for donated
1668 vacation in lieu of taking a furlough day, except as provided in K.C.C. 3.12F.040.~~

1669 4.)) Donated vacation leave hours shall be converted to donated sick leave hours
1670 and remain with the recipient. Donated ~~((vacation))~~ sick leave hours shall be excluded
1671 from the ~~((vacation))~~ sick leave payoff provisions and sick leave restoration provisions
1672 contained in this chapter. Employees do not accrue additional leave hours while utilizing
1673 donated ~~((vacation))~~ sick leave hours.

1674 B.1. An employee eligible for comprehensive leave benefits may donate a portion
1675 of the employee's accrued sick leave to another employee eligible for comprehensive
1676 leave benefits to be used for any qualifying reason in accordance with King County
1677 family and medical leave under K.C.C. 3.12.221, or under the federal ~~((f))Family and~~
1678 ~~((m))Medical ((l))Leave ((law))~~ Act, 29 U.S.C. Sec. 2601 et seq. Such a donation may

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1679 only occur upon written request to and approval of the donating and receiving employees'
1680 department director or directors.

1681 2. No donation of sick leave hours shall be permitted unless the donating
1682 employee's sick leave accrual balance immediately subsequent to the donation is one
1683 hundred hours or more. No employee may donate more than twenty-five hours of the
1684 employee's accrued sick leave in a calendar year.

1685 3. Donated sick leave hours remain with the recipient. Donated sick leave hours
1686 shall be excluded from the sick leave payoff provisions contained in this chapter, and sick
1687 leave restoration provisions contained in this chapter. Employees do not accrue
1688 additional leave hours while utilizing donated sick leave hours.

1689 C.1. Employees receiving donated leave must have exhausted all paid leave
1690 accruals before using donated leave.

1691 2. The leave for which the employee is requesting donations must be for a
1692 prolonged absence. A prolonged absence is three or more consecutive days. An
1693 employee may use donated leave intermittently after the employee's prolonged absence.

1694 D. All donations of vacation and sick leave made under this chapter are strictly
1695 voluntary. Employees shall not ask for anything of value, or offer or receive anything of
1696 value, in exchange for donation of vacation or sick leave hours.

1697 E. All vacation and sick leave hours donated shall be converted to a dollar value
1698 based on the donor's base rate of pay at the time of donation. ~~((Such))~~ The dollar value
1699 shall then be divided by the receiving employee's hourly rate to determine the actual
1700 number of hours received and placed in the receiving employee's donated leave bank.
1701 Vacation leave donated to a furloughed employee, who is designated by a department

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1702 director and confirmed by the director of human resources as eligible to use donated
 1703 leave on a furlough day, is donated on an hour-for-hour basis, without an hourly rate
 1704 conversion.

1705 SECTION 33. Ordinance 13743, Section 1, as amended, and K.C.C. 3.12.224 are
 1706 each hereby amended to read as follows:

1707 Notwithstanding K.C.C. 3.12.190, if an employee dies while engaged within the
 1708 scope of the employee's employment, the executive may implement a process providing a
 1709 one-time opportunity to allow employees eligible for comprehensive leave benefits to
 1710 convert either accrued vacation or ((~~accumulated~~)) compensatory time hours, or both, to
 1711 cash to benefit any children of the deceased employee who are under twenty-three years
 1712 old at the time of the employee's death. This process must conform to the following
 1713 requirements:

1714 A. The executive shall establish a forty-five-day period during which time
 1715 employees may sign a written request, subject to approval by the executive, to convert
 1716 either accrued vacation or ((~~accumulated~~)) compensatory time hours, or both, to cash and
 1717 to authorize a payroll deduction of the cash to benefit the children of the deceased
 1718 employee who are under twenty-three years old at the time of the employee's death. The
 1719 hours must be in full-hour increments, with a minimum of four;

1720 B. The executive shall determine the maximum hours that any employee can
 1721 convert to cash, but the maximum may not be greater than a total of forty by each
 1722 employee;

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1723 C. The value of the hours must be determined based on ~~((the regular hourly rate~~
 1724 ~~of))~~ the employee's base rate of pay in effect at the time the approved conversion request
 1725 is received by the county's payroll office;

1726 D. If employees elect to convert either accrued vacation or accumulated
 1727 compensatory time hours, or both, to cash as set forth in this section, the executive shall
 1728 identify one or more support accounts or programs to which the cash may be paid for the
 1729 benefit of the children. Unless the executive determines that another support account or
 1730 program is more suitable given the circumstances of the children, the executive shall first
 1731 ~~((insure))~~ ensure the establishment of a Washington state college tuition prepaid
 1732 program-guaranteed education tuition (GET) account with the state of Washington
 1733 treasury to benefit the children of the deceased employee. In addition to or in lieu of the
 1734 GET program, the executive may direct that some or all of the cash collected under this
 1735 section be paid to other support accounts or programs that the executive has determined:

1736 1. Are established in the names of the children or their legal guardian for the
 1737 benefit of the children;

1738 2. Are held by a governmental agency, nonprofit organization, bank, trust or
 1739 lawful entity other than an individual;

1740 3. Contain adequate safeguards against theft, diversion, loss or wasting of the
 1741 funds paid under this section; and

1742 4. Restrict the permissible use of funds paid under this section to paying for
 1743 minimal, if any, administrative expenses and providing for the children's reasonable food,
 1744 shelter, and educational expenses; and

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1745 E. The cash resulting from converted accrued vacation or compensatory time
1746 hours, or both, net of all mandatory deductions, including, but not limited to, deductions
1747 for retirement plans, ~~((and))~~ federal income tax, and the Federal Insurance Contributions
1748 Act, must be transmitted to the Washington state college tuition prepaid program-
1749 guaranteed education tuition (GET) account established by the executive, or such other
1750 accounts or programs as may be determined by the executive, under subsection D. of this
1751 section(~~(; and)~~).

1752 SECTION 34. Ordinance 7956, Section 6, as amended, and K.C.C. 3.12.225 are
1753 each hereby amended to read as follows:

1754 A. Division managers shall allow the division's employees who are eligible for
1755 comprehensive leave benefits the use of up to three days of accrued sick leave, not to
1756 include donated sick leave, each calendar year to perform volunteer services at a local
1757 school or at a nonprofit organization on the approved list for the employee giving program.
1758 During a calendar year, an employee may use accrued sick leave for volunteer service for
1759 both school and nonprofit organization participation. The aggregate number of sick leave
1760 days used for those purposes shall not exceed three ~~((days))~~ occasions in a calendar year.

1761 B. ~~((A furloughed employee shall not be eligible to take or be paid for volunteer~~
1762 ~~sick leave in lieu of taking a furlough day.~~

1763 ~~C.))~~ Employees requesting to use accrued sick leave for this purpose shall submit
1764 ~~((such))~~ a request in writing specifying the name of the school or organization and the
1765 nature of the volunteer services to be performed. The employee's supervisor may request in
1766 advance that the employee obtain written proof of the service from the school or
1767 organization.

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1768 SECTION 35. Ordinance 19563, Section 7, as amended, and K.C.C. 3.12.227 are
 1769 each hereby amended to read as follows:

1770 A. There is hereby created a King County emergency medical leave donation
 1771 program, which shall be activated or deactivated at the director's discretion based on the
 1772 county's current need for such a program.

1773 B. Emergency medical leave donations may only occur upon the employee's
 1774 request to the department of human resources with written approval of the donating and
 1775 receiving employees' department director or directors.

1776 C.1. An employee eligible for comprehensive leave benefits may donate a portion
 1777 of the employee's accrued vacation or sick leave hours to the emergency medical leave
 1778 program.

1779 2. An employee is limited to donating no more than eighty hours of vacation
 1780 leave to the program per calendar year unless the employee's department director approves
 1781 a greater amount. The number of donated hours shall not exceed the donor's accrued
 1782 vacation leave as of the date of the request.

1783 3. An employee is limited to donating no more than twenty-five hours of sick
 1784 leave to the program per calendar year. A donation of sick leave hours shall not be
 1785 permitted unless the donating employee's sick leave accrual balance immediately
 1786 subsequent to the donation is one hundred hours or more.

1787 4. All vacation and sick leave hours donated shall be converted to a dollar value
 1788 based on the donor's base rate of pay at the time of donation and transferred to the
 1789 emergency medical leave program.

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1790 D.1. Donated hours shall be distributed by the department of human resources on a
1791 first come first serve basis and shall only be awarded prospectively.

1792 2. The maximum donation that an employee eligible for comprehensive leave
1793 benefits may receive is eighty hours per calendar year, prorated to reflect the employee's
1794 normally scheduled work week.

1795 3. The number of donated hours distributed to the receiving employee and the
1796 receiving employee's base rate of pay shall determine the dollar value to withdraw from the
1797 emergency medical leave program.

1798 4. The receiving employee may only use emergency medical leave for a
1799 qualifying reason in accordance with King County family and medical leave under K.C.C.
1800 3.12.221, or under the federal ((f))Family and ((m))Medical ((l))Leave ((law)) Act, 29
1801 U.S.C. Sec. 2601 et seq.

1802 5. The leave for which the employee is requesting donations must be for a
1803 prolonged absence. "A prolonged absence" means three or more consecutive days. An
1804 employee may use donated leave intermittently after the employee's prolonged absence.

1805 6. The receiving employee must have exhausted all of the employee's paid leave
1806 accruals prior to utilizing emergency medical leave hours.

1807 7. Donated leave hours shall be excluded from the vacation and sick leave payoff
1808 provisions in this chapter.

1809 8. Employees do not accrue additional leave hours while utilizing emergency
1810 medical leave donated hours.

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1811 9. If donated hours are not utilized by the donee within sixty calendar days of
1812 being awarded, the hours shall be returned to the emergency medical leave program and do
1813 not revert to the donor.

1814 SECTION 36. Ordinance 12014, Section 23, as amended, and K.C.C. 3.12.230
1815 are each hereby amended to read as follows:

1816 A. All employees eligible for comprehensive leave benefits shall be granted the
1817 following designated holidays with pay:

- 1818 1. January 1, New Year's Day;
- 1819 2. Third Monday in January, Martin Luther King, Jr. Day;
- 1820 3. Third Monday in February, President's Day;
- 1821 4. Last Monday in May, Memorial Day;
- 1822 5. June 19, Juneteenth;
- 1823 6. July 4, Independence Day;
- 1824 7. First Monday in September, Labor Day;
- 1825 8. Second Monday in October, Indigenous Peoples' Day;
- 1826 9. November 11, Veterans Day;
- 1827 10. Fourth Thursday in November, Thanksgiving Day;
- 1828 11. Friday after Thanksgiving, Day after Thanksgiving;
- 1829 12. December 25, Christmas Day; and
- 1830 13. Two personal holidays, for employees who are employed on February 1,
1831 which shall be added to the employee's vacation bank on the paycheck that includes
1832 February 1. New employees eligible for comprehensive leave benefits hired between
1833 February 2 and November 15 shall be awarded two personal holidays upon hire. New

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1834 employees eligible for comprehensive leave benefits hired after November 15 shall not
1835 receive two personal holidays for that calendar year.

1836 B. For holidays falling on a Saturday, the Friday before shall be a paid holiday.
1837 For holidays falling on a Sunday, the Monday following shall be a paid holiday.

1838 C. An employee must be eligible for comprehensive leave benefits and in a pay
1839 status on the day before and the day following a holiday to be eligible for holiday pay.
1840 However, an employee who has successfully completed at least five years of county service
1841 and who retires at the end of a month in which the last regularly scheduled working day is
1842 observed as a holiday, shall be eligible for holiday pay if the employee is in a pay status the
1843 day before the day observed as a holiday. An employee otherwise eligible for holiday pay
1844 shall not be ineligible as a result of not being in a pay status on the day before or after the
1845 holiday due to budgetary furlough or for taking an unpaid holiday for religious purposes.

1846 D. When a holiday falls on the scheduled day off of a full time employee entitled
1847 to comprehensive leave benefits who works other than a five-day, eight-hour schedule, the
1848 employee shall be given a deferred holiday. The employee and the employee's supervisor
1849 shall jointly select another day, preferably within the same pay period, for the employee to
1850 take as holiday. Deferred holidays for a part-time hourly employee eligible for
1851 comprehensive leave benefits shall be prorated to the employee's schedule.

1852 SECTION 37. Ordinance 12077, Section 5, as amended, and K.C.C. 3.12.240 are
1853 each hereby amended to read as follows:

1854 A. An employee eligible for comprehensive leave benefits who is ordered on a jury
1855 shall be entitled to the employee's regular county pay but only if any fees received for jury
1856 duty are rejected by the employee when the employee is called to jury service or deposited,

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1857 exclusive of mileage, with the finance and business operations division of the department
1858 of executive services.

1859 B. An employee who is not eligible for comprehensive leave benefits shall be
1860 released, unpaid, from work duties for the duration of the employee's jury duty, and may
1861 retain any fees paid for jury service.

1862 C. ~~((A furloughed employee shall not be eligible to take or be paid for jury duty
1863 leave in lieu of taking a furlough day.~~

1864 ~~D.))~~ Employees shall report to their work supervisor when dismissed from jury
1865 service.

1866 SECTION 38. Ordinance 12014, Section 24, as amended, and K.C.C. 3.12.247
1867 are hereby repealed.

1868 SECTION 39. Ordinance 12014, Section 25, as amended, and K.C.C. 3.12.250
1869 are each hereby amended to read as follows:

1870 A. An employee eligible for comprehensive leave benefits may take a leave of
1871 absence without pay for thirty calendar days or less if authorized in writing by the
1872 employee's division manager.

1873 B. An employee eligible for comprehensive leave benefits may take a leave of
1874 absence without pay for more than thirty calendar days for nonmedical reasons if
1875 authorized in writing by the employee's division manager.

1876 C. An employee eligible for comprehensive leave benefits may take a leave of
1877 absence without pay for more than thirty days for medical reasons if authorized in writing
1878 by the director.

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1879 D. An employee lawfully using Washington paid family and medical leave,
1880 including providing King County appropriate notice, does not need to request approval for
1881 the employee's unpaid leave of absence from King County.

