



KING COUNTY

ATTACHMENT 2

Signature Report

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

April 11, 2018

Ordinance

Proposed No. 2018-0138.1

Sponsors Balducci

1 AN ORDINANCE relating to standardizing benefits that
2 were bargained in the Master Labor Agreement; amending
3 Ordinance 12014, Section 5, as amended, and K.C.C.
4 3.12.010, Ordinance 12014, Section 7, as amended, and
5 K.C.C. 3.12.040, Ordinance 12014, Section 14, and K.C.C.
6 3.12.110, Ordinance 12014, Section 19, as amended, and
7 K.C.C. 3.12.190, Ordinance 4324, Section 27, as amended,
8 and K.C.C. 3.12.210, Ordinance 18408, Section 2, as
9 amended, and K.C.C. 3.12.219, Ordinance 12014, Section
10 21, as amended, and K.C.C. 3.12.220, Ordinance 15558,
11 Section 2, as amended, and K.C.C. 3.12.222, Ordinance
12 12014, Section 22, as amended, and K.C.C. 3.12.223,
13 Ordinance 13743, Section 1, as amended, and K.C.C.
14 3.12.224, Ordinance 7956, Section 6, as amended, and
15 K.C.C. 3.12.225, Ordinance 12014, Section 23, as
16 amended, and K.C.C. 3.12.230, Ordinance 12077, Section
17 5, as amended, and K.C.C. 3.12.240, Ordinance 12014,
18 Section 25, as amended, and K.C.C. 3.12.250, Ordinance
19 12498, Sections 1 and 4 through 7, as amended, and K.C.C.

20 3.12.335, Ordinance 12014, Section 50, as amended, and
21 K.C.C. 3.15.020, Ordinance 12014, Section 52, as
22 amended, and K.C.C. 3.15.030, Ordinance 14233, Section
23 6, as amended, and K.C.C. 3.15.130 and Ordinance 14233,
24 Section 7, as amended, and K.C.C. 3.15.140, adding a new
25 section to K.C.C. chapter 3.15 and repealing Ordinance
26 13743, Section 2, as amended, and K.C.C. 3.12.2245.

27 **STATEMENT OF FACTS:**

28 1. In October 2017, a tentative agreement for the county's first Master
29 Labor Agreement ("MLA") was reached. The MLA achieves
30 unprecedented efficiencies by bringing together twenty-one unions, which
31 represent six thousand employees covered by sixty-one labor agreements,
32 into one master collective bargaining agreement that governs many of the
33 terms and conditions of county employment.

34 2. The MLA will ease the burden on county personnel of administering
35 sixty-one different collective bargaining agreements, and will bring
36 greater equity to county employees by standardizing many common
37 benefits and practices.

38 3. Standardization between the MLA and the King County Code furthers
39 these achievements and supports King County's Strategic Plan goal of
40 ensuring that county government operates efficiently and effectively.

41 **BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:**

42 **SECTION 1.** Ordinance 12014, Section 5, as amended, and K.C.C. 3.12.010 are

43 each hereby amended to read as follows:

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

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

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

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

53 c. veterans temporarily working to gain practical workforce experience.

54 2. All administrative internships in executive departments shall be approved by
55 the manager. Administrative interns are exempt from the career service under Section
56 550 of the charter.

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

60 C. "Appointing authority" means the county council, the executive, chief officers
61 of executive departments and administrative offices, or division managers having
62 authority to appoint or to remove persons from positions in the county service.

63 D. "Basis of merit" means the value, excellence or superior quality of an
64 individual's work performance, as determined by a structured process comparing the
65 employee's performance against defined standards and, where possible, the performance

66 of other employees of the same or similar class.

67 E. "Board" means the county personnel board established by Section 540 of the
68 charter.

69 F. "Budgetary furlough" means a circumstance in which projected county
70 revenues are determined to be insufficient to fully fund county agency operations and, in
71 order either to achieve budget savings or to meet unallocated budget reductions, which
72 are commonly known as contras, or both, cost savings may be achieved through
73 reduction in days or hours of service, resulting in placing an employee for one or more
74 days in a temporary furlough status without duties and without pay.

75 G. "Career service employee" means a county employee appointed to a career
76 service position as a result of the selection procedure provided for in this chapter, and
77 who has completed the probationary period.

78 H. "Career service position" means all positions in the county service except for
79 those that are designated by Section 550 of the charter as follows: all elected officers; the
80 county auditor, the clerk and all other employees of the county council; the county
81 administrative officer; the chief officer of each executive department and administrative
82 office; the members of all boards and commissions; the chief economist and other
83 employees of the office economic and financial analysis; the chief economist and other
84 employees of the office of economic and financial analysis; administrative assistants for
85 the executive and one administrative assistant each for the county administrative officer,
86 the county auditor, the county assessor, the chief officer of each executive department
87 and administrative office and for each board and commission; a chief deputy for the
88 county assessor; one confidential secretary each for the executive, the chief officer of

89 each executive department and administrative office, and for each administrative assistant
90 specified in this section; all employees of those officers who are exempted from the
91 provisions of this chapter by the state constitution; persons employed in a professional or
92 scientific capacity to conduct a special inquiry, investigation or examination; part-time
93 and temporary employees; administrative interns; election precinct officials; all persons
94 serving the county without compensation; physicians; surgeons; dentists; medical interns;
95 and student nurses and inmates employed by county hospitals, tuberculosis sanitariums
96 and health departments of the county.

97 Divisions in executive departments and administrative offices as determined by
98 the county council shall be considered to be executive departments for the purpose of
99 determining the applicability of Section 550 of the charter.

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

103 I. "Charter" means the King County Charter, as amended.

104 J. "Child" means a biological, adopted or foster child, a stepchild, a legal ward or
105 a child of an employee standing in loco parentis to the child, who is:

- 106 1. Under eighteen years of age; or
- 107 2. Eighteen years of age or older and incapable of self care because of a mental
108 or physical disability.

109 K. "Class" or "classification" means a position or group of positions, established
110 under authority of this chapter, sufficiently similar in respect to the duties, responsibilities
111 and authority thereof, that the same descriptive title may be used to designate each

112 position allocated to the class.

113 L. "Classification plan" means the arrangement of positions into classifications
114 together with specifications describing each classification.

115 M. "Compensatory time" means time off granted with pay in lieu of pay for work
116 performed either on an authorized overtime basis or work performed on a holiday that is
117 normally scheduled as a day off. Such compensatory time shall be granted on the basis of
118 time and one-half.

119 N. "Competitive employment" means a position established in the county budget
120 and that requires at least twenty-six weeks of service per year as the work schedule
121 established for the position.

122 O. "Comprehensive leave benefits" means those leave benefits described in and
123 subject to this chapter, including leaves for vacations, promotional or qualifying
124 examinations, bereavement, life-giving or life-saving procedures, sickness, (~~volunteering~~
125 ~~at schools~~) volunteer service, parental leave, donated leave and leaves of absence
126 without pay.

127 P. "Council" means the county council as established by Article 2 of the charter.

128 Q. "County" means King County and any other organization that is legally
129 governed by the county with respect to personnel matters.

130 R. "Developmental disability" means a developmental disability, as defined in
131 RCW 71A.10.020(2), as amended, attributable to mental retardation, cerebral palsy,
132 epilepsy, autism or other neurological or other condition of an individual found by the
133 secretary of the Washington state Department of Social and Health Services or the
134 secretary's designee to be closely related to mental retardation or to require treatment

135 similar to that required for individuals with mental retardation, which disability originates
136 before the individual attains age eighteen, that has continued or can be expected to
137 continue indefinitely and that constitutes a substantial handicap for the individual.

138 S. "Direct cost" means the cost aggregate of the actual weighted average cost of
139 insured benefits, less any administrative cost therefor. Any payments to part-time and
140 temporary employees under this chapter shall not include any administrative overhead
141 charges applicable to administrative offices and executive departments.

142 T. "Director" means the manager of the human resources management division.

143 U. "Division" means the human resources management division or its successor
144 agency.

145 V. "Domestic partners" are two people in a domestic partnership, one of whom is
146 a county employee.

147 W. "Domestic partnership" is a relationship whereby two people:

- 148 1. Have a close personal relationship;
- 149 2. Are each other's sole domestic partner and are responsible for each other's
150 common welfare;
- 151 3. Share the same regular and permanent residence;
- 152 4. Are jointly responsible for basic living expenses which means the cost of
153 basic food, shelter and any other expenses of a domestic partner that are paid at least in
154 part by a program or benefit for which the partner qualified because of the domestic
155 partnership. The individuals need not contribute equally or jointly to the cost of these
156 expenses as long as they agree that both are responsible for the cost;
- 157 5. Are not married to anyone;

158 6. Are each eighteen years of age or older;

159 7. Are not related by blood closer than would bar marriage in the state of

160 Washington;

161 8. Were mentally competent to consent to contract when the domestic

162 partnership began.

163 X. "Employed at least half time or more" means employed in a regular position
164 that has an established work schedule of not less than one-half the number of hours of the
165 full-time positions in the work unit in which the employee is assigned, or when viewed
166 on a calendar year basis, nine hundred ten hours or more in a work unit in which a work
167 week of more than thirty-five but less than forty hours is standard or one thousand forty
168 hours or more in a work unit in which a forty hour work week is standard. If the standard
169 work week hours within a work unit varies (employees working both thirty five and forty
170 hours) the manager, in consultation with the department, is responsible for determining
171 what hour threshold applies.

172 Y. "Employee" means any person who is employed in a career service position or
173 exempt position.

174 Z. "Employees eligible for comprehensive leave benefits" means full-time
175 regular, part-time regular, provisional, probationary and term-limited temporary
176 employees.

177 AA. "Executive" means the county executive, as established by Article 3 of the
178 charter.

179 BB. "Exempt employee" means an employee employed in a position that is not a
180 career service position under Section 550 of the charter. Exempt employees serve at the

181 pleasure of the appointing authority.

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

185 DD. "Full-time regular employee" means an employee employed in a full-time
186 regular position and, for full-time career service positions, is not serving a probationary
187 period.

188 EE. "Full-time regular position" means a regular position that has an established
189 work schedule of not less than thirty-five hours per week in those work units in which a
190 thirty-five hour week is standard, or of not less than forty hours per week in those work
191 units in which a forty-hour week is standard.

