



Signature Report

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

April 30, 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

43 are 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,
50 internship 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
55 by 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
61 officers 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
68 the 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
76 career service position as a result of the selection procedure provided for in this chapter,
77 and who has completed the probationary period.

78 H. "Career service position" means all positions in the county service except
79 for those that are designated by Section 550 of the charter as follows: all elected officers;
80 the 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
98 by 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
105 ward or 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
108 mental or physical disability.

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

112 designate each position allocated to the class.

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

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

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

122 O. "Comprehensive leave benefits" means those leave benefits described in
123 and 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
128 charter.

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

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

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

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

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

145 U. "Division" means the human resources management division or its
146 successor agency.

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

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

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

158 expenses as long as they agree that both are responsible for the cost;

159 5. Are not married to anyone;

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

161 7. Are not related by blood closer than would bar marriage in the state of
162 Washington;

163 8. Were mentally competent to consent to contract when the domestic
164 partnership began.

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

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

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

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

181 BB. "Exempt employee" means an employee employed in a position that is
182 not a career service position under Section 550 of the charter. Exempt employees serve
183 at the pleasure of the appointing authority.

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

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

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

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

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

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

203 II. "Immediate family" means spouse, child, parent, son-in-law, daughter-in-

204 law, grandparent, grandchild, sibling, domestic partner and the child, parent, sibling,
205 grandparent or grandchild of the spouse or domestic partner.

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

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

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

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

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

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

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

227 cohabiting.

228 QQ. "Part-time employee" means an employee employed in a part-time
229 position. Under Section 550 of the charter, part-time employees are not members of the
230 career service.

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

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

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

250 apply.

251 UU. "Pay plan" means a systematic schedule of numbered pay ranges with
252 minimum, maximum and intermediate steps for each pay range, a schedule of assignment
253 of each classification to a numbered pay range and rules for administration.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

301 KKK. "Serious health condition" means an illness or injury, impairment or
302 physical or mental condition that involves one or more of the following:

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

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

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

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

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

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

318 LLL. "Short-term temporary employee" means a temporary employee who is

319 employed in a short-term temporary position.

320 MMM. "Short-term temporary position" means a type of position in which a
321 temporary employee works less than nine hundred ten hours in a calendar year in a work
322 unit in which a thirty-five-hour work week is standard or less than one thousand forty
323 hours in a calendar year in a work unit in which a forty-hour work week is standard.
324 Where the standard work week falls between thirty-five and forty hours, the manager, in
325 consultation with the department, is responsible for determining what hour threshold will
326 apply.

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

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

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

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

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

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

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

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

362 5. Seasonal positions: These are positions with work for more than six
363 consecutive months, half-time or more, with total hours of at least nine hundred ten in a
364 calendar year in a work unit in which a thirty-five hour work week is standard or at least

365 one thousand forty hours in a calendar year in a work unit in which a forty hour work
366 week is standard, that due to the nature of the work have predictable periods of inactivity
367 exceeding one month. Where the standard work week falls between thirty-five and forty
368 hours, the manager, in consultation with the department, is responsible for determining
369 what hour threshold will apply; and

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

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

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

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

387 1. Enrolled during the regular school year in a program of education,

388 internship or apprenticeship and receiving scholastic credit or scholastic recognition for
389 participating in the internship; or

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

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

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

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

403 A. Full-time regular, part-time regular, provisional, probationary and term-
404 limited temporary employees shall receive the comprehensive leave benefits provided in
405 this chapter. Short-term temporary employees and administrative interns do not receive
406 comprehensive leave benefits and are only eligible for the sick leave benefits outlined in
407 K.C.C. 3.12.220.

408 B. Full-time regular, part-time regular, provisional, probationary, term-
409 limited temporary employees and those employees who meet the definition of full time
410 employee under the Patient Protection and Affordable Care Act of 2010, as amended, and

411 including applicable regulations promulgated under the Patient Protection and Affordable
412 Care ((a))Act of 2010, as amended, and their spouses or Washington state registered
413 domestic partners, each of their dependent children and each of the dependent children of
414 their spouses or Washington State registered domestic partners shall be eligible for
415 medical, dental, life, disability and vision benefits, except in those instances where
416 contrary provisions have been agreed to in the collective bargaining process and to the
417 extent such benefits are available through insurers selected by the county. The director
418 shall establish specific provisions governing eligibility for these benefits as part of the
419 personnel guidelines and consistent with budget requirements. The provisions may
420 include waiting periods for employees newly-hired to the county.

421 C. Part-time and temporary employees, other than probationary, provisional
422 and term-limited temporary employees, who exceed the calendar year working hours
423 threshold defined in this chapter shall receive compensation in lieu of leave benefits at
424 the rate of fifteen percent of gross pay for all hours worked less the value of any sick
425 leave benefits provided under K.C.C. 3.12.220.A.2, paid retroactive to the first hour of
426 employment and for each hour worked thereafter. If an employee has not previously
427 received insured benefits provided under K.C.C. 3.12.040.B, the employee shall also
428 receive a one-time only payment in an amount equal to the direct cost of three months of
429 insured benefits, as determined by the director, and, in lieu of insured benefits, in an
430 amount equal to the direct cost to the county for each employee for whom insured
431 benefits are provided, prorated to reflect the affected employee's normal work week, for
432 each hour worked thereafter. The additional compensation shall continue until
433 termination of employment or hire into a full-time regular, part-time regular or term-

434 limited position. Further, employees receiving pay in lieu of insured benefits may elect
435 to receive the medical component of the insured benefit plan, with the cost to be deducted
436 from their gross pay, but an employee who so elects shall remain in the selected plan
437 until: termination of employment; hire into a full-time regular, part-time regular or term-
438 limited position; or service of an appropriate notice of change or cancellation during the
439 employee benefits annual open enrollment.

440 Part-time and temporary employees, other than probationary, provisional and
441 term-limited temporary employees, who exceed the applicable threshold are also eligible
442 for cash in lieu of the bus pass benefit provided to regular employees. The value shall be
443 determined based on the average annual cost per employee as determined in the adopted
444 budget, prorated to an hourly equivalent based on the employee's normal work week, and
445 shall be paid retroactive to the first hour worked and for each hour worked thereafter until
446 termination of employment or hire into a full-time regular, part-time regular or term
447 limited position.

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

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

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

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

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

461 ~~((D-))~~ E. Employees wishing to complete educational programs may request
 462 a leave of absence without pay for this purpose.