1882 E. Leaves of absence without pay shall ~~((be for periods))~~ not ~~((to))~~ exceed one year
1883 except that the director may, in special circumstances, grant an extension beyond one year.

1884 ~~((E.))~~ F. Other employee benefits as provided in this chapter shall not be provided
1885 to or accrue to the employee while on leave of absence without pay, except as provided in
1886 K.C.C. 3.12.220 or K.C.C. 3.12.040.

1887 ~~((F.))~~ G. If a leave of absence without pay was granted for purposes of recovering
1888 health, the employee shall be required to submit a physician's statement concerning the
1889 employee's ability to resume duties prior to return to work.

1890 ~~((G.))~~ H. An employee on leave of absence without pay may return from the leave
1891 before its expiration date if the employee provides the division manager with a written
1892 request to that effect at least fifteen days prior to resuming duties.

1893 ~~((H.))~~ I. Failure to return to work by the expiration date of a leave of absence
1894 without pay shall be cause for removal and shall result in ~~((automatic))~~ termination of the
1895 employee from county service.

1896 ~~((I.))~~ J. A leave of absence without pay may be revoked by the employee's
1897 division manager or the director upon evidence submitted to the director by the division
1898 manager of the employee indicating that such leave was requested and granted under false
1899 pretenses, or that the need for such leave has ceased to exist.

1900 SECTION 40. Ordinance 12014, Section 26, as amended, and K.C.C. 3.12.260
1901 are each hereby amended to read as follows:

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1902 A.1. A leave of absence shall be granted, in accordance with applicable provisions
1903 of state or federal law, to any employee who voluntarily or upon demand by ~~((the))~~
1904 Washington state or the United States government leaves the employee's position with the
1905 county, either to determine the employee's physical fitness to enter or to actually enter
1906 active duty or training in the United States Uniformed Services, which includes, but is not
1907 limited to, the Armed Services and their reserve components, the Washington National
1908 Guard and the United States Public Health Service Commissioned Corps and its reserve.
1909 Under the Uniform Services Employment and Reemployment Rights Act of 1994, 38
1910 U.S.C. Secs. 4301 through 4335, Uniformed Services may also include an appointee when
1911 the National Disaster Medical System is activated.

1912 2. The leave of absence shall continue until the employee has exhausted the
1913 employee's employment and reemployment rights under the Uniform Services
1914 Employment and Reemployment Rights Act of 1994, 38 U.S.C. Secs. 4301 through 4335,
1915 which is generally up to five years, subject to certain exceptions provided under federal
1916 law.

1917 B. Employees are required to give their employing county agency advance notice
1918 of the need for military leave, preferably in writing, though oral notification is sufficient.
1919 Notice should be provided as soon as is reasonable under the circumstances, and, if feasible
1920 to do so, service members should provide thirty days advance notice; however, advance
1921 notice is not required if prevented by military necessity or otherwise impossible or
1922 unreasonable under the circumstances, to the extent provided in federal law and
1923 regulations. Written notice should be accompanied by a validated copy of the military

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1924 orders. Oral notice should be supplemented as soon as is reasonable with a validated copy
1925 of the military orders.

1926 C. An employee who is eligible for comprehensive leave benefits under K.C.C.
1927 3.12.040 and volunteers or is ordered to serve in the United States Uniformed Services, as
1928 described in subsection A.1. of this section, or to receive associated training that requires a
1929 leave of absence from the employee's county position, and has exhausted annual military
1930 leave provided pursuant to state and federal law or a collective bargaining agreement, shall
1931 be granted a paid leave of absence from the employee's county position at the employee's
1932 ~~((regular))~~ county base rate of ~~((county))~~ pay less the amount of the employee's regular
1933 base rate of military pay to which the employee is entitled. The paid leave of absence shall
1934 continue until the lesser of the conclusion of the employee's service in the United States
1935 Uniformed Services, or until the employee has exhausted the employee's employment and
1936 reemployment rights under the Uniform Services Employment and Reemployment Rights
1937 Act of 1994, 38 U.S.C. Secs. 4301 through 4335, which is generally up to five years,
1938 subject to certain exceptions provided under federal law.

1939 D. Receipt of the pay provided for in the preceding section is contingent upon the
1940 employee providing the employing county agency with supporting documentation
1941 verifying:

- 1942 1. The employee's rank;
- 1943 2. That the employee is on active duty; and
- 1944 3. The employee's military pay grade statement and military pay grade change
1945 statement.

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1946 E. The employee is required to notify the employee's employing county department
 1947 whenever there is a change to the employee's military rank or pay grade.

1948 SECTION 41. Ordinance 9967, Section 2, as amended, and K.C.C. 3.12.262 are
 1949 each hereby amended to read as follows:

1950 A. An employee who is eligible for comprehensive leave benefits under K.C.C.
 1951 3.12.040 and who volunteers or is ordered to serve in the United States Uniformed
 1952 Services, as described in K.C.C. 3.12.260.A.1., or to receive associated training that
 1953 requires a leave of absence from the employee's county position, shall continue to receive
 1954 medical, dental, vision, and life insurance benefits, and shall continue to accrue vacation
 1955 and sick leave. Receipt of medical, dental, vision, and life insurance benefits, and vacation
 1956 and sick leave accruals shall continue until the lesser of the conclusion of the employee's
 1957 service in the United States Uniformed Services, or until the employee has exhausted the
 1958 employee's employment and reemployment rights under the Uniform Services
 1959 Employment and Reemployment Rights Act of 1994, 38 U.S.C. Secs. 4301 through 4335,
 1960 which is generally up to five years, subject to certain exceptions provided under federal
 1961 law.

1962 B. Receipt of medical, dental, vision, and life insurance benefits, and leave accruals
 1963 is contingent upon the employee providing the employing county agency with supporting
 1964 documentation verifying that the employee is in service. The documentation shall be
 1965 provided by the employee upon commencing military leave, annually in September and
 1966 upon leaving military service.

1967 SECTION 42. Ordinance 12014, Section 27, as amended, and K.C.C. 3.12.270
 1968 are each hereby amended to read as follows:

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1969 A. A career service employee may be disciplined by the appointing authority for
 1970 any of the following ~~((causes))~~ reasons, or for any other ~~((justifiable))~~ just cause:

1971 1. Dishonesty, including but not limited to dishonesty in securing appointment;
 1972 2. Harassment, discrimination, inappropriate conduct, or retaliation in violation
 1973 of federal, state, or local laws, or county policy;

1974 3. Failing to be respectful of coworkers or the public;

1975 4. Incompetency;
 1976 ~~((3-))~~ 5. Inefficiency;
 1977 ~~((4-))~~ 6. Unauthorized absence, including patterns of continual tardiness;
 1978 7. Inaccurate or fraudulent timekeeping;

1979 ~~((5-))~~ 8. Neglect of duty;
 1980 ~~((6-))~~ 9. Insubordination;
 1981 ~~((7- Consumption of alcoholic beverages or use of illegal drugs while on duty~~
 1982 ~~during the workday))~~ 10. Drug or alcohol use or possession in violation of county policy;

1983 11. Use of county time, equipment, or facilities for private gain or other
 1984 noncounty purpose;

1985 12. Committing an act of workplace violence, including but not limited to
 1986 verbal assault, threatening behavior, or physical assault;

1987 13. Wearing, transporting or storing firearms or other dangerous weapons
 1988 within county buildings or facilities, in a county vehicle, or on their person while on
 1989 county business, except as authorized by county policy;

1990 ~~((8-))~~ 14. Conviction of a crime;
 1991 ~~((9-))~~ 15. Disorderly conduct while on duty;

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1992 ~~((10-))~~ 16. Negligent, reckless, or knowing damage to or waste of public
1993 property;
1994 17. Theft of county property;
1995 ~~((11-))~~ 18. Violation of any of the provisions of applicable federal or state law
1996 relating to political activities;
1997 ~~((12-))~~ 19. Negligent, reckless, or knowing violation of any of the provisions of
1998 the personnel guidelines; or
1999 ~~((13-))~~ 20. Violation of any lawful order, directive, or policy, ~~((of a superior,~~
2000 ~~including but not limited to the executive, department directors, and division managers,))~~
2001 or a violation of the employee code of ethics, K.C.C. chapter 3.04.
2002 B. Prior to the disposition of any suspension or discharge, a career service
2003 employee shall be advised of the employee's right to seek assistance through the county's
2004 employee assistance program as described in the personnel guidelines.
2005 C. Disciplinary action shall be the primary responsibility of the appointing
2006 authority and may include, but is not limited to, reduction in rank or pay, suspension
2007 without pay, ~~((and/))~~ or discharge of the employee from county employment, or a
2008 combination thereof. The appointing authority shall consult with the director prior to the
2009 discharge of any career service or exempt employee.
2010 D. In any disciplinary action against a career service employee, pertinent
2011 information shall be reduced to written form by the appointing authority and a copy
2012 provided to the employee ~~((and to the director))~~. Such written notice shall state the
2013 following:
2014 1. The reason for discipline;

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2015 2. The facts supporting the discipline;

2016 3. The form of discipline to be imposed;

2017 4. The effective date of the discipline;

2018 5. ~~((Unless otherwise provided in an applicable collective bargaining agreement,~~

2019 ~~€))~~The right of the employee to appeal the following disciplinary action to the personnel

2020 board:

2021 a. Suspension of more than sixty days;

2022 b. Reduction in rank or pay; or

2023 c. Discharge;

2024 6. ~~((Unless otherwise provided in an applicable collective bargaining agreement,~~

2025 ~~€))~~The right of the employee to appeal any disciplinary action to appropriate authorities

2026 through the initiation of grievance procedures, as authorized by or approved under this

2027 chapter.

2028 E. Written notice of the discipline shall be delivered to the career service

2029 employee, emailed to the employee's work or home address, mailed to the employee, or

2030 mailed to the employee's last known address by certified mail, return receipt requested.

2031 An employee shall be deemed notified of the disciplinary action on the date the notice

2032 was ~~((delivered))~~ sent to the employee ~~((or the date on the return receipt, as applicable))~~.

2033 SECTION 43. Ordinance 12014, Section 28, and K.C.C. 3.12.280 are each

2034 hereby amended to read as follows:

2035 A. The county recognizes the importance and desirability of settling grievances

2036 of career service employees promptly and fairly in the interest of continued good

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employee relations and morale. To accomplish this, every effort ~~((will))~~ shall be made to settle grievances at the lowest possible level of supervision.

B. Employees shall be unimpeded and free from restraint, interference, coercion, discrimination, or reprisal in seeking adjudication of their grievances.

C. Appropriate grievance procedures designed to accomplish the intent of this section shall be developed and incorporated by the director into the personnel guidelines authorized by this chapter. Such grievance procedures shall apply to career service employees only.

SECTION 44. Ordinance 12014, Section 29, as amended, and K.C.C. 3.12.290 are each hereby amended to read as follows:

A. In the case of an appeal by a career service employee to the board following completion of the grievance appeal process outlined in the personnel guidelines, written notice of appeal shall be filed by the employee with the chair of the board and the director ~~((within thirty calendar days of the employee having been notified of the disciplinary action as provided for by this chapter or))~~ within ~~((ten))~~ thirty calendar days of completion of the grievance or appeal process ~~((contained in this chapter or any applicable collective bargaining agreement. For appeals not involving disciplinary action, the applicable period shall be fourteen calendar days from the action from which the appeal is taken, or fourteen calendar days from the time the employee should reasonably have known of the action, whichever is longer))~~. The written notice of appeal shall contain a statement of the following:

1. The action or alleged action from which the appeal is taken;
2. The grounds for appeal; and

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2060 3. The relief requested.

2061 The board may only hear appeals which are within its jurisdiction, as set forth by
2062 Section 540 of the charter.

2063 B. All decisions of the personnel board shall be final unless appealed to a court of
2064 competent jurisdiction within fourteen calendar days of the board's decision.

2065 C. ~~((The personnel board or the court shall award a career service employee~~
2066 ~~reasonable attorney's fees incurred in any appeal in which the employee is the prevailing~~
2067 ~~party, provided, that the employee shall be considered the prevailing party only where the~~
2068 ~~county has a written settlement offer in effect thirty calendar days prior to the hearing of~~
2069 ~~the personnel board or court and the award obtained by the employee exceeds the~~
2070 ~~terms of that settlement offer; provided further, that such reasonable attorney's fees shall~~
2071 ~~not exceed the actual fees paid by the employee.~~

2072 ~~D.))~~ Upon request, the director shall provide the council with a status report of
2073 appeals filed with the personnel board.

2074 SECTION 45. Ordinance 12014, Section 30, as amended, and K.C.C. 3.12.300
2075 are each hereby amended to read as follows:

2076 In the event of a reduction in force due to lack of work, lack of funds, or
2077 considerations of efficiency, layoffs shall be conducted at a department, division, or
2078 section level. The order of layoff shall be conducted by ~~((class))~~ classification on the
2079 basis of merit. Where two or more career service employees within a class are of equal
2080 merit, county seniority shall determine the order of layoff as between those employees.
2081 Where there is an applicable collective bargaining agreement, the order of layoff shall be
2082 determined by the collective bargaining agreement. In lieu of laying off a career service

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employee, the director may reassign the employee to a comparable, vacant position, when the director determines the reassignment to be in the best interests of the county.

SECTION 46. Ordinance 4324, Section 9, and K.C.C. 3.12.310 are each hereby amended to read as follows:

The tenure of each employee shall be subject to the rendering of efficient service. Career service employees may be removed ~~((only))~~ for just cause, as specified by this chapter~~((; provided, that such))~~, although the just cause need not be demonstrated where an employee is retired or is laid off in accordance with ~~((the provisions of))~~ this chapter. Career service ~~((E))~~ exempt employees serve at the pleasure of the appointing authority. Nothing in this section shall derogate from the county's power to abolish positions and lay off employees because of lack of work, lack of funds, or considerations of efficiency.

SECTION 47. Ordinance 4324, Section 33, as amended, and K.C.C. 3.12.320 are hereby repealed.

