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INTRODUCED BY: LOWRY

77-712

ORDINANCE No. 3337

AN ORDINANCE regarding the retirement age for county employees, amending Ordinance No. 422, Section 7, and K.C.C. 3.12.060(j).

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance No. 422, Section 7, and K.C.C.

3.13.060(j) are hereby amended to read as follows:

3.12.060 Employee benefits. (a) HOLIDAYS. The following days shall be considered holidays for county employees. County employees will be granted these days off with full pay (refer to Section 3.12.060(d)(5) for exceptions to this policy):

- (1) January 1st, New Year's Day;
- (2) February 12th, Lincoln's Birthday;
- (3) Third Monday in February, Washington's Birthday;
- (4) Last Monday in May, Memorial Day;
- (5) July 4th, Independence Day;
- (6) First Monday in September, Labor Day;
- (7) Eleventh day of November, Veterans Day;
- (8) Thanksgiving Day, as legally designated and the day

immediately following;

- (9) December 25th, Christmas Day;
- (10) Special or limited holidays as declared by the President or Governor, and as approved by the council;

(11) Such other days in lieu of holidays as the county council may determine. When a holiday falls on Saturday, the Friday before is a paid holiday. When a holiday falls on a Sunday, the Monday following is a paid holiday.

Employees shall be granted two personal holidays to be administered through the vacation plan. One day shall be granted on the first of October and one day on the first of November.

Only regular employees holding county positions on the effective date of the holiday will be eligible for holiday pay.

1 Administration of matters pertaining to holidays shall
2 be the responsibility of the Personnel Division.

3 Effective January 1, 1978, the schedule of legal holidays
4 recognized by King County shall be in conformance with the
5 provisions of RCW 1.16.050, as amended.

6 (b) VACATIONS.

7 (1) Regular full-time employees shall receive vacation
8 benefits as indicated in the following table:

9	10	11	12	13
	Years of Continuous Service	Monthly Vacation Credit	Equivalent Annual Vacation Credit	Maximum Vacation Accumulation Allowed
12	Upon completion of one year of service		(80 hrs.) 10 days	
14	More than one but less than three years of continuous service	(6.66 hrs.) .833 days	(80 hrs.) 10 days	(160 hrs.) 20 days
16	Less than twelve years of continuous service			
17	More than three years of continuous service	(10 hrs.) 1.25 days	(120 hrs.) 15 days	(240 hrs.) 30 days
19	Twelve years or more years of continuous service and over	(13.33 hrs.) 1.66 days	(160 hrs.) 20 days	(320 hrs.) 40 days

21 For purposes of this section, one day of vacation pay
22 shall be computed as 1/261 of the employee's annual salary in
23 effect at the time of vacation or upon termination, and for
24 payroll purposes a year shall be considered to contain 2088 hours
25 Annual salary divided by 2088 will result in the hourly rate for
26 purposes of this section.

27 (2) Employees with one or more continuous years of service
28 shall accrue vacation benefits monthly, effective January 1,
29 1974.

30 (3) Vacation benefits for regular part-time employees
31 will be established based upon the ratio of hours actually
32 worked (less overtime) to a standard work year.

33 (For example:

1 If a regular part-time employee normally works four
2 hours per day in a department that normally works eight hours
3 per day, then the part-time employee would be granted four-
4 eighths of the vacation benefit allowed a full-time staff member
5 with an equivalent number of years of service.

6 (4) No person shall be permitted to work for compensa-
7 tion for the county in any capacity during the time when vacation
8 benefits are being drawn.

9 (5) Vacation may be used in one hour increments, at the
10 discretion of the department director or his appointed designee.

11 (6) Upon termination for any reason, the employee will
12 be paid for unused vacation credits up to maximum allowable
13 accumulated vacation.

14 (7) Extra-help employees will not be granted vacation
15 benefits.

16 (8) No employee shall earn the equivalent of a month's
17 vacation credit during a month when the employee is absent with-
18 out pay more than three working days, and an employee shall not
19 be granted vacation benefits if not previously accrued by the
20 employee.

21 (9) In cases of separation by death, payment of unused
22 vacation benefits shall be made to the employee's estate, or in
23 applicable cases, as provided by RCW Title 11.