192 FF. "Furlough day" means a day for which an employee shall perform no work
193 and shall receive no pay due to an emergency budget crisis necessitating emergency
194 budget furloughs.

195 GG. "Furloughed employee" means an employee who is placed in a temporary
196 status without duties and without pay due to a financial emergency necessitating budget
197 reductions.

198 HH. "Grievance" means an issue raised by an employee relating to the
199 interpretation of rights, benefits, or condition of employment as contained in either the
200 administrative rules or procedures, or both, for the career service.

201 II. "Immediate family" means spouse, child, parent, son-in-law, daughter-in-law,
202 grandparent, grandchild, sibling, domestic partner and the child, parent, sibling,
203 grandparent or grandchild of the spouse or domestic partner.

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

206 KK. "Insured benefits" means those insurance benefits described in and subject
207 to this chapter, including medical, dental, life, disability and vision benefits.

208 LL. "Integrated work setting" means a work setting (~~((with no more than eight
209 persons with developmental disabilities or with the presence of a sensory, mental or
210 physical handicap as specified in K.C.C. 3.12.180. This definition refers to all county
211 offices, field locations and other work sites at which supported employees work
212 alongside employees who are not persons with development disabilities employed in
213 permanent county positions)) in which the majority of people employed are individuals
214 without disabilities and wages are paid at minimum wage or better.~~

215 MM. "King County family and medical leave" means a leave of absence taken
216 under K.C.C. 3.12.221.

217 NN. "Life-giving and life-saving procedures" means a medically-supervised
218 procedure involving the testing, sampling, or donation of blood, organs, fluids, tissues
219 and other human body components for the purposes of donation without compensation to
220 a person for a medically necessary treatment.

221 OO. "Manager" means the manager of the human resources management division
222 or its successor agency.

223 PP. "Marital status" means the presence or absence of a marital relationship and
224 includes the status of married, separated, divorced, engaged, widowed, single or
225 cohabiting.

226 QQ. "Part-time employee" means an employee employed in a part-time position.

227 Under Section 550 of the charter, part-time employees are not members of the career
228 service.

229 RR. "Part-time position" means an other than a regular position in which the part-
230 time employee is employed less than half time, that is less than nine hundred ten hours in
231 a calendar year in a work unit in which a thirty-five hour work week is standard or less
232 than one thousand forty hours in a calendar year in a work unit in which a forty-hour
233 work week is standard, except as provided elsewhere in this chapter. Where the standard
234 work week falls between thirty-five and forty hours, the manager, in consultation with the
235 department, is responsible for determining what hour threshold will apply. Part-time
236 position excludes administrative intern.

237 SS. "Part-time regular employee" means an employee employed in a part-time
238 regular position and, for part-time career service positions, is not serving a probationary
239 period. Under Section 550 of the charter, such part-time regular employees are members
240 of the career service.

241 TT. "Part-time regular position" means a regular position in which the part-time
242 regular employee is employed for at least nine hundred ten hours but less than a full-time
243 basis in a calendar year in a work unit in which a thirty-five hour work week is standard
244 or for at least one thousand forty hours but less than a full-time basis in a calendar year in
245 a work unit in which a forty-hour work week is standard. Where the standard work week
246 falls between thirty-five and forty hours, the manager, in consultation with the
247 department, is responsible for determining what hour threshold will apply.

248 UU. "Pay plan" means a systematic schedule of numbered pay ranges with
249 minimum, maximum and intermediate steps for each pay range, a schedule of assignment

250 of each classification to a numbered pay range and rules for administration.

251 VV. "Pay range" means one or more pay rates representing the minimum,
252 maximum and intermediate steps assigned to a classification.

253 WW. "Pay range adjustment" means the adjustment of the numbered pay range
254 of a classification to another numbered pay range in the schedule based on a classification
255 change, competitive pay data or other significant factors.

256 XX. "Personnel guidelines" means only those operational procedures
257 promulgated by the manager necessary to implement personnel policies or requirements
258 previously stipulated by ordinance or the charter. Such personnel guidelines shall be
259 applicable only to employees assigned to executive departments and administrative
260 agencies.

261 YY. "Position" means a group of current duties and responsibilities assigned by
262 competent authority requiring the employment of one person.

263 ZZ. "Probationary employee" means an employee serving a probationary period
264 in a regular career service. Probationary employees are temporary employees and
265 excluded from career service under Section 550 of the charter.

266 AAA. "Probationary period" means a period of time, as determined by the
267 director, for assessing whether an individual is qualified for a career service position to
268 which the employee has been newly appointed or has moved from another position,
269 whether through promotion, demotion or transfer, except as provided in K.C.C. 3.12.100.

270 BBB. "Probationary period salary increase" means a within-range salary increase
271 from one step to the next highest step upon satisfactory completion of the probationary
272 period.

273 CCC. "Promotion" means the movement of an employee to a position in a
274 classification having a higher maximum salary.

275 DDD. "Provisional appointment" means an appointment made in the absence of a
276 list of candidates certified as qualified by the manager. Only the manager may authorize
277 a provisional appointment. An appointment to this status is limited to six months.

278 EEE. "Provisional employee" means an employee serving by provisional
279 appointment in a regular career service. Provisional employees are temporary employees
280 and excluded from career service under Section 550 of the charter.

281 FFF. "Qualifying event" means the birth of the employee's child, the employee's
282 adoption of a child or the foster-to-adopt placement of a child with the employee.

283 GGG. "Recruiting step" means the first step of the salary range allocated to a
284 class unless otherwise authorized by the executive.

285 HHH. "Regular position" means a position established in the county budget and
286 identified within a budgetary unit's authorized full time equivalent (FTE) level as set out
287 in the budget detail report.

288 III. "Salary or pay rate" means an individual dollar amount that is one of the steps
289 in a pay range paid to an employee based on the classification of the position occupied.

290 JJJ. "Section" means an agency's budget unit comprised of a particular project
291 program or line of business as described in the budget detail plan for the previous fiscal
292 period as attached to the adopted appropriation ordinance or as modified by the most
293 recent supplemental appropriations ordinance. This definition is not intended to create an
294 organization structure for any agency.

295 KKK. "Serious health condition" means an illness or injury, impairment or

296 physical or mental condition that involves one or more of the following:

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

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

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

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

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

311 6. Any period of incapacity due to pregnancy or prenatal care.

312 LLL. "Short-term temporary employee" means a temporary employee who is
313 employed in a short-term temporary position.

314 MMM. "Short-term temporary position" means a type of position in which a
315 temporary employee works less than nine hundred ten hours in a calendar year in a work
316 unit in which a thirty-five-hour work week is standard or less than one thousand forty
317 hours in a calendar year in a work unit in which a forty-hour work week is standard.

318 Where the standard work week falls between thirty-five and forty hours, the manager, in

319 consultation with the department, is responsible for determining what hour threshold will
320 apply.

321 NNN "Temporary employee" means an employee employed in a temporary
322 position and in addition, includes an employee serving a probationary period or under
323 provisional appointment. Under Section 550 of the charter, temporary employees shall
324 not be members of the career service.

325 OOO. "Temporary position" means a position that is not a regular position as
326 defined in this chapter and excludes administrative intern. Temporary positions include
327 both term-limited temporary and short-term temporary positions

328 PPP. "Term-limited temporary employee" means a temporary employee who is
329 employed in a term-limited temporary position. Term-limited temporary employees are
330 not members of the career service. Term-limited temporary employees may not be
331 employed in term-limited temporary positions longer than three years beyond the date of
332 hire, except that for grant-funded projects capital improvement projects and information
333 systems technology projects the maximum period may be extended up to five years upon
334 approval of the manager. The manager shall maintain a current list of all term-limited
335 temporary employees by department.

336 QQQ. "Term-limited temporary position" means a temporary position with work
337 related to a specific grant, capital improvement project, information systems technology
338 project or other nonroutine, substantial body of work, for a period greater than six
339 months. In determining whether a body of work is appropriate for a term-limited
340 temporary position, the appointing authority will consider the following:

341 1. Grant-funded projects: These positions will involve projects or activities that

342 are funded by special grants for a specific time or activity. These grants are not regularly
343 available to or their receipt predictable by the county;

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

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

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

355 5. Seasonal positions: These are positions with work for more than six
356 consecutive months, half-time or more, with total hours of at least nine hundred ten in a
357 calendar year in a work unit in which a thirty-five hour work week is standard or at least
358 one thousand forty hours in a calendar year in a work unit in which a forty hour work
359 week is standard, that due to the nature of the work have predictable periods of inactivity
360 exceeding one month. Where the standard work week falls between thirty-five and forty
361 hours, the manager, in consultation with the department, is responsible for determining
362 what hour threshold will apply; and

363 6. Temporary placement in regular positions: These are positions used to back
364 fill regular positions for six months or more due to a career service employee's absence

365 such as extended leave or assignment on any of the foregoing time-limited projects.

366 All appointments to term-limited temporary positions will be made by the
367 appointing authority in consultation with the manager before the appointment of term-
368 limited temporary employees.

369 RRR. "Volunteer for the county" means an individual who performs service for
370 the county for civic, charitable or humanitarian reasons, without promise, expectation or
371 receipt of compensation from the county for services rendered and who is accepted as a
372 volunteer by the county, except emergency service worker volunteers as described by
373 chapter 38.52 RCW. A "volunteer for the county" may receive reasonable
374 reimbursement of expenses or an allowance for expenses actually incurred without losing
375 status as a volunteer. "Volunteer for the county" includes, but is not limited to, a
376 volunteer serving as a board member, officer, commission member, volunteer intern or
377 direct service volunteer.

378 SSS. "Volunteer intern" means volunteers who are either:

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

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

384 TTT. "Washington state registered domestic partner" means persons who have
385 met the requirements for a valid state-registered domestic partnership as established by
386 RCW 26.60.030 and who have been issued a certificate of state-registered domestic
387 partnership by the Secretary of State's office.

388 UUU. "Work study student" means a student enrolled or accepted for enrollment
389 at a post-secondary institution who, according to a system of need analysis approved by
390 the higher education coordinating board, demonstrates a financial inability, either
391 parental, familial or personal, to bear the total cost of education for any semester or
392 quarter.