SECTION 48. Ordinance 12014, Section 31, as amended, and K.C.C. 3.12.330 are each hereby amended to read as follows:

The executive shall be responsible for the administration of the county personnel system in accordance with the policies and standards established by this chapter, which shall constitute the personnel rules of the county. The director as the executive's designee shall be responsible to administer the personnel system ~~((and directly related affairs of the county to include collective bargaining; provided, that such a role will not infringe on the authority of the county administrative officer to exercise supervisory authority on those matters not directly relating to the formal administration of the county's personnel system; provided further, that the equal employment officer and program, to include the~~

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2106 affirmative action program, shall be directly responsible to the county administrative
 2107 officer in all applicable affairs in which there has not been a formally defined
 2108 relationship, by virtue of council action or personnel guideline, between said office and
 2109 the director)).

2110 SECTION 49. Ordinance 12498, Sections 1, 4-7, and K.C.C. 3.12.335 are each
 2111 hereby amended to read as follows:

2112 A. It is the policy of King County to provide paid opportunities ((for paid,
 2113 competitive employment)) for individuals with developmental disabilities, as defined in
 2114 this chapter, in integrated work settings. The executive shall seek the cooperation,
 2115 assistance, and participation of all county departments in the successful implementation
 2116 of this policy.

2117 B. Persons with developmental disabilities as defined in RCW
 2118 71A.10.020(((5)))(6), as amended, shall be eligible for supported employment pursuant to
 2119 this section.

2120 C. The department of human resources, or its successor agency, is designated as
 2121 the lead agency responsible for the management of the supported employment program,
 2122 with technical support provided by the developmental disabilities and early childhood
 2123 supports division of the department of community and human services, or its successor
 2124 agency.

2125 ((D. The executive is authorized to adopt administrative rules to implement this
 2126 section pursuant to K.C.C. 3.12.350.))

2127 SECTION 50. Ordinance 4324, Section 4, and K.C.C. 3.12.340 are hereby
 2128 repealed.

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2129 SECTION 51. Ordinance 12014, Section 32, as amended, and K.C.C. 3.12.350
 2130 are each hereby amended to read as follows:

2131 A. The director (~~((shall))~~) may adopt personnel guidelines for the purpose of
 2132 implementing the directives, policies, and standards contained in this chapter and in
 2133 Article 5 of the charter.

2134 (~~((Such personnel guidelines shall be subject to approval by the executive. Before
 2135 adoption, amendment or repeal of any guideline, the department shall give at least forty-
 2136 five days' notice of its intended action by filing notice with the clerk of the council and
 2137 mailing notice of the intended action to each member of the council, each department
 2138 director and agency head, each collective bargaining unit that has a collective bargaining
 2139 agreement with the county, the chief of staff of the council and the council policy staff
 2140 director, or their successors.))~~ After adoption, amendment, or repeal of ~~((the))~~ any
 2141 guideline, the department shall post ~~((all))~~ the updated guidelines to the Internet, and the
 2142 department will notify each department and the office of labor relations may notify the
 2143 collective bargaining units.

2144 B. The personnel guidelines (~~((shall))~~) may include, but not be limited to, the
 2145 following subjects:

- 2146 1. Purpose, objectives and intent;
- 2147 2. Definitions;
- 2148 3. Preemployment administration:
 - 2149 a. role of the director and the department;
 - 2150 b. recruitment procedures;
 - 2151 c. application procedures;

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- 2152 d. examinations;
 - 2153 e. employment lists;
 - 2154 f. ~~((certification;~~
 - 2155 ~~g.))~~ appointment; and
 - 2156 ~~((h.))~~ g. process requirements of equal employment opportunity;
 - 2157 4. Postemployment administration:
 - 2158 a. role of the department of human resources;
 - 2159 b. probationary periods;
 - 2160 c. classification system;
 - 2161 d. employee performance evaluation;
 - 2162 e. disciplinary procedures;
 - 2163 f. separation, including reductions in force;
 - 2164 g. employee relations; and
 - 2165 h. process requirements of equal employment opportunity;
 - 2166 5. Special duty;
 - 2167 6. Grievance and appeals procedures:
 - 2168 a. role of the department of human resources and other departments, including
 - 2169 relationship and processes of the equal employment program;
 - 2170 b. role of the director;
 - 2171 c. grievance procedures;
 - 2172 d. appeals procedures; and
 - 2173 e. role of the personnel board;
 - 2174 7. Conditions of employment;
-

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- 2175 8. Employee benefits;
- 2176 9. Procedures for leaves of absence; and
- 2177 10. Procedures for salary and administration.

2178 SECTION 52. Ordinance 12014, Section 33, and K.C.C. 3.12.360 are each

2179 hereby amended to read as follows:

2180 A. When a collective bargaining agreement establishes a condition of employment,

2181 benefit, or procedure (~~((which conflicts))~~) that differs with a condition, benefit, or procedure

2182 established by this chapter (~~((or otherwise by ordinance))~~), the collective bargaining

2183 agreement shall take precedence with respect to those employees covered by the

2184 agreement, so long as the following conditions are met:

2185 ~~((A.))~~ 1. The condition of employment, benefit, or procedure created by the

2186 agreement is lawful; and

2187 ~~((B.))~~ 2. The agreement has been adopted by the council by ordinance.

2188 B. Adoption of the agreement by ordinance shall be deemed an amendment of this

2189 chapter only with respect to the affected employees and subject condition, benefit, or

2190 procedure.

2191 SECTION 53. Ordinance 9498, Section 14, and K.C.C. 3.12.365 are hereby

2192 repealed.

2193 SECTION 54. Ordinance 16640, Section 3, as amended, and K.C.C. 3.12.400 are

2194 each hereby amended to read as follows:

2195 A. It is the policy of the county to support the endeavors of volunteers for the

2196 county in a manner that benefits the community (~~((and))~~), is in the best interest of the county,

2197 and provides scope of work direction to its volunteers.

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2198 B. Volunteers for the county are expected to act within the scope of assigned
2199 volunteer work responsibilities. Volunteers for the county are authorized agents of the
2200 county only when acting within the scope of their assigned volunteer work responsibilities.
2201 Volunteers for the county are entitled to defense and indemnification as provided in K.C.C.
2202 chapter 2.21.

2203 C. Volunteers for the county shall be administered as follows:

2204 1. A county employee may be a volunteer for the county only if the service as a
2205 volunteer for the county is not the same type of services that the employee is employed to
2206 perform for the county;

2207 2. A volunteer for the county may be asked by an agency to enter into a volunteer
2208 agreement, waiver, or other type of liability mitigation protection agreement;

2209 3. The county retains the sole right to accept, decline, or terminate the services of
2210 a volunteer for the county for any reason. A volunteer for the county is expected to comply
2211 with all federal, state, and local laws and to adhere to all county policies and procedures
2212 related to workplace conduct and use of county resources, including all those applicable to
2213 the specific department, division, section, and ~~((work place))~~ workplace that oversees their
2214 volunteer work. If the volunteer for the county violates any law, county policy or
2215 procedure, or any workplace expectation, including those related to workplace conduct or
2216 the use of county resources, the county, at its sole discretion, may impose corrective
2217 measures upon the volunteer for the county. Such corrective measures may include, but
2218 not be limited to, verbal counseling in an effort to achieve acceptable compliance, up to and
2219 including, dismissal of the volunteer for the county. Progressive measures are not required
2220 and there shall be no formal right of appeal for any corrective action taken by the county.

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2221 The services of a volunteer for the county may be terminated at any time by either the
2222 volunteer for the county or by the county for any reason without cause or notice;

2223 4. The use of county resources and property by a volunteer for the county is
2224 limited to the conduct appropriately required to deliver the volunteer services within the
2225 scope of work identified for the volunteer and uses that are available to the general public
2226 as provided in K.C.C. 3.04.020;

2227 5. For each program that uses volunteers for the county, departments shall
2228 develop a code of conduct. The department shall provide volunteers for the county with a
2229 copy of the relevant code of conduct or post the code of conduct in an area where
2230 volunteers report for work. Codes of conduct shall include the principles of behaving with
2231 respect toward other volunteers for the county, behaving with respect toward members of
2232 the public, behaving with respect toward county employees and behaving with respect for
2233 individuals, animals or property that are the focus of the program using volunteers for the
2234 county. Individuals who violate the code of conduct shall be subject to the corrective
2235 measures in subsection C.3. of this section; and

2236 6. The departments, in consultation with the director of the department of human
2237 resources, shall be responsible for the administration of volunteer programs and the
2238 management of volunteers for the county in accordance with the policies and standards
2239 established by this chapter.

2240 SECTION 55. Ordinance 12943, Section 13, and K.C.C. 3.12A.010 are each
2241 hereby amended to read as follows:

2242 The council finds that both operational efficiency and fair and equitable
2243 employment practices are advanced by the use of regular, career service employees where

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2244 appropriate. Therefore, it is the policy of King County to have ongoing, relatively stable,
 2245 and predictable bodies of work necessary to the provision of services to the public
 2246 performed by career service employees, and to minimize its use of part-time and temporary
 2247 employees. This is not meant to limit the number of employees employed in part-time
 2248 regular positions or to contract out work in appropriate situations. To achieve that goal, the
 2249 council hereby adopts the procedures set forth in this chapter.

2250 SECTION 56. Ordinance 12943, Section 14, as amended, and K.C.C. 3.12A.020
 2251 are each hereby amended to read as follows:

2252 The definitions set forth in K.C.C. chapter 3.12 are hereby incorporated in this
 2253 chapter. Words not defined in K.C.C. chapter 3.12 or in this chapter shall have their
 2254 ordinary and usual meanings. In the event of conflict, the specific definitions set forth in
 2255 this chapter shall presumptively, but not conclusively, prevail.

2256 A. "Committee" means the career service review committee, which shall consist
 2257 of:

2258 1. The following three permanent members:

2259 a. the county executive or designee;

2260 b. the chief officer of the office of performance, strategy, and budget or

2261 successor organizational unit or designee; and

2262 c. the director of the department of human resources or successor organizational

2263 unit or designee; and

2264 2. One member representing the department whose body of work or employees

2265 are then under review.

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2266 SECTION 57. Ordinance 12943, Section 15, and K.C.C. 3.12A.030 are each
2267 hereby amended to read as follows:

2268 The executive shall conduct an annual review as described herein. By March 1 of
2269 each year, ~~((beginning March 1, 1999,))~~ each executive department and administrative
2270 office shall prepare and submit to the committee a comprehensive report documenting its
2271 use of part-time and temporary employees, other than probationary and provisional
2272 employees, in the preceding calendar year.

2273 Within ~~((60))~~ sixty days of submission of the ~~((above))~~ reports required under this
2274 section, the committee shall make a factual determination as to whether an ongoing,
2275 relatively stable, and predictable body of work on an annualized basis has been identified.
2276 If the committee determines that such a body of work exists, the committee may
2277 recommend: (1) the creation of any new part-time or full-time regular career service
2278 position(s); or (2) the filling of an existing vacant career service position in which the
2279 work is being performed by a temporary or part-time employee(s); or (3) the creation of a
2280 term-limited temporary employee position; or (4) the cessation of the work. If the
2281 committee identifies such a body of work, but the committee does not make any of the
2282 recommendations described ~~((above))~~ in this section, the department must discontinue the
2283 use of part-time or temporary employees to perform that work. If the committee
2284 recommends creation of a regular career service position, but the executive does not
2285 recommend or the council does not create such a position, the department shall discontinue
2286 performance of the pertinent body of work by temporary or part-time employees.

2287 Any regular career service position created as a result of this process ~~((will))~~ shall
2288 be filled by a competitive hiring process.

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2289 The reports of each department and of the committee and the records of ~~((their))~~ the
2290 committee's proceedings shall be considered disclosable public records and shall also be
2291 made available to the council upon request.

2292 SECTION 58. Ordinance 12943, Section 16, and K.C.C. 3.12A.040 are each
2293 hereby amended to read as follows:

2294 Part-time and temporary employees, other than probationary, provisional, and term-
2295 limited temporary employees, who exceed the calendar year working hour thresholds set
2296 forth in the definitions contained in K.C.C. chapter 3.12 shall receive pay in lieu of benefits
2297 as provided in K.C.C. chapter 3.12. ~~((Provided, that))~~ However, exceeding the threshold
2298 hours does not confer career service status on any employee.

2299 SECTION 59. Ordinance 12943, Section 17, as amended, and K.C.C. 3.12A.050
2300 are each hereby amended to read as follows:

2301 A.1. Part-time and temporary employees, other than probationary and provisional
2302 employees, who exceed the ~~((calendar-year))~~ working-hour thresholds set forth in the
2303 definitions contained in K.C.C. chapter 3.12 may seek conversion of a body of work ~~((in~~
2304 ~~which))~~ they perform into a part-time or full-time regular career service position by appeal
2305 to the committee. Conversion decisions shall be based on whether the work performed by
2306 the employee is an ongoing, relatively stable, and predictable body of work that is half time
2307 or more, even though the work was not perceived as such previously, and whether it should
2308 be performed by a regular part-time or full-time career service employee. The committee
2309 shall also decide, if the body of work does not warrant a career service position, whether
2310 the position should be converted to a term-limited temporary employee position. The
2311 committee shall determine whether the work performed by the employee shall:

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2312 ~~((1.))~~ a. ~~((R))~~ remain outside career service as part-time or temporary;

2313 ~~((2.))~~ b. ~~((B))~~ be converted to a term-limited temporary employee position that

2314 receives benefits; or

2315 ~~((3.))~~ c. ~~((B))~~ be converted to a part-time or full-time regular career service

2316 position.

2317 B. The committee shall make its determination within forty-five days of the

2318 employee's request. In the event of a tie vote by the committee, where half the committee

2319 finds that the body of work should be converted, the appeal shall be deemed to have

2320 prevailed. The committee shall make a recommendation to the executive for

2321 recommendation to the council. The executive's recommendation shall be submitted to the

2322 council if the executive decides the body of work should be performed by a career service

2323 employee and that further position authority is required. If the council does not approve the

2324 additional position, the work shall promptly be discontinued and not performed by

2325 temporary or part-time employees.

2326 If the committee finds that the work performed by the employee should remain

2327 part-time or temporary, the employee may appeal within ten days from the date of receipt

2328 of the committee's finding by filing a notice of appeal with the committee. The committee

2329 shall direct the appeal to be considered by a hearing examiner of the county or, at its

2330 option, the committee may direct the appeal be considered by an independent, neutral

2331 arbitrator who ~~((will))~~ shall make a final determination. The arbitrator shall be chosen by

2332 the director and the appellant, and shall be paid by the employing department or

2333 administrative office.