24 (10) Employees may continue to accrue additional vacation
25 beyond the maximum specified herein if as a result of cyclical
26 workloads or work assignments accrued vacation will be lost.
27 Employees who leave King County employment for any reason will
28 be paid for their unused vacation up to the maximum specified
29 herein. Employees shall use or forfeit the excess accrual
30 prior to December 31st of each year.

31 (c) SICK LEAVE

32 (1) Every regular full-time employee shall accrue sick
33 leave benefits at the rate of one workday for each month in

1 county service.

2 (2) No employee shall earn sick leave credit during a
3 month in which the employee is absent without authorization or
4 absent without pay more than three days.

5 (3) Every regular part-time employee shall receive
6 sick leave benefits proportionate to the employee's regular
7 workday.

8 For example:

9 If a part-time employee normally works four hours per day,
10 and the department's normal workday is eight hours, the employee
11 will receive four hours of sick leave benefits for the month.

12 (4) Extra-help employees receive no sick leave benefits.

13 (5) After six months of full-time service, a regular
14 employee may, at his division manager's discretion, be permitted
15 to use up to one-half of his accruing vacation (five days) as an
16 essential extension of used sick leave. If an employee does not
17 work a full twelve months, any vacation credit used for sick
18 leave must be reimbursed to the county upon termination.

19 (6) Elected county officials shall not be subject to the
20 limitations of this sick leave policy.

21 (7) Sick leave shall accrue on a monthly basis starting
22 with the first of the month following the month the employee
23 commenced employment. An employee is not entitled to sick leave
24 if not previously earned.

25 (8) Sick leave may be used in one-hour increments, at the
26 discretion of the department manager.

27 (9) There shall be no limit to the hours of sick leave
28 benefits accrued by an employee.

29 (10) Sick leave benefits are provided in order that the
30 employee's wages may be protected in cases where health is poor
31 or medical attention is required. Department management is
32 responsible for the proper administration of this benefit.

33 (11) Separation from King County employment, except by

1 retirement or reason of temporary lay off due to lack of work or
2 funds, shall cancel all sick leave currently accrued to the
3 employee. Should the employee resign in good standing and
4 return to the county within two years, accrued sick leave shall
5 be restored.

6 (12) Accrued sick leave may be used for absence due to
7 temporary disability caused or contributed by pregnancy.

8 (13) Sick leave because of an employee's physical in-
9 capacity will not be approved when the injury is directly trace-
10 able to simultaneous employment other than with the county of
11 King.

12 (14) King County will reimburse those employees who have
13 at least five years' service and retire as a result of length
14 of service or who terminate by death, twenty-five percent of
15 their unused, accumulated sick leave, to maximum of thirty days.
16 All payments shall be made in cash, based on the employee's
17 base rate, and there shall be no deferred sick leave reimburse-
18 ment.

19 (15) Employees injured on the job cannot simultaneously
20 collect sick leave and workmens' compensation payments greater
21 than net regular pay of the employee. Administrative rules will
22 be established to allow for payments equal to net regular pay of
23 employees qualifying under workmens' compensation.

24 (16) Sick leave taken will be exempt from Social Security
25 taxes.

26 (d) FAMILY CARE AND DEATH.

27 (1) Regular full time employees shall be entitled to
28 three working days of bereavement leave a year due to death of
29 members of their immediate family;

30 (2) Regular full time employees who have exhausted their
31 bereavement leave shall be entitled to use sick leave in the
32 amount of three days for each instance when death occurs to a
33 member of the employee's immediate family.

1 (3) Three sick leave days of absence from the job may
2 be granted to an employee due to a requirement to care for
3 immediate family members that are seriously ill.

4 (4) In cases of family care where no sick leave benefit
5 exists, the employee may be granted leave without pay.

6 (5) In the application in any of the foregoing pro-
7 visions, when a holiday or regular day off falls within the pre-
8 scribed period of absence it shall not be charged.

9 (e) LEAVE OF ABSENCE WITHOUT PAY.

10 (1) Leaves of absence without pay for a period of thirty
11 calendar days or less may be authorized in writing to an
12 employee by the employee's department manager.

13 (2) Leaves of absence without pay for a period of more
14 than thirty calendar days may be authorized in writing by the
15 employee's manager and the personnel department.

16 (3) A leave of absence without pay may be for a period
17 not to exceed one year; except in unusual instances, in which
18 case extension of the leave shall be reviewed by the personnel
19 department.

20 (4) Other employee benefits shall not accrue to the
21 employee while on leave of absence without pay.

