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Introduced By: Larry Gossett  
Jane Hague

Proposed No.: 97-672

ORDINANCE NO. **12943**

AN ORDINANCE relating to personnel matters; designating certain categories of employees exempt from the career service; revising and adding definitions of categories of employees; providing for leave and insured benefits for certain categories of employees; establishing a career service review process; establishing provisions related to the use of non-career service employees, including an annual review and appeal procedure; amending Ordinance 9967, Section 2, Ordinance 12014, Sections 5, 7, 19 as amended, 21 as amended, 22 and 23, Ordinance 12077, Sections 3, 4 and 5, and Ordinance 12052, and K.C.C. 3.12.010, K.C.C. 3.12.040, K.C.C. 3.12.125, K.C.C. 3.12.190, K.C.C. 3.12.200, K.C.C. 3.12.210, K.C.C. 3.12.220, K.C.C. 3.12.223, K.C.C. 3.12.230, K.C.C. 3.12.240, and K.C.C. 3.12.262; establishing a new K.C.C. 3.12A; and adding sections to K.C.C. 3.12A.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 12014, Section 5, and K.C.C. 3.12.010 are hereby amended to read as follows:

**Definitions.** All words shall have their ordinary and usual meanings except those defined in this section which shall have, in addition, the following meanings. In the event of conflict, the specific definitions set forth in this section shall presumptively, but not conclusively, prevail.

A. General definitions:

1. "Administrative interns" are employees (~~persons participating in employment sponsored, supported in whole or in part, or maintained in conjunction with an educational institution in the State of Washington~~) who are also enrolled full-time during the regular school year in a program of education, internship or apprenticeship. All administrative internships in executive

1 departments shall be approved by the director. Administrative interns (~~shall be~~) are exempt from  
2 the career service under Section 550 of the charter.

3 2. "Appointing authority" means the county council, the executive, chief officers of  
4 executive departments and administrative offices, or division managers having authority to appoint or  
5 to remove persons from positions in the county service.

6 3. "Basis of merit" means the value, excellence or superior quality of an individual's  
7 work performance, as determined by a structured process comparing the employee's performance  
8 against defined standards and, where possible, the performance of other employees of the same or  
9 similar class.

10 4. "Board" means the county personnel board established by Section 540 of the charter.

11 5. "Career service employee" means a county employee appointed to a career service  
12 position as a result of the selection procedure provided for in (~~Section 12 of this ordinance~~) this  
13 chapter, and who has completed the probationary period.

14 6. "Career service position" means all positions in the county service except for those  
15 which are designated by Section 550 of the charter as follows: All elected officers: the county  
16 auditor, the clerk and all other employees of the county council; the county administrative officer: the  
17 chief officer of each executive department and administrative office; the members of all boards and  
18 commissions: administrative assistants for the executive and one administrative assistant each for the  
19 county administrative officer, the county auditor, the county assessor, the chief officer of each  
20 executive department and administrative office and for each board and commission: a chief deputy  
21 for the county assessor; one confidential secretary each for the executive, the chief officer of each  
22 executive department and administrative office, and for each administrative assistant specified herein:  
23 all employees of those officers who are exempted from the provisions of this chapter by the state  
24 constitution: persons employed in a professional or scientific capacity to conduct a special inquiry,  
25 investigation or examination; part-time and temporary employees: administrative interns; election

1 precinct officials; all persons serving the county without compensation; physicians; surgeons;  
2 dentists; medical interns; and student nurses and inmates employed by county hospitals, tuberculosis  
3 sanitariums and health departments of the county.

4 Divisions in executive departments and administrative offices as determined by the county  
5 council shall be considered to be executive departments for the purpose of determining the  
6 applicability of Section 550 of the charter.

7 All part-time employees shall be exempted from career service membership except, effective  
8 January 1, 1989, all part-time employees employed at least half time or more, as defined by  
9 ordinance, shall be members of the career service.

10 7. "Charter" means the King County Charter, as amended.