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2334 The hearing examiner's or arbitrator's decision shall be limited to either upholding
2335 the committee's finding or overturning the committee's finding. The decision shall be
2336 based on whether the work performed by the employee is an ongoing, relatively stable, and
2337 predictable body of work and is half-time or more, under the same standards applicable to
2338 the committee, or on whether the work meets the definition of term-limited temporary
2339 position. Employees covered by a grievance procedure contained in a collective bargaining
2340 agreement may elect either to use the grievance procedure, if the applicable collective
2341 bargaining agreement permits it, or to use the appeal procedure described above, but not
2342 both procedures.

2343 If the hearing examiner or arbitrator overturns the committee's findings, any new
2344 career service or term-limited temporary position must be absorbed by the department
2345 within its authorized position level, or within funds available for term-limited temporary
2346 position work, provided that the department may request additional position or budget
2347 authority. The appealing employee (~~((will))~~) shall be placed in the career service position as
2348 a provisional appointee, with insured benefits and comprehensive leave benefits, until a
2349 competitive hiring process, which substantially takes into account and weighs the
2350 experience of the employee performing the tasks of the position, is completed. If the
2351 appealing employee is selected for the position, the employee's start date (~~((will))~~) shall be
2352 the date of the provisional appointment for all purposes, including seniority and/or a
2353 probationary period, except that those employees covered by a collective bargaining
2354 agreement the date of the appointment shall be determined in accordance with the
2355 collective bargaining agreement or by the collective bargaining process. If the employee is
2356 placed in a term-limited temporary position, the employee's start date (~~((will))~~) shall be the

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2357 date of the employee's appointment to the term-limited temporary position for all purposes,
 2358 except for those employees covered by collective bargaining agreements, whose start date
 2359 ~~((will))~~ shall be determined by the collective bargaining agreement or by the collective
 2360 bargaining agreement process.

2361 ~~((B.))~~ C. Appeal Procedure ~~((F))~~ for Term-Limited Temporary Employees. A term-
 2362 limited temporary employee who exceeds the employee's term may appeal to the
 2363 committee to have the body of work converted to a career service position. The committee
 2364 shall decide whether the body of work still warrants a term-limited temporary position
 2365 designation or should be converted to a career service position. If a majority of the
 2366 committee finds that the body of work should continue as a term-limited temporary
 2367 position, the employee may appeal within ten days from the date of receipt of the
 2368 committee's finding by filing a notice of appeal with the committee. In the event of a tie
 2369 vote, the appeal shall be deemed to prevail. The appeal process shall be the same as for
 2370 part-time and temporary employees ~~((F))~~, other than probationary and provisional
 2371 employees~~((, provided,))~~; however, if the employee prevails in the appeal, the employee
 2372 shall be placed in a career service position, not a provisional appointment, and the
 2373 employee shall not be required to serve a probationary period.

2374 SECTION 60. Ordinance 12943, Section 18, and K.C.C. 3.12A.060 are each
 2375 hereby amended to read as follows:

2376 Nothing in this chapter shall restrict King County's ability to terminate part-time
 2377 and temporary employees who exceed the calendar year working hour thresholds or term-
 2378 limited temporary employees who exceed the calendar years threshold set forth in the
 2379 definitions contained in K.C.C. chapter 3.12; ~~((provided,))~~ however, ~~((that))~~ if an employee

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2380 seeks conversion of ~~((their))~~ the employee's position by appeal to the committee,
2381 termination of that employee for reasons related to the appeal shall be deferred until the
2382 conclusion of the appeal process described ~~((herein))~~ in this chapter. If the employee's
2383 appeal is successful, the employee shall not be terminated but rather be assigned to a
2384 position as required by the appeal process described herein.

2385 SECTION 61. Ordinance 18696, Section 2, and K.C.C. 3.12S.010 are each
2386 hereby amended to read as follows:

2387 A. The executive is hereby authorized to establish a program in agencies
2388 identified by the executive that incentivizes retirement-eligible employees to voluntarily
2389 leave county employment, but only if:

2390 1. The voluntary separation program will enable the agency to avoid a budget
2391 shortfall that would result in program cuts or reductions in force, or the voluntary
2392 separation program will result in labor cost savings; and

2393 2. The agency will not fill the separating employee's position or will fill the
2394 position at a lower wage rate that is expected to result in a net twenty percent annual
2395 salary cost savings.

2396 B. The executive is further authorized to enter into or extend agreements with
2397 labor organizations to provide the same incentive program as provided for
2398 nonrepresented employees under this chapter. If such an agreement addresses no other
2399 subject or additional terms, it shall have the force of law upon execution by the parties,
2400 without enactment by ordinance.

2401 C.1. ~~((In order to))~~ To be eligible for the program, the employee must:

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2402 a. have at least five years of current continuous regular county service(~~(;~~
2403 ~~must~~));

2404 b. not be a temporary employee (~~and must~~);

2405 c. be eligible to apply for a pension from the Law Enforcement Officers and
2406 Firefighters Retirement System, Public Employees Retirement System, Public Safety
2407 Employees Retirement System, or the (~~(city of Seattle Retirement Plan)~~) Seattle City
2408 Employees' Retirement System, before December 31 of the calendar year in which the
2409 employee applies for the program; and

2410 d. have not previously retired from King County government.

2411 2. While the employee must be retirement-eligible and must separate from the
2412 county, the employee need not actually begin drawing a pension to be considered eligible
2413 for the program. An employee who has resigned, retired, or submitted written
2414 notification of the employee's intent to do so before the employee's employing agency has
2415 announced its intention to participate in the program, is ineligible to participate in the
2416 program.

2417 D. Participation in the program by employees is entirely voluntary.

2418 E. As a financial incentive, the county shall pay to currently employed,
2419 retirement-eligible employees who request, and are authorized by the executive, to
2420 voluntarily separate from county service, a one-time payment equal to twenty-six-weeks
2421 of the Washington state employment security department's maximum weekly
2422 unemployment benefit amount in effect as of January 1 of each calendar year. This one-
2423 time payment amount issued to the eligible participant (~~(will)~~) shall be in the amount
2424 effective for the year the participant was approved for the program and separates from the

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2425 county. For part-time employees, this one-time payment (~~((will))~~) shall be prorated based
2426 on the percentage that employee works as measured against a full-time employee.

2427 F. The program shall require that participating employees enter into a written
2428 agreement with King County that sets forth the terms and conditions of their voluntary
2429 separation, including but not limited to:

2430 1. Any employee approved to participate in the program must leave county
2431 employment by written resignation or retirement no later than December 31 of the year in
2432 which the employee applies for the program. Agencies may establish deadlines and
2433 procedures, which may vary by agency for employee participation in the program;

2434 2. The employee (~~((will))~~) shall not seek reemployment with the county in any
2435 county position;

2436 3. The employee agrees that the employee is not eligible for, and (~~((will))~~) shall
2437 not apply for, unemployment compensation and signs a waiver of any claim for
2438 unemployment compensation; and

2439 4. The employee must sign a waiver or release of any claim under the Age
2440 Discrimination in Employment Act and the Older Worker Benefit Protection Act.

2441 G. The executive's approval of any employee request to participate in the
2442 program is discretionary, and consideration will be given to the impact to service
2443 delivery, retention of a skilled employee or employees, cost of refilling a position or
2444 positions, short-term and long-term budget savings, and the employee's length of service
2445 with the county.

2446 H. All decisions to approve or deny the requests of individual employees to
2447 participate in the program shall be in writing and shall report the savings impacts, either

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2448 short-term or long-term, or both, if the request is approved or denied. Decisions to
 2449 approve or deny a request shall not be the subject of a grievance.

2450 I. The executive shall include, as part of the program, a clear designation of who
 2451 is authorized in each agency to approve or deny employee requests to participate in the
 2452 program. Employees of agencies headed by elected officials, other than the executive,
 2453 are ineligible to participate in the program unless their request is approved by both the
 2454 executive and the head of the applicable agency.

2455 SECTION 62. Ordinance 12014, Section 46, as amended, and K.C.C. 3.14.010 are
 2456 each hereby amended to read as follows:

2457 The powers and duties of the ~~((sheriffs))~~ civil service commission under chapter
 2458 41.14 RCW are hereby assigned to the department of human resources except those powers
 2459 and duties set forth in RCW 41.14.120 and outlined in K.C.C. 3.14.020.

2460 SECTION 63. Ordinance 8179, Section 2, and K.C.C. 3.14.020 are each hereby
 2461 amended to read as follows:

2462 The ~~((sheriffs))~~ civil service commission shall ~~((continue to))~~ hear and decide cases
 2463 regarding removals, suspensions, and demotions as provided in RCW 41.14.120.

2464 SECTION 64. Ordinance 12014, Section 47, as amended, and K.C.C. 3.14.030
 2465 are each hereby amended to read as follows:

2466 The ~~((position of secretary/chief examiner of the sheriff's civil service commission~~
 2467 ~~is hereby abolished as of January 1, 1996. Any functions that have heretofore been~~
 2468 ~~performed by))~~ functions of the secretary/chief examiner are ~~((hereby assigned to))~~
 2469 performed by the director of the department of human resources.

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2470 SECTION 65. Ordinance 12014, Section 48, as amended, and K.C.C. 3.14.040
 2471 are each hereby amended to read as follows:

2472 ~~((A.))~~ Rules and regulations for the administration of the ~~((sheriff's))~~ civil service
 2473 personnel system shall be ~~((adopted))~~ drafted and amended by the ~~((county council by~~
 2474 ~~ordinance. The director of the department of human resources is directed to promulgate~~
 2475 ~~administrative guidelines for the purpose of implementing such rules and regulations and~~
 2476 ~~the requirements of chapter 41.14 RCW.~~

2477 ~~B. Except to the extent they are inconsistent with the provisions of this chapter,~~
 2478 ~~the current rules and regulations of the sheriff's civil service commission, which are on~~
 2479 ~~file with the clerk of the council, are hereby incorporated by this reference and made a~~
 2480 ~~part hereof and adopted for the administration of the sheriff's personnel system. The~~
 2481 ~~executive shall review such rules and regulations and report periodically to the council~~
 2482 ~~proposing such amendments thereto as may be appropriate to bring such rules into~~
 2483 ~~substantial conformance with general county personnel rules insofar as permitted by~~
 2484 ~~chapter 41.14 RCW))~~ director.

2485 SECTION 66. K.C.C. 3.15.060, as amended by this ordinance, is hereby
 2486 recodified to follow K.C.C. 3.15.005.

2487 SECTION 67. Ordinance 1282, Section 6, as amended, and K.C.C. 3.15.060 are
 2488 each hereby amended to read as follows:

2489 The administration of the pay provisions set forth herein ~~((will))~~ shall be the
 2490 responsibility of the county executive and shall apply to all employees and positions in the
 2491 executive branch.

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2492 NEW SECTION. SECTION 68. There is hereby added to K.C.C. chapter 3.15 a
2493 new section to read as follows:

2494 Unless another branch of county government is specifically referenced, this chapter
2495 shall only apply to employees and positions in the executive branch.

2496 SECTION 69. Ordinance 12014, Section 50, as amended, and K.C.C. 3.15.020
2497 are each hereby amended to read as follows:

2498 ~~((This section applies to all positions in the executive branch, noncommissioned
2499 positions in the office of the sheriff and the department of assessments allocated to a
2500 classification approved by the council.~~

2501 ~~A.1.)) Except as otherwise provided by ordinance, the ((schedule of pay ranges))
2502 salary table shall consist of ninety-nine pay ranges, each containing ten steps as approved
2503 by ordinance annually.~~

2504 ~~((2. On a continuing three year cycle, the executive shall assess market conditions
2505 and determine whether to make adjustments, if any, to pay ranges assigned to existing
2506 classifications.~~

2507 ~~B.1. The director may reassign pay ranges to existing classifications.~~

2508 ~~2. When the director adjusts the pay range of a classification, the incumbent
2509 employee shall be placed at the same step in the new pay range as the employee was in the
2510 previous pay range.~~

2511 ~~3. Implementation of any pay range adjustment shall be prospective and shall take
2512 effect at the start of the pay period following the approval by the director or, if required by
2513 K.C.C. 3.15.040, by the appropriate council committee.~~

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2514 C. ~~Consistent with K.C.C. 3.12.350, the director shall establish guidelines for pay~~
2515 ~~increases in accordance with the following:~~

2516 1. ~~Employees may receive within range increases from one step to the next higher~~
2517 ~~step upon satisfactory completion of the probationary period. All probationary period pay~~
2518 ~~increases must be supported by documented performance appraisal. Probationary period~~
2519 ~~pay increases exceeding Step 5 must have prior written approvals by the department~~
2520 ~~director and the director. When a division of human resources employee completes the~~
2521 ~~employee's probationary period, the county administrative officer must provide prior~~
2522 ~~written approval for probationary period pay increases exceeding Step 5;~~

2523 2. ~~Employees may be eligible to receive increases annually in accordance with the~~
2524 ~~following principles:~~

2525 a. ~~An incentive increase must be supported by an annual documented~~
2526 ~~performance appraisal approved by the department director and the documented~~
2527 ~~performance appraisal must be maintained in the employee's personnel file. Incentive~~
2528 ~~increases shall be prospective only and shall be effective on January 1 following the year~~
2529 ~~on which the appraisal was based;~~

2530 b. ~~For employees currently in Steps 1 through 4 in the pay range, the appointing~~
2531 ~~authority may grant an increase of a single step for standard performance and may grant an~~
2532 ~~increase exceeding a single step for above standard or outstanding performance, as defined~~
2533 ~~by the director;~~

2534 c. ~~For employees currently in Steps 5 through 7 in the pay range, the appointing~~
2535 ~~authority may grant an increase of one or more steps for above standard performance; and~~

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2536 ~~d. For employees currently in Steps 8 through 9 in the pay range, the appointing~~
 2537 ~~authority may grant an increase of one step, not to exceed the top of the pay range, for~~
 2538 ~~outstanding performance;~~

2539 ~~3. An appointing authority may grant an employee incentive pay up to five~~
 2540 ~~percent above the top step of the range for a period of twelve months, if all of the following~~
 2541 ~~conditions are met:~~

2542 ~~a. the employee is not a department director;~~

2543 ~~b. the employee has been at the top step of the prior or current range for two~~
 2544 ~~years before the award of the increase; and~~

2545 ~~c. the employee has demonstrated continuous outstanding performance;~~

2546 ~~4. All incentive increases are subject to the availability of funds. Within range~~
 2547 ~~incentive increases are not automatic but shall be given only upon the written direction of~~
 2548 ~~the appointing authority, as defined in K.C.C. 3.12.010.B., within the guidelines established~~
 2549 ~~by the director.))~~

2550 SECTION 70. K.C.C. 3.15.110, as amended by this ordinance, is hereby
 2551 recodified to follow K.C.C. 3.15.020, as recodified by this ordinance.