463 SECTION 4. Ordinance 12014, Section 19, as amended, and K.C.C.
 464 3.12.190 are each hereby amended to read as follows:

465 A. ~~((Beginning January 1, 1996, e))~~ Employees eligible for comprehensive
 466 leave benefits shall accrue vacation leave benefits as described in and further qualified by
 467 this section.

((Full Years of Service	Annual Leave in Days
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))

468

<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>

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

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

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

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

481 C.) Vacation accrual rates for an employee who works other than the full
482 time schedule standard to the employee's work unit shall be prorated to reflect the
483 employee's normally scheduled work week. No adjustment to vacation accrual rates for a
484 furloughed employee shall be made as a result of a budgetary furlough.

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

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

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

493 _____ ((Those)) 3. All employees shall use vacation leave beyond the employee's
494 maximum accrual amount before December 31 of each year. Failure to use vacation
495 leave beyond the employee's maximum accrual amount ((will)) shall result in forfeiture
496 of the vacation leave beyond the employee's maximum accrual amount unless the
497 appointing authority has approved a carryover of the vacation leave because of cyclical
498 workloads, work assignments or other reasons as may be in the best interests of the
499 county.

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

503 G. Career service employees, provisional, probationary and term limited
504 temporary e)) D. Employees((, shall not be eligible to take or be paid for vacation leave
505 until they have successfully completed their first six months of county service, and if they
506 leave county employment before successfully completing their first six months of county
507 service, shall forfeit and not be paid for accrued vacation leave)) eligible for
508 comprehensive leave benefits may use vacation leave hours in the pay period after they
509 are accrued. Employees who leave county employment before successfully completing

510 their first six months of county service shall forfeit their vacation leave hours and are
511 excluded from the payout provisions in this section.

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

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

517 3.12.220.~~((F.))~~G.2.b, provide eligible employees with a voluntary employee beneficiary
518 association plan that provides for reimbursement of retiree and other qualifying medical
519 expenses.

520 ~~((I.))~~ G. An employee who is eligible for comprehensive leave benefits shall
521 be paid for accrued vacation leave to the employee's date of separation up to the
522 employee's maximum accrual amount if the employee has successfully completed the
523 employee's first six months of county service and is in good standing. Except with the
524 written approval of the executive, the position, if vacated by a nonrepresented employee,
525 shall not be filled until salary savings for the position are accumulated in an amount
526 sufficient to pay the cost of the cash out. Payment shall be the accrued vacation leave
527 multiplied by the employee's rate of pay in effect upon the date of leaving county
528 employment less mandatory withholdings.

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

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

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

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

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

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

551 A. Employees eligible for comprehensive leave benefits shall be entitled to
552 ~~((three))~~ up to five working days, with a maximum of forty hours, of bereavement leave
553 ~~((a year due to))~~ for each qualifying death of ((members of their immediate)) the
554 following family members: the employee's spouse or domestic partner; the parent,
555 grandparent, child, son or daughter-in-law, grandchild or sibling of the employee, the

556 employee's spouse or the employee's domestic partner; or the employee's legal guardian,
557 ward or any person over whom the employee has legal custody. Part-time employees'
558 bereavement leave benefits shall be prorated to reflect their work week. ((A furloughed
559 employee shall not be eligible to take or be paid for bereavement leave in lieu of taking a
560 budgetary furlough day.

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

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

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

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

574 E. Any additional paid leave, including sick leave, may be approved by
575 mutual agreement between the county and the employee.

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

578 A. ~~((The executive shall create a program that provides nonrepresented~~

579 employees, on the terms in Ordinance 18408, paid parental leave following a qualifying
580 event.

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

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

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

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

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

597 ~~((3.))~~ C. An employee's supplemental paid parental leave benefit shall be
598 calculated based on the employee's accrued paid leave balances at the time of the
599 qualifying event. The employee shall receive the equivalent of the employee's full salary
600 for up to a total of twelve weeks, when combined with the employee's accrued leaves,
601 except for one week of sick leave and one week of vacation leave, or the equivalent for

602 benefit time off. (~~4. An employee electing to participate in the program must reserve~~
603 ~~one week of accrued vacation and one week of accrued sick leave, or whatever smaller~~
604 ~~amount of each the employee has accrued. An employee with twelve weeks or more of~~
605 ~~unreserved, accrued paid leave at the time of the qualifying event may use up to twelve~~
606 ~~weeks of accrued paid leave as paid parental leave during the twelve months after the~~
607 ~~qualifying event. An employee who has less than twelve weeks of unreserved, accrued~~
608 ~~paid leave at the time of the qualifying event shall be granted supplemental paid leave in~~
609 ~~an amount sufficient, when combined with the employee's unreserved accrued paid leave,~~
610 ~~to equal a total of twelve weeks of paid parental leave.)) For example, if an employee~~
611 has two weeks of accrued vacation and three weeks of accrued sick leave at the time of
612 the qualifying event, the employee shall be granted nine weeks of supplemental paid
613 leave, bringing the total available paid parental leave to twelve weeks.

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

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

619 (~~7.))~~ F. An employee should provide notice to the designated representative
620 of the employee's department that the employee intends to participate in the program.
621 The notice should meet the notice requirements for taking family and medical leave
622 under federal law.

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

625 ~~((9-))~~ H. The employee and the employee's supervisor shall agree upon a
626 schedule for taking paid parental leave that is consistent with the county's operational
627 needs. An employee may use the paid parental leave on a part-time or intermittent basis
628 as long as ~~((that))~~ it is consistent with the county's operational needs and is approved in
629 writing by the supervisor before the leave begins.

630 ~~((10-))~~ I. Paid parental leave ~~((under Ordinance 18408))~~ shall run
631 concurrently with King County family and medical leave, as well as federal and state
632 family and medical leave, to the extent permitted by law.

633 ~~((11-))~~ J. During the time that an employee is on leave in the program, the
634 employee's job shall be protected to the same extent that an employee's job is protected
635 while the employee is on family or medical leave under federal or state law. No
636 retaliatory action may be taken against an employee for participating or planning to
637 participate in the program or for exercising the employee's rights under this ordinance. In
638 particular, permission to use accrued paid leave shall not be denied or delayed on the
639 basis that the employee intends to participate in the program. This is a general statement
640 of county policy that cannot form the basis of a private right of action.

641 ~~((12-))~~ K. Taking leave under the paid parental leave program shall not affect
642 an employee's health benefits or an employee's accrual of paid leave, which shall
643 continue during the period of paid parental leave.

644 ~~((13-))~~ L. Employees shall not be compensated in any manner for not using
645 the supplemental paid parental leave ~~((that is available under Ordinance 18408))~~.