22 (5) If the leave of absence without pay was granted for
23 purposes of recovering health, the employee may be required to
24 submit a physician's statement concerning the employee's ability
25 to resume duties prior to return to work.

26 (6) An employee on leave of absence without pay may
27 return from the leave before its expiration date, if subject
28 employee provides his department manager with written notice
29 fifteen days prior to resuming duties.

30 (7) Failure to return to work by the expiration date of
31 a leave of absence without pay shall be considered automatic
32 termination.

33 (8) A leave of absence may be revoked upon evidence

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1 submitted by the department head to the personnel office that
2 the leave of absence was requested and granted under false
3 pretenses or that the need for such leave of absence has
4 ceased to exist.

5 (f) TRAINING.

6 (1) It is the policy of the county to provide, within
7 budgeted appropriations, training opportunities for its eligible
8 employees. The training policy shall be guided by, but not
9 limited to the overall objectives of encouraging and motivating
10 employees, supervisors and management to improve their personal
11 capabilities in performance of specific tasks, public relations,
12 employee relations, various management techniques, communication
13 skills, as well as orientation of new employees.

14 (2) The county executive shall have responsibility for
15 planning and executing an adequate training program for the
16 employees and management of King County.

17 (3) The county will not reimburse employees for volun-
18 tary additional training.

19 (4) Employees wishing to complete educational programs
20 may request a leave of absence for this purpose. The manager,
21 with consultation with the appointing authority, may approve
22 such leave of absence without pay.

23 (g) TIME OFF FOR EXAMINATIONS. All persons in the career
24 service shall be entitled to necessary time off with pay for
25 the purpose of taking King County qualifying or promotional
26 examinations. This shall include resulting hiring interviews
27 for which they may be eligible.

28 (h) MILITARY LEAVE OF ABSENCE.

29 (1) The appointing authority, with the approval of the
30 personnel manager, shall grant for a period not exceeding
31 fifteen calendar days during each calendar year, a leave of
32 absence, with pay, to regular employees for the purpose of
33 taking part in active training duty as provided in RCW 38.40.060;

provided, that such request for such leave shall be in writing and accompanied with a validated copy of military orders ordering such active training duty.

(2) The appointing authority must abide by the federal law in granting military leave to those employees who enter the military of the United States for regular service of more than fifteen days.

(i) JURY DUTY. Any regular or probationary employee ordered on a jury shall be entitled to his regular county pay provided he deposits his fees for such service, exclusive of mileage, with the comptroller. Inasmuch as the county is paying the employee's salary, an employee will report back to his working supervisor and to work if it is practicable, when an employee is dismissed from jury service early on a particular day.

(j) RETIREMENT. (~~Retirement from regular county employment shall occur on the first of the month following the occurrence of the sixty-fifth birthday.~~) Retirement from county employment shall be in accord with the provisions set forth in RCW 41.40 For employees hired on or before September 30, 1977, retirement from regular county employment shall occur on the first of the month following the occurrence of the seventieth birthday. For employees hired after September 30, 1977, there shall be no mandatory retirement age.

~~((Elected officials are exempted from this subsection.))~~
There shall be no mandatory retirement age for elected officials.

Former employees (~~over sixty-five~~) who have retired from county employment shall be eligible for extra-help employment on the same basis as other applicants, but in no event to exceed five hundred twenty hours in any one calendar year.

(k) UNEMPLOYMENT COMPENSATION. King County will implement a self-insured form of unemployment compensation. The unemployment compensation will meet the following criteria:

(1) Provide coverage for all full time regular employees who have completed their probationary period, except that the foregoing does not include limited term employees.

(2) Coverage will apply to those employees who are laid off as a result of a reduction in work or funds.

(3) Employees who are receiving compensation under this program must provide evidence of actively seeking employment.

(4) The benefit will be the same as the state of Washington unemployment compensation but shall be good for twenty-six weeks only (no extended benefits). (Ord. 2569 § 1, 1975; Ord. 1976 § 1, 1974; Ord. 1618 § 1, 1973; Ord. 681 § 1, 1971; Ord. 422 § 7, 1970).

INTRODUCED AND READ for the first time this 8th day of August, 1977.

PASSED this 15th day of August, 1977.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Mike Lowry
Chairman

ATTEST:

Dorothy M. Quinn DEPUTY
Clerk of the Council

APPROVED this 16th day of August, 1977.

[Signature]
King County Executive