2552 SECTION 71. Ordinance 12014, Section 54, and K.C.C. 3.15.110 are each
 2553 hereby amended to read as follows:

2554 Except for annual step ~~((incentive))~~ merit increases provided for in this chapter or
 2555 as otherwise provided by ordinance, no employee's salary shall be greater than the amount
 2556 applicable to the top step of the pay range assigned to the employee's classification.

2557 SECTION 72. Ordinance 12014, Section 51, as amended, and K.C.C. 3.15.025
 2558 are each hereby amended to read as follows:

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2559 A. The director of the department of human resources shall develop and maintain a
 2560 classification plan for all executive branch positions (~~((within the career service system))~~).

2561 The plan shall provide that all positions that are substantially similar as to kind, difficulty,
 2562 and responsibility of work are included in the same classification.

2563 B. The classification plan should set forth for each career service classification a
 2564 title, a ~~((definition))~~ summary of the work performed, distinguishing characteristics,
 2565 representative examples of ~~((work))~~ duties, and the ~~((knowledge and skills))~~ requirements
 2566 necessary to perform the work.

2567 C. The director of the department of human resources:

2568 1. May create, amend, or abolish classifications;

2569 2. ~~((s))Should((, on a continuing three-year cycle,))~~ periodically review the
 2570 classification plan~~((;))~~; and ~~((may add, combine, abolish or revise the specifications or~~
 2571 ~~establish new classifications, as provided in K.C.C. 3.12.040))~~

2572 3. Should assess market conditions and determine whether to make adjustments,
 2573 if needed, to pay ranges assigned to existing classifications.

2574 D. ~~((Whenever reorganization, change in job content or council action causes the~~
 2575 ~~duties of a position to change, or a position appears to have been incorrectly classified, the~~
 2576 ~~director of the department of human resources may reclassify the position to a more~~
 2577 ~~appropriate classification))~~ 1. The director may assign pay ranges to new classifications

2578 and change the pay ranges of existing classifications.

2579 2. Implementation of any pay range adjustment shall be prospective and shall take
 2580 effect at the start of the pay period following the approval by the director.

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2581 3. When the pay range of a classification is increased, the incumbent employee
 2582 shall be placed at the same step in the new pay range as the employee was in the previous
 2583 pay range.

2584 4. If the pay range of the classification decreases due to a pay range adjustment,
 2585 and the pay is the same or less than the top step of the new range, the incumbent employee
 2586 shall be placed at the step closest to their current pay rate that is not lower than their current
 2587 pay rate. If the employee's pay rate is greater than the highest step of the new pay range,
 2588 the incumbent employee shall be placed at the top step of the new range.

2589 SECTION 73. K.C.C. 3.15.120, as amended by this ordinance, is hereby
 2590 recodified to follow K.C.C. 3.15.025, as recodified by this ordinance.

2591 SECTION 74. Ordinance 14233, Section 5, as amended, and K.C.C. 3.15.120 are
 2592 each hereby amended to read as follows:

2593 A.1. New ((~~county~~)) employees shall start at the first step of the pay range. If
 2594 necessary for recruitment, however, a department director may authorize an offer of a
 2595 higher pay step.

2596 2. At least one of the following criteria must be met to hire an employee above
 2597 the first step:

2598 a. The candidate's relevant education and experience are significantly above
 2599 the minimum requirements for the position; or

2600 b. The candidate has an especially desirable relevant skill, talent, knowledge,
 2601 or ability((;

2602 ~~c. The candidate has a current salary that is above the first step of the of the~~
 2603 ~~salary range; or~~

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2604 d. ~~The candidate has a competing written, formal offer of employment that is~~
2605 ~~above the first step of the salary range)).~~

2606 3. If a department director determines it is necessary to hire an employee above
2607 the first step, ~~((a copy of the appointment letter, together with))~~ a statement of the reason
2608 for hiring the employee above the first step~~((,))~~ must be provided to the ~~((director of))~~
2609 compensation and classification services manager in the department of human resources
2610 at the time of hire.

2611 B. ~~((The director of))~~ The hiring of an employee above Step 5 requires approval
2612 by the compensation and classification services manager in the department of human
2613 resources ~~((may approve the hiring of an employee above Step 5. In such cases, the~~
2614 ~~director of the department of human resources must issue prior written approval to the~~
2615 ~~department director and send a copy of the written notification to the executive))~~ before
2616 the hire.

2617 NEW SECTION. SECTION 75. There is hereby added to K.C.C. chapter 3.15 a
2618 new section to read as follows:

2619 Consistent with K.C.C. 3.12.350, the director shall establish guidelines for pay
2620 increases in accordance with the following:

2621 A. Employees may receive within-range increases from one step to the next higher
2622 step upon satisfactory completion of the probationary period. All probationary period pay
2623 increases must be supported by a documented performance appraisal.

2624 B. Employees may be eligible to receive increases annually in accordance with the
2625 following principles:

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2626 1. A merit increase must be supported by an annual documented performance
2627 appraisal approved by the department director, and it must be maintained in the employee's
2628 personnel file. Merit increases shall be prospective only and shall be effective on January 1
2629 following the year that the appraisal was based;

2630 2. For employees currently in Steps 1 through 4 in the pay range, the appointing
2631 authority may grant an increase of a single step for standard performance, and may grant an
2632 increase exceeding a single step for above-standard or outstanding performance, as defined
2633 by the director;

2634 3. For employees currently in Steps 5 through 7 in the pay range, the appointing
2635 authority may grant an increase of one or more steps for above-standard performance; and

2636 4. For employees currently in Steps 8 or 9 in the pay range, the appointing
2637 authority may grant an increase of one step, not to exceed the top of the pay range, for
2638 outstanding performance.

2639 C. An appointing authority may grant an employee merit pay up to five percent
2640 above the top step of the range for a period of twelve months, if both of the following
2641 conditions are met:

2642 1. The employee has been at the top step of the prior or current range for two
2643 years before the award of the increase; and

2644 2. The employee has demonstrated continuous outstanding performance.

2645 D. All merit increases are subject to the availability of funds. Within-range merit
2646 increases are not automatic but shall be given only upon the written direction of the
2647 appointing authority, as defined in K.C.C. 3.12.010.C., within the guidelines established by
2648 the director.

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2649 SECTION 76. Ordinance 12014, Section 52, as amended, and K.C.C. 3.15.030

2650 are each hereby amended to read as follows:

2651 A. The director may reclassify any position to an existing or new classification.

2652 B. An employee or a group of employees may request that a position or

2653 group of positions be reclassified for the following reasons:

2654 1. The employee's position is not assigned to the appropriate

2655 classification;

2656 2. A significant or gradual change has occurred in the employee's on-

2657 going duties or responsibilities over a period of at least one-year; or

2658 3. A departmental reorganization or council action has caused the duties

2659 of the position to change.

2660 C.1. An employee is not eligible to submit a reclassification request if:

2661 a. it has been less than twelve months since the date of a previous

2662 classification determination for the position;

2663 b. the employee is on probation;

2664 c. the employee is on a performance improvement plan; or

2665 d. the employee is asking for the reclassification of a special duty

2666 position.

2667 2. Temporary and term-limited temporary employees may not request a

2668 position reclassification, except as noted in subsection D. of this section.

2669 3. When an employee is no longer in the position for which the

2670 employee is seeking reclassification, the department of human resources shall

2671 either deny the employee's reclassification request or cancel the employee's

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2672 appeal, or both.

2673 D. Group classifications may be submitted if all of the employees'
2674 positions are in the same classification in the same section of a division. Term-
2675 limited temporary employees may be reclassified as part of a group classification,
2676 but only if the group includes at least one regular employee. The director shall
2677 evaluate each position individually, reserving the right to place individual
2678 positions into different classifications.

2679 E. When the director reclassifies a position to a higher classification, the
2680 rate of pay of the incumbent employee shall be increased to the first step of the
2681 pay range of the new classification or the step that is at least five percent above
2682 the former rate of pay, whichever is greater.

2683 F. When the director reclassifies a position to a lateral classification, rate
2684 of pay of the incumbent employee shall remain at the same step of the pay range.

2685 G. When the director reclassifies a position to a lower classification, the
2686 rate of pay of the incumbent employee shall be the highest step in the new pay
2687 range that does not exceed the employee's current rate of pay.

2688 H. A pay increase as a result of a reclassification may not exceed the top
2689 step of the new range, unless the employee's former pay includes above-Step-10
2690 merit pay. If the employee's former pay includes above-Step-10 merit pay, the
2691 employee's new pay is calculated using the above-Step-10 amount. If the increase
2692 from reclassification results in pay that is above the top step of the new range, the
2693 pay shall be reduced to the top step of the new range at the end of the incentive
2694 period, unless the employee requalifies for above-Step-10 merit award.

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2695 I. Implementation of a reclassification and any related pay change shall be
2696 effective at the start of the pay period following receipt of the completed
2697 reclassification request form at compensation and classification services in the
2698 department of human resources, except a reclassification to a lower pay grade
2699 shall be effective at the start of the pay period at least thirty calendar days after
2700 notification of the classification determination from the department of human
2701 resources.

2702 J. A reclassified employee shall not serve a probationary period in the
2703 new classification.

2704 K.1. When an employee's position is reclassified retroactively into a
2705 classification with a different Fair Labor Standards Act (~~of 1938~~) status, the
2706 change in status shall be prospective only.

2707 2. When an employee's position is reclassified from a Fair Labor
2708 Standards Act (~~of 1938~~) exempt classification to a Fair Labor Standards Act (~~of~~
2709 ~~1938~~) non-exempt classification, the employee shall be paid overtime pay
2710 prospectively from the date of the reclassification decision.

2711 3. When an employee's position is reclassified from a Fair Labor
2712 Standards Act (~~of 1938~~) non-exempt classification to a Fair Labor Standards Act
2713 (~~of 1938~~) exempt classification, the employee shall receive a cash out of all
2714 accrued compensatory time.

2715 SECTION 77. The following are hereby repealed:

2716 A. Ordinance 1282, Section 5, as amended, and K.C.C. 3.15.040; and

2717 B. Ordinance 1282, Section 7, as amended, and K.C.C. 3.15.070.

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2718 SECTION 78. K.C.C. 3.15.130, as amended by this ordinance, is hereby
2719 recodified to follow K.C.C. 3.15.030, as amended by this ordinance.

2720 SECTION 79. Ordinance 14233, Section 6, as amended, and K.C.C. 3.15.130 are
2721 each hereby amended to read as follows:

2722 A. If a promotion results from something other than a reclassification, the pay
2723 rate of the incumbent employee shall be increased to the first step of the pay range of the
2724 new classification or the step that is at least five percent above the former rate of pay,
2725 whichever is greater. The promoted employee may be placed at a higher step in the pay
2726 range if the employee's department director determines the action is warranted, if the
2727 criteria and procedures in K.C.C. 3.15.120, as recodified by this ordinance, are met and if
2728 funds are available in the agency.

2729 B. A pay increase as a result of a promotion may not exceed the top step of the new
2730 range, unless the employee's former pay includes an above-Step-10 amount as a result of an
2731 ~~((incentive))~~ merit increase. If the employee's former pay includes above-Step-10
2732 ~~((incentive))~~ merit pay, the employee's new pay is calculated upon the above-Step-10
2733 amount. If the increase from a promotion results in pay that is above the top step of the
2734 new range, the pay shall be reduced to the top step of the new range at the end of the
2735 ~~((incentive))~~ merit period unless the employee requalifies for an above-Step-10
2736 ~~((incentive))~~ merit award.

2737 C. Implementation of a promotion and any related pay change shall be prospective
2738 and is effective when the promotion is approved by the director.

2739 SECTION 80. K.C.C. 3.15.140, as amended by this ordinance, is hereby
2740 recodified to follow K.C.C. 3.15.130, as recodified by this ordinance.

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2741 SECTION 81. Ordinance 19738, Section 10, is hereby expired.

2742 SECTION 82. Ordinance 14233, Section 7, as amended, and K.C.C. 3.15.140 are
2743 each hereby amended to read as follows:

2744 A.1. A department director and, when required, the director of the department of
2745 human resources, may assign an employee in a regular position to an existing
2746 classification for a limited term when the duties and responsibilities of the other
2747 classification comprise the majority of the work performed for a minimum of thirty
2748 calendar days. This is called a special duty assignment.

2749 2. Temporary employees, including term-limited temporary employees, are not
2750 eligible for special duty assignments.

2751 B.1. Depending upon the type of special duty assignments needed for business
2752 operations, special duty assignments may be made for up to a maximum of five years.

2753 2. Assignments may be approved for up to a term of twelve months if
2754 authorized in advance by the department director to backfill for a vacant regular position,
2755 or to provide additional staffing needed:

2756 a. due to work that exceeds either the volume or complexity, or both, than what
2757 is routinely expected, but the work is of a limited duration;

2758 b. due to work that is unanticipated due to unique circumstances that are not
2759 expected to reoccur; or

2760 c. to either develop or implement, or both, a new function, system, or proposal.

2761 3. Assignments may be approved for up to a term of up to three years if
2762 authorized in advance by the director to perform a significant or substantial body of
2763 work, such as a nonroutine project or work related to the initiation or cessation of a

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2764 county function, project, or department.