646 ~~((14-))~~ M. An employee who does not return to work for at least six months of
647 continuous service following the paid parental leave, ~~((will))~~ shall be required to

648 reimburse King County for the supplemental paid parental leave funds received.

649 SECTION 7. Ordinance 12014, Section 21, as amended, and K.C.C.

650 3.12.220 are each hereby amended to read as follows:

651 A.1. Except for employees covered by subsection A.3. of this section,
652 employees eligible for comprehensive leave shall accrue sick leave benefits at the rate of
653 0.04616 hours for each hour in pay status exclusive of overtime up to a maximum of
654 eight hours per month; except that if an hourly employee works in excess of seventy-four
655 hours in one week, the employee shall accrue sick leave at the rate of 0.025 hours for
656 each hour worked in excess of seventy-four. No adjustment to reduce sick leave accruals
657 for furloughed employee shall be made as a result of a budgetary furlough.

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

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

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

666 C. For employees covered by the overtime requirements of the Fair Labor
667 Standards Act, sick leave may be used in fifteen-minute increments.

668 D. There shall be no limit to the number of sick leave hours accrued and
669 carried over to the following year by employees eligible for comprehensive leave
670 benefits. Short-term temporary employees and administrative interns may carry over

671 forty hours of unused sick leave to the following year, all other unused accrued sick leave
672 shall be forfeited.

673 ~~((C.))~~ E. For employees covered by the overtime requirements of the Fair
674 Labor Standards Act, sick leave may be used in fifteen-minute increments.

675 ~~((D. There shall be no limit to the hours of sick leave benefits accrued by an
676 eligible employee.))~~

677 ~~((E.))~~ F.1. Separation from or termination of county employment except by
678 reason of retirement or layoff due to lack of work, funds, efficiency reasons or separation
679 for medical reasons, shall cancel all sick leave accrued to employees eligible for
680 comprehensive leave benefits as of the date of separation or termination.

681 2. Separation from, retirement from or termination of county employment
682 shall cancel all sick leave accrued to short-term temporary employees and administrative
683 interns as of the date of the separation, retirement or termination.

684 3. Should an employee return to county employment within two years,
685 accrued sick leave shall be restored. If a retiree is rehired, that employee is not entitled to
686 have any sick leave restored.

687 ~~((F.))~~ G.1. Except for short-term temporary employees, administrative
688 interns, and employees covered by the Law Enforcement Officers and Firefighters
689 (LEOFF) 1 retirement system, employees eligible to accrue sick leave who have
690 successfully completed at least five years of county service and who retire as a result of
691 length of service or who terminate by reason of death shall be paid, or their estates paid or
692 as provided for by Title 11 RCW, as applicable, an amount equal to thirty-five percent of
693 their unused, accumulated sick leave multiplied by the employee's rate of pay in effect

694 upon the date of leaving county employment less mandatory withholdings. This
695 provision is predicated on the requirement that, except with the written approval of the
696 executive, the position, if vacated by a nonrepresented employee, shall not be filled until
697 salary savings for the position are accumulated in an amount sufficient to pay the cost of
698 the cash out. For the purposes of this subsection ~~((F.))~~G.1., "retire as a result of length of
699 service" means an employee is eligible, applies for and begins drawing a pension from the
700 Law Enforcement Officers and Firefighters (LEOFF), Public Employees' Retirement
701 System (PERS), Public Safety Employees' Retirement System (PSERS) or the city of
702 Seattle Retirement Plan immediately upon terminating county employment.

703 2.a. In lieu of the remuneration for unused sick leave at retirement, the
704 ~~((manager of the human resources division or designee))~~ director may, with equivalent
705 funds, provide eligible employees with a voluntary employee beneficiary association plan
706 that provides for reimbursement of retiree and other qualifying medical expenses. Under
707 K.C.C. 3.12.190.~~((H.))~~E., in lieu of the remuneration for fifty percent of unused vacation
708 leave at retirement, the ~~((manager))~~ director may also fund the voluntary employee
709 beneficiary association plan.

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

713 (1) each group of employees hold an election to decide whether to
714 implement a voluntary employee beneficiary association plan for a defined group of
715 employees. The determination of the majority of voting employees in a group shall bind
716 the remainder. Elections for represented employees shall be conducted by the

717 appropriate bargaining representative. Elections for nonrepresented employees shall be
718 conducted in accordance with procedures established by the ~~((manager))~~ director;

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

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

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

733 ~~((G-))~~ H.1. An employee must use all of the employee's accrued sick leave
734 and any donated sick leave before taking unpaid leave for the employee's own health
735 reasons. If the employee has an injury or illness that is compensable under the county's
736 workers compensation program, then the employee has the option to augment or not
737 augment wage replacement pay with the use of accrued sick leave. A furloughed
738 employee shall not be eligible to take or be paid for sick leave in lieu of taking a
739 budgetary furlough day.

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

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

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

752 1. An absence:

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

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

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

758 2. To allow the employee to provide care:

759 a. for a family member with a mental or physical illness, injury or health
760 condition;

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

- 763 c. for a family member who needs preventive medical care;
- 764 3. When a King County facility is closed by order of public official for any
765 health-related reason, or when an employee's child's school or place of care is closed by
766 order of a public official for a health-related reason;
- 767 4. For absences that qualify for leave under the domestic violence leave act,
768 chapter 49.76 RCW;
- 769 5. For absences to increase the safety of the employee or a family member
770 when the employee or a family member has been a victim of trafficking under RCW
771 9A.40.100; and
- 772 6. For family and medical leave available under federal law, state law or
773 King County ordinance.
- 774 ((I:)) J. For purposes of sick leave, "family member" means any of the
775 following:
- 776 1. A child, including a biological, adopted or foster child, a stepchild or a
777 child to whom the employee stands in loco parentis, is a legal guardian or is a de facto
778 parent, regardless of age or dependency status, or the child of the employee's domestic
779 partner;
- 780 2. The parent of an employee, employee's spouse or employee's domestic
781 partner. Parent includes:
- 782 a. a biological parent;
- 783 b. an adoptive parent;
- 784 c. a de facto parent;
- 785 d. a foster parent;

- 786 e. a stepparent;
- 787 f. a legal guardian; or
- 788 g. a person who stood or stands in loco parentis to the employee,
- 789 employee's spouse or employee's domestic partner.

- 790 3. A spouse;
- 791 4. A domestic partner;
- 792 5. A grandparent;
- 793 6. A grandchild; or
- 794 7. A sibling.