393 SECTION 2. Ordinance 12014, Section 7, as amended, and K.C.C. 3.12.040 are
394 each hereby amended to read as follows:

395 A. Full-time regular, part-time regular, provisional, probationary and term-
396 limited temporary employees shall receive the comprehensive leave benefits provided in
397 this chapter. Short-term temporary employees and administrative interns do not receive
398 comprehensive leave benefits and are only eligible for the sick leave benefits outlined in
399 K.C.C. 3.12.220.

400 B. Full-time regular, part-time regular, provisional, probationary, term-limited
401 temporary employees and those employees who meet the definition of full time employee
402 under the Patient Protection and Affordable Care Act of 2010, as amended, and including
403 applicable regulations promulgated under the Patient Protection and Affordable Care
404 ~~((a))~~Act of 2010, as amended, and their spouses or Washington state registered domestic
405 partners, each of their dependent children and each of the dependent children of their
406 spouses or Washington State registered domestic partners shall be eligible for medical,
407 dental, life, disability and vision benefits, except in those instances where contrary
408 provisions have been agreed to in the collective bargaining process and to the extent such
409 benefits are available through insurers selected by the county. The director shall establish
410 specific provisions governing eligibility for these benefits as part of the personnel

411 guidelines and consistent with budget requirements. The provisions may include waiting
412 periods for employees newly-hired to the county.

413 C. Part-time and temporary employees, other than probationary, provisional and
414 term-limited temporary employees, who exceed the calendar year working hours
415 threshold defined in this chapter shall receive compensation in lieu of leave benefits at
416 the rate of fifteen percent of gross pay for all hours worked less the value of any sick
417 leave benefits provided under K.C.C. 3.12.220.A.2, paid retroactive to the first hour of
418 employment and for each hour worked thereafter. If an employee has not previously
419 received insured benefits provided under K.C.C. 3.12.040.B, the employee shall also
420 receive a one-time only payment in an amount equal to the direct cost of three months of
421 insured benefits, as determined by the director, and, in lieu of insured benefits, in an
422 amount equal to the direct cost to the county for each employee for whom insured
423 benefits are provided, prorated to reflect the affected employee's normal work week, for
424 each hour worked thereafter. The additional compensation shall continue until
425 termination of employment or hire into a full-time regular, part-time regular or term-
426 limited position. Further, employees receiving pay in lieu of insured benefits may elect
427 to receive the medical component of the insured benefit plan, with the cost to be deducted
428 from their gross pay, but an employee who so elects shall remain in the selected plan
429 until: termination of employment; hire into a full-time regular, part-time regular or term-
430 limited position; or service of an appropriate notice of change or cancellation during the
431 employee benefits annual open enrollment.

432 Part-time and temporary employees, other than probationary, provisional and
433 term-limited temporary employees, who exceed the applicable threshold are also eligible

434 for cash in lieu of the bus pass benefit provided to regular employees. The value shall be
435 determined based on the average annual cost per employee as determined in the adopted
436 budget, prorated to an hourly equivalent based on the employee's normal work week, and
437 shall be paid retroactive to the first hour worked and for each hour worked thereafter until
438 termination of employment or hire into a full-time regular, part-time regular or term
439 limited position.

440 SECTION 3. Ordinance 12014, Section 14, and K.C.C. 3.12.110 are each hereby
441 amended to read as follows:

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

446 B. The director shall be responsible for planning and executing an adequate
447 training program for employees.

448 C. The county shall pay for any training, certification or license, except for a
449 driver's license, that is required by the county for the employee's position. This includes
450 necessary release time for training that is preapproved by the employee's supervisor.

451 D. The county shall not reimburse employees for unauthorized training.

452 ~~((D:))~~ E. Employees wishing to complete educational programs may request a
453 leave of absence without pay for this purpose.

454 SECTION 4. Ordinance 12014, Section 19, as amended, and K.C.C. 3.12.190 are
455 each hereby amended to read as follows:

456 A. ~~((Beginning January 1, 1996, e))~~ Employees eligible for comprehensive leave

457 benefits shall accrue vacation leave benefits as described in and further qualified by this
 458 section.

<u>((Full Years of Service</u>	<u>Annual Leave in Days</u>
Upon hire through end of Year 5	12
Upon beginning of Year 6	15
Upon beginning of Year 9	16
Upon beginning of Year 11	20
Upon beginning of Year 17	21
Upon beginning of Year 18	22
Upon beginning of Year 19	23
Upon beginning of Year 20	24
Upon beginning of Year 21	25
Upon beginning of Year 22	26
Upon beginning of Year 23	27
Upon beginning of Year 24	28
Upon beginning of Year 25	29
Upon beginning of Year 26 and beyond	30))

459

<u>Months of Service</u>	<u>Hourly Accrual Rate</u>	<u>Approximate Days/Year</u>
<u>0</u>	<u>0.04620</u>	<u>12.01200</u>
<u>60</u>	<u>0.05770</u>	<u>15.00200</u>
<u>96</u>	<u>0.06160</u>	<u>16.01600</u>
<u>120</u>	<u>0.07700</u>	<u>20.02000</u>

<u>192</u>	<u>0.08080</u>	<u>21.00800</u>
<u>204</u>	<u>0.08470</u>	<u>22.02200</u>
<u>216</u>	<u>0.08850</u>	<u>23.01000</u>
<u>228</u>	<u>0.09240</u>	<u>24.02400</u>
<u>240</u>	<u>0.09620</u>	<u>25.01200</u>
<u>252</u>	<u>0.10010</u>	<u>26.02600</u>
<u>264</u>	<u>0.10390</u>	<u>27.01400</u>
<u>276</u>	<u>0.10780</u>	<u>28.02800</u>
<u>288</u>	<u>0.11160</u>	<u>29.01600</u>
<u>300</u>	<u>0.11540</u>	<u>30.00400</u>

460 B. (~~Notwithstanding the vacation leave schedule in subsection A. of this section,~~
461 ~~employees eligible for comprehensive leave benefits, excluding employees in the former~~
462 ~~department of metropolitan services, shall accrue vacation leave as follows:~~

463 1. ~~Those employees who were employed on or before December 31, 1995, and~~
464 ~~by that date had completed at least three but less than five full years of service shall begin~~
465 ~~to accrue fifteen days of vacation leave per year effective January 1, 1996;~~

466 2. ~~Those employees who were employed on or before December 31, 1995, and~~
467 ~~subsequent to that date complete three full years of service shall begin to accrue fifteen~~
468 ~~days of vacation leave per year effective on the first day of their fourth full year of~~
469 ~~service.~~

470 ~~Beginning on the first day of their sixth full year of service, all such employees~~
471 ~~shall accrue vacation leave as set forth in subsection A. of this section.~~

472 C.)) Vacation accrual rates for an employee who works other than the full time

473 schedule standard to the employee's work unit shall be prorated to reflect the employee's
474 normally scheduled work week. No adjustment to vacation accrual rates for a furloughed
475 employee shall be made as a result of a budgetary furlough.

476 ~~((D. Employees eligible for vacation leave shall accrue vacation leave from their
477 date of hire into a benefit eligible position.~~

478 ~~E.))~~ C.1. Employees hired before December 31, 2017, who are eligible for
479 vacation leave may accrue up to ((sixty days)) four hundred eighty hours of vacation
480 leave, prorated to reflect their normally scheduled work ((day)) schedule.

481 2. Employees hired January 1, 2018, or thereafter, who are eligible for vacation
482 leave may accrue up to three hundred twenty hours of vacation leave, prorated to reflect
483 their normally scheduled work schedule.

484 ~~_____ ((Those))~~ 3. All employees shall use vacation leave beyond the employee's
485 maximum accrual amount before December 31 of each year. Failure to use vacation
486 leave beyond the employee's maximum accrual amount ((will)) shall result in forfeiture
487 of the vacation leave beyond the employee's maximum accrual amount unless the
488 appointing authority has approved a carryover of the vacation leave because of cyclical
489 workloads, work assignments or other reasons as may be in the best interests of the
490 county.

491 ~~((F. Exempt employees in regular positions, other than provisional or
492 probationary employees, may take and upon leaving county employment be paid for
493 accrued vacation leave as approved by their appointing authorities.~~

494 ~~G. Career service employees, provisional, probationary and term limited
495 temporary e))~~ D. Employees((, shall not be eligible to take or be paid for vacation leave

496 ~~until they have successfully completed their first six months of county service, and if they~~
497 ~~leave county employment before successfully completing their first six months of county~~
498 ~~service, shall forfeit and not be paid for accrued vacation leave)) eligible for
499 comprehensive leave benefits may use vacation leave hours in the pay period after they
500 are accrued. Employees who leave county employment before successfully completing
501 their first six months of county service shall forfeit their vacation leave hours and are
502 excluded from the payout provisions in this section.~~

503 ~~((H.))~~ E. A furloughed employee shall not be eligible to take or be paid for
504 vacation in lieu of taking a budgetary furlough day.

505 F. In lieu of the remuneration for fifty percent of unused accrued vacation leave
506 at retirement, the ~~((manager of the human resources division or designee))~~ director may,
507 with equivalent funds and in accordance with the procedures in K.C.C.

508 3.12.220.~~((F.))~~G.2.b, provide eligible employees with a voluntary employee beneficiary
509 association plan that provides for reimbursement of retiree and other qualifying medical
510 expenses.

511 ~~((F.))~~ G. An employee who is eligible for comprehensive leave benefits shall be
512 paid for accrued vacation leave to the employee's date of separation up to the employee's
513 maximum accrual amount if the employee has successfully completed the employee's
514 first six months of county service and is in good standing. Except with the written
515 approval of the executive, the position, if vacated by a nonrepresented employee, shall
516 not be filled until salary savings for the position are accumulated in an amount sufficient
517 to pay the cost of the cash out. Payment shall be the accrued vacation leave multiplied by
518 the employee's rate of pay in effect upon the date of leaving county employment less

519 mandatory withholdings.

520 ~~((J. Employees shall not use or be paid for vacation leave until it has accrued and~~
521 ~~the use or payment is consistent with the provisions of this section.~~

522 ~~K.))~~ H. Employees shall not work for compensation for the county in any
523 capacity during the time that the employees are on vacation leave.

524 ~~((L.))~~ I. For employees covered by the overtime requirements of the Fair Labor
525 Standards Act, vacation leave may be used in ~~((one-half hour))~~ fifteen-minute
526 increments, at the discretion of the appointing authority.