11 8. "Class" or "classification" means a position or group of positions, established under  
12 authority of this chapter, sufficiently similar in respect to the duties, responsibilities and authority  
13 thereof, that the same descriptive title may be used to designate each position allocated to the class.

14 9. "Classification plan" means the arrangement of positions into classifications together  
15 with specifications describing each classification.

16 10. "Compensatory time" means time off granted with pay in lieu of pay for work  
17 performed either on an authorized overtime basis or work performed on a holiday which is normally  
18 scheduled as a day off. Such compensatory time shall be granted on the basis of time and one-half.

19 11. "Competitive employment" means a position established in the county budget and  
20 which will require at least twenty-six weeks of service per year as the work schedule established  
21 for the position.

22 12. "Council" means the county council as established by Article 2 of the charter.

23 13. "County" means the county of King and any other organization that is legally  
24 governed by the county with respect to personnel matters.

1           14. "Developmental disability" means a disability, as defined in RCW 71A.10.020(2),  
2 as amended, attributable to mental retardation, cerebral palsy, epilepsy, autism, or other  
3 neurological or other condition of an individual found by the secretary of the Washington state  
4 department of social and health services, or designee to be closely related to mental retardation or  
5 to require treatment similar to that required for individuals with mental retardation, which disability  
6 originates before the individual attains age eighteen, which has continued or can be expected to  
7 continue indefinitely, and which constitutes a substantial handicap for the individual.

8           15. "Direct cost" means the cost aggregate of the actual weighted average cost of  
9 insured benefits, less any administrative cost therefor. Any payments to part-time and temporary  
10 employees under this chapter shall not include any administrative overhead charges applicable to  
11 administrative offices and executive departments.

12           ~~((45))~~16. "Director" means the chief officer of the administrative office of human  
13 resources management.

14           ~~((46))~~17. "Domestic partners" are two people in a domestic partnership, one of whom is  
15 a county employee.

16           ~~((47))~~18. "Domestic partnership" is a relationship whereby two people:  
17           a. Have a close personal relationship, and  
18           b. Are each other's sole domestic partner and are responsible for each other's  
19 common welfare, and  
20           c. Share the same regular and permanent residence, and  
21           d. Are jointly responsible for basic living expenses which means the cost of basic  
22 food, shelter and any other expenses of a domestic partner which are paid at least in part by a program  
23 or benefit for which the partner qualified because of the domestic partnership. The individuals need  
24 not contribute equally or jointly to the cost of these expenses as long as they agree that both are  
25 responsible for the cost, and

- 1 e. Are not married to anyone, and
- 2 f. Are each eighteen years of age or older, and
- 3 g. Are not related by blood closer than would bar marriage in the State of
- 4 Washington, and
- 5 h. Were mentally competent to consent to contract when the domestic partnership
- 6 began.

7 ~~((18))~~19. "Employee" means any person who is employed in a career service position

8 or exempt position.

9 ~~((19))~~20. "Employed at least half time or more" means employed in a regular position

10 which has an established work schedule of not less than one-half the number of hours of the full-time

11 positions in the work unit in which the employee is assigned, ~~((such work schedule to be determined~~

12 ~~by the director)) or when viewed on a calendar year basis, 910 hours or more in a work unit in which~~

13 a work week of more than thirty-five but less than forty hours is standard or 1040 hours or more in a

14 work unit in which a forty hour work week is standard. If the standard work week hours within a

15 work unit varies (for instance, employees working both thirty five and forty hours), the director, in

16 consultation with the department, will be responsible for determining what hour threshold will apply.

17 ~~((20. "Established in the county budget" means a position identified within a budgetary~~

18 ~~unit's authorized full-time equivalent (FTE) level and set out by position description in the budgetary~~

19 ~~unit's organizational detail report as amended in the adopted budget.))~~

20 21. "Executive" means the county executive, as established by Article 3 of the charter.

