



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

September 13, 2004

Ordinance 15000

Proposed No. 2004-0365.1

Sponsors Ferguson and Irons

1 AN ORDINANCE related to contracts; defining legally
2 domiciled member of household; adding alternate
3 requirement related to the provision of benefits by
4 contractors; and amending Ordinance 14823, Section 3, and
5 K.C.C. 12.19.020 and Ordinance 14823, Section 4, and
6 K.C.C 12.19.030.

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BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

10

SECTION 1. Ordinance 14823, Section 3, and K.C.C. 12.19.020 are each hereby
11 amended to read as follows:

12

Definitions. The definitions in this section apply throughout this chapter unless
13 the context clearly requires otherwise.

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A. "Contract" means an agreement to perform services or provide tangible
personal property as defined in K.C.C. 4.16.010. that entails a legally binding obligation
of twenty-five thousand dollars or more. "Contract" does not include the following: a

17 contract between a contract-awarding authority and a public entity; a contract for the
18 purchase, lease or rent of real estate; or a collective bargaining agreement.

19 B. "Contract-awarding authority" means the county officer, department,
20 commission, employee or board authorized to enter into or to administer contracts on
21 behalf of the county.

22 C. "Domestic partner" means any person who is a domestic partner as defined in
23 K.C.C. 3.12.010 and is registered with the employee's employer as the employee's
24 domestic partner or, in the absence of such an employer-provided registry, is registered as
25 a domestic partner with a governmental body in accordance with state or local law
26 authorizing the registration. Any internal employer registry of domestic partnership must
27 comply with the criteria for domestic partnerships specified by the executive by
28 administrative rule.

29 D. "Employee benefits" means: the provision of bereavement leave; disability,
30 life and other types of insurance; family medical leave; health benefits; membership
31 discounts; moving expenses; pension and retirement benefits; travel benefits; and other
32 benefits given to employees. However, "employee benefits" does not include benefits to
33 the extent that the application of the requirements of this chapter to such benefits may be
34 preempted by federal or state law.

35 E. "Legally domiciled member of household" means any person who:

36 1.a. currently lives in the same primary residence as the employee;

37 b. intends to continue living in the same primary residence as the employee;

38 c. is jointly responsible with the employee for the basic living expenses of the

39 household;

40 d. is eighteen years of age or older; and

41 e. is not married; or

42 2. Is an adult, dependent relative living in the same primary residence as the
43 employee and is claimed as the employee's tax dependent.

44 SECTION 2. Ordinance 14823, Section 4, and K.C.C 12.19.030 are each hereby
45 amended to read as follows:

46 **Nondiscrimination in benefits.**

47 A. A contractor who has contracted with the county shall not discriminate in the
48 provision of employee benefits between an employee with a spouse and an employee
49 with a domestic partner or an employee who resides with a legally domiciled member of
50 household.

51 B. A contractor who has contracted with the county does not discriminate in the
52 provision of employee benefits between employees with spouses and employees with
53 domestic partners, so long as the contractor:

54 1. Provides the same employee benefits to employees' spouses and domestic
55 partners; ~~((or))~~

56 2. Provides no employee benefits to employees' spouses and domestic partners;
57 or

58 3. Provides the same employee benefits to employees' spouses and legally
59 domiciled members of households.

60 C. The executive may waive the requirements of this chapter where any of the
61 following applies:

- 62 1. The award of a contract or amendment to a contract is necessary in an
63 emergency, as "emergency" is defined in K.C.C. 4.16.050;
- 64 2. The contract is for a proprietary purchase under K.C.C. 4.16.040;
- 65 3. There are no contractors capable of responding to the county's requirements
66 that can comply with the provisions of this chapter;
- 67 4. The contractor, despite taking all reasonable measures to do so, demonstrates
68 it is unable to extend a particular employee benefit to domestic partners;
- 69 5. The requirements of this chapter are inconsistent with a grant, subvention or
70 agreement with a public agency; or
- 71 6. The county is purchasing through a cooperative or joint purchasing
72 agreement.
- 73 D. A request for a waiver of the terms of this chapter must be made to the
74 executive by the contract-awarding authority in a manner prescribed by the executive by
75 administrative rule.
- 76 E. A contract-awarding authority shall not execute a contract with a contractor
77 unless the contractor has agreed that the contractor will not discriminate in the provision
78 of employee benefits as provided for in this chapter.
- 79 F. All contracts awarded by the county shall contain provisions prohibiting

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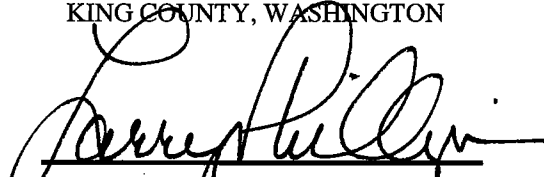
discrimination in the provision of employee benefits, including provisions containing
appropriate remedies for the breach of the contracts as prescribed by K.C.C. 12.19.040.

CLERK
KING COUNTY COUNCIL

Ordinance 15000 was introduced on 7/26/2004 and passed by the Metropolitan King
County Council on 9/13/2004, by the following vote:

Yes: 11 - Mr. Phillips, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr.
Pelz, Mr. Ferguson, Mr. Gossett, Ms. Hague, Mr. Irons, Ms. Patterson and
Mr. Constantine
No: 1 - Mr. Hammond
Excused: 1 - Mr. McKenna

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

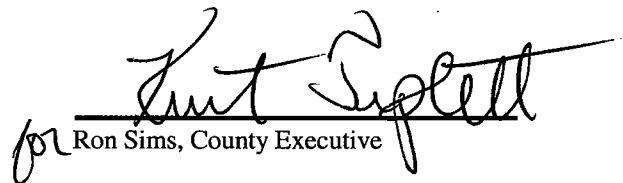

Larry Phillips, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 17 day of September, 2004.


for Ron Sims, County Executive

Attachments None