527 ~~((M.))~~ J. In cases of separation from county employment by death of an employee
528 with accrued vacation leave and who has successfully completed the employee's first six
529 months of county service, payment of unused vacation leave up to the employee's
530 maximum accrual amount shall be made to the employee's estate, or, in applicable cases,
531 as provided for by state law, Title 11 RCW. Except with the written approval of the
532 executive, the position, if vacated by a nonrepresented employee, shall not be filled until
533 salary savings for the position are accumulated in an amount sufficient to pay the cost of
534 the cash out.

535 ~~((N.))~~ K. If an employee resigns from a full-time regular or part-time regular
536 position with the county in good standing or is laid off and subsequently returns to county
537 employment within two years from the resignation or layoff, as applicable, the
538 employee's prior county service shall be counted in determining the vacation leave
539 accrual rate under subsection A. of this section.

540 SECTION 5. Ordinance 4324, Section 27, as amended, and K.C.C. 3.12.210 are
541 each hereby amended to read as follows:

542 A. Employees eligible for comprehensive leave benefits shall be entitled to
543 ~~((three))~~ up to five working days, with a maximum of forty hours, of bereavement leave
544 ~~((a year due to))~~ for each qualifying death of ((members of their immediate)) the
545 following family members: the employee's spouse or domestic partner; the parent,
546 grandparent, child, son or daughter-in-law, grandchild or sibling of the employee, the
547 employee's spouse or the employee's domestic partner; or the employee's legal guardian,
548 ward or any person over whom the employee has legal custody. Part-time employees'
549 bereavement leave benefits shall be prorated to reflect their work week. ~~((A furloughed~~
550 ~~employee shall not be eligible to take or be paid for bereavement leave in lieu of taking a~~
551 ~~budgetary furlough day.~~

552 ~~B. Employees eligible for comprehensive leave benefits who have exhausted~~
553 ~~their bereavement leave shall be entitled to use sick leave in the amount of three days for~~
554 ~~each instance of death when death occurs to a member of the employee's immediate~~
555 ~~family.))~~

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

558 C. ~~((In cases of family death where no sick leave benefit is authorized or exists,~~
559 ~~an e))~~Employees who are not eligible for comprehensive leave benefits may be granted
560 leave without pay or be allowed to use compensatory time, if available, for bereavement
561 leave.

562 D. In the application of any of subsections A., B. and C. of this section, holidays
563 or regular days off falling within the prescribed period of absence shall not be charged.

564 E. Any additional paid leave, including sick leave, may be approved by mutual

565 agreement between the county and the employee.

566 SECTION 6. Ordinance 18408, Section 2, as amended, and K.C.C. 3.12.219 are
567 each hereby amended to read as follows:

568 A. ~~((The executive shall create a program that provides nonrepresented~~
569 ~~employees, on the terms in Ordinance 18408, paid parental leave following a qualifying~~
570 ~~event.~~

571 ~~B. The executive is authorized to enter into memoranda of agreement with the~~
572 ~~labor organizations that represent King County employees to provide those employees~~
573 ~~paid parental leave consistent with the terms of this section.~~

574 ~~C. The program for paid parental leave shall be subject to the following:~~

575 ~~1. The program is intended to provide employees eligible for comprehensive~~
576 ~~leave benefits with twelve weeks of paid parental leave during the twelve months~~
577 ~~following a qualifying event;~~

578 ~~2. Participation in the program shall be limited to e))~~Employees eligible for
579 comprehensive leave benefits who have been employed with the county for at least six
580 months of continuous service at the time of ((the qualifying event)) a birth, adoption or
581 foster-to-adopt placement of a child, and are either nonrepresented or represented by a
582 union that has signed a paid parental leave memorandum of agreement ((in subsection B.
583 of this section;)) with the county, are eligible for up to twelve weeks of paid parental
584 leave.

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

587 ~~((3-))~~C. An employee's supplemental paid parental leave benefit shall be

588 calculated based on the employee's accrued paid leave balances at the time of the
589 qualifying event. The employee shall receive the equivalent of the employee's full salary
590 for up to a total of twelve weeks, when combined with the employee's accrued leaves,
591 except for one week of sick leave and one week of vacation leave, or the equivalent for
592 benefit time off. ~~((4. An employee electing to participate in the program must reserve~~
593 ~~one week of accrued vacation and one week of accrued sick leave, or whatever smaller~~
594 ~~amount of each the employee has accrued. An employee with twelve weeks or more of~~
595 ~~unreserved, accrued paid leave at the time of the qualifying event may use up to twelve~~
596 ~~weeks of accrued paid leave as paid parental leave during the twelve months after the~~
597 ~~qualifying event. An employee who has less than twelve weeks of unreserved, accrued~~
598 ~~paid leave at the time of the qualifying event shall be granted supplemental paid leave in~~
599 ~~an amount sufficient, when combined with the employee's unreserved accrued paid leave,~~
600 ~~to equal a total of twelve weeks of paid parental leave.)) For example, if an employee~~
601 has two weeks of accrued vacation and three weeks of accrued sick leave at the time of
602 the qualifying event, the employee shall be granted nine weeks of supplemental paid
603 leave, bringing the total available paid parental leave to twelve weeks.

604 ~~((5.))~~ D. An employee may use supplemental paid leave and accrued paid leave
605 in any order and is not required to use any of the accrued paid leave as paid parental
606 leave.

607 ~~((6.))~~ E. An employee on paid parental leave ~~((in the program))~~ shall be
608 compensated at the employee's base pay rate.

609 ~~((7.))~~ F. An employee should provide notice to the designated representative of
610 the employee's department that the employee intends to participate in the program. The

611 notice should meet the notice requirements for taking family and medical leave under
612 federal law.

613 ~~((8-))~~ G. Paid parental leave (~~((under the program))~~) must begin and end within
614 twelve months after the qualifying event.

615 ~~((9-))~~ H. The employee and the employee's supervisor shall agree upon a
616 schedule for taking paid parental leave that is consistent with the county's operational
617 needs. An employee may use the paid parental leave on a part-time or intermittent basis
618 as long as ~~((that))~~ it is consistent with the county's operational needs and is approved in
619 writing by the supervisor before the leave begins.

620 ~~((10-))~~ I. Paid parental leave (~~((under Ordinance 18408))~~) shall run concurrently
621 with King County family and medical leave, as well as federal and state family and
622 medical leave, to the extent permitted by law.

623 ~~((11-))~~ J. During the time that an employee is on leave in the program, the
624 employee's job shall be protected to the same extent that an employee's job is protected
625 while the employee is on family or medical leave under federal or state law. No
626 retaliatory action may be taken against an employee for participating or planning to
627 participate in the program or for exercising the employee's rights under this ordinance. In
628 particular, permission to use accrued paid leave shall not be denied or delayed on the
629 basis that the employee intends to participate in the program. This is a general statement
630 of county policy that cannot form the basis of a private right of action.

631 ~~((12-))~~ K. Taking leave under the paid parental leave program shall not affect an
632 employee's health benefits or an employee's accrual of paid leave, which shall continue
633 during the period of paid parental leave.

634 ~~((13-))~~ L. Employees shall not be compensated in any manner for not using the
635 supplemental paid parental leave (~~((that is available under Ordinance 18408))~~).

636 ~~((14-))~~ M. An employee who does not return to work for at least six months of
637 continuous service following the paid parental leave, (~~((will))~~) shall be required to
638 reimburse King County for the supplemental paid parental leave funds received.

639 SECTION 7. Ordinance 12014, Section 21, as amended, and K.C.C. 3.12.220 are
640 each hereby amended to read as follows:

641 A.1. Except for employees covered by subsection A.3. of this section, employees
642 eligible for comprehensive leave shall accrue sick leave benefits at the rate of 0.04616
643 hours for each hour in pay status exclusive of overtime up to a maximum of eight hours
644 per month; except that if an hourly employee works in excess of seventy-four hours in
645 one week, the employee shall accrue sick leave at the rate of 0.025 hours for each hour
646 worked in excess of seventy-four. No adjustment to reduce sick leave accruals for
647 furloughed employee shall be made as a result of a budgetary furlough.

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

650 3. Employees who are members of the Law Enforcement Officers and
651 Firefighters (LEOFF) 1 retirement system and short-term temporary employees who are
652 employed in social service programs designed to help youth gain basic work training
653 skills, such as Work Experience (WEX) participants and Division of Youth Services
654 (DYS) youth employment workers, shall not accrue sick leave.

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

656 C. For employees covered by the overtime requirements of the Fair Labor

657 Standards Act, sick leave may be used in fifteen-minute increments.

658 D. There shall be no limit to the number of sick leave hours accrued and carried

659 over to the following year by employees eligible for comprehensive leave benefits.

660 Short-term temporary employees and administrative interns may carry over forty hours of

661 unused sick leave to the following year, all other unused accrued sick leave shall be

662 forfeited.

663 ~~((C:))~~ E. For employees covered by the overtime requirements of the Fair Labor

664 Standards Act, sick leave may be used in fifteen-minute increments.

665 ~~((D. There shall be no limit to the hours of sick leave benefits accrued by an~~

666 ~~eligible employee.))~~

667 ~~((E:))~~ E.1. Separation from or termination of county employment except by

668 reason of retirement or layoff due to lack of work, funds, efficiency reasons or separation

669 for medical reasons, shall cancel all sick leave accrued to employees eligible for

670 comprehensive leave benefits as of the date of separation or termination.

671 2. Separation from, retirement from or termination of county employment shall

672 cancel all sick leave accrued to short-term temporary employees and administrative

673 interns as of the date of the separation, retirement or termination.

674 3. Should an employee return to county employment within two years, accrued

675 sick leave shall be restored. If a retiree is rehired, that employee is not entitled to have

676 any sick leave restored.