2765 4. Assignments may be approved for up to a term of five years if authorized in

2766 advance in writing by the director:

2767 a. to backfill a regular position, when:

2768 (1) an employee is absent because of an extended leave of absence for a

2769 medical reason;

2770 (2) an employee is absent because of military service; or

2771 (3) an employee is absent because of a special duty or another assignment;

2772 and

2773 b. to staff or backfill staff on a clearly defined grant-funded, capital

2774 improvement or information systems technology project.

2775 5. A special duty backfill assignment may not exceed the term of the incumbent

2776 employee's absence.

2777 6. Special duty assignments to salaried classifications shall be made in full-

2778 week increments, from Saturday through Friday.

2779 7. An employee's special duty assignment shall end when management becomes

2780 aware that the employee's absence will exceed thirty calendar days or at the conclusion of

2781 a thirty-day absence, whichever occurs first.

2782 C. A special duty assignment must be made in writing to the employee before the

2783 beginning of the assignment. The written notice must provide the classification title and

2784 description and must list the specific duties that the employee is to perform and the

2785 duration of the assignment. The written notice must also include a statement that the

2786 assignment does not confer on the employee any new privilege, right of appeal, right of

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2787 position, transfer, demotion, promotion, or reinstatement. A special duty assignment may
2788 be revoked at any time at the discretion of the appointing authority. Special duty pay
2789 may not be assigned retroactively.

2790 D. If the special duty assignment is to a higher-level classification, the pay
2791 increase shall be to the first step of the pay range of the higher-level job classification or
2792 a flat five percent above the base rate of pay, whichever is greater.

2793 E. If the employee was receiving above-Step-10 merit pay, the pay for the special
2794 duty assignment is calculated using the merit pay and may result in merit pay while in the
2795 special duty assignment.

2796 F. If an assignment is to a lateral or lower-paying classification, the
2797 employee shall continue to receive their current rate of pay for the assignment.

2798 G. While on special duty assignment, the employee shall continue to be
2799 eligible for step increases in the employee's regular position. If the employee is at
2800 Step-10 in the employee's regular position, the employee shall be eligible for step
2801 increases in the special duty classification.

2802 H. Any accrued compensatory time shall be cashed out before an hourly
2803 employee begins a salaried special duty assignment, and before an employee in an hourly
2804 special duty assignment returns to a salaried regular position.

2805 I. When the special duty assignment is completed, the employee's pay shall revert
2806 to the rate of pay the employee would have received if the employee had not been
2807 assigned to special duty.

2808 J. Special duty pay shall not be considered part of an employee's base rate of pay
2809 for purposes of placement within a salary range as a result of promotion or

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2810 reclassification, for purposes of cashing out vacation or sick leave, or when making
 2811 vacation or sick leave donations. If the special duty position is converted to a regular
 2812 position while the employee is serving in the special duty assignment, and the employee
 2813 is promoted into the regular position, the employee's rate of pay shall not be lower than
 2814 the rate of pay the employee received during the special duty assignment. The promoted
 2815 employee may be placed at a higher step in the pay range if the employee's department
 2816 director determines the action is warranted based on the criteria in K.C.C. ((3.12.130))
 2817 3.15.120, as recodified by this ordinance.

2818 K. When the special duty assignment is hourly, the employee's special
 2819 duty pay shall be used for the computation of overtime and compensatory time.

2820 L. If the special duty position is converted to a regular position and the
 2821 employee who served in the special duty position is hired into the regular position
 2822 within one year of serving in the special duty assignment, the time served in the
 2823 special duty position shall count toward any required probationary period. If the
 2824 time served in the special duty position was longer than the required probationary
 2825 period, the employee's probationary period shall be considered served.

2826 ~~((M. The executive shall notify the council each year in writing of the~~
 2827 ~~total number of county employees on special duty assignment by department.~~
 2828 ~~The executive shall file an electronic copy of each memorandum with the clerk of~~
 2829 ~~the council, who shall retain a copy and provide an electronic copy to all~~
 2830 ~~councilmembers and the lead staff for the government accountability and~~
 2831 ~~oversight committee or its successor.))~~

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2832 SECTION 83. K.C.C. 3.15.145 is hereby recodified to follow K.C.C. 3.15.140, as
2833 recodified by this ordinance.

2834 SECTION 84. Ordinance 1780, Section 3, as amended, and K.C.C. 3.15.050 are
2835 each hereby amended to read as follows:

2836 An employee who has a valid Washington State Professional Civil Engineering
2837 license, a registered architect's license, or a professional designation of CPA, MAI, RM,
2838 SSA, CPM₁, or SR/WA, shall be paid an additional twenty-five dollars per month if such a
2839 designation or professional license is a requirement of the job assignment.

2840 SECTION 85. K.C.C. 3.15.135, as amended by this ordinance, is hereby
2841 recodified to follow K.C.C. 3.15.050, as recodified by this ordinance.

2842 SECTION 86. The following are hereby repealed:

- 2843 A. Ordinance 8299, Section 1, and K.C.C. 3.15.080;
- 2844 B. Ordinance 12014, Section 53, as amended, and K.C.C. 3.15.100;
- 2845 C. Ordinance 16818, Section 1, and K.C.C. 3.15.150;
- 2846 D. Ordinance 16818, Section 2, as amended, and K.C.C. 3.15.160;
- 2847 E. Ordinance 16818, Section 3, and K.C.C. 3.15.170; and
- 2848 F. Ordinance 16818, Section 4, as amended, and K.C.C. 3.15.180.

2849 NEW SECTION. SECTION 87. There is hereby added to K.C.C. chapter 3.15 a
2850 new section to read as follows:

- 2851 A. When a collective bargaining agreement establishes a condition of
2852 employment, benefit, or procedure that differs with a condition, benefit, or procedure
2853 established by this chapter, the collective bargaining agreement shall take precedence
2854 with respect to those employees covered by the agreement, so long as the following

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2855 conditions are met:

2856 1. The condition of employment, benefit, or procedure created by the agreement

2857 is lawful; and

2858 2. The agreement has been adopted by the council by ordinance.

2859 B. Adoption of the agreement by ordinance shall be deemed an amendment of

2860 this chapter only with respect to the affected employees and subject condition, benefit, or

2861 procedure.

2862 SECTION 88. Ordinance 197, Section 1, as amended, and K.C.C. 3.16.010 are

2863 each hereby amended to read as follows:

2864 In accordance with Section((s)) 890 ((and 898)) of the King County Charter, the

2865 King County executive is the designated bargaining agent for King County.

2866 SECTION 89. Ordinance 11480, Section 5, and K.C.C. 3.16.012 are each hereby

2867 amended to read as follows:

2868 The mission of the council and the bargaining agent shall be to develop labor

2869 relations policy and other policies affecting county employees in accordance with the

2870 following principles ((and consistent with the philosophy, objectives, and guidelines found

2871 in King County council Motion 9182)):

2872 A. Provide a positive climate in King County government where employees feel

2873 their contributions are valued, their ideas are heard, and their desires to serve the public are

2874 fulfilled((-));

2875 B. Help county employees view King County government as a desirable place to

2876 work and as a place where the public business is conducted in a cost-effective manner((-));

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2877 C. Allow the council an adequate and meaningful opportunity to provide policy
2878 direction to the bargaining agent before the collective bargaining process begins((:));

2879 D. Cause King County management to plan, prepare, and be accountable for
2880 obtaining agreements at the bargaining table concerning operating improvements necessary
2881 to best serve the public interest and improve the working conditions for employees((:));

2882 E. Create and maintain a collective bargaining and employee relations climate in
2883 King County government that encourages cooperative efforts and joint problem-solving
2884 among bargaining representatives, the bargaining agent, employees, and management to
2885 address ways to better serve the public, increase productivity, reduce waste, improve safety,
2886 improve morale, and recruit and retain quality employees((:)); and

2887 F. Acknowledge, encourage, and continue the efforts of bargaining units and
2888 management to engage in collaborative or interest-based bargaining, ((which)) that has had
2889 the positive effects of reducing the adversarial nature of traditional bargaining and
2890 enhancing consensus-making in labor relations.

2891 SECTION 90. Ordinance 10631, Section 2, as amended, and K.C.C. 3.16.015 are
2892 each hereby amended to read as follows:

2893 Unless the text clearly indicates otherwise, as used in this chapter, the following
2894 words shall have the meanings set forth in this section:

2895 A. ~~(("Corrections officer" means any full-time, fully compensated uniformed~~
2896 ~~correctional officer or sergeant who works for the department of adult detention (King~~
2897 ~~County jail)).~~

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2898 ~~B. "Bargaining representative" means any lawful organization which has as one of~~
 2899 ~~its primary purposes the representation of employees in their employment relations with~~
 2900 ~~King County.~~

2901 ~~C.))~~ "Bargaining agent" means the designated bargaining agent as determined
 2902 under K.C.C. 3.16.010.

2903 ~~((D. "Public employer" means King County.~~

2904 ~~E.))~~ B. "Bargaining representative" means any lawful organization which has as
 2905 one of its primary purposes the representation of employees in their employment relations
 2906 with King County.

2907 C. "Commission" means the Public Employment Relations Commission.

2908 D. "Corrections officer" means any full-time, fully compensated uniformed
 2909 correctional officer or sergeant who works for the department of adult and juvenile
 2910 detention.

2911 ~~((F.))~~ E. "Executive director" means the executive director of the ~~((C.))~~ commission.

2912 ~~((G. "911 operator" means any full time, fully compensated communications~~
 2913 ~~specialist or communications specialist supervisor who works for the department of public~~
 2914 ~~safety.~~

2915 ~~H. "Labor policy committee" or "policy committee" means the King County~~
 2916 ~~council.~~

2917 ~~I.))~~ F. "Labor policy" or "policy" means those general principles that work to
 2918 implement the intent of this chapter and guide negotiations for wages, benefits, working
 2919 conditions, and other terms of employment.

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2920 G. "Labor policy committee" or "policy committee" means the King County
 2921 council.

2922 H. "911 operator" means any full-time, fully compensated communications
 2923 specialist or communications specialist supervisor who works for the department of public
 2924 safety.

2925 I. "Public employer" means King County.

2926 SECTION 91. Ordinance 197, Section 2, as amended, and K.C.C. 3.16.020 are
 2927 each hereby amended to read as follows:

2928 The bargaining agent is authorized on behalf of King County to meet, confer, and
 2929 negotiate with bargaining representatives of the public employees of King County for the
 2930 purpose of collective bargaining as contemplated by chapter 41.56 RCW and Section 890
 2931 of the King County Charter, and to timely recommend to the King County council
 2932 proposed wages, hours, and ~~((employee benefits and))~~ other conditions of county
 2933 employment for the purpose~~((s))~~ of ~~((county budgets and))~~ such a collective bargaining
 2934 agreement or agreements as may be required and authorized by ordinance. For the purpose
 2935 of this section, "wages" includes leaves and employee benefits. The bargaining agent shall
 2936 not negotiate new collective bargaining agreements prior to preparing for bargaining and
 2937 conferring with the labor policy committee as required in K.C.C. 3.16.012, 3.16.025, and
 2938 3.16.050.

2939 SECTION 92. Ordinance 11480, Section 7, as amended, and K.C.C. 3.16.025 are
 2940 each hereby amended to read as follows:

2941 A. The bargaining agent shall establish and conduct a process to prepare for
 2942 negotiations that performs at least the following functions:

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1. The bargaining agent should continue to use collaborative or interest-based bargaining where both parties agree, and this chapter shall not be construed to restrict or inhibit such bargaining;

2. The bargaining agent shall cause to be developed and maintained a database of information within King County government on wages, hours, employee benefits, vacation and other leave, job classifications, and substantial and factual information to provide knowledge of working conditions necessary to conduct effective negotiations. Such information shall be made available to the bargaining representatives to the extent provided by RCW 41.56.030(4), in the Public Employees' Collective Bargaining ((law of the state of Washington)) Act~~((as set forth by the collaborative process identified in King County council Motion 9182))~~; and

3. The labor policy committee shall confer with the bargaining agent to develop necessary guidelines for the implementation of this section, consistent with this chapter ~~((and King County council Motion 9182))~~.

B. The bargaining agent shall be the sole negotiator for King County government and shall bargain in good faith as provided by law. The bargaining agent shall commence and complete collective bargaining negotiations in a timely manner and in accordance with the overall principles and intent of this chapter.

SECTION 93. Ordinance 8658, Section 1, as amended, and K.C.C. 3.16.040 are each hereby amended to read as follows:

A. Any collective bargaining agreement between King County and a recognized bargaining representative as defined in RCW 41.56.030 which has been ~~((ratified by both parties))~~ signed by the union shall be transmitted to the King County council no later than

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2966 ~~((seven))~~ fourteen days after ~~((the tentative agreement has been reached))~~ receipt by the
2967 office of labor relations.

2968 B. Failure to meet ~~((this))~~ the deadline in subsection A. of this section shall result
2969 in the payment of interest on the retroactive amount of any negotiated salary or wage
2970 increase equal to interest earned on ~~((F))~~ federal ~~((90))~~ ninety-day treasury bills from the
2971 first day following the deadline through the date the ~~((tentative))~~ signed agreement is
2972 transmitted to the King County council, unless the ~~((seven))~~ fourteen days have been
2973 extended by mutual agreement by both parties in writing.

2974 C. The interest accrued, if any, shall be divided among the county employees
2975 represented by the collective bargaining unit, based upon each employee's individual
2976 retroactive wage rate increase. The computed interest shall be included in the first ~~((pay~~
2977 ~~check which))~~ paycheck that pays out the rate of pay negotiated in the tentative collective
2978 bargaining agreement.

2979 SECTION 94. Ordinance 12014, Section 55, as amended, and K.C.C. 3.16.050
2980 are each hereby amended to read as follows:

2981 A. The labor policy committee shall meet as it deems necessary to obtain the
2982 testimony of members of the public, the bargaining agent, bargaining representatives or
2983 their designees, county department management, and others in order to consider such
2984 testimony in policy decisions before the committee. The labor policy committee shall not
2985 engage in bargaining with bargaining representatives or represented employees. The labor
2986 policy committee shall also meet to consider matters referred to it by the council in
2987 accordance with K.C.C. chapter 1.24.