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

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

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

806 ~~((K.))~~ L. Management of the employee's department is responsible for the
807 proper administration of sick leave benefits. Management of the employee's department
808 may require an employee to provide reasonable notice of an absence from work, so long

809 as the notice does not interfere with an employee's lawful use of sick leave.

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

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

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

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

826 B. Notwithstanding K.C.C. 3.12.190, an employee eligible for
827 comprehensive leave benefits may convert accrued vacation or accumulated
828 compensatory hours, or both, into cash to benefit natural disaster relief efforts. Upon the
829 occurrence of a natural disaster and with the exception of the employee ~~((charitable
830 campaign))~~ annual drive-related period designated under subsection A. of this section the
831 executive may authorize a forty-five-day opportunity for ~~((benefit-eligible))~~ employees

832 eligible for comprehensive leave benefits to sign a written authorization to convert
833 accrued vacation or accumulated compensatory hours, or both, into cash to benefit up to
834 three nonprofit organizations designated by the executive. The employee's written
835 authorization is subject to approval by the employee's department director (~~or the~~
836 ~~employee's department director's designee~~). The designated nonprofit organization must
837 be a King County employee annual drive participant in accordance with K.C.C. chapter
838 3.36. This section shall be administered in accordance with K.C.C. chapter 3.36.

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

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

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

850 F. The finance and business operations division shall value the hours donated
851 under this section based on the regular hourly rate of the employee in effect at the time
852 the approved conversion authorization is processed. The finance and business operations
853 division shall process leave donations authorized under subsection A. of this section
854 within the first two full weeks in December. The finance and business operations

855 division shall process leave donations authorized under subsection B. of this section
856 within the first two full weeks after the forty-five-day period designated in accordance
857 with subsection B. of this section.

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

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

869 SECTION 9. Ordinance 12014, Section 22, as amended, and K.C.C.

870 3.12.223 are each hereby amended to read as follows:

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

878 2. The number of hours donated shall not exceed the donor's accrued
879 vacation (~~(credit)~~) leave as of the date of the request. No donation of vacation hours shall
880 be permitted where it would cause the employee receiving the transfer to exceed that
881 employee's maximum vacation accrual.

882 3. A furloughed employee shall not be eligible to take or be paid for
883 donated vacation in lieu of taking a furlough day, except as provided in K.C.C.
884 3.12F.040.

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

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

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

899 3. Donated sick leave hours (~~((must be used within ninety calendar days.
900 Donated hours not used within ninety days or due to the death of the receiving employee~~

901 ~~shall revert to the donor. Donated sick leave hours shall be excluded from the sick leave~~
902 ~~payoff provisions contained in this chapter, and sick leave restoration provisions~~
903 ~~contained in this chapter. For purposes of this section, the first hours used by an~~
904 ~~employee shall be accrued sick leave hours)) remain with the recipient.~~

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

909 D. All vacation and sick leave hours donated shall be converted to a dollar
910 value based on the donor's straight time hourly rate at the time of donation. Such dollar
911 value ~~((will))~~ shall then be divided by the receiving employee's hourly rate to determine
912 the actual number of hours received. Vacation leave donated to a furloughed employee,
913 who is designated by a department director and confirmed by the chief administrative
914 officer as eligible to use donated leave on a furlough day, is donated on an hour-for-hour
915 basis, without an hourly rate conversion. ~~((Unused donated vacation and sick leave shall~~
916 ~~be reconverted based on the donor's straight time hourly rate at the time of reconversion.~~
917 ~~Vacation leave donated to a furloughed employee who is designated by the department~~
918 ~~director and confirmed by the chief administrative officer as eligible to use donated leave~~
919 ~~on a furlough day shall not revert back to the donor.))~~

920 SECTION 10. Ordinance 13743, Section 1, as amended, and K.C.C.
921 3.12.224 are each hereby amended to read as follows:

922 Notwithstanding K.C.C. 3.12.190, if an employee dies while engaged within
923 the scope of the employee's employment, the executive may implement a process

924 providing a one-time opportunity to allow employees eligible for comprehensive leave
925 benefits to convert either accrued vacation or accumulated compensatory time hours, or
926 both, to cash to benefit any children of the deceased employee who are under twenty-
927 three years old at the time of the employee's death. This process must conform to the
928 following requirements:

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

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

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

941 D. If employees elect to convert either accrued vacation or accumulated
942 compensatory time hours, or both, to cash as set forth in this section, the executive shall
943 identify one or more support accounts or programs to which the cash may be paid for the
944 benefit of the children. Unless the executive determines that another support account or
945 program is more suitable given the circumstances of the children, the executive shall first
946 insure the establishment of a Washington state college tuition prepaid program-

947 guaranteed education tuition (GET) account with the state of Washington treasury to
948 benefit the children of the deceased employee. In addition to or in lieu of the GET
949 program, the executive may direct that some or all of the cash collected under this section
950 be paid to other support accounts or programs that the executive has determined:

- 951 1. Are established in the names of the children or their legal guardian for
952 the benefit of the children;
- 953 2. Are held by a governmental agency, nonprofit organization, bank, trust or
954 lawful entity other than an individual;
- 955 3. Contain adequate safeguards against theft, diversion, loss or wasting of
956 the funds paid under this section; and
- 957 4. Restrict the permissible use of funds paid under this section to paying for
958 minimal, if any, administrative expenses and providing for the children's reasonable food,
959 shelter and educational expenses; and

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

967 ~~F. Employees governed by a collective bargaining agreement may convert to~~
968 ~~cash either accrued vacation or accumulated compensatory time hours, or both, only if~~
969 ~~the existing agreement allows for or the collective bargaining agreement is amended to~~

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

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

972 3.12.2245 are each hereby repealed.

973 SECTION 12. Ordinance 7956, Section 6, as amended, and K.C.C. 3.12.225,

974 are each hereby amended to read as follows:

975 ~~((The appointing authority))~~ A. A division manager shall allow employees

976 eligible for comprehensive leave benefits the use of up to three days of sick leave each

977 calendar year ~~((to allow employees))~~ to perform volunteer services at ~~((the))~~ a local

978 school ~~((attended by the employee's child))~~ or at a nonprofit organization on the approved

979 list for the employee giving program. During a calendar year, an employee may use sick

980 leave for volunteer service for both school and nonprofit organization participation. The

981 aggregate number of sick leave days used for those purposes shall not exceed three days

982 in a calendar year.

983 B. A furloughed employee shall not be eligible to take or be paid for

984 ~~((school))~~ volunteer sick leave in lieu of taking a furlough day.

