



## King County

# Metropolitan King County Council Labor Policy Committee

### STAFF REPORT

<b>Agenda Item:</b>	X	<b>Name:</b>	Clifton Curry
<b>Proposed No.:</b>	2020-0106	<b>Date:</b>	March 10, 2020

### SUBJECT

Proposed Ordinance 2020-0106 relating to public safety; making a net supplemental appropriation of \$10,103,000 to King County sheriff's office; and amending the 2019-2020 Biennial Budget Ordinance, Ordinance 18835, Section 21, as amended. This Proposed Ordinance would approve the funding based on the collective bargaining agreement between King County and the King County Police Officers Guild (King County Sheriff's Office) being considered as Proposed Ordinance 2020-0105.

### SUMMARY

This Proposed Ordinance would approve the funding for the collective bargaining agreement (CBA) between King County and the King County Police Officers Guild (King County Sheriff's Office) being considered as Proposed Ordinance 2020-0105. The changes in compensation, and other changes required by the CBA, are estimated to cost \$10.1 million through the 2019-20 Biennium and an additional \$2.4 million in the 2021-22 biennium, including retroactive payments to deputies and sergeants of \$7.5 million dating back to January 1, 2017.

### BACKGROUND

The King County Sheriff's Office provides a variety of law enforcement services and has the largest county criminal justice budget. The sheriff's office is responsible for certain mandated regional and local law enforcement services. The sheriff's office is the first response "police department" for all of King County's unincorporated areas. In addition, the sheriff's office has several regional responsibilities, including the operation of the county's Automated Fingerprint Identification System (AFIS), E-911 call and dispatch, King County Search and Rescue, and various other regional programs. Furthermore, the sheriff's office also provides services to cities and other governmental agencies under contract. The sheriff's office, through full cost recovery contracts, is the "police department" for 12 King County cities, Metro Transit, King County Airport, and several other agencies (the Muckleshoot Tribe, King County Housing Authority, and the U.S. Department of Forestry, for example). Almost half of the sheriff's office operating budget is supported by contract revenues. Consequently, the King County Sheriff's Office is one of the largest law enforcement agencies in the Pacific Northwest, and only the City of Seattle and the Washington State Patrol have more commissioned officers.

The King County Police Officer's Guild is the bargaining unit that represents approximately 700 commissioned deputies and sergeants that provide law enforcement services for the sheriff's office. Unlike many county agencies, where the Executive is the "bargaining agent" for the County responsible for negotiating compensation, benefits, and working conditions with represented employees, the County Charter establishes that the sheriff is the bargaining agent for the County for all matters except compensation and benefits (the Executive is responsible for these negotiations). The Charter does, however, require that "civilian oversight of law enforcement, shall be negotiated by the county executive in consultation with the county sheriff."<sup>1</sup>

The Executive reports that the bargaining of this proposed agreement included the following history:

- September 2016 – Parties began negotiations
- October 2016 – Initial on-record proposals exchanged
- February 2018 – Entered into mediation with the Public Employment Relations Commission
- November 21, 2019 -- Tentative agreement reached
- December 13, 2019 -- Bargaining unit ratified the agreement

The final CBA included several significant changes to compensation, benefits, and working conditions that have necessitated this budget supplemental. The CBA for the Guild is being considered as Proposed Ordinance 2020-0105.

## **ANALYSIS**

This proposed supplemental appropriation ordinance would provide funding to King County Sheriff's Office to implement the collective bargaining agreement with the King County Police Officers Guild (Guild) for the period of January 1, 2017, through December 31, 2020 (the CBA is under consideration as Proposed Ordinance 2020-0105). This agreement covers approximately 700 law enforcement officers in the King County Sheriff's Office. According to the Executive, funding for the final year of the contract (January 1, 2021 through December 31, 2021) will be included in the Executive's 2021-2022 Proposed Budget.