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2988 B. The labor policy committee shall provide an opportunity for bargaining
2989 representatives or their designees to address the committee before the adoption of overall
2990 policy. Overall policy, and all amendments to adopted policies, shall be established only
2991 upon an affirmative vote by a majority of the members of the labor policy committee.

2992 C. The bargaining agent shall recommend to the labor policy committee overall
2993 changes to adopted policies that would be required to implement the changes proposed in
2994 K.C.C. 3.16.055.C., and an overall estimate of the monetary value, if any, of these changes,
2995 including both costs and benefits.

2996 D. Following the establishment of overall policy, and before commencing
2997 negotiations, the labor policy committee shall meet to hear the bargaining agent's
2998 recommended strategies for implementing adopted policies. The labor policy committee
2999 shall confer with the bargaining agent as it deems necessary to ensure compliance with this
3000 chapter and good-faith collective bargaining. The bargaining agent's strategies shall be
3001 generally consistent with the principals contained in this chapter and the overall policy
3002 direction established by the labor policy committee.

3003 E. The bargaining agent may seek further clarification of adopted policies from the
3004 labor policy committee at any time during the negotiations.

3005 F. By June 30 of each year, the executive shall report to the labor policy committee
3006 regarding employment policies applicable to nonrepresented employees.

3007 G. For the purpose of maintaining an effective collective bargaining process, the
3008 strategies and related information presented by the bargaining agent shall be maintained as
3009 confidential. In addition, proposed or adopted policies designated as confidential shall be
3010 considered policy formulation documents and be maintained as confidential and exempt

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3011 from public disclosure as provided in RCW 42.56.280. The labor policy committee shall
3012 develop guidelines to assist in accomplishing such confidentiality.

3013 H. Any councilmember may propose the adoption, amendment, or repeal of any
3014 labor policy by filing with the clerk of the council a memorandum that includes the
3015 proposed policy. Any proposed amendment shall set for the existing policy and show
3016 proposed changes as in the form required for ordinances by K.C.C. 1.24.075. The clerk
3017 shall provide a copy of the proposal to the executive, each councilmember, and the lead
3018 staff for the labor policy committee. The proposal shall be designated by the
3019 councilmember either as public or as confidential pending action by the committee on the
3020 policy. Adopted policies may be designated as confidential by an affirmative vote of a
3021 majority of the members of the policy committee.

3022 I. The clerk of the council shall maintain a compilation of adopted policies. The
3023 clerk shall make publicly available all public policies, and shall maintain as confidential all
3024 labor policies designated as confidential policy formulation documents.

3025 SECTION 95. Ordinance 14287, Section 5, as amended, and K.C.C. 3.16.055 are
3026 each hereby amended to read as follows:

3027 A.1. A bargaining representative may at any time during negotiations forward to
3028 the ~~((director))~~ manager of the ~~((department of human resources))~~ office of labor relations,
3029 or its successor, a written complaint that the collective bargaining process is not being
3030 conducted in a timely manner or is not being conducted in a manner consistent with good
3031 faith bargaining. The ~~((director))~~ manager of the office of labor relations shall, within
3032 fifteen calendar days, respond in writing to the complaint and propose such remedies as
3033 may address the complaint.

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3034 2. If the bargaining representative is not satisfied with the written response of the
3035 director, or if a written response to the complaint is not received within fifteen calendar
3036 days, the bargaining representative may forward the written complaint to the King County
3037 executive, as the bargaining agent, who shall, within fifteen calendar days, respond to it in
3038 writing and propose such remedies as may address the complaint.

3039 3. If the bargaining representative is not satisfied with the written response of the
3040 bargaining agent, or if a written response is not received from the bargaining agent within
3041 fifteen calendar days, the bargaining representative may request that the bargaining agent
3042 forward the written complaint to the council.

3043 4. If the bargaining agent receives a written request to have the complaint
3044 forwarded to the council, including an explanation of reasons for the request, the
3045 bargaining agent shall forward the request, together with the bargaining agent's written
3046 response, to the council within five calendar days from the receipt of the request. These
3047 materials or any discussion thereof shall remain confidential to the extent allowed by law.

3048 5. The council may request that the bargaining agent meet with the council for
3049 the purpose of reviewing the status of negotiations with regard to the principles contained
3050 in this chapter and the overall policy direction established by the labor policy committee,
3051 but the council shall take no action that would interfere with the lawful role of the
3052 bargaining agent.

3053 B. By June 30 of each year, the prosecuting attorney, in conjunction with
3054 bargaining agent, shall report to the council on all pending unfair labor practice charges and
3055 all pending arbitration involving represented employees.

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3056 C. By June 30 of each year, or, in the case of agreements expiring other than
3057 December 31, at least ninety days before the commencement of negotiations, in
3058 preparation for collective bargaining the bargaining agent shall report to the council the
3059 agreements expiring that calendar year. The bargaining agent shall also generally explain
3060 existing policies that, if changed, would further the principles and intent established by
3061 this chapter. County department management concerned with the collective bargaining
3062 process, with the advice of other relevant county departments, shall assist the bargaining
3063 agent in reporting to the ~~((implementation committee))~~ council.

3064 D. By June 30 of each year or, for agreements expiring other than December 31, at
3065 least ninety days before commencing negotiations, the ~~((implementation committee))~~
3066 council shall meet with the bargaining agent to review the schedule of collective bargaining
3067 agreements expiring in that calendar year and the key issues related to the collective
3068 bargaining process. Methods of consultation with unions, management rights, and
3069 eliminating the causes of employee grievances shall also be considered.

3070 E. For the purpose of maintaining an effective collective bargaining process, the
3071 strategies and related information presented by the bargaining agent shall be maintained
3072 as confidential. The council shall develop guidelines to assist in accomplishing such
3073 confidentiality.

3074 SECTION 96. Ordinance 13000, Section 2, as amended, and K.C.C. 3.16.060 are
3075 each hereby amended to read as follows:

3076 The chair of the King County council shall annually convene a summit between the
3077 county's elected officials ~~((and))~~, the local labor leadership, and the leadership of all
3078 collective bargaining units representing the county's work force. Such a labor summit shall

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3079 take place between January 1 and July 1 of each given year. The intent of convening an
3080 annual labor summit shall be to: increase communication between King County elected
3081 officials and the leadership and membership of local labor organizations and of all the
3082 county's collective bargaining units; identify issues and problems of mutual concern;
3083 identify solutions to problems affecting the memberships of the county's collective
3084 bargaining units; delineate ways in which the county's elected officials may more closely
3085 and effectively work with the county's collective bargaining units and local labor
3086 organizations to attain mutual goals; and foster a spirit of cooperation in working to serve
3087 the public.

3088 Meeting minutes at the summit shall be recorded and adopted by the King County
3089 council at a subsequent regular meeting of the council.

3090 SECTION 97. Ordinance 1902, Section 1, as amended, and K.C.C. 3.28.010 are
3091 each hereby amended to read as follows:

3092 The executive, legislative, and judicial branches of county government may, at their
3093 individual option, establish a system of reimbursement on a monthly allotment basis for use
3094 of privately owned vehicles used in connection with county business in lieu of
3095 ~~((permanently))~~ assigned county vehicles.

3096 SECTION 98. Ordinance 12077, Section 12, as amended, and K.C.C. 3.30.010
3097 are each hereby amended to read as follows:

3098 The purpose of this chapter is to ensure the proper use of public funds with regard
3099 to the county's practice of allowing employees to commute ~~((to and from work))~~ in county
3100 owned vehicles. The intent of this chapter is to:

3101 A. Restrict the number of county owned vehicles being used by employees to

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3102 commute (~~to and from work~~);

3103 B. Establish criteria and policies for evaluating and authorizing take-home vehicle
3104 assignments;

3105 C. Require the fleet services division of the department of executive services to
3106 document the number of current take-home vehicle assignments;

3107 D. Require the fleet services division of the department of executive services to
3108 develop administrative rules for implementing the provisions of this chapter; and

3109 E. Require the fleet services division of the department of executive services to
3110 reevaluate all take-home vehicle assignments in accordance with the policies and criteria
3111 established in this section.

3112 SECTION 99. Ordinance 11183, Section 1, and K.C.C. 3.30.020 are each hereby
3113 amended to read as follows:

3114 For purposes of this chapter, the following terms shall have the meanings set forth
3115 below:

3116 A. "Assigned take-home vehicle" means a county-owned vehicle which is used by
3117 a county employee for county business and for regularly commuting to and from the
3118 employee's home and (~~(work station)~~) their first and last workplace of the day.

3119 B. "Assigned vehicle" means a county-owned vehicle assigned to a department or
3120 county employee for county business, but not for employee commuting to and from the
3121 employee's home and (~~(work station)~~) workplace.

3122 C. "Commute" or "commuting" means the trip from an employee's home to their
3123 first workplace before the start of their workday, or the trip departing from the employee's
3124 last workplace following the end of the workday.

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3125 D. "Emergency ~~((R))~~response" means when an employee ~~((response to an~~
 3126 ~~emergency situation requiring immediate attention for the protection of))~~ has a primary
 3127 responsibility to respond immediately to protect life or property, or both.

3128 ~~((D:))~~ E. "Motor pool dispatch vehicle" means a vehicle issued from a central
 3129 motor pool for a single trip or for less than three working days.

3130 ~~((E:))~~ F. "Occasional overnight ~~((usage of county-owned))~~ vehicle~~((s))~~ use" means
 3131 when a county employee~~((s taking home))~~ takes a county-owned vehicle~~((s))~~ home after
 3132 attending night meetings or other county business activities that occur outside an
 3133 employee's normally scheduled work hours. Occasional overnight ~~((usage of a county-~~
 3134 ~~owned))~~ vehicle use shall mean no more than twelve times per quarter on average.

3135 ~~((F. "Work station"))~~ G. "Workplace" means the office or site a county employee
 3136 reports to perform normally scheduled work.

3137 SECTION 100. Ordinance 10930, Sections 3-4, as amended, and K.C.C. 3.30.030
 3138 are each hereby amended to read as follows:

3139 The ~~((C:))~~council wishes to restrict the number of take-home vehicles provided to
 3140 county employees. To accomplish this objective, the following policies and criteria shall
 3141 be used as the basis for authorizing take-home vehicle assignments:

3142 A.1. For county business before or after normal working hours, providing short-
 3143 term motor pool dispatch vehicles or travel reimbursement is preferred over the assignment
 3144 of take-home vehicles.

3145 2. The assignment of a take-home vehicle is neither a privilege, nor a right of any
 3146 county employee.

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3147 3. Take-home vehicle assignments shall not be made based on employee merit or
3148 employee status.

3149 4. Wherever possible, county vehicles shall be picked up and dropped off at
3150 designated county parking areas, thereby avoiding the assignment of take-home
3151 vehicles~~((:)); and~~

3152 B. ~~((Take-home vehicle assignment criteria:))~~

3153 1.a. Take-home vehicles may be assigned to county employees who:

3154 (1) have primary responsibility to respond to emergency situations that require
3155 immediate response to protect life or property;

3156 (2) respond to emergencies at least twelve times per quarter;

3157 (3) cannot use alternative forms of transportation to respond to emergencies;

3158 and

3159 (4) cannot pick up county-owned assigned vehicles at designated sites.

3160 b. Emergency response assignments shall be supported by data demonstrating
3161 the actual number and nature of emergency responses in the prior year, and estimates of
3162 future emergency responses. In addition, there must be an explanation why an employee
3163 cannot use alternative forms of transportation to respond to the emergencies or pick up
3164 county owned assigned vehicles at designated parking areas.

3165 ~~((b.))~~ 2. Take-home vehicles may be assigned if employee travel reimbursement
3166 costs are consistently greater than the commuting costs associated with overnight vehicle
3167 usage. ~~((Lost productivity costs, the cost of the time it takes an employee to travel from a
3168 designated county parking facility to the employee's work station, shall not be included in
3169 the calculation of economic benefit to the county.))~~ In addition, there must be an

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3170 explanation why an employee cannot use alternative forms of transportation or pick up
3171 county owned vehicles at designated parking areas.

3172 ~~((3. Take home vehicles may be assigned if an employee needs specialized
3173 equipment or a special vehicle to perform county work outside an employee's normally
3174 scheduled work day. Employees taking a county vehicle home must have primary
3175 responsibility to respond to emergencies. Special equipment vehicle assignments shall be
3176 supported by information describing the special equipment needed to perform the county
3177 work. The need for communication access, such as car radio, telephone and similar
3178 devices, shall not be considered adequate justification for a take home vehicle assignment.~~

3179 ~~4. Special clean transportation technology demonstration vehicles may be
3180 assigned to county employees for a limited duration in order to promote and demonstrate
3181 the viability of low emission, energy efficient technologies and fossil fuel alternatives. To
3182 encourage the maximum public visibility of clean technology demonstration vehicles,
3183 employees authorized to use the vehicles may also use them both before or after normal
3184 working hours, and may use them as a take home vehicle to encourage such visibility as an
3185 official public use. Incidental personal benefit or convenience from such a public use does
3186 not constitute personal use.))~~

3187 NEW SECTION. SECTION 101. There is hereby added to K.C.C. chapter 3.30 a
3188 new section to read as follows:

3189 Commuting in a county-owned vehicle, whether assigned or occasional use, is a
3190 taxable benefit for the employee.

3191 SECTION 102. Ordinance 12077, Section 14, as amended, and K.C.C. 3.30.050
3192 are each hereby amended to read as follows:

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3193 The fleet services division of the department of executive services shall develop
3194 and maintain central records of all county take-home vehicle assignments. The records
3195 shall be maintained in one location and shall be readily available ~~((to the council and the~~
3196 ~~public))~~ upon request. At a minimum, the record-keeping should contain:

3197 A. Vehicle assignment by department, division, position title, and employee name;

3198 B. Mileage including a breakdown of commuting mileage and ~~((work-related))~~
3199 county business mileage based on a trip log;

3200 C. Number and nature of emergency ~~((related calls))~~ response assignments, if the
3201 take-home vehicle is assigned based on an emergency response justification; and

3202 D. A calculation of savings if take-home vehicle assignment is based on an
3203 economic justification.

3204 SECTION 103. Ordinance 12077, Section 15, as amended, and K.C.C. 3.30.060
3205 are each hereby amended to read as follows:

3206 The fleet services division of the department of executive services shall,
3207 semiannually, reevaluate and update all executive department take-home vehicle
3208 assignments. ~~((By June 30 and December 31 of each year))~~ Biannually, the fleet services
3209 division shall make available to the council and the public an updated list of take-home
3210 vehicle assignments. The updated list shall identify each take-home vehicle assignment by
3211 department, division, and position title. In addition, there should be written documentation
3212 for each take-home vehicle assignment which describes how each assignment meets the
3213 policies and criteria set forth in this chapter.

