



Legislation Text

File #: 2001-0591, Version: 2

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

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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

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

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

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

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

D. "Public employer" means King County.

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

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

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

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

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

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

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

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

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

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

1. ((~~By June 30th of each year, or, in the case of agreements expiring other than December 31st, at~~

~~least 90 days prior to the commencement of negotiations, in preparation for collective bargaining the bargaining agent shall report to the committee the agreements expiring that calendar year. The bargaining agent shall also generally explain existing policies which, if changed, would further the principles and intent established by this chapter. County department management concerned with the collective bargaining process, with the advice of other relevant county departments, shall assist the bargaining agent in reporting to the committee.~~

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

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

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

~~((5. No later than January 1, 1996,)) 2. ((†))~~The bargaining agent shall cause to be developed and maintained a database of information within King County government on wages, hours, employee benefits, vacation and other leave, job classifications and substantial and factual information to provide knowledge of working conditions necessary to conduct effective negotiations. Such information shall be made available to the bargaining representatives to the extent provided by RCW 41.56.030(4), Public Employees' Collective Bargaining law of the ((§))state of Washington, as set forth by the collaborative process identified in King County council Motion 9182((-); and

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

system.

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

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

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

~~If the bargaining agent receives a written request to have the complaint forwarded to the committee, including an explanation of reasons for the request, the bargaining agent shall forward the request, together with the bargaining agent's written response, to the committee within five (5) calendar days from the receipt of the request, provided that these materials or any discussion thereof shall remain confidential to the extent allowed by law.~~

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

~~7. By June 30 of each year, the prosecuting attorney, in conjunction with bargaining agent, shall~~

~~report to the committee on all pending unfair labor practice charges and all pending litigation and arbitration involving represented employees.~~

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

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

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

Labor policy committee functions.

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

1-)) The policy committee shall meet as it deems necessary to obtain the testimony of members of the public, the bargaining agent, bargaining representatives or their designees, county department management and others in order to consider such testimony in policy decisions before the committee but shall not engage in bargaining with bargaining representatives or represented employees~~((Pursuant to RCW 42.30.140, the council or the committee may convene in a meeting not open to the public for any meetings, or portions of meetings, during which the council or committee is planning or adopting the strategy to be taken by the county during the course of any collective bargaining or reviewing the proposals made in the negotiations or proceedings while in progress.~~

2. ~~By June 30 of each year, or, in the case of agreements expiring other than December 31, at least ninety days prior to commencement of negotiations, the committee shall meet with the bargaining agent to review the schedule of collective bargaining agreements expiring in that calendar year and the key issues~~

~~related to the collective bargaining process and shall establish overall policy for negotiations. Methods of consultation with unions, management rights and eliminating the causes of employee grievances shall also be considered)).~~

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

~~((3. Following the establishment of overall policy, and prior to commencement of negotiations, the committee shall meet to hear the bargaining agent's recommended strategies for implementing adopted policies. The committee shall confer with the bargaining agent as it deems necessary to ensure compliance with this chapter and good faith collective bargaining.~~

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

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

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

~~6. The chair of the committee may convene a special meeting when he/she deems it necessary to~~

~~discuss critical labor policy issues.))~~ E. By June 30 of each year, the executive shall report to the policy committee regarding employment policies applicable to nonrepresented employees.

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

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

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

Labor implementation committee functions.

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

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

2. If the bargaining representative is not satisfied with the written response of the manager, or if a written response to the complaint is not received within fifteen calendar days, the bargaining representative may forward the written complaint to the King county executive, as the bargaining agent, who shall, within fifteen calendar days, respond to it in writing and propose such remedies as may address the complaint.

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

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

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

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

D. By June 30 of each year, or, in the case of agreements expiring other than December 31, at least ninety days before the commencement of negotiations, in preparation for collective bargaining the bargaining agent shall report to the implementation committee the agreements expiring that calendar year. The bargaining agent shall also generally explain existing policies that, if changed, would further the principles and intent established by this chapter. County department management concerned with the collective bargaining process, with the advice of other relevant county departments, shall assist the bargaining agent in reporting to the implementation committee.

E. By June 30 of each year or, for agreements expiring other than December 31, at least ninety days

before commencing negotiations, the implementation committee shall meet with the bargaining agent to review the schedule of collective bargaining agreements expiring in that calendar year and the key issues related to the collective bargaining process. Methods of consultation with unions, management rights and eliminating the causes of employee grievances shall also be considered.

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

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

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

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

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

Annual labor summit. The chair of the King County council shall annually convene a summit between the county's elected officials and the local labor leadership and the leadership of all collective

bargaining units representing the county's work force. Such a labor summit shall take place between (~~March~~
) January 1 and (~~August 31~~) May 1 of each given year. The intent of convening an annual labor summit shall be to: increase communication between King County elected officials and the leadership and membership of local labor organizations and of all the county's collective bargaining units, to identify issues and problems of mutual concern, to identify solutions to problems affecting the memberships of the county's collective bargaining units, to delineate ways in which the county's elected officials may more closely and effectively work with the county's collective bargaining units and local labor organizations to attain mutual goals and to foster a spirit of cooperation in working to serve the public.

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

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