



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

February 4, 2002

Ordinance 14287

Proposed No. 2001-0591.2

Sponsors Sullivan

1 AN ORDINANCE related to the scope of duties of the
2 labor policy committee and labor implementation
3 committee; amending Ordinance 10631, Section 2, as
4 amended, and K.C.C. 3.16.015, Ordinance 197, Section 2,
5 as amended, and K.C.C. 3.16.020, Ordinance 11480,
6 Section 7, and K.C.C. 3.16.025, Ordinance 12014,
7 Section 55, and K.C.C. 3.16.050 and Ordinance 13000,
8 Section 2, and K.C.C. 3.16.060, adding a new section to
9 K.C.C. chapter 3.16 and repealing Ordinance 11480,
10 Section 8, and K.C.C. 3.16.047.

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13 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

14 SECTION 1. Ordinance 10631, Section 2, as amended, and K.C.C. 3.16.015 are
15 each hereby amended to read as follows:

16 **Definitions.** Unless the text clearly indicates otherwise, as used in this chapter,
17 the following words shall have the meanings set forth in this section:

18 A. "Corrections officer" means any full-time, fully compensated uniformed
19 correctional officer or sergeant who works for the department of adult detention (King
20 County jail).

21 B. "Bargaining representative" means any lawful organization which has as one
22 of its primary purposes the representation of employees in their employment relations
23 with King County.

24 C. "Bargaining agent" means the King County executive.

25 D. "Public employer" means King County.

26 E. "Commission" means the Public Employment Relations Commission.

27 F. "Executive director" means the executive director of the Commission.

28 G. "911 operator" means any full-time, fully compensated communications
29 specialist or communications specialist supervisor who works for the department of
30 public safety.

31 H. "Labor policy ((€))committee" or "policy committee" means the King County
32 council committee designated by the council(~~(s-organizational))~~ by motion as the
33 committee responsible for establishing labor policy.

34 I. "Labor implementation committee" or "implementation committee" means the
35 King County council committee designated by the council by motion as the committee
36 responsible for implementing labor policy.

37 J. "Labor policy" or "policy" means those general principles which work to
38 implement the intent of this chapter and guide negotiations for wages, benefits, working
39 conditions and other terms of employment.

40 SECTION 2. Ordinance 197, Section 2, as amended, and K.C.C. 3.16.020 are
41 each hereby amended to read as follows:

42 **Powers.** The bargaining agent is authorized on behalf of King County to meet,
43 confer and negotiate with bargaining representatives of the public employees of King
44 County for the purpose of collective bargaining as contemplated by ~~((RCW))~~ chapter
45 41.56((;)) RCW and ~~((the King County Charter,))~~ Section 890 of the King County
46 Charter, and to timely recommend to the King County council proposed wages, hours,
47 and employee benefits and other conditions of county employment for the purposes of
48 county budgets and such collective bargaining agreement or agreements as may be
49 required and authorized by ordinance. The bargaining agent shall not negotiate new
50 collective bargaining agreements prior to preparing for bargaining and conferring with the
51 labor policy committee as required in K.C.C. 3.16.012, 3.16.025 and 3.16.050.

52 SECTION 3. Ordinance 11480, Section 7, and K.C.C. 3.16.025 are each hereby
53 amended to read as follows:

54 ~~((Preparation for bargaining))~~ General provisions. A. The bargaining agent
55 shall establish and conduct a process to prepare for negotiations ~~((which))~~ that performs at
56 least the following functions:

57 1. ~~((By June 30th of each year, or, in the case of agreements expiring other than~~
58 ~~December 31st, at least 90 days prior to the commencement of negotiations, in~~
59 ~~preparation for collective bargaining the bargaining agent shall report to the committee~~
60 ~~the agreements expiring that calendar year. The bargaining agent shall also generally~~
61 ~~explain existing policies which, if changed, would further the principles and intent~~
62 ~~established by this chapter. County department management concerned with the~~

63 collective bargaining process, with the advice of other relevant county departments, shall
64 assist the bargaining agent in reporting to the committee.