677 ~~((F:))~~ G.1. Except for short-term temporary employees, administrative interns,

678 and employees covered by the Law Enforcement Officers and Firefighters (LEOFF) 1

679 retirement system, employees eligible to accrue sick leave who have successfully

680 completed at least five years of county service and who retire as a result of length of
681 service or who terminate by reason of death shall be paid, or their estates paid or as
682 provided for by Title 11 RCW, as applicable, an amount equal to thirty-five percent of
683 their unused, accumulated sick leave multiplied by the employee's rate of pay in effect
684 upon the date of leaving county employment less mandatory withholdings. This
685 provision is predicated on the requirement that, except with the written approval of the
686 executive, the position, if vacated by a nonrepresented employee, shall not be filled until
687 salary savings for the position are accumulated in an amount sufficient to pay the cost of
688 the cash out. For the purposes of this subsection ~~((F-))~~G.1., "retire as a result of length of
689 service" means an employee is eligible, applies for and begins drawing a pension from
690 the Law Enforcement Officers and Firefighters (LEOFF), Public Employees' Retirement
691 System (PERS), Public Safety Employees' Retirement System (PSERS) or the city of
692 Seattle Retirement Plan immediately upon terminating county employment.

693 2.a. In lieu of the remuneration for unused sick leave at retirement, the
694 ~~((manager of the human resources division or designee))~~ director may, with equivalent
695 funds, provide eligible employees with a voluntary employee beneficiary association plan
696 that provides for reimbursement of retiree and other qualifying medical expenses. Under
697 K.C.C. 3.12.190.~~((H-))~~E., in lieu of the remuneration for fifty percent of unused vacation
698 leave at retirement, the ~~((manager))~~ director may also fund the voluntary employee
699 beneficiary association plan.

700 b. The ~~((manager))~~ director shall adopt procedures for the implementation of
701 all voluntary employee beneficiary association plans. At a minimum, the procedures
702 shall provide that:

703 (1) each group of employees hold an election to decide whether to implement
704 a voluntary employee beneficiary association plan for a defined group of employees. The
705 determination of the majority of voting employees in a group shall bind the remainder.
706 Elections for represented employees shall be conducted by the appropriate bargaining
707 representative. Elections for nonrepresented employees shall be conducted in accordance
708 with procedures established by the ~~((manager))~~ director;

709 (2) the ~~((manager))~~ director has discretion to determine the scope of
710 employee groups voting on whether to adopt a voluntary employee beneficiary
711 association plan. The ~~((manager))~~ director shall consult with bargaining representatives
712 and elected officials in determining the scope of voting groups;

713 (3) any voluntary employee beneficiary association plan implemented in
714 accordance with this subsection ~~((F.))~~ G.2. complies with federal tax law. Disbursements
715 in accordance with this subsection ~~((F.))~~ G.2. shall be exempt from withholdings, to the
716 extent permitted by law; and

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

722 ~~((G.))~~ H.1. An employee must use all of the employee's accrued sick leave and
723 any donated sick leave before taking unpaid leave for the employee's own health reasons.
724 If the employee has an injury or illness that is compensable under the county's workers
725 compensation program, then the employee has the option to augment or not augment

726 wage replacement pay with the use of accrued sick leave. A furloughed employee shall
727 not be eligible to take or be paid for sick leave in lieu of taking a budgetary furlough day.

728 2. For a leave for family reasons, the employee shall choose at the start of the
729 leave whether the particular leave would be paid or unpaid, but when an employee
730 chooses to take paid leave for family reasons the employee may set aside a reserve of up
731 to eighty hours of accrued sick leave. A furloughed employee who is on county family
732 medical leave as provided for in this section shall retain county benefits during furlough
733 days.

734 3. An employee who has exhausted all of the employee's accrued sick leave may
735 use accrued vacation leave before going on leave of absence without pay, if approved by
736 the employee's appointing authority. A furloughed employee shall not be eligible to take
737 or be paid for vacation leave in lieu of sick leave in lieu of taking a furlough day.

738 ~~((H.))~~ I. Sick leave may be used for the following reasons:

739 1. An absence:

740 a. resulting from the employee's mental or physical illness, injury, or health
741 condition;

742 b. to accommodate the employee's need for medical diagnosis, care or
743 treatment of a mental or physical illness, injury or health condition; or

744 c. for the employee's need for preventive medical care;

745 2. To allow the employee to provide care:

746 a. for a family member with a mental or physical illness, injury or health
747 condition;

748 b. for a family member who needs medical diagnosis, care or treatment of a

749 mental or physical illness, injury or health condition; or

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

751 3. When a King County facility is closed by order of public official for any

752 health-related reason, or when an employee's child's school or place of care is closed by

753 order of a public official for a health-related reason;

754 4. For absences that qualify for leave under the domestic violence leave act,

755 chapter 49.76 RCW;

756 5. For absences to increase the safety of the employee or a family member when

757 the employee or a family member has been a victim of trafficking under RCW

758 9A.40.100; and

759 6. For family and medical leave available under federal law, state law or King

760 County ordinance.

761 ~~((I))~~ J. For purposes of sick leave, "family member" means any of the following:

762 1. A child, including a biological, adopted or foster child, a stepchild or a child

763 to whom the employee stands in loco parentis, is a legal guardian or is a de facto parent,

764 regardless of age or dependency status, or the child of the employee's domestic partner;

765 2. The parent of an employee, employee's spouse or employee's domestic

766 partner. Parent includes:

767 a. a biological parent;

768 b. an adoptive parent;

769 c. a de facto parent;

770 d. a foster parent;

771 e. a stepparent;

772 f. a legal guardian; or

773 g. a person who stood or stands in loco parentis to the employee, employee's
774 spouse or employee's domestic partner.

775 3. A spouse;

776 4. A domestic partner;

777 5. A grandparent;

778 6. A grandchild; or

779 7. A sibling.

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

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

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

791 ~~((K.))~~ L. Management of the employee's department is responsible for the proper
792 administration of sick leave benefits. Management of the employee's department may
793 require an employee to provide reasonable notice of an absence from work, so long as the
794 notice does not interfere with an employee's lawful use of sick leave.

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

799 SECTION 8. Ordinance 15558, Section 2, as amended, and K.C.C. 3.12.222 are
800 each hereby amended to read as follows:

801 ~~((The executive may implement a process providing the opportunity for benefit-~~
802 ~~eligible employees to convert accrued vacation or accumulated compensatory hours, or~~
803 ~~both, into a cash donation. This process must conform to the following:))~~

804 A. Annually, from the first business day in October through the last business day
805 in November, an employee eligible for comprehensive leave benefits may sign a written
806 authorization subject to approval by the employee's department director~~((, or the~~
807 ~~employee's department director's designee,))~~ to convert accrued vacation or accumulated
808 compensatory hours, or both, into cash to benefit up to three nonprofit organizations
809 participating in the King County employee annual drive in accordance with K.C.C.
810 chapter 3.36, of the employee's choice.

811 B. Notwithstanding K.C.C. 3.12.190, an employee eligible for comprehensive
812 leave benefits may convert accrued vacation or accumulated compensatory hours, or
813 both, into cash to benefit natural disaster relief efforts. Upon the occurrence of a natural
814 disaster and with the exception of the employee ~~((charitable campaign))~~ annual drive-
815 related period designated under subsection A. of this section the executive may authorize
816 a forty-five-day opportunity for ~~((benefit-eligible))~~ employees eligible for comprehensive
817 leave benefits to sign a written authorization to convert accrued vacation or accumulated

818 compensatory hours, or both, into cash to benefit up to three nonprofit organizations
819 designated by the executive. The employee's written authorization is subject to approval
820 by the employee's department director (~~(or the employee's department director's~~
821 ~~designee)~~). The designated nonprofit organization must be a King County employee
822 annual drive participant in accordance with K.C.C. chapter 3.36. This section shall be
823 administered in accordance with K.C.C. chapter 3.36.

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

828 D. An employee eligible for comprehensive leave benefits who earned excess
829 vacation leave or compensatory hours, or both, beyond the amount that may be carried
830 over into the next fiscal year may donate greater than forty hours under subsection A. or
831 B. of this section with approval from the employee's department director(~~(, or the~~
832 ~~employee's department director's designee)~~).

833 E. All King County (~~(benefit-eligible)~~) employees eligible for comprehensive
834 leave benefits may donate in accordance with this section voluntarily.

835 F. The finance and business operations division shall value the hours donated
836 under this section based on the regular hourly rate of the employee in effect at the time
837 the approved conversion authorization is processed. The finance and business operations
838 division shall process leave donations authorized under subsection A. of this section
839 within the first two full weeks in December. The finance and business operations
840 division shall process leave donations authorized under subsection B. of this section

841 within the first two full weeks after the forty-five-day period designated in accordance
842 with subsection B. of this section.

843 G. The net cash value of the accrued vacation or compensatory hours, or both,
844 after all mandatory withholdings, including, but not limited to, withholding in accordance
845 with retirement plans, federal income tax and the Federal Insurance Contributions Act,
846 have been deducted must be distributed by the finance and business operations division to
847 the designated nonprofit organization or organizations.

848 ~~((H. Employees governed by a collective bargaining agreement may convert to
849 cash accrued vacation or accumulated compensatory hours, or both, if the existing
850 agreement allows for, or the agreement is amended to allow for, conversions as
851 authorized in this section. The executive may enter into such agreements or
852 modifications to existing collective bargaining agreements as are necessary to implement
853 this section.))~~

854 SECTION 9. Ordinance 12014, Section 22, as amended, and K.C.C. 3.12.223 are
855 each hereby amended to read as follows:

856 A.1. Any employee eligible for comprehensive leave benefits may donate a
857 portion of the employee's accrued vacation leave to another employee eligible for
858 comprehensive leave benefits. Such a donation ~~((will))~~ may only occur upon written
859 request to and approval of the donating and receiving employees' department director or
860 directors~~((, except that requests for vacation donation made for the purposes of
861 supplementing the sick leave benefits of the receiving employee shall not be denied
862 unless approval would result in a departmental hardship for the receiving department))~~.

863 2. The number of hours donated shall not exceed the donor's accrued vacation

864 ~~((credit))~~ leave as of the date of the request. No donation of vacation hours shall be
865 permitted where it would cause the employee receiving the transfer to exceed that
866 employee's maximum vacation accrual.

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

869 4. Donated vacation leave hours ~~((must be used within ninety calendar days
870 following the date of donation. Donated hours not used within ninety days or due to the
871 death of the receiving employee shall revert to the donor. Donated vacation leave hours
872 shall be excluded from vacation leave payoff provisions in this chapter. For purposes of
873 this section, the first hours used by an employee shall be accrued vacation leave hours))~~
874 remain with the recipient.

