



King County

**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**January 12, 2009**

**Motion 12906**

**Proposed No.** 2008-0662.2

**Sponsors** Constantine

1                   A MOTION relating to the organization of the council,  
2                   electing the chair and vice-chairs of the council and  
3                   membership requirements of the employment and  
4                   administration committee, amending Motion 10651,  
5                   Section II, as amended, and OR 1-010, Motion 10651,  
6                   Section IV, as amended, and OR 1-030, Motion 11105  
7                   (part), as amended, and OR 1-040 and Motion 10651,  
8                   Section V, as amended, and OR 2-030.

9  
10                   WHEREAS, the King County Charter provides that the county council "shall elect  
11 one of its members as chairman, shall be responsible for its own organization," and

12                   WHEREAS, the council desires to elect a chair and vice-chairs of the council and  
13 its committees and create new committees, and

14                   WHEREAS, the council seeks to clarify the membership requirements of the  
15 employment and administration committee to reflect voter approval of Initiative 26 making  
16 the offices of King County executive, King County assessor and King County council  
17 nonpartisan, and to establish the nonpartisan selection of districting committee members;

18 NOW, THEREFORE, BE IT MOVED by the Council of King County:

19 I. Motion 10651, Section II, as amended, and OR 1-010 are each hereby amended  
20 to read as follows:

21 **Election of the chair and vice-chairs.**

22 A. The council shall elect a chair and vice-chairs, who shall serve at the pleasure of  
23 the council for a term of one year, unless decided otherwise by the council and until  
24 successors are elected.

25 B. There shall be two vice-chairs: the vice-chair of policy (~~and administration~~)  
26 and the vice-chair of (~~council relations~~) administration and finance. For the purposes of  
27 implementing the provisions of K.C.C. chapter 1.24, "vice-chair" means the vice-chair of  
28 policy (~~and administration~~). In the absence of the vice-chair of policy (~~and~~  
29 ~~administration~~), "vice-chair" means the vice-chair of (~~council relations~~) administration  
30 and finance.

31 C. In the event the chair is unable to serve the remainder of a term, the vice-chair  
32 shall become chair, consistent with the order set forth in subsection 1.B. of this section. In  
33 the event a vice-chair is unable to serve the remainder of a term, a new vice-chair shall be  
34 elected.

35 II. Motion 10651, Section IV, as amended, and OR 1-030 are each hereby  
36 amended to read as follows:

37 **Powers and duties of the vice-chairs.**

38 A. The vice-chairs shall exercise the duties, powers and prerogatives of the council  
39 chair in the event of the chair's absence, consistent with the order set forth in OR 1-010.B.

40 B. The vice-chair of policy ~~((and administration))~~ shall serve as the chair of the  
41 committee of the whole.

42 C. The vice-chair of ~~((policy and))~~ administration and finance shall ~~((also))~~ serve  
43 as ~~((a member))~~ the chair of the employment and administration committee. The chair of  
44 the employment and administration committee shall issue, upon recommendation of the  
45 employment and administration committee and with the approval of a majority of the  
46 council, all employment decisions for legislative branch employees except interns and the  
47 councilmembers' personal staff, other than employment decisions that are made by the  
48 chair of the employment and administration committee as provided in OR 2-030.

49 III. Motion 11105 (part), as amended, and OR 1-040 are each hereby amended to  
50 read as follows:

51 **Chair and vice-chair elected.** For the year 2009, and until a successor is elected,  
52 the council elects Councilmember ~~((Julia Patterson))~~ Dow Constantine as council chair,  
53 Councilmember ~~((Dow Constantine))~~ Bob Ferguson as council vice-chair of policy ~~((and~~  
54 ~~administration))~~ and Councilmember ~~((Reagan Dunn))~~ Jane Hague as council vice-chair  
55 for ~~((council relations))~~ administration and finance.

56 IV. Motion 11122 (part), as amended, and OR 2-030 are each hereby amended to  
57 read as follows:

58 **A. Membership requirements – duties.** The employment and administration  
59 committee shall consist of four members ~~((, with two members from the majority party~~  
60 ~~and two members from the minority party))~~.

61 **B. Duties and process.**

62 1. Administrative committee. The employment and administration committee is

63 an administrative committee of the council.

64           2. Personnel decisions. The employment and administration committee shall  
65 make recommendations to the council concerning decisions for legislative branch  
66 employees, except for interns and councilmembers' personal staff, and except for minor  
67 personnel decisions, which may be made by the chair of the employment and  
68 administration committee in accordance with subsection B.5. of this section. Personnel  
69 decisions include decisions to hire, to fill vacancies, to make staffing adjustments, to  
70 assign or reassign staff, to adjust staff pay, to analyze future hiring needs and to make  
71 other necessary employment decisions. Personnel decisions do not include termination or  
72 disciplinary decisions, which follow the process stated in subsection B.3. of this section,  
73 or minor personnel decisions, which follow the process stated in subsection B.5. of this  
74 section. Employment and administration committee recommendations on personnel  
75 decisions shall be developed in consultation with appropriate committee chairs and,  
76 where applicable, the policy staff director and the chief of staff.