985 C. Employees requesting to use sick leave for this purpose shall submit such

986 a request in writing specifying the name of the school or organization and the nature of

987 the volunteer services to be performed. The employee's supervisor may request in

988 advance that the employee obtain written proof of the service from the school or

989 organization.

990 SECTION 13. Ordinance 12014, Section 23, as amended, and K.C.C.

991 3.12.230, are each hereby amended to read as follows:

992 A. ~~((The following days are hereby designated as official county holidays))~~

993 All employees eligible for comprehensive leave benefits shall be granted the following
994 designated holidays with pay:

- 995 1. January 1, New Year's Day;
- 996 2. Third Monday in January, Martin Luther King, Jr. Birthday;
- 997 3. Third Monday in February, President's Day;
- 998 4. Last Monday in May, Memorial Day;
- 999 5. July 4, Independence Day;
- 1000 6. First Monday in September, Labor Day;
- 1001 7. November 11, Veteran's Day;
- 1002 8. Thanksgiving Day(~~and the day immediately following~~);
- 1003 9. Friday immediately following Thanksgiving;
- 1004 10. December 25, Christmas Day; and

1005 ~~((10. Special or limited holidays as declared by the president or governor,~~
1006 ~~and as approved by the council;~~

1007 ~~11. Such other days in lieu of holidays as the council may determine;~~

1008 ~~12.))~~ 11. For ((A))an employee who is eligible for comprehensive leave
1009 benefits ((shall be granted)), two personal holidays ((to)), which shall be ((administered
1010 through the vacation plan, though the hours granted to an employee working less than a
1011 full time schedule shall be prorated to reflect that employee's normally scheduled work
1012 day. One day shall be credited to the employee's leave balance on the first of October
1013 and one day on the first of November)) added to the employee's vacation bank in the
1014 second full pay period of the calendar year or upon hire.

1015 B. For holidays falling on a Saturday, the Friday before shall be a paid

1016 holiday. For holidays falling on a Sunday, the Monday following shall be a paid holiday.

1017 C. An employee must be eligible for comprehensive leave benefits and in a
1018 pay status on the day before and the day following a holiday to be eligible for holiday
1019 pay. However, an employee who has successfully completed at least five years of county
1020 service and who retires at the end of a month in which the last regularly scheduled
1021 working day is observed as a holiday, shall be eligible for holiday pay if the employee is
1022 in a pay status the day before the day observed as a holiday. An employee otherwise
1023 eligible for holiday pay shall not be ineligible as a result of not being in a pay status on
1024 the day before or after the holiday due to budgetary furlough.

1025 D. When a holiday falls on the scheduled day off of a full-time employee
1026 entitled to comprehensive leave benefits who works other than a five-day, eight-hour
1027 schedule, the employee shall be given a deferred holiday. The employee and the
1028 employee's supervisor shall jointly select another day, preferably within the same pay
1029 period, for the employee to take as the holiday. Deferred holidays for a part-time
1030 employee eligible for comprehensive leave benefits shall be prorated to the employee's
1031 schedule.

1032 SECTION 14. Ordinance 12077, Section 5, as amended, and K.C.C.
1033 3.12.240, are each hereby amended to read as follows:

1034 ~~((Any))~~ A. An employee eligible for comprehensive leave benefits who is
1035 ordered on a jury shall be entitled to the employee's regular county pay but only if any
1036 fees received for jury duty are deposited, exclusive of mileage, with the ~~((department of))~~
1037 finance and business operations division of the department of executive services.

1038 B. An employee who is not eligible for comprehensive leave benefits shall be

1039 released, unpaid, from work duties for the duration of the employee's jury duty, and may
1040 retain any fees paid for jury service.

1041 C. A furloughed employee shall not be eligible to take or be paid for jury
1042 duty leave in lieu of taking a furlough day.

1043 D. Employees shall report to their work supervisor when dismissed from jury
1044 service.

1045 SECTION 15. Ordinance 12014, Section 25, as amended, and K.C.C.
1046 3.12.250, are each hereby amended to read as follows:

1047 A. An employee eligible for comprehensive leave benefits may take a leave
1048 of absence without pay for thirty calendar days or less if authorized in writing by the
1049 employee's ~~((appointing authority))~~ division manager.

1050 B. An employee eligible for comprehensive leave benefits may take a leave
1051 of absence without pay for more than thirty calendar days for nonmedical reasons if
1052 authorized in writing by the employee's ~~((appointing authority and the director))~~ division
1053 manager.

1054 C. An employee eligible for comprehensive leave benefits may take a leave
1055 of absence without pay for more than thirty days for medical reasons if authorized in
1056 writing by the director.

1057 D. Leaves of absence without pay shall be for periods not to exceed one year
1058 except that the director may, in special circumstances, grant an extension beyond one
1059 year.

1060 ~~((D-))~~ E. Other employee benefits as provided in this chapter shall not be
1061 provided to or accrue to the employee while on leave of absence without pay, except as

1062 provided in K.C.C. 3.12.220 or K.C.C. 3.12.040.

1063 (~~E.~~) F. If a leave of absence without pay was granted for purposes of
1064 recovering health, the employee shall be required (~~by the director~~) to submit a
1065 physician's statement concerning the employee's ability to resume duties prior to return to
1066 work.

1067 (~~F.~~) G. An employee on leave of absence without pay may return from the
1068 leave before its expiration date if the employee provides the (~~appointing authority~~)
1069 division manager with a written request to that effect at least fifteen days prior to
1070 resuming duties.

1071 (~~G.~~) H. Failure to return to work by the expiration date of a leave of
1072 absence without pay shall be cause for removal and shall result in automatic termination
1073 of the employee from county service.

1074 (~~H.~~) I. A leave of absence without pay may be revoked by the employee's
1075 division manager or the director upon evidence submitted to the director by the
1076 (~~appointing authority~~) division manager of the employee indicating that such leave was
1077 requested and granted under false pretenses, or that the need for such leave has ceased to
1078 exist.

1079 SECTION 16. Ordinance 12498, Sections 1 and 4 through 7, as amended,
1080 and K.C.C. 3.12.335, are each hereby amended to read as follows:

1081 A. It is the policy of King County to provide opportunities for paid,
1082 competitive employment for individuals with developmental disabilities, as defined in
1083 this chapter, in integrated work settings. The executive shall seek the cooperation,
1084 assistance and participation of all county departments in the successful implementation of

1085 this policy.

1086 B. Persons with developmental disabilities as defined in RCW
1087 71A.10.020(~~((2))~~)(5), as amended, shall be eligible for supported employment pursuant to
1088 this section.