65 ~~2. The bargaining agent shall recommend to the committee overall changes to~~
66 ~~adopted policies that would be required to implement the changes proposed in K.C.C.~~
67 ~~3.16.025 A.1., and an overall estimate of the monetary value, if any, of these changes,~~
68 ~~including both costs and benefits.~~

69 ~~3. Prior to commencement of negotiations for the agreements, the bargaining~~
70 ~~agent shall meet with the committee to present the recommended strategies for~~
71 ~~implementing adopted policies resulting from the preparation for bargaining process. The~~
72 ~~bargaining agent's strategies shall be generally consistent with the principles contained in~~
73 ~~this chapter and the overall policy direction established by the committee.~~

74 ~~4.))~~ The bargaining agent should continue to use collaborative or interest-based
75 bargaining where both parties agree, and this chapter shall not be construed to restrict or
76 inhibit such bargaining((:));

77 ~~((5. No later than January 1, 1996,))~~ 2. ((~~t~~))The bargaining agent shall cause to
78 be developed and maintained a database of information within King County government
79 on wages, hours, employee benefits, vacation and other leave, job classifications and
80 substantial and factual information to provide knowledge of working conditions necessary
81 to conduct effective negotiations. Such information shall be made available to the
82 bargaining representatives to the extent provided by RCW 41.56.030(4), Public
83 Employees' Collective Bargaining law of the ((~~S~~))state of Washington, as set forth by the
84 collaborative process identified in King County council Motion 9182((:)); and

85 ~~((The bargaining agent shall report to the committee no later than June 30, 1995~~
86 ~~the progress made and the steps remaining to comply with the above and to complete~~
87 ~~development of a human resources information system.~~

88 6. ~~A bargaining representative may at any time during negotiations forward to~~
89 ~~the director, office of human resource management, or the director, human resources,~~
90 ~~metropolitan services department or their successors, a written complaint that the~~
91 ~~collective bargaining process is not being conducted in a timely manner or is not being~~
92 ~~conducted in a manner consistent with good faith bargaining. The director shall have 15~~
93 ~~calendar days in which to respond in writing to the complaint and to propose such~~
94 ~~remedies as may address the complaint.~~

95 ~~If the bargaining representative is not satisfied with the written response of the~~
96 ~~director, or if a written response to the complaint is not received within 15 calendar days,~~
97 ~~the bargaining representative may forward the written complaint to the King county~~
98 ~~executive, as the bargaining agent, who shall have 15 calendar days to respond to it in~~
99 ~~writing and propose such remedies as may address the complaint.~~

100 ~~If the bargaining representative is not satisfied with the written response of the~~
101 ~~bargaining agent, or if a written response is not received from the bargaining agent within~~
102 ~~15 calendar days, the bargaining representative may request that the written complaint be~~
103 ~~forwarded to the committee.~~

104 ~~If the bargaining agent receives a written request to have the complaint forwarded~~
105 ~~to the committee, including an explanation of reasons for the request, the bargaining agent~~
106 ~~shall forward the request, together with the bargaining agent's written response, to the~~
107 ~~committee within five (5) calendar days from the receipt of the request, provided that~~

108 ~~these materials or any discussion thereof shall remain confidential to the extent allowed~~
109 ~~by law.~~

110 ~~The committee may, at its discretion, request that the bargaining agent meet with~~
111 ~~the committee for the purpose of reviewing the status of negotiations with regard to the~~
112 ~~principles contained in this chapter and the overall policy direction established by the~~
113 ~~committee, provided that the committee shall take no action which would interfere with~~
114 ~~the lawful role of the bargaining agent.~~

115 ~~7. By June 30 of each year, the prosecuting attorney, in conjunction with~~
116 ~~bargaining agent, shall report to the committee on all pending unfair labor practice~~
117 ~~charges and all pending litigation and arbitration involving represented employees.~~

118 ~~8.))~~ 3. The policy committee and implementation committee shall each confer
119 with the bargaining agent to develop necessary guidelines for the implementation of this
120 section, consistent with this chapter and King County council Motion 9182.

121 B. ~~((Bargaining.))~~ The bargaining agent shall be the sole negotiator for King
122 County government and shall bargain in good faith as provided by law. The bargaining
123 agent shall commence and complete collective bargaining negotiations in a timely manner
124 and in accordance with the overall principles and intent of this chapter.

125 SECTION 4. Ordinance 12014, Section 55, and K.C.C. 3.16.050 are each hereby
126 amended to read as follows:

127 **Labor policy committee functions.**

128 A. ~~((The committee shall perform the following functions:~~

129 ~~1.))~~ The policy committee shall meet as it deems necessary to obtain the
130 testimony of members of the public, the bargaining agent, bargaining representatives or

131 their designees, county department management and others in order to consider such
132 testimony in policy decisions before the committee but shall not engage in bargaining
133 with bargaining representatives or represented employees(~~(Pursuant to RCW 42.30.140,~~
134 ~~the council or the committee may convene in a meeting not open to the public for any~~
135 ~~meetings, or portions of meetings, during which the council or committee is planning or~~
136 ~~adopting the strategy to be taken by the county during the course of any collective~~
137 ~~bargaining or reviewing the proposals made in the negotiations or proceedings while in~~
138 ~~progress.~~