875 B.1. Any employee eligible for comprehensive leave benefits may donate a
876 portion of the employee's accrued sick leave to another employee eligible for
877 comprehensive leave benefits upon written ~~((notice to))~~ request to and approval of the
878 donating and receiving employees' department director or directors.

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

883 3. Donated sick leave hours ~~((must be used within ninety calendar days.
884 Donated hours not used within ninety days or due to the death of the receiving employee
885 shall revert to the donor. Donated sick leave hours shall be excluded from the sick leave
886 payoff provisions contained in this chapter, and sick leave restoration provisions~~

887 contained in this chapter. For purposes of this section, the first hours used by an
888 employee shall be accrued sick leave hours)) remain with the recipient.

889 C. All donations of vacation and sick leave made under this chapter are strictly
890 voluntary. Employees are prohibited from soliciting, offering or receiving monetary or
891 any other compensation or benefits in exchange for donating vacation or sick leave hours.

892 D. All vacation and sick leave hours donated shall be converted to a dollar value
893 based on the donor's straight time hourly rate at the time of donation. Such dollar value
894 ~~((will))~~ shall then be divided by the receiving employee's hourly rate to determine the
895 actual number of hours received. Vacation leave donated to a furloughed employee, who
896 is designated by a department director and confirmed by the chief administrative officer
897 as eligible to use donated leave on a furlough day, is donated on an hour-for-hour basis,
898 without an hourly rate conversion. ~~((Unused donated vacation and sick leave shall be
899 reconverted based on the donor's straight time hourly rate at the time of reconversion.
900 Vacation leave donated to a furloughed employee who is designated by the department
901 director and confirmed by the chief administrative officer as eligible to use donated leave
902 on a furlough day shall not revert back to the donor.))~~

903 SECTION 10. Ordinance 13743, Section 1, as amended, and K.C.C. 3.12.224 are
904 each hereby amended to read as follows:

905 Notwithstanding K.C.C. 3.12.190, if an employee dies while engaged within the
906 scope of the employee's employment, the executive may implement a process providing a
907 one-time opportunity to allow employees eligible for comprehensive leave benefits to
908 convert either accrued vacation or accumulated compensatory time hours, or both, to cash
909 to benefit any children of the deceased employee who are under twenty-three years old at

910 the time of the employee's death. This process must conform to the following
911 requirements:

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

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

921 C. The value of the hours must be determined based on the regular hourly rate of
922 the employee in effect at the time the approved conversion request is received by the
923 county's payroll office;

924 D. If employees elect to convert either accrued vacation or accumulated
925 compensatory time hours, or both, to cash as set forth in this section, the executive shall
926 identify one or more support accounts or programs to which the cash may be paid for the
927 benefit of the children. Unless the executive determines that another support account or
928 program is more suitable given the circumstances of the children, the executive shall first
929 insure the establishment of a Washington state college tuition prepaid program-
930 guaranteed education tuition (GET) account with the state of Washington treasury to
931 benefit the children of the deceased employee. In addition to or in lieu of the GET
932 program, the executive may direct that some or all of the cash collected under this section

933 be paid to other support accounts or programs that the executive has determined:

934 1. Are established in the names of the children or their legal guardian for the

935 benefit of the children;

936 2. Are held by a governmental agency, nonprofit organization, bank, trust or

937 lawful entity other than an individual;

938 3. Contain adequate safeguards against theft, diversion, loss or wasting of the

939 funds paid under this section; and

940 4. Restrict the permissible use of funds paid under this section to paying for

941 minimal, if any, administrative expenses and providing for the children's reasonable food,

942 shelter and educational expenses; and

943 E. The cash resulting from converted accrued vacation or compensatory time

944 hours, or both, net of all mandatory deductions, including, but not limited to, deductions

945 for retirement plans and federal income tax and the Federal Insurance Contributions Act,

946 must be transmitted to the Washington state college tuition prepaid program-guaranteed

947 education tuition (GET) account established by the executive, or such other accounts or

948 programs as may be determined by the executive, under subsection D. of this section((;

949 ~~and~~

950 ~~F. Employees governed by a collective bargaining agreement may convert to~~

951 ~~cash either accrued vacation or accumulated compensatory time hours, or both, only if~~

952 ~~the existing agreement allows for or the collective bargaining agreement is amended to~~

953 ~~allow for conversions as authorized in this section)).~~

954 SECTION 11. Ordinance 13743, Section 2, as amended, and K.C.C. 3.12.2245

955 are each hereby repealed.

956 SECTION 12. Ordinance 7956, Section 6, as amended, and K.C.C. 3.12.225, are
957 each hereby amended to read as follows:

958 ~~((The appointing authority))~~ A. A division manager shall allow employees
959 eligible for comprehensive leave benefits the use of up to three days of sick leave each
960 calendar year ((to allow employees)) to perform volunteer services at ((the)) a local
961 school ((attended by the employee's child)) or at a nonprofit organization on the approved
962 list for the employee giving program. During a calendar year, an employee may use sick
963 leave for volunteer service for both school and nonprofit organization participation. The
964 aggregate number of sick leave days used for those purposes shall not exceed three days
965 in a calendar year.

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

968 C. Employees requesting to use sick leave for this purpose shall submit such a
969 request in writing specifying the name of the school or organization and the nature of the
970 volunteer services to be performed. The employee's supervisor may request in advance
971 that the employee obtain written proof of the service from the school or organization.

972 SECTION 13. Ordinance 12014, Section 23, as amended, and K.C.C. 3.12.230,
973 are each hereby amended to read as follows:

974 ~~((The following days are hereby designated as official county holidays))~~ All
975 employees eligible for comprehensive leave benefits shall be granted the following
976 designated holidays with pay:

- 977 1. January 1, New Year's Day;
- 978 2. Third Monday in January, Martin Luther King, Jr. Birthday;

- 979 3. Third Monday in February, President's Day;
- 980 4. Last Monday in May, Memorial Day;
- 981 5. July 4, Independence Day;
- 982 6. First Monday in September, Labor Day;
- 983 7. November 11, Veteran's Day;
- 984 8. Thanksgiving Day(~~and the day immediately following~~);
- 985 9. Friday immediately following Thanksgiving;
- 986 10. December 25, Christmas Day; and
- 987 ~~((10. Special or limited holidays as declared by the president or governor, and as~~
- 988 ~~approved by the council;~~
- 989 ~~11. Such other days in lieu of holidays as the council may determine;~~
- 990 ~~12.)) 11. For ((A))an employee who is eligible for comprehensive leave benefits~~
- 991 ~~((shall be granted)), two personal holidays ((to)), which shall be ((administered through~~
- 992 ~~the vacation plan, though the hours granted to an employee working less than a full time~~
- 993 ~~schedule shall be prorated to reflect that employee's normally scheduled work day. One~~
- 994 ~~day shall be credited to the employee's leave balance on the first of October and one day~~
- 995 ~~on the first of November)) added to the employee's vacation bank in the second full pay~~
- 996 period of the calendar year or upon hire.
- 997 B. For holidays falling on a Saturday, the Friday before shall be a paid holiday.
- 998 For holidays falling on a Sunday, the Monday following shall be a paid holiday.
- 999 C. An employee must be eligible for comprehensive leave benefits and in a pay
- 1000 status on the day before and the day following a holiday to be eligible for holiday pay.
- 1001 However, an employee who has successfully completed at least five years of county

1002 service and who retires at the end of a month in which the last regularly scheduled
1003 working day is observed as a holiday, shall be eligible for holiday pay if the employee is
1004 in a pay status the day before the day observed as a holiday. An employee otherwise
1005 eligible for holiday pay shall not be ineligible as a result of not being in a pay status on
1006 the day before or after the holiday due to budgetary furlough.

1007 D. When a holiday falls on the scheduled day off of a full-time employee entitled
1008 to comprehensive leave benefits who works other than a five-day, eight-hour schedule,
1009 the employee shall be given a deferred holiday. The employee and the employee's
1010 supervisor shall jointly select another day, preferably within the same pay period, for the
1011 employee to take as the holiday. Deferred holidays for a part-time employee eligible for
1012 comprehensive leave benefits shall be prorated to the employee's schedule.

1013 SECTION 14. Ordinance 12077, Section 5, as amended, and K.C.C. 3.12.240,
1014 are each hereby amended to read as follows:

1015 ~~((Any))~~ A. An employee eligible for comprehensive leave benefits who is
1016 ordered on a jury shall be entitled to the employee's regular county pay but only if any
1017 fees received for jury duty are deposited, exclusive of mileage, with the ~~((department of))~~
1018 finance and business operations division of the department of executive services.

1019 B. An employee who is not eligible for comprehensive leave benefits shall be
1020 released, unpaid, from work duties for the duration of the employee's jury duty, and may
1021 retain any fees paid for jury service.

1022 C. A furloughed employee shall not be eligible to take or be paid for jury duty
1023 leave in lieu of taking a furlough day.

1024 D. Employees shall report to their work supervisor when dismissed from jury

1025 service.

1026 SECTION 15. Ordinance 12014, Section 25, as amended, and K.C.C. 3.12.250,

1027 are each hereby amended to read as follows:

1028 A. An employee eligible for comprehensive leave benefits may take a leave of

1029 absence without pay for thirty calendar days or less if authorized in writing by the

1030 employee's (~~(appointing authority)~~) division manager.

1031 B. An employee eligible for comprehensive leave benefits may take a leave of

1032 absence without pay for more than thirty calendar days for nonmedical reasons if

1033 authorized in writing by the employee's (~~(appointing authority and the director)~~) division

1034 manager.

1035 C. An employee eligible for comprehensive leave benefits may take a leave of

1036 absence without pay for more than thirty days for medical reasons if authorized in writing

1037 by the director.

1038 D. Leaves of absence without pay shall be for periods not to exceed one year

1039 except that the director may, in special circumstances, grant an extension beyond one

1040 year.

1041 (~~(D-)~~) E. Other employee benefits as provided in this chapter shall not be

1042 provided to or accrue to the employee while on leave of absence without pay, except as

1043 provided in K.C.C. 3.12.220 or K.C.C. 3.12.040.

1044 (~~(E-)~~) F. If a leave of absence without pay was granted for purposes of recovering

1045 health, the employee shall be required (~~(by the director)~~) to submit a physician's

1046 statement concerning the employee's ability to resume duties prior to return to work.