1089 C. The (~~(department of community and)~~) human (~~(services)~~) resources
1090 division, or its successor agency, is designated as the lead agency responsible for the
1091 management of the supported employment (~~(initiative)~~) program, with technical support
1092 provided by the developmental disabilities division, or its successor agency.

1093 D. The executive is authorized to adopt administrative rules to implement
1094 this section pursuant to K.C.C. 3.12.350.

1095 SECTION 17. Ordinance 12014, Section 50, as amended, and K.C.C.
1096 3.15.020, are each hereby amended to read as follows:

1097 This section applies to all positions in the executive branch,
1098 noncommissioned positions in the office of the sheriff and the department of assessments
1099 allocated to a classification approved by the council.

1100 A.1. Except as otherwise provided by ordinance, the schedule of pay ranges
1101 shall consist of ninety-nine pay ranges, each containing ten steps as approved by
1102 ordinance annually.

1103 2. On a continuing three-year cycle, the executive shall assess market
1104 conditions and determine whether to make adjustments, if any, to pay ranges assigned to
1105 existing classifications.

1106 B.1. The director may reassign pay ranges to existing classifications.

1107 2. When the director adjusts the pay range of a classification, the incumbent

1108 employee shall be placed at the same step in the new pay range as the employee was in
1109 the previous pay range.

1110 3. Implementation of any pay range adjustment shall be prospective and
1111 shall take effect at the start of the pay period following the approval by the director or, if
1112 required by K.C.C. 3.15.040, by the appropriate council committee.

1113 C. Consistent with K.C.C. 3.12.350, the ~~((manager of the human resources~~
1114 ~~management division))~~ director shall establish guidelines for pay increases in accordance
1115 with the following:

1116 1. Employees may receive within-range increases from one step to the next
1117 higher step upon satisfactory completion of the probationary period. All probationary-
1118 period pay increases must be supported by documented performance appraisal.
1119 Probationary-period pay increases exceeding Step 5 must have prior written approvals by
1120 the department director and the ~~((manager of the human resources management division))~~
1121 director. ~~((In the event of the completion of the probationary period by))~~ When a division
1122 of human resources employee completes the employee's probationary period, the county
1123 administrative officer must provide prior written approval for probationary-period pay
1124 increases exceeding Step 5;

1125 2. Employees may be eligible to receive increases annually in accordance
1126 with the following principles:

1127 a. An incentive increase must be supported by an annual documented
1128 performance appraisal approved by the department director ~~((or designee))~~ and the
1129 documented performance appraisal must be maintained in the employee's personnel file.
1130 Incentive increases shall be prospective only and shall be effective on January 1

1131 following the year on which the appraisal was based;

1132 b. For employees currently in Steps 1 through 4 in the pay range, the
1133 appointing authority may grant an increase of a single step for standard performance and
1134 may grant an increase exceeding a single step for above-standard or outstanding
1135 performance, as defined by the ((~~manager of the human resources management division~~))
1136 director;

1137 c. For employees currently in Steps 5 through 7 in the pay range, the
1138 appointing authority may grant an increase of one or more steps for above-standard
1139 performance; and

1140 d. For employees currently in Steps 8 through 9 in the pay range, the
1141 appointing authority may grant an increase of one step, not to exceed the top of the pay
1142 range, for outstanding performance;

1143 3. An appointing authority may grant an employee incentive pay up to five
1144 percent above the top step of the range for a period of twelve months, if all of the
1145 following conditions are met:

1146 a. the employee is not a department director;

1147 b. the employee has been at the top step of the prior or current range for
1148 two years before the award of the increase; and

1149 c. the employee has demonstrated continuous outstanding performance;

1150 4. All incentive increases are subject to the availability of funds. Within-
1151 range incentive increases are not automatic but shall be given only upon the written
1152 direction of the appointing authority, as defined in K.C.C. 3.12.010.B., within the
1153 guidelines established by the ((~~manager of the human resources management division~~))

1154 director.

1155 ~~((5.a. When the manager of the human resources management division~~
1156 ~~reclassifies a position to a higher classification, the pay rate of the incumbent employee~~
1157 ~~shall be increased to the first step of the pay range of the new classification or the nearest~~
1158 ~~step that constitutes an increase of no more than five percent above the former rate of~~
1159 ~~pay, whichever is greater.~~

1160 ~~b. A pay increase as a result of reclassification may not exceed the top step~~
1161 ~~of the new range, unless the employee's former pay includes an above Step 10 amount as~~
1162 ~~a result of an incentive increase. If the employee's former pay includes an above Step 10~~
1163 ~~amount as a result of an incentive increase, the employee's new pay is calculated upon the~~
1164 ~~above Step 10 amount. If the increase from reclassification results in pay that is above~~
1165 ~~the top step of the new range, the pay shall be reduced to the top step of the new range at~~
1166 ~~the end of the incentive period unless the employee requalifies for an above Step 10~~
1167 ~~incentive award.~~

1168 ~~c. Implementation of a reclassification and any related pay change shall be~~
1169 ~~prospective and is effective when the classification is approved by the manager of the~~
1170 ~~human resources management division. The pay increase as a result of reclassification~~
1171 ~~may not exceed five percent above the top step in any case; and~~

1172 ~~6. When the manager of the human resources management division adjusts~~
1173 ~~the pay range of a classification, the incumbent employee shall be placed at the same step~~
1174 ~~in the new pay range as the employee was in the previous range. Implementation of any~~
1175 ~~pay range adjustment shall be prospective and is effective when approved by the manager~~
1176 ~~of the human resources management division or, if required by K.C.C. 3.15.040, by the~~

1177 ~~labor, operations and technology committee or its successor committee.))~~

1178 SECTION 18. Ordinance 12014, Section 52, as amended, and K.C.C.

1179 3.15.030, are each hereby amended to read as follows:

1180 A. The ~~((manager of the human resources management division))~~ director
1181 may reclassify any position to an existing or new classification ~~((and reassign pay ranges~~
1182 ~~to existing classifications))~~.

1183 B. An employee or a group of employees may request that a position or
1184 group of positions be reclassified for the following reasons:

1185 1. The employee's position is not assigned to the appropriate classification;

1186 2. A significant or gradual change has occurred in the employee's on-going
1187 duties or responsibilities over a period of at least one-year; or

1188 3. A departmental reorganization or council action has caused the duties of
1189 the position to change.