Many of the terms in the new CBA are a continuation of the provisions included in the previous CBA which expired on December 31, 2016.<sup>2</sup> However, the new CBA includes general wage increases (GWI) and two other changes to the pay structure. The general wage increases of this agreement are consistent with other recent County settlements agreed to with other labor organizations for the period 2017 through 2019. Bargaining unit members will receive 0.25 percent more than Coalition members in 2020 in order to defray some of the increased cost for member health insurance benefits. The CBA also includes two add-to-pay provisions (additional pay that an employee receives for performing specialty work on behalf of the sheriff's office) that change employee

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<sup>1</sup> King County Charter Section 898, added by voter approval of Ordinance 18087 in the 2015 November Election.

<sup>2</sup> Ordinance 18003, adopted April 3, 2015.

compensation including an increase to Aircraft Rescue and Fire Fighting Certification Premiums and an increase to Police Training Officer Program.

This contract will also begin a two-year phase in of this bargaining unit's insured benefits plans to align with the Joint Labor Management Insurance Committee plans over the 2020 and 2021 benefits years. The changes include increases in deductible expenses, co-insurance expense, copays, access fees, and drug prescriptions for represented employees (the increased costs resulted in the negotiated 0.25 percent GWI add for 2020). According to the Executive, these benefit changes will result in overall cost savings for the county.

### **FISCAL IMPACT**

The Fiscal Note associated with this proposed CBA shows a \$10.1 million increase (which includes an estimated benefits savings of \$163,000) for the 2019-2020 biennium when compared with the adopted biennium budget, including retroactive pay of \$7.5 million. According to the Office of Performance, Strategy and Budget (PSB) the costs of the new contract were anticipated in the current budget which included sufficient reserves in the General Fund financial plan to cover these costs. Furthermore, the Executive notes that approximately 55 percent of the costs of this agreement will be reimbursed through payments from KCSO's contract partners.

The following table shows all the expected costs and savings for the 2019-2020 Biennium.

<b>Expenditures by Categories</b>	<b>2019-2020</b>
Deputies - 2017-2018 Retroactive Pay	\$ 5,704,000
Sergeants 2017-2018 Retroactive Pay	1,413,000
ARFF Premium 2017-2018 Retroactive Pay	416,000
Deputies - 2019-2020 Ongoing	1,761,000
Sergeants 2019-2020 Ongoing	526,000
ARFF Premium 2019-2020 Ongoing	446,000
Benefits Savings	(163,000)
<b>TOTAL</b>	<b>\$ 10,103,000</b>

This proposed supplemental request would provide \$9.4 million for pay increases of 2.25 percent in 2017, 3.25 percent in 2018, 4 percent in 2019, and 3.25 percent in 2020. The request also includes \$860,000 to fund a new certification premium for Aircraft Rescue and Fire Fighting (ARFF) deputies and is offset by \$160,000 in benefits savings.

The Fiscal Note also shows that the estimated cost of the new CBA for 2021-2022 will be \$2.4 million (with \$453,000 in benefits savings), and the costs in 2023-2024 will be \$2.6 million (with \$478,000 in benefits savings).

In addition to the changes associated with this CBA, the Executive notes that sheriff office captains and majors have previously signed labor agreements that have pegged their salary rates to the rates negotiated by the Guild.<sup>3</sup> According to the Executive, now that the Guild contract has been completed and the salaries determined; the sheriff's office and PSB will work to determine how the Guild settlement affects these bargaining units and plans to include any related need for supplemental funding in the 3<sup>rd</sup> Omnibus Supplemental of 2019-2020.

### **INVITED**

- Dwight Dively, Office of Performance, Strategy and Budget

### **ATTACHMENTS**

1. Transmittal Letter
2. Fiscal Note

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<sup>3</sup> Puget Sound Police Managers Association CBA, Ordinance 18782, adopted November 4, 2018.

February 18, 2020

The Honorable Claudia Balducci  
Chair, King County Council  
Room 1200  
C O U R T H O U S E

Dear Councilmember Balducci:

The enclosed proposed supplemental appropriation ordinance, if approved, will provide funding to King County Sheriff's Office (KCSO) to implement the collective bargaining agreement with the King County Police Officers Guild (Guild) for the period of January 1, 2017, through December 31, 2020. Funding for the final year of the contract (January 1, 2021 through December 31, 2021) will be included in the Executive's 2021-2022 Proposed Budget. This agreement covers approximately 707 law enforcement officers in the King County Sheriff's Office. The officers provide a wide range of duties to protect the people and property in King County, including responding to emergent calls, crime investigation and prevention.