77           3. Personnel decisions shall be contained in a written recommendation report  
78 and may be voted out of committee upon: a. the receipt of the signature of three  
79 committee members during a meeting of the committee; or b. subject to signature by a  
80 quorum of the committee members in accordance with K.C.C. 1.24.055.C (Rule 6.C).  
81 Once the necessary signatures are obtained, recommendation reports from the committee  
82 shall be forwarded to the council for consideration on an employment and administration  
83 committee consent agenda. The chair of the employment and administration committee  
84 shall issue, upon recommendation of the employment and administration committee and  
85 with the approval of a majority of the council, all employment decisions for legislative

86 branch employees except interns and the councilmembers' personal staffs.

87           4. Terminations and disciplinary decisions. The employment and administration  
88 committee makes decisions on discipline and termination, including layoffs. If three  
89 committee members vote for a termination or disciplinary action the decision is final,  
90 except when an employee exercises the right of an appeal to the full council. An  
91 employee who has been either suspended without pay of two weeks or more or  
92 terminated may appeal the decision of the employment and administration committee to  
93 the council. The appeal must be filed within ten calendar days of written notice of the  
94 suspension or termination being sent to the employee. An appeal is accomplished by  
95 delivering a notice of appeal to the clerk of the council. Nondisciplinary terminations are  
96 subject to appeal in the same manner as disciplinary terminations.

97           5. Minor personnel decisions.

98           a. The chair of the employment and administration committee shall make all  
99 minor personnel decisions as set forth in this subsection B.5. Minor personnel actions  
100 are:

101           (1) authorizing recruiting for a vacated or newly created position;

102           (2) increasing or reducing the hours assigned to a current position up to the  
103 total budgeted hours for the position, as reflected in the Staff and Salary Detail Report  
104 maintained by the council administrator;

105           (3) reassigning an employee employed within a legislative branch agency of  
106 the county auditor, board of appeals/equalization, hearing examiner, ombudsman/tax  
107 advisor or civic television to another position in the same agency and pay range;

108           (4) hiring a temporary or a term-limited temporary employee to perform

109 clerical or technical functions, up to a total of the maximum period allowed by ordinance  
110 or two years, whichever is less;

111 (5) extending the employment period of a temporary or a term-limited  
112 temporary employee hired to perform clerical or technical functions, up to a total of the  
113 maximum period allowed by ordinance or two years, whichever is less; and

114 (6) approving a carryover of excess vacation leave under K.C.C. 3.12.190  
115 because of cyclical workloads, work assignments or other reasons as may be in the best  
116 interests of the county.

117 b. Requests for minor personnel decisions shall be made in writing to the  
118 employment and administration committee chair via the council administrator. Requests  
119 may be made only by councilmembers, legislative branch agency managers, the council  
120 administrator or a staff member who is supervised directly by the chair of the council.  
121 The council administrator shall promptly provide the employment and administration  
122 committee chair with a copy of the request and the administrator's recommendation for  
123 approval, disapproval or modification of the request.

124 c. Action on a requested minor personnel decision shall be in writing, signed  
125 by the chair of the employment and administration committee. The council administrator  
126 shall file the original of the decision action with the clerk of the council, and shall  
127 provide copies of the decision action to the agency manager or supervisor, affected  
128 employee and members of the employment and administration committee.

129 6. Nothing in this process is to be construed to alter the at-will status of  
130 legislative branch employees. This process is designed to facilitate the will of the  
131 majority of the council. If there are specific provisions of a collective bargaining

132 agreement that are contrary to this process, the collective bargaining agreement controls.

133 **C. Recommendations to the council chair.** The employment and  
134 administration committee may consider and make recommendations to the council chair  
135 regarding management organization structure and legislative branch customer service.  
136 The committee may monitor and make recommendations on the legislative branch  
137 budget.

138 **D. Removal of recommendations from consent agenda.** Upon the request of  
139 any member present before the council, any specific recommendation from the  
140 employment and administration committee shall be removed from the consent agenda  
141 and considered separately by the council prior to adoption of the employment and  
142 administration committee consent agenda. The council may then by a majority vote  
143 make whatever orderly disposition of the matter it deems appropriate.

144 **E. Motions for censure.** The employment and administration committee shall  
145 consider and make recommendations on motions for censure related to alleged violations  
146 of any antiharassment policy by a councilmember.

147 **F. Personnel records as confidential.** To the extent permitted by law, personnel  
148 records which would be exempt from public disclosure shall continue to be treated as  
149 confidential and records or portions thereof which are exempt shall be conspicuously

150

151 identified as such and separated from nonexempt records.

152 V. This motion takes effect January 1, 2009.

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Motion 12906 was introduced on 12/15/2008 and passed by the Metropolitan King County Council on 1/12/2009, by the following vote:

Yes: 9 - Ms. Patterson, Mr. Dunn, Mr. Constantine, Ms. Lambert, Mr. von Reichbauer, Mr. Ferguson, Mr. Gossett, Mr. Phillips and Ms. Hague

No: 0

Excused: 0

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



Dow Constantine, Chair

ATTEST:



Anne Noris, Clerk of the Council

Attachments None