1190 C. Group reclassifications may be submitted if all of the employees' positions
1191 are in the same classification in the same section of a division. The director shall
1192 evaluate each position individually, reserving the right to place individual positions into
1193 different classifications.

1194 D. An employee is not eligible to submit a reclassification request if:

1195 1. It has been less than twelve months since the date of a previous
1196 classification determination for the position;

1197 2. The employee is on probation;

1198 3. The employee is on a performance improvement plan; or

1199 4. The employee is asking for the reclassification of a special duty position.

1200 E. When the director reclassifies a position to a higher classification, the pay
1201 rate of the incumbent employee shall be increased to the first step of the pay range of the
1202 new classification or the step that is at least five percent above the former rate of pay,
1203 whichever is greater.

1204 F. When the director reclassifies a position to a lateral classification, the pay
1205 rate of the incumbent employee shall remain at the same step of the pay range.

1206 G. When the director reclassifies a position to a lower classification, the pay
1207 rate of the incumbent employee shall be the highest step in the new pay range that does
1208 not exceed the employee's current pay rate.

1209 H. A pay increase as a result of a reclassification may not exceed the top step
1210 of the new range, unless the employee's former pay includes above-Step-10 incentive
1211 pay. If the employee's former pay includes an above-Step-10 incentive pay, the
1212 employee's new pay is calculated upon the above-Step-10 amount. If the increase from
1213 reclassification results in pay that is above the top step of the new range, the pay shall be
1214 reduced to the stop step of the new range at the end of the incentive period, unless the
1215 employee requalifies for an above-Step-10 incentive award.

1216 I. Implementation of a reclassification and any related pay change shall be
1217 effective at the start of the pay period following receipt of the completed reclassification
1218 request form at the human resources division; except a reclassification to a lower pay
1219 grade shall be effective at the start of the pay period at least thirty calendar days after
1220 notification of the classification determination from the human resources division.

1221 J. A reclassified employee shall not serve a probationary period in the new
1222 classification.

1223 SECTION 19. Ordinance 14233, Section 6, as amended, and K.C.C.

1224 3.15.130, are each hereby amended to read as follows:

1225 A.~~((1-))~~ If a promotion results from something other than a reclassification,
1226 the pay rate of the incumbent employee shall be increased to the first step of the pay
1227 range of the new classification or the step that is at least five percent above the former
1228 rate of pay, whichever is greater. The promoted employee may be placed at a higher step
1229 in the pay range if the department director determines the action is warranted, if the
1230 criteria and procedures in K.C.C. 3.15.120 are met and if funds are available in the
1231 agency.

1232 B. A pay increase as a result of ~~((reclassification))~~ a promotion may not
1233 exceed the top step of the new range, unless the employee's former pay includes an
1234 above-Step-10 amount as a result of an incentive increase. If the employee's former pay
1235 includes ~~((an))~~ above-Step-10 ~~((amount as a result of an))~~ incentive ~~((increase))~~ pay, the
1236 employee's new pay is calculated upon the above-Step-10 amount. If the increase from
1237 ~~((reclassification))~~ a promotion results in pay that is above the top step of the new range,
1238 the pay shall be reduced to the top step of the new range at the end of the incentive period
1239 unless the employee requalifies for an above-Step-10 incentive award.

1240 ~~((2-))~~ C. Implementation of a ~~((reclassification))~~ promotion and any related
1241 pay change shall be prospective and is effective when the ~~((classification))~~ promotion is
1242 approved by the ~~((manager of the human resources management division. The pay~~
1243 ~~increase as a result of reclassification may not exceed five percent above the top step in~~
1244 ~~any case.~~

1245 ~~B. If a promotion results from something other than a reclassification, the~~

1246 promoted employee may be placed at a higher step in the pay range when the department
1247 director determines this action is warranted, if the criteria and procedures in K.C.C.
1248 3.15.120 are met and if funds are available in the agency)) director.

1249 SECTION 20. Ordinance 14233, Section 7, as amended, and K.C.C.
1250 3.15.140, are each hereby amended to read as follows:

1251 A.1. A(~~n appointing authority, with the prior written approval of the~~)
1252 department director and, when required, (~~the manager of the human resources~~
1253 ~~management division and the county administrative officer~~) the director of the human
1254 resources management division may assign an employee in a regular position to an
1255 existing higher-level classification for a limited term when the higher-level duties and
1256 responsibilities comprise the majority of the work performed for a minimum of thirty
1257 calendar days.

1258 2. Temporary employees, including term-limited temporary employees, are
1259 not eligible for special duty assignments.

1260 B. Depending upon the type of special duty assignments needed for business
1261 operations, special duty assignments may be made for (~~up to twelve months, up to three~~
1262 ~~year, and~~) up to a maximum of five years(~~(, respectively)~~).

1263 1. (~~In cases where a special duty assignment is made to provide for~~
1264 ~~additional staffing at a higher level, the a~~)Assignments may be approved for up to a term
1265 of twelve months (~~[but only]~~) if(~~(: a. the assignment is~~) authorized in advance (~~in~~
1266 ~~writing~~) by the department director to backfill for a vacant regular position, or to provide
1267 additional staffing needed(~~(; and)~~):

1268 (~~b.:~~) a. (~~the assignment is needed for~~) due to work that exceeds either

1269 the volume or complexity, or both, than what is routinely expected, but the work is of a
1270 limited duration(~~(and is not ongoing)~~);

1271 b. ~~((the assignment is needed for))~~ due to work ~~((which))~~ that is
1272 unanticipated due to unique circumstances ~~((which))~~ that are not expected to reoccur; or

1273 c. ~~((the assignment is needed))~~ to either develop or implement, or both, a
1274 new function, system~~(,)~~ or proposal ~~((within a division))~~.

1275 2. Assignments may be approved for up to a term of up to three years if
1276 authorized in advance by the director to perform a significant or substantial body of
1277 work, such as a non-routine project or work related to the initiation or cessation of a
1278 county function, project or department.

1279 3. Assignments may be approved for up to a term of five years if authorized
1280 in advance in writing by the director:

1281 a. ~~((In cases where a special duty assignment is made))~~ to backfill a
1282 regular position, ~~((the assignment may be approved for up to a term of three years, but~~
1283 only if:

1284 ~~a. the backfill assignment is authorized in advance in writing by the~~
1285 ~~department director and the county administrative officer based upon a specific~~
1286 ~~determination that a special duty assignment continues to meet the requirements in this~~
1287 ~~chapter and that a position reclassification is not appropriate;~~

1288 ~~b. the assignment is made to backfill))~~ when:

1289 (1) an ~~((incumbent))~~ employee ~~((who))~~ is absent because of an extended
1290 leave of absence for a medical reason~~(, as required under applicable county, state or~~
1291 federal law));

1292 (2) an ~~((incumbent))~~ employee ~~((who))~~ is absent because of military ~~((f))~~
1293 service ~~((f))~~; or

1294 (3) an ~~((incumbent))~~ employee ~~((who))~~ is absent because of ~~((assignment~~
1295 ~~to))~~ a special duty or another assignment; and

1296 b. to staff or backfill staff on a clearly defined grant-funded, capital
1297 improvement, or information systems technology project.