139 ~~2. By June 30 of each year, or, in the case of agreements expiring other than~~
140 ~~December 31, at least ninety days prior to commencement of negotiations, the committee~~
141 ~~shall meet with the bargaining agent to review the schedule of collective bargaining~~
142 ~~agreements expiring in that calendar year and the key issues related to the collective~~
143 ~~bargaining process and shall establish overall policy for negotiations. Methods of~~
144 ~~consultation with unions, management rights and eliminating the causes of employee~~
145 ~~grievances shall also be considered)).~~

146 B. The policy committee shall provide an opportunity for bargaining
147 representatives or their designees to address the policy committee prior to the adoption of
148 overall policy. Overall policy, and all amendments to adopted policies, shall be
149 established only upon an affirmative vote by a majority of the members of the policy
150 committee.

151 ~~((3. Following the establishment of overall policy, and prior to commencement~~
152 ~~of negotiations, the committee shall meet to hear the bargaining agent's recommended~~
153 ~~strategies for implementing adopted policies. The committee shall confer with the~~

154 ~~bargaining agent as it deems necessary to ensure compliance with this chapter and good-~~
155 ~~faith collective bargaining.~~

156 ~~4. The committee shall meet at least quarterly to review the progress of the~~
157 ~~negotiations but shall not interfere with good faith collective bargaining.)) C. The~~
158 ~~bargaining agent shall recommend to the policy committee overall changes to adopted~~
159 ~~policies that would be required to implement the changes proposed in section 5.D of this~~
160 ~~ordinance, and an overall estimate of the monetary value, if any, of these changes,~~
161 ~~including both costs and benefits.~~

162 D. The bargaining agent may seek further clarification of adopted policies from
163 the policy committee at any time during the negotiations.

164 ~~((5. The committee shall review all agreements negotiated between the~~
165 ~~bargaining agent and bargaining representatives to ensure compliance with the principles~~
166 ~~contained in this chapter and with the overall policy direction established by the~~
167 ~~committee. The committee may recommend to the council adoption or rejection of~~
168 ~~agreements or it may forward agreements to the council for action without~~
169 ~~recommendation.~~

170 ~~6. The chair of the committee may convene a special meeting when he/she~~
171 ~~deems it necessary to discuss critical labor policy issues.)) E. By June 30 of each year,~~
172 ~~the executive shall report to the policy committee regarding employment policies~~
173 ~~applicable to nonrepresented employees.~~

174 F. By June 30 of each year, the prosecuting attorney shall, in conjunction with
175 the executive, report to the policy committee on all pending litigation involving
176 nonrepresented employees.

177 ~~((B. Confidentiality-))~~ G. For the purpose of maintaining an effective collective
178 bargaining process, the strategies and related information presented by the bargaining
179 agent shall be maintained as confidential. The policy committee shall develop
180 guidelines to assist in accomplishing such confidentiality.

181 NEW SECTION. SECTION 5. There is hereby added to K.C.C. chapter 3.16 a
182 new section to read as follows:

183 **Labor implementation committee functions.**

184 A. The bargaining agent shall report to the implementation committee no later
185 than June 30 of each year on the status and maintenance necessary to comply with the
186 requirement of maintaining a database of information within King County government on
187 wages, hours, employee benefits, vacation and other leave, job classifications and
188 substantial and factual information to provide knowledge of working conditions necessary
189 to conduct effective negotiations.

190 B.1. A bargaining representative may at any time during negotiations forward to
191 the manager of the human resource management division, or its successor, a written
192 complaint that the collective bargaining process is not being conducted in a timely
193 manner or is not being conducted in a manner consistent with good faith bargaining. The
194 manager shall, within fifteen calendar days, respond in writing to the complaint and
195 propose such remedies as may address the complaint.

196 2. If the bargaining representative is not satisfied with the written response of
197 the manager, or if a written response to the complaint is not received within fifteen
198 calendar days, the bargaining representative may forward the written complaint to the

199 King county executive, as the bargaining agent, who shall, within fifteen calendar days,
200 respond to it in writing and propose such remedies as may address the complaint.

201 3. If the bargaining representative is not satisfied with the written response of the
202 bargaining agent, or if a written response is not received from the bargaining agent within
203 fifteen calendar days, the bargaining representative may request that the written complaint
204 be forwarded to the implementation committee.

205 4. If the bargaining agent receives a written request to have the complaint
206 forwarded to the implementation committee, including an explanation of reasons for the
207 request, the bargaining agent shall forward the request, together with the bargaining
208 agent's written response, to the implementation committee within five calendar days from
209 the receipt of the request. These materials or any discussion thereof shall remain
210 confidential to the extent allowed by law.