1047 (~~(F-)~~) G. An employee on leave of absence without pay may return from the leave

1048 before its expiration date if the employee provides the ~~((appointing authority))~~ division
1049 manager with a written request to that effect at least fifteen days prior to resuming duties.

1050 ~~((G-))~~ H. Failure to return to work by the expiration date of a leave of absence
1051 without pay shall be cause for removal and shall result in automatic termination of the
1052 employee from county service.

1053 ~~((H-))~~ I. A leave of absence without pay may be revoked by the employee's
1054 division manager or the director upon evidence submitted to the director by the
1055 ~~((appointing authority))~~ division manager of the employee indicating that such leave was
1056 requested and granted under false pretenses, or that the need for such leave has ceased to
1057 exist.

1058 SECTION 16. Ordinance 12498, Sections 1 and 4 through 7, as amended, and
1059 K.C.C. 3.12.335, are each hereby amended to read as follows:

1060 A. It is the policy of King County to provide opportunities for paid, competitive
1061 employment for individuals with developmental disabilities, as defined in this chapter, in
1062 integrated work settings. The executive shall seek the cooperation, assistance and
1063 participation of all county departments in the successful implementation of this policy.

1064 B. Persons with developmental disabilities as defined in RCW
1065 71A.10.020~~((2))~~(5), as amended, shall be eligible for supported employment pursuant to
1066 this section.

1067 C. The ~~((department of community and))~~ human ~~((services))~~ resources division,
1068 or its successor agency, is designated as the lead agency responsible for the management
1069 of the supported employment ~~((initiative))~~ program, with technical support provided by
1070 the developmental disabilities division, or its successor agency.

1071 D. The executive is authorized to adopt administrative rules to implement this
1072 section pursuant to K.C.C. 3.12.350.

1073 SECTION 17. Ordinance 12014, Section 50, as amended, and K.C.C. 3.15.020,
1074 are each hereby amended to read as follows:

1075 This section applies to all positions in the executive branch, noncommissioned
1076 positions in the office of the sheriff and the department of assessments allocated to a
1077 classification approved by the council.

1078 A.1. Except as otherwise provided by ordinance, the schedule of pay ranges shall
1079 consist of ninety-nine pay ranges, each containing ten steps as approved by ordinance
1080 annually.

1081 2. On a continuing three-year cycle, the executive shall assess market conditions
1082 and determine whether to make adjustments, if any, to pay ranges assigned to existing
1083 classifications.

1084 B.1. The director may reassign pay ranges to existing classifications.

1085 2. When the director adjusts the pay range of a classification, the incumbent
1086 employee shall be placed at the same step in the new pay range as the employee was in
1087 the previous pay range.

1088 3. Implementation of any pay range adjustment shall be prospective and shall
1089 take effect at the start of the pay period following the approval by the director or, if
1090 required by K.C.C. 3.15.040, by the appropriate council committee.

1091 C. Consistent with K.C.C. 3.12.350, the (~~manager of the human resources~~
1092 ~~management division~~)) director shall establish guidelines for pay increases in accordance
1093 with the following:

1094 1. Employees may receive within-range increases from one step to the next
1095 higher step upon satisfactory completion of the probationary period. All probationary-
1096 period pay increases must be supported by documented performance appraisal.
1097 Probationary-period pay increases exceeding Step 5 must have prior written approvals by
1098 the department director and the ~~((manager of the human resources management division))~~
1099 director. ~~((In the event of the completion of the probationary period by))~~ When a division
1100 of human resources employee completes the employee's probationary period, the county
1101 administrative officer must provide prior written approval for probationary-period pay
1102 increases exceeding Step 5;

1103 2. Employees may be eligible to receive increases annually in accordance with
1104 the following principles:

1105 a. An incentive increase must be supported by an annual documented
1106 performance appraisal approved by the department director ~~((or designee))~~ and the
1107 documented performance appraisal must be maintained in the employee's personnel file.
1108 Incentive increases shall be prospective only and shall be effective on January 1
1109 following the year on which the appraisal was based;

1110 b. For employees currently in Steps 1 through 4 in the pay range, the
1111 appointing authority may grant an increase of a single step for standard performance and
1112 may grant an increase exceeding a single step for above-standard or outstanding
1113 performance, as defined by the ~~((manager of the human resources management division))~~
1114 director;

1115 c. For employees currently in Steps 5 through 7 in the pay range, the
1116 appointing authority may grant an increase of one or more steps for above-standard

1117 performance; and

1118 d. For employees currently in Steps 8 through 9 in the pay range, the
1119 appointing authority may grant an increase of one step, not to exceed the top of the pay
1120 range, for outstanding performance;

1121 3. An appointing authority may grant an employee incentive pay up to five
1122 percent above the top step of the range for a period of twelve months, if all of the
1123 following conditions are met:

1124 a. the employee is not a department director;

1125 b. the employee has been at the top step of the prior or current range for two
1126 years before the award of the increase; and

1127 c. the employee has demonstrated continuous outstanding performance;

1128 4. All incentive increases are subject to the availability of funds. Within-range
1129 incentive increases are not automatic but shall be given only upon the written direction of
1130 the appointing authority, as defined in K.C.C. 3.12.010.B., within the guidelines
1131 established by the ~~((manager of the human resources management division;))~~ director.

1132 ~~((5.a. When the manager of the human resources management division
1133 reclassifies a position to a higher classification, the pay rate of the incumbent employee
1134 shall be increased to the first step of the pay range of the new classification or the nearest
1135 step that constitutes an increase of no more than five percent above the former rate of
1136 pay, whichever is greater.~~

1137 ~~b. A pay increase as a result of reclassification may not exceed the top step of
1138 the new range, unless the employee's former pay includes an above-Step-10 amount as a
1139 result of an incentive increase. If the employee's former pay includes an above-Step-10~~

1140 amount as a result of an incentive increase, the employee's new pay is calculated upon the
1141 above Step 10 amount. If the increase from reclassification results in pay that is above
1142 the top step of the new range, the pay shall be reduced to the top step of the new range at
1143 the end of the incentive period unless the employee requalifies for an above-Step 10
1144 incentive award.

1145 e. Implementation of a reclassification and any related pay change shall be
1146 prospective and is effective when the classification is approved by the manager of the
1147 human resources management division. The pay increase as a result of reclassification
1148 may not exceed five percent above the top step in any case; and

1149 6. ~~When the manager of the human resources management division adjusts the~~
1150 ~~pay range of a classification, the incumbent employee shall be placed at the same step in~~
1151 ~~the new pay range as the employee was in the previous range. Implementation of any~~
1152 ~~pay range adjustment shall be prospective and is effective when approved by the manager~~
1153 ~~of the human resources management division or, if required by K.C.C. 3.15.040, by the~~
1154 ~~labor, operations and technology committee or its successor committee.))~~

1155 SECTION 18. Ordinance 12014, Section 52, as amended, and K.C.C. 3.15.030,
1156 are each hereby amended to read as follows:

1157 A. The ~~((manager of the human resources management division))~~ director may
1158 reclassify any position to an existing or new classification ~~((and reassign pay ranges to~~
1159 ~~existing classifications))~~.

1160 B. An employee or a group of employees may request that a position or group of
1161 positions be reclassified for the following reasons:

1162 1. The employee's position is not assigned to the appropriate classification;

1163 2. A significant or gradual change has occurred in the employee's on-going
1164 duties or responsibilities over a period of at least one-year; or

1165 3. A departmental reorganization or council action has caused the duties of the
1166 position to change.

1167 C. Group reclassifications may be submitted if all of the employees' positions are
1168 in the same classification in the same section of a division. The director shall evaluate
1169 each position individually, reserving the right to place individual positions into different
1170 classifications.

1171 D. An employee is not eligible to submit a reclassification request if:

1172 1. It has been less than twelve months since the date of a previous classification
1173 determination for the position;

1174 2. The employee is on probation;

1175 3. The employee is on a performance improvement plan; or

1176 4. The employee is asking for the reclassification of a special duty position.

1177 E. When the director reclassifies a position to a higher classification, the pay rate
1178 of the incumbent employee shall be increased to the first step of the pay range of the new
1179 classification or the step that is at least five percent above the former rate of pay,
1180 whichever is greater.

1181 F. When the director reclassifies a position to a lateral classification, the pay rate
1182 of the incumbent employee shall remain at the same step of the pay range.

1183 G. When the director reclassifies a position to a lower classification, the pay rate
1184 of the incumbent employee shall be the highest step in the new pay range that does not
1185 exceed the employee's current pay rate.

1186 H. A pay increase as a result of a reclassification may not exceed the top step of
1187 the new range, unless the employee's former pay includes above-Step-10 incentive pay.
1188 If the employee's former pay includes an above-Step-10 incentive pay, the employee's
1189 new pay is calculated upon the above-Step-10 amount. If the increase from
1190 reclassification results in pay that is above the top step of the new range, the pay shall be
1191 reduced to the stop step of the new range at the end of the incentive period, unless the
1192 employee requalifies for an above-Step-10 incentive award.

1193 I. Implementation of a reclassification and any related pay change shall be
1194 effective at the start of the pay period following receipt of the completed reclassification
1195 request form at the human resources division; except a reclassification to a lower pay
1196 grade shall be effective at the start of the pay period at least thirty calendar days after
1197 notification of the classification determination from the human resources division.

1198 J. A reclassified employee shall not serve a probationary period in the new
1199 classification.

1200 SECTION 19. Ordinance 14233, Section 6, as amended, and K.C.C. 3.15.130,
1201 are each hereby amended to read as follows:

1202 A.~~((+))~~ If a promotion results from something other than a reclassification, the
1203 pay rate of the incumbent employee shall be increased to the first step of the pay range of
1204 the new classification or the step that is at least five percent above the former rate of pay,
1205 whichever is greater. The promoted employee may be placed at a higher step in the pay
1206 range if the department director determines the action is warranted, if the criteria and
1207 procedures in K.C.C. 3.15.120 are met and if funds are available in the agency.

1208 B. A pay increase as a result of ((reclassification)) a promotion may not exceed

1209 the top step of the new range, unless the employee's former pay includes an above-Step-
1210 10 amount as a result of an incentive increase. If the employee's former pay includes
1211 ~~((an))~~ above-Step-10 ~~((amount as a result of an))~~ incentive ~~((increase))~~ pay, the
1212 employee's new pay is calculated upon the above-Step-10 amount. If the increase from
1213 ~~((reclassification))~~ a promotion results in pay that is above the top step of the new range,
1214 the pay shall be reduced to the top step of the new range at the end of the incentive period
1215 unless the employee requalifies for an above-Step-10 incentive award.