1298 ~~((3.))~~ 4. ~~((in no cases, may the))~~ A special duty backfill assignment may not
1299 exceed the term of the incumbent employee's absence.

1300 ~~((4. In cases where a special duty assignment is made for the performance~~
1301 ~~of a project necessitating a higher level of work, the assignment may be approved for up~~
1302 ~~to a term of three years, but only if:~~

1303 ~~a. the project assignment is authorized in advance in writing by the~~
1304 ~~department director, the manager of the human resources management division and the~~
1305 ~~county administrative officer based upon a specific determination that a special duty~~
1306 ~~assignment continues to meet the requirements in this chapter and that a position~~
1307 ~~reclassification is not appropriate; and~~

1308 (1) ~~the project is clearly defined, a project plan has been developed or the~~
1309 ~~employee will develop a project plan;~~

1310 (2) ~~the project has a beginning and end date of three years or less;~~

1311 (3) ~~the employee will perform duties that are primarily related to a single~~
1312 ~~specifically defined project; and~~

1313 (4) ~~the employee is performing non-routine work for a project outside of~~
1314 ~~the regular scope of the normal division functions.~~

1315 ~~5. In cases where a special duty assignment is made to staff or to backfill~~
1316 ~~staff on a grant funded, capital improvement, or information systems technology project~~
1317 ~~necessitating a higher level of work, the assignment may be approved for up to a term of~~
1318 ~~three years and, upon justification, extended an additional two years up to a term of five~~
1319 ~~total years, but only if:~~

1320 ~~a. the project assignment is authorized in advance in writing by the~~
1321 ~~department director, the manager of the human resources management division and the~~
1322 ~~county administrative officer based upon a specific determination that a special duty~~
1323 ~~assignment continues to meet the requirements in this chapter and that a position~~
1324 ~~reclassification is not appropriate; and~~

1325 ~~b. the assignment is made to a clearly defined project with a limited term~~
1326 ~~and a definite termination date; or the assignment is made to backfill staff on the~~
1327 ~~project.))~~

1328 5. Special duty assignments to salaried classifications shall be made in full-
1329 week increments, from Saturday through Friday.

1330 6. An employee's special duty assignment shall end when management
1331 becomes aware that the employee's absence will exceed thirty calendar days or at the
1332 conclusion of a thirty-day absence, whichever occurs first.

1333 C. A special duty assignment must be made in writing to the employee
1334 before the beginning of the assignment. The written notice must provide the
1335 classification title and description and must list the specific duties that the employee is to
1336 perform and the duration of the assignment. The written notice must also include a
1337 statement that the assignment ((will)) does not confer on the employee any new privilege,

1338 right of appeal, right of position, transfer, demotion, promotion or reinstatement. A
1339 special duty assignment may be revoked at any time at the discretion of the appointing
1340 authority. Special duty pay may not be assigned retroactively.

1341 D. The special duty increase shall be to the first step of the pay range of the
1342 ~~((existing))~~ higher-level job classification or ~~((to a pay step in the existing higher~~
1343 ~~classification that provides an increase of approximately))~~ a flat five percent above the
1344 ~~((former))~~ base rate of pay, whichever is greater.

1345 E. ~~((Special duty compensation may not exceed the top step of the new range~~
1346 ~~i))~~ If the employee was receiving above-Step-10 incentive pay, the pay for the special
1347 duty assignment is calculated using the incentive pay and may result in incentive pay
1348 while in the special duty assignment. ~~((In those instances, the pay may exceed the~~
1349 ~~maximum of the new pay range by no more than five percent and shall continue only as~~
1350 ~~long as the incentive pay would have remained in effect.))~~

1351 F. While on special duty assignment, the employee shall continue to be
1352 eligible for step increases in the employee's regular position. If the employee is at Step-
1353 10 in the employee's regular position, the employee shall be eligible for step increases in
1354 the special duty classification.

1355 G. Any accrued compensatory time shall be cashed out before an hourly
1356 employee begins a salaried special duty assignment, and before an employee in an hourly
1357 special duty assignment returns to a salaried regular position.

1358 ~~((F-))~~ H. When the special duty assignment is completed, the employee's pay
1359 shall revert to the pay rate the employee would have received if the employee had not
1360 been assigned to special duty.

1361 ~~((G.))~~ I. Special duty pay shall not be considered part of an employee's base
1362 pay rate for purposes of placement within a salary range as a result of promotion or
1363 reclassification, for purposes of cashing out vacation or sick leave or when making
1364 vacation or sick leave donations.

1365 J. If the special duty position is converted to a regular position and the
1366 employee who served in the special duty position is hired into the regular position, the
1367 time served in the special duty position will count toward any required probationary
1368 period. If the time served in the special duty position was longer than the required
1369 probationary period, the employee's probationary period shall be considered served.

1370 ~~((H.))~~ K. The executive shall notify the council each year in writing of the total
1371 number of county employees on special duty assignment by department. The executive
1372 shall file a paper original and electronic copy of each memorandum with the clerk of the
1373 council, who shall retain the original and provide an electronic copy to all
1374 councilmembers and the lead staff for the government accountability and oversight
1375 committee or its successor.

1376 NEW SECTION. SECTION 21. There is hereby added to K.C.C. chapter
1377 3.15 a new section to read as follows:

1378 A. For the purposes of this section, "working out of classification" means an
1379 employee in a regular position is assigned in writing some or all of the duties of a higher-
1380 paid classification for a period of less than thirty calendar days.

1381 B. Working-out-of-classification assignments must occur in full day or full
1382 shift increments.

1383 C. While working out of classification, the employee shall receive a flat five

1384 percent pay premium. Any overtime the employee earns while working out of
1385 classification shall include the five percent premium. Paid leaves taken while an
1386 employee is working out of classification shall not include the pay premium.

1387 D. If a working-out-of-classification assignment exceeds twenty-nine
1388 consecutive calendar days, the assignment shall be prospectively converted to a special
1389 duty assignment.

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