211 5. The implementation committee may request that the bargaining agent meet
212 with the implementation committee for the purpose of reviewing the status of negotiations
213 with regard to the principles contained in this chapter and the overall policy direction
214 established by the policy committee, but the implementation committee shall take no
215 action that would interfere with the lawful role of the bargaining agent.

216 C. By June 30 of each year, the prosecuting attorney, in conjunction with
217 bargaining agent, shall report to the implementation committee on all pending unfair labor
218 practice charges and all pending litigation and arbitration involving represented
219 employees.

220 D. By June 30 of each year, or, in the case of agreements expiring other than
221 December 31, at least ninety days before the commencement of negotiations, in

222 preparation for collective bargaining the bargaining agent shall report to the
223 implementation committee the agreements expiring that calendar year. The bargaining
224 agent shall also generally explain existing policies that, if changed, would further the
225 principles and intent established by this chapter. County department management
226 concerned with the collective bargaining process, with the advice of other relevant county
227 departments, shall assist the bargaining agent in reporting to the implementation
228 committee.

229 E. By June 30 of each year or, for agreements expiring other than December 31,
230 at least ninety days before commencing negotiations, the implementation committee shall
231 meet with the bargaining agent to review the schedule of collective bargaining
232 agreements expiring in that calendar year and the key issues related to the collective
233 bargaining process. Methods of consultation with unions, management rights and
234 eliminating the causes of employee grievances shall also be considered.

235 F. Following the establishment of overall policy, and before commencing
236 negotiations, the implementation committee shall meet to hear the bargaining agent's
237 recommended strategies for implementing adopted policies. The implementation
238 committee shall confer with the bargaining agent as it deems necessary to ensure
239 compliance with this chapter and good-faith collective bargaining. The bargaining
240 agent's strategies shall be generally consistent with the principles contained in this
241 chapter and the overall policy direction established by the policy committee.

242 G. The implementation committee shall meet at least quarterly to review the
243 progress of the negotiations but shall not interfere with good-faith collective bargaining.

244 H. The implementation committee shall review all agreements negotiated
245 between the bargaining agent and bargaining representatives to ensure compliance with
246 the principles contained in this chapter and with the overall policy direction established
247 by the policy committee. The implementation committee may recommend to the council
248 adoption or rejection of agreements or it may forward agreements to the council for action
249 without recommendation.

250 I. For the purpose of maintaining an effective collective bargaining process, the
251 strategies and related information presented by the bargaining agent shall be maintained
252 as confidential. The implementation committee shall develop guidelines to assist in
253 accomplishing such confidentiality.

254 SECTION 6. Ordinance 13000, Section 2, and K.C.C. 3.16.060 are each hereby
255 amended to read as follows:

256 **Annual labor summit.** The chair of the King County council shall annually
257 convene a summit between the county's elected officials and the local labor leadership
258 and the leadership of all collective bargaining units representing the county's work force.
259 Such a labor summit shall take place between ~~((March))~~ January 1 and ~~((August 31))~~ May
260 1 of each given year. The intent of convening an annual labor summit shall be to:
261 increase communication between King County elected officials and the leadership and
262 membership of local labor organizations and of all the county's collective bargaining
263 units, to identify issues and problems of mutual concern, to identify solutions to problems
264 affecting the memberships of the county's collective bargaining units, to delineate ways
265 in which the county's elected officials may more closely and effectively work with the

266 county's collective bargaining units and local labor organizations to attain mutual goals
267 and to foster a spirit of cooperation in working to serve the public.

268 Meeting minutes at the summit shall be recorded and adopted by the King County
269 council at a subsequent regular meeting of the council.

270 SECTION 6. Ordinance 11480, Section 8, and K.C.C. 3.16.047 are each hereby
271 repealed.

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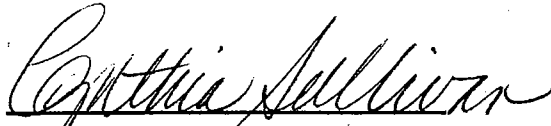
Ordinance 14287 was introduced on 12/3/01 and passed by the Metropolitan King
County Council on 2/4/02, by the following vote:

Yes: 11 - Ms. Sullivan, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr.
Phillips, Mr. Constantine, Mr. Pullen, Mr. Gossett, Ms. Hague, Mr. Irons and
Ms. Patterson

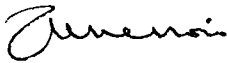
No: 0

Excused: 2 - Mr. Pelz and Mr. McKenna

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Cynthia Sullivan, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 17 day of February, 2002.



Ron Sims, County Executive

Attachments None