This proposed supplemental request would provide \$9.4 million for pay increases of 2.25 percent in 2017, 3.25 percent in 2018, 4 percent in 2019, and 3.25 percent in 2020. The request also includes \$860,000 to fund a new certification premium for Aircraft Rescue and Fire Fighting (ARFF) deputies and is offset by \$160,000 in benefits savings. The Office of Performance, Strategy and Budget (PSB) anticipated this settlement, and included sufficient reserves in the General Fund financial plan to cover these costs. Approximately 55 percent of the costs of this agreement will be reimbursed through payments from KCSO's contract partners.

KCSO's captains and majors previously signed settlements that pegged their salary rates to the contract negotiated by the Guild. Now that the Guild contract has been resolved, KCSO and PSB will work to determine how the settlement affects these bargaining units and plan to include any related request for supplemental funding in the 3<sup>rd</sup> Omnibus Supplemental of 2019-2020.

The Honorable Claudia Balducci

February 18, 2020

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This contract furthers the County's Strategic Plan goal of Efficient, Accountable Regional Government goal by attracting and retaining a quality workforce by providing fair wages and working conditions.

The settlement reached is a product of good faith collective bargaining between King County and the Guild. The agreement compares favorably with other settlements and is within our capacity to finance.

Thank you for your consideration of this proposed ordinance. This important legislation supports the valued services the officers provide on behalf of the Sheriff's Office and the communities it serves.

If your staff have questions, please contact Dwight Dively, Director, Office of Performance, Strategy and Budget, at 206-263-9687.

Sincerely,

Dow Constantine  
King County Executive

Enclosure

cc: King County Councilmembers  
ATTN: Carolyn Busch, Chief of Staff  
Melani Pedroza, Clerk of the Council  
Dwight Dively, Director, Office of Performance, Strategy and Budget

**2019-2020 FISCAL NOTE**

**ATTACHMENT 2**

Ordinance/Motion:	
Title:	KCPOG CBA Supplemental
Affected Agency and/or Agencies:	King County Sheriff's Office
Note Prepared By:	Andrew Bauck
Date Prepared:	18-Dec-19
Note Reviewed By:	Jason King
Date Reviewed:	2/14/2020

**Description of request:**

This supplemental ordinance funds the collective bargaining agreement between King County and the King County Police Officers Guild.

**Revenue to:**

Agency	Fund Code	Revenue Source	2019-2020	2021-2022	2023-2024
KCSO	10	Contracts	5,557,000	1,332,000	1,407,000
<b>TOTAL</b>			<b>5,557,000</b>	<b>1,332,000</b>	<b>1,407,000</b>

**Expenditures from:**

Agency	Fund Code	Department	2019-2020	2021-2022	2023-2024
KCSO	10	KCSO	10,103,000	2,422,000	2,558,000
<b>TOTAL</b>			<b>10,103,000</b>	<b>2,422,000</b>	<b>2,558,000</b>

**Expenditures by Categories**

	2019-2020	2021-2022	2023-2024
Deputies - 2017-2018 Retroactive	5,704,000		
Sergeants 2017-2018 Retroactive	1,413,000		
ARFF Premium 2017-2018 Retroactive	416,000		
Deputies - 2019-2020 Ongoing	1,761,000	1,853,000	1,957,000
Sergeants 2019-2020 Ongoing	526,000	553,000	584,000
ARFF Premium 2019-2020 Ongoing	446,000	469,000	495,000
Benefits Savings	(163,000)	(453,000)	(478,000)
<b>TOTAL</b>	<b>10,103,000</b>	<b>2,422,000</b>	<b>2,558,000</b>

**Notes and Assumptions:**

Amounts shown include taxes and retirement.

Contract city revenue assumed at 55% of the retroactive and out year expenditures.

Actual contract revenues are based on actual expenses incurred by contract cities and may vary.