1216 ~~((2-))~~ C. Implementation of a ~~((reclassification))~~ promotion and any related pay
1217 change shall be prospective and is effective when the ~~((classification))~~ promotion is
1218 approved by the ~~((manager of the human resources management division. The pay~~
1219 ~~increase as a result of reclassification may not exceed five percent above the top step in~~
1220 ~~any case.~~

1221 ~~B. If a promotion results from something other than a reclassification, the~~
1222 ~~promoted employee may be placed at a higher step in the pay range when the department~~
1223 ~~director determines this action is warranted, if the criteria and procedures in K.C.C.~~
1224 ~~3.15.120 are met and if funds are available in the agency))~~ director.

1225 SECTION 20. Ordinance 14233, Section 7, as amended, and K.C.C. 3.15.140,
1226 are each hereby amended to read as follows:

1227 A.1. ~~A((n appointing authority, with the prior written approval of the))~~
1228 ~~department director and, when required, ((the manager of the human resources~~
1229 ~~management division and the county administrative officer))~~ the director of the human
1230 resources management division may assign an employee in a regular position to an
1231 existing higher-level classification for a limited term when the higher-level duties and

1232 responsibilities comprise the majority of the work performed for a minimum of thirty
1233 calendar days.

1234 2. Temporary employees, including term-limited temporary employees, are not
1235 eligible for special duty assignments.

1236 B. Depending upon the type of special duty assignments needed for business
1237 operations, special duty assignments may be made for ~~((up to twelve months, up to three~~
1238 ~~year, and)) up to a maximum of five years~~((, respectively)).~~~~

1239 1. ~~((In cases where a special duty assignment is made to provide for additional~~
1240 ~~staffing at a higher level, the a))~~ Assignments may be approved for up to a term of twelve
1241 months ~~((but only))~~ if ~~((: a. the assignment is))~~ authorized in advance ~~((in writing))~~ by
1242 the department director to backfill for a vacant regular position, or to provide additional
1243 staffing needed~~((; and))~~:

1244 ~~((b-))~~ a. ~~((the assignment is needed for))~~ due to work that exceeds either the
1245 volume or complexity, or both, than what is routinely expected, but the work is of a
1246 limited duration ~~((and is not ongoing))~~;

1247 b. ~~((the assignment is needed for))~~ due to work ~~((which))~~ that is unanticipated
1248 due to unique circumstances ~~((which))~~ that are not expected to reoccur; or

1249 c. ~~((the assignment is needed))~~ to either develop or implement, or both, a new
1250 function, system ~~((;))~~ or proposal ~~((within a division))~~.

1251 2. Assignments may be approved for up to a term of up to three years if
1252 authorized in advance by the director to perform a significant or substantial body of
1253 work, such as a non-routine project or work related to the initiation or cessation of a
1254 county function, project or department.

1255 3. Assignments may be approved for up to a term of five years if authorized in
1256 advance in writing by the director:

1257 ~~a. ((In cases where a special duty assignment is made))~~ to backfill a regular
1258 position, ~~((the assignment may be approved for up to a term of three years, but only if:~~

1259 ~~a. the backfill assignment is authorized in advance in writing by the~~
1260 ~~department director and the county administrative officer based upon a specific~~
1261 ~~determination that a special duty assignment continues to meet the requirements in this~~
1262 ~~chapter and that a position reclassification is not appropriate;~~

1263 ~~b. the assignment is made to backfill))~~ when:

1264 (1) an ~~((incumbent))~~ employee ~~((who))~~ is absent because of an extended leave
1265 of absence for a medical reason~~((, as required under applicable county, state or federal~~
1266 ~~law));~~

1267 (2) an ~~((incumbent))~~ employee ~~((who))~~ is absent because of military ~~((f))~~
1268 service ~~((f))~~; or

1269 (3) an ~~((incumbent))~~ employee ~~((who))~~ is absent because of ~~((assignment to))~~
1270 a special duty or another assignment; and

1271 b. to staff or backfill staff on a clearly defined grant-funded, capital
1272 improvement, or information systems technology project.

1273 ~~((3.))~~ 4. ((in no cases, may the)) A special duty backfill assignment may not
1274 exceed the term of the incumbent employee's absence.

1275 ~~((4. In cases where a special duty assignment is made for the performance of a~~
1276 ~~project necessitating a higher level of work, the assignment may be approved for up to a~~
1277 ~~term of three years, but only if:~~

1278 a. ~~the project assignment is authorized in advance in writing by the department~~
1279 ~~director, the manager of the human resources management division and the county~~
1280 ~~administrative officer based upon a specific determination that a special duty assignment~~
1281 ~~continues to meet the requirements in this chapter and that a position reclassification is~~
1282 ~~not appropriate; and~~

1283 (1) ~~the project is clearly defined, a project plan has been developed or the~~
1284 ~~employee will develop a project plan;~~

1285 (2) ~~the project has a beginning and end date of three years or less;~~

1286 (3) ~~the employee will perform duties that are primarily related to a single~~
1287 ~~specifically defined project; and~~

1288 (4) ~~the employee is performing non-routine work for a project outside of the~~
1289 ~~regular scope of the normal division functions.~~

1290 5. ~~In cases where a special duty assignment is made to staff or to backfill staff~~
1291 ~~on a grant funded, capital improvement, or information systems technology project~~
1292 ~~necessitating a higher level of work, the assignment may be approved for up to a term of~~
1293 ~~three years and, upon justification, extended an additional two years up to a term of five~~
1294 ~~total years, but only if:~~

1295 a. ~~the project assignment is authorized in advance in writing by the department~~
1296 ~~director, the manager of the human resources management division and the county~~
1297 ~~administrative officer based upon a specific determination that a special duty assignment~~
1298 ~~continues to meet the requirements in this chapter and that a position reclassification is~~
1299 ~~not appropriate; and~~

1300 b. ~~the assignment is made to a clearly defined project with a limited term and a~~

1301 ~~definite termination date; or the assignment is made to backfill staff on the project.))~~

1302 5. Special duty assignments to salaried classifications shall be made in full-
1303 week increments, from Saturday through Friday.

1304 6. An employee's special duty assignment shall end when management becomes
1305 aware that the employee's absence will exceed thirty calendar days or at the conclusion of
1306 a thirty-day absence, whichever occurs first.

1307 C. A special duty assignment must be made in writing to the employee before the
1308 beginning of the assignment. The written notice must provide the classification title and
1309 description and must list the specific duties that the employee is to perform and the
1310 duration of the assignment. The written notice must also include a statement that the
1311 assignment ~~((will))~~ does not confer on the employee any new privilege, right of appeal,
1312 right of position, transfer, demotion, promotion or reinstatement. A special duty
1313 assignment may be revoked at any time at the discretion of the appointing authority.
1314 Special duty pay may not be assigned retroactively.

1315 D. The special duty increase shall be to the first step of the pay range of the
1316 ~~((existing))~~ higher-level job classification or ~~((to a pay step in the existing higher~~
1317 ~~classification that provides an increase of approximately))~~ a flat five percent above the
1318 ~~((former))~~ base rate of pay, whichever is greater.

1319 E. ~~((Special duty compensation may not exceed the top step of the new range i))~~
1320 If the employee was receiving above-Step-10 incentive pay, the pay for the special duty
1321 assignment is calculated using the incentive pay and may result in incentive pay while in
1322 the special duty assignment. ~~((In those instances, the pay may exceed the maximum of~~
1323 ~~the new pay range by no more than five percent and shall continue only as long as the~~

1324 incentive pay would have remained in effect.))

1325 F. While on special duty assignment, the employee shall continue to be eligible
1326 for step increases in the employee's regular position. If the employee is at Step-10 in the
1327 employee's regular position, the employee shall be eligible for step increases in the
1328 special duty classification.

1329 G. Any accrued compensatory time shall be cashed out before an hourly
1330 employee begins a salaried special duty assignment, and before an employee in an hourly
1331 special duty assignment returns to a salaried regular position.

1332 ~~((F.))~~ H. When the special duty assignment is completed, the employee's pay
1333 shall revert to the pay rate the employee would have received if the employee had not
1334 been assigned to special duty.

1335 ~~((G.))~~ I. Special duty pay shall not be considered part of an employee's base pay
1336 rate for purposes of placement within a salary range as a result of promotion or
1337 reclassification, for purposes of cashing out vacation or sick leave or when making
1338 vacation or sick leave donations.

1339 J. If the special duty position is converted to a regular position and the employee
1340 who served in the special duty position is hired into the regular position, the time served
1341 in the special duty position will count toward any required probationary period. If the
1342 time served in the special duty position was longer than the required probationary period,
1343 the employee's probationary period shall be considered served.

1344 ~~((H.))~~ K. The executive shall notify the council each year in writing of the total
1345 number of county employees on special duty assignment by department. The executive
1346 shall file a paper original and electronic copy of each memorandum with the clerk of the

1347 council, who shall retain the original and provide an electronic copy to all
1348 councilmembers and the lead staff for the government accountability and oversight
1349 committee or its successor.

1350 NEW SECTION. SECTION 21. There is hereby added to K.C.C. chapter 3.15 a
1351 new section to read as follows:

1352 A. For the purposes of this section, "working out of classification" means an
1353 employee in a regular position is assigned in writing some or all of the duties of a higher-
1354 paid classification for a period of less than thirty calendar days.

1355 B. Working-out-of-classification assignments must occur in full day or full shift
1356 increments.

1357 C. While working out of classification, the employee shall receive a flat five
1358 percent pay premium. Any overtime the employee earns while working out of
1359 classification shall include the five percent premium. Paid leaves taken while an
1360 employee is working out of classification shall not include the pay premium.

1361 D. If a working-out-of-classification assignment exceeds twenty-nine consecutive

1362 calendar days, the assignment shall be prospectively converted to a special duty
1363 assignment.
1364

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

J. Joseph McDermott, Chair

ATTEST:

Melani Pedroza, Clerk of the Council

APPROVED this ____ day of _____, _____.

Dow Constantine, County Executive

Attachments: None