3214 SECTION 104. Ordinance 10930, Section 11, as amended, and K.C.C. 3.30.070
3215 are each hereby amended to read as follows:

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3216 A. ~~((Commissioned Police Officers. All vehicles assigned to commissioned police~~
 3217 ~~officers including commissioned roads use investigators, and arson investigators shall be~~
 3218 ~~exempt from the provisions of this chapter.~~

3219 B.)) Occasional Overnight Usage. Occasional overnight usage of county-owned
 3220 vehicles is permitted. Occasional overnight usage may involve:

3221 1. Taking a county vehicle home before or after attending a meeting away from
 3222 the employee's ~~((normal place of work))~~ workplace; and

3223 2. Taking a county vehicle home when an employee has primary responsibility to
 3224 respond to emergencies caused by inclement weather, such as, flooding or heavy ~~((snow~~
 3225 ~~storms))~~ snowstorms.

3226 ~~((C.))~~ B. Collective Bargaining Agreement. ~~((A.))~~ The terms and conditions of a
 3227 collective bargaining agreement that provide for take home vehicle assignments shall
 3228 supersede this chapter for represented employees ~~((whose collective bargaining agreement~~
 3229 ~~specifically provides for take home vehicle assignments are exempt from the provisions of~~
 3230 ~~this chapter))~~.

3231 SECTION 105. Ordinance 8575, Section 1, as amended, and K.C.C. 3.36.010 are
 3232 each hereby amended to read as follows:

3233 A. This chapter is intended to establish uniform guidance, consistent with state law
 3234 governing salary and wage deductions, for the efficient administration of county employee
 3235 charitable contributions and volunteering to qualified nonprofit organizations, donated via
 3236 the annual drive, ~~((natural))~~ emergency or disaster relief solicitations, and other charitable
 3237 solicitations. This chapter shall be liberally construed to accomplish this intention.

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3238 B. The purpose of this chapter is to provide a convenient and effective channel
3239 through which county employees may contribute to qualified nonprofit organizations, while
3240 minimizing disruption to the county workplace and the costs to the taxpayer that multiple
3241 charitable fund drives cause; and to enhance government and community efforts to meet
3242 charitable needs.

3243 C. The program shall provide guidance, quality control, and disbursement of
3244 employee donations to qualified nonprofit organizations and federations as provided by this
3245 chapter, in accordance with rules for the program.

3246 SECTION 106. Ordinance 8575, Section 2, as amended, and K.C.C. 3.36.020 are
3247 each hereby amended to read as follows:

3248 The definitions in this section apply throughout this chapter unless the context
3249 clearly requires otherwise.

3250 A. "Annual drive" means the annual solicitation of contributions from county
3251 employees by representatives of qualified nonprofit organizations and federations through
3252 oral presentations, printed materials, audio or video media, or other similar means.

3253 B. "Committee" means the county employee giving program committee
3254 established under K.C.C. 3.36.030.

3255 C. "Emergency or disaster relief solicitation" means the opportunity to donate, in
3256 accordance with K.C.C. 3.12.222, in response to the occurrence of an emergency or
3257 disaster, such as fire, flood, explosion, storm, earthquake, or epidemic, that results in the
3258 loss of either life or property, or both.

3259 D. "Employee giving program" or "the program" means the year-round King
3260 County sanctioned, employee-based program that provides the process and infrastructure

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3261 for administration of employee-directed giving and volunteering to qualified nonprofit
3262 organizations and federations and is administered by the committee in accordance with this
3263 chapter and any rules adopted for the program.

3264 ~~((D:))~~ E. "Federation" means a nonprofit organization that solicits and distributes
3265 contributions on behalf of its member nonprofit organizations.

3266 ~~((E:))~~ F. "Qualified nonprofit organization" means a nonprofit organization or
3267 federation that applies to participate in the ~~((annual drive))~~ program and meets the
3268 eligibility criteria as provided in this chapter and any rules adopted for the program.

3269 SECTION 107. Ordinance 8575, Section 3, as amended, and K.C.C. 3.36.030 are
3270 each hereby amended to read as follows:

3271 A. A county employee giving program committee is established consisting of
3272 fifteen members nominated by the committee, appointed by the executive, and confirmed
3273 by the council.

3274 1. The committee shall strive in its nominations to include members representing
3275 the diversity of the county work force, including union representation.

3276 2. The term of committee members shall be two years.

3277 3. A committee member who serves as a federation or nonprofit organization
3278 board member or director, or in a decision-making capacity for a federation or nonprofit
3279 organization, shall not vote on that federation or nonprofit organization's eligibility if that
3280 federation or nonprofit organization applies to participate in the program.

3281 4. The committee shall annually elect a chair and other officers as established in
3282 the committee's bylaws.

3283 B. In order to operate the program, the committee may:

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- 3284 1. Adopt rules and bylaws consistent with this chapter that are necessary to the
3285 conduct of the program, based upon the following principles:
- 3286 a. seek operational efficiencies;
 - 3287 b. enhance program effectiveness;
 - 3288 c. use innovative best practices;
 - 3289 d. promote equitable access for nonprofit participation; and
 - 3290 e. maintain standards to ensure nonprofit fiscal responsibility and stability;
- 3291 2. Establish and apply eligibility rules by which a nonprofit organization may
3292 participate in the program;
- 3293 3 Coordinate and facilitate the program consistent with this chapter and any rules
3294 adopted for the program. If the committee determines that a federation or nonprofit
3295 organization is not eligible to participate in the program, the federation or nonprofit
3296 organization may apply to the committee for reconsideration of the eligibility decision;
- 3297 4. Guide fiscal stewardship of the program;
- 3298 5. ~~((Serve voluntarily without additional wages, including no additional~~
3299 ~~compensation for working beyond normal working hours, and shall be reimbursed by their~~
3300 ~~employing departments for travel, lodging and meals in accordance with county laws and~~
3301 ~~regulations. Committee members shall be given release time from regular work hours to~~
3302 ~~serve on the committee. Employees covered by the overtime requirements of the Fair~~
3303 ~~Labor Standards Act or state law who are serving as committee members should ensure~~
3304 ~~that their working hours, including hours worked for the committee, do not exceed~~
3305 ~~approved hours;~~

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3306 6-)) Assist the executive or the executive's designee in the selection of a program
3307 administrator; and

3308 ((7-)) 6. Solicit and accept from the general public and business communities and
3309 all other persons, gifts, bequests, and donations to the county in support of the program.

3310 C. Committee members serve voluntarily and with the approval of their employing
3311 department. Committee members shall be given release time from regular work hours to
3312 serve on the committee and shall be reimbursed by their employing department for any
3313 applicable travel, lodging, and meals in accordance with county laws and regulations.
3314 Employees covered by the overtime requirements of the Fair Labor Standards Act or state
3315 law who volunteer to serve as committee members shall track and submit all hours worked
3316 for the committee, and shall ensure that their working hours, including hours worked for
3317 the committee, are approved by their supervisors in advance.

3318 SECTION 108. Ordinance 17332, Section 4, and K.C.C. 3.36.035 are each
3319 hereby amended to read as follows:

3320 The program administrator shall be responsible for the operational details of the
3321 program, including the annual drive and ((natural)) emergency or disaster ((response))
3322 relief solicitations, under the general oversight of the committee. The cost of the program
3323 administrator shall be included as part of the administrative cost of the program.

3324 SECTION 109. Ordinance 16035, Section 5, as amended, and K.C.C. 3.36.045
3325 are each hereby amended to read as follows:

3326 A. A federation or nonprofit organization may participate in the ((annual drive))
3327 program if the federation or nonprofit organization submits a timely application for
3328 participation to the committee and meets all eligibility ((standards)) requirements as

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3329 established by this chapter and any rules adopted for the program. An official of the
3330 federation or nonprofit organization must certify on the ~~((annual drive))~~ program
3331 application that the federation, each nonprofit organization represented by the federation,
3332 or the nonprofit organization:

3333 1. Is formally recognized by the United States Internal Revenue Service as
3334 complying with Section 501(c)(3) of the Internal Revenue Code of 1986 or is a
3335 governmental unit of the state of Washington, and for which all contributions to the
3336 nonprofit organization are eligible to be deductible for federal income tax purposes under
3337 Section 170 of the Internal Revenue Code of 1986;

3338 2. Is registered with the Washington state Secretary of State as provided by
3339 RCW 19.09.065 and is in compliance with Washington state laws governing charities to
3340 the best of the knowledge of the individual certifying the application;

3341 3.a. Does not discriminate against any person on the basis of race, color,
3342 religious affiliation, sex, age, national origin, marital status, sexual orientation, disability,
3343 or gender identity or expression or qualifies for an exemption under Title VII of the Civil
3344 Rights Act of 1964 as amended. An affirmation of a participating organization's
3345 adherence to this subsection A.3.a, or a statement of exemption from this subsection
3346 A.3.a, must be included in the organization's application. A federation must affirm in the
3347 federation's application the adherence to this subsection A.3.a, or a legal exception from
3348 this subsection A.3.a, for each nonprofit organization the federation represents.

3349 b. Nothing in this subsection A.3. denies eligibility to a federation or nonprofit
3350 organization that is otherwise eligible to participate in the ~~((annual drive))~~ program merely
3351 because the federation or nonprofit organization is organized by, on behalf of or to serve

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3352 persons of a particular race, color, religious affiliation, sex, national origin, age, marital
3353 status, sexual orientation, disability, or gender identity or expression.

3354 B. Participating organizations' responses provided under subsection A. of this
3355 section may be noted in ~~((campaign))~~ program materials.

3356 SECTION 110. Ordinance 16035, Section 6, as amended, and K.C.C. 3.36.055
3357 are each hereby amended to read as follows:

3358 A. Employees may be solicited for program contributions in accordance with this
3359 chapter.

3360 B. Solicitations and events related to the program must be conducted on county
3361 property or online using county resources during normal county business hours.

3362 C. Employees may use county property for the purposes of solicitations for the
3363 promotion of the program.

3364 D. ~~((As provided in RCW 41.06.250(1) and 42.17.130, county property, county
3365 equipment and county employees' working time may not be used during a campaign for
3366 partisan political purposes, to assist in an individual's election to political office or for the
3367 promotion of or opposition to any ballot proposition.~~

3368 ~~E.))~~ A county employee shall not be coerced or required to participate in any
3369 ~~((presentation))~~ program activities or to make any donation to a qualified nonprofit
3370 organization. A county employee shall not be penalized for failing to participate in the
3371 program. Departments and offices may authorize time for department employees to
3372 attend ~~((presentations about the))~~ program-related activities.

3373 SECTION 111. Ordinance 16035, Section 7, as amended, and K.C.C. 3.36.065
3374 are each hereby amended to read as follows:

Ordinance 19953

3375 A. Donations under this chapter may include payroll deductions, checks, money
3376 orders, cash, electronic payments, and time donations in accordance with K.C.C.
3377 3.12.222.

3378 B. The county shall make deductions from county employees' salary warrants and
3379 pay the moneys collected to the qualified nonprofit organizations and federations
3380 designated by county employees when the deductions and payments are authorized by
3381 county employees in accordance with this chapter.

3382 SECTION 112. Ordinance 16035, Section 8, as amended, and K.C.C. 3.36.075
3383 are each hereby amended to read as follows:

3384 A. After program costs have been paid, all payroll deductions must be fully
3385 disbursed by the county to the designated qualified nonprofit organizations by the end of
3386 the first quarter following the deduction year. Federations shall make distributions to
3387 their member charitable organizations as designated by contributors.

Ordinance 19953

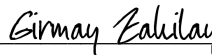
3388 B. Any undesignated contributions shall be distributed proportionately to the
3389 participating organizations.

Ordinance 19953 was introduced on 5/6/2025 and passed as amended by the
Metropolitan King County Council on 7/8/2025, by the following vote:

Yes: 8 - Balducci, Barón, Dembowski, Dunn, Perry, Quinn, von
Reichbauer and Zahilay
Excused: 1 - Mosqueda

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Signed by:



1AEA3C5077F8485...

Girmay Zahilay, Chair

ATTEST:

DocuSigned by:

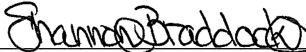


8DE1BB375AD3422...

Melani Hay, Clerk of the Council

APPROVED this _____ day of 7/18/2025, _____.

Signed by:



AAA4841FD7644BE...

Shannon Braddock, County Executive

Attachments: None

Certificate Of Completion

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Girmay Zahilay

girmay.zahilay@kingcounty.gov

Council Chair

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Signature

Signed by:

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Sent: 7/9/2025 9:39:53 AM

Viewed: 7/9/2025 10:13:30 AM

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Melani Hay

melani.hay@kingcounty.gov

Clerk of the Council

King County Council

Security Level: Email, Account Authentication
(None)

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Shannon Braddock

Shannon.Braddock@kingcounty.gov

Deputy Executive

Security Level: Email, Account Authentication
(None)

Signed by:

AAA4841FD7644BE...

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Signed: 7/18/2025 2:29:34 PM

Electronic Record and Signature Disclosure:

Accepted: 7/18/2025 2:29:10 PM

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In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events	Status	Timestamp
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Carbon Copy Events	Status	Timestamp
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Ames Kessler
akessler@kingcounty.gov
Executive Legislative Coordinator & Public Records
Officer
King County
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Certified Delivered	Security Checked	7/18/2025 2:29:10 PM
Signing Complete	Security Checked	7/18/2025 2:29:34 PM
Completed	Security Checked	7/18/2025 2:29:34 PM

Payment Events	Status	Timestamps
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