21 22. "Exempt employee" means an employee employed in a position that is not a career

22 service position under Section 550 of the charter. Exempt employees serve at the pleasure of the

23 appointing authority.

1           23. "Exempt position" means any position excluded as a career service position by Section  
2 550 of the charter. Exempt positions are positions to which appointment may be made directly  
3 without a competitive hiring process

4           24. "Full-time regular employee" means an employee employed in a full-time regular  
5 position and, for full-time career service positions, is not serving a probationary period.

6           25. "Full-time regular position" means a regular position which has an established work  
7 schedule of not less than thirty-five hours per week in those work units in which a thirty-five hour  
8 week is standard, or of not less than forty hours per week in those work units in which a forty-hour  
9 week is standard.

10           26. "Grievance" means an issue raised by an employee relating to the interpretation of  
11 rights, benefits, or condition of employment as contained in the administrative rules and/or procedures  
12 for the career service.

13           27. "Immediate family" means spouse, child, parent, son-in-law, daughter-in-law,  
14 grandparent, grandchild, sibling, mother-in-law, father-in-law, domestic partner, and the child, parent,  
15 sibling, grandparent or grandchild of the domestic partner.

16           ~~((27.))~~ 28. "Incentive increase" means an increase to an employee's base salary within the  
17 assigned pay range, based on demonstrated performance.

18           ~~((28.))~~ 29. "Integrated work setting" means a work setting with no more than eight  
19 persons with developmental disabilities or with the presence of a sensory, mental or physical  
20 handicap as specified in K.C.C. 3.12.180, as amended. This definition refers to all county offices,  
21 field locations and other work sites at which supported employees work along side employees who  
22 are not persons with development disabilities employed in permanent county positions.

23           ~~((29.))~~ 30. "Life-giving and life-saving procedures" shall mean a medically-supervised  
24 procedure involving the testing, sampling, or donation of blood, organs, fluids, tissues and other

1 human body components for the purposes of donation without compensation to a person for a  
2 medically necessary treatment.

3 ~~((30.))~~ 31. "Marital status" is the presence or absence of a marital relationship and  
4 includes the status of married, separated, divorced, engaged, widowed, single or ~~((cohabitating))~~  
5 cohabiting.

6 ~~((31.))~~ 32. "Part-time employee" means an employee employed in a part-time position.  
7 Under Section 550 of the charter, part-time employees are not members of the career service.

8 ~~((32.))~~ 33. "Part-time position" means ~~((a position not established in the county budget~~  
9 ~~and)) an other than a regular position in which the part-time employee is employed less than half  
10 time, that is less than 910 hours in a calendar year in a work unit in which a thirty-five hour work  
11 week is standard or less than 1040 hours in a calendar year in a work unit in which a forty-hour work  
12 week is standard, except as provided elsewhere in this chapter. Where the standard work week falls  
13 between thirty-five and forty hours, the director, in consultation with the department, will be  
14 responsible for determining what hour threshold will apply. Part-time position excludes  
15 administrative intern.~~

16 ~~((33.))~~ 34. "Part-time regular employee" means an employee employed in a part-time  
17 regular position and, for part-time career service positions, is not serving a probationary period  
18 Under Section 550 of the charter, such part-time regular employees are members of the career  
19 service.

20 ~~((34.))~~ 35. "Part-time regular position" means a regular position in which the part-time  
21 regular employee is employed ((at least half time)) for at least 910 hours but less than a full-time basis  
22 in a calendar year in a work unit in which a thirty-five hour work week is standard or for at least 1040  
23 hours but less than a full-time basis in a calendar year in a work unit in which a forty-hour work week  
24 is standard. Where the standard work week falls between thirty-five and forty hours, the director, in  
25 consultation with the department, will be responsible for determining what hour threshold will apply.

1           ((35.)) 36. "Pay plan" means a systematic schedule of numbered pay ranges with a  
2           minimum, maximum and intermediate steps for each pay range, a schedule of assignment of each  
3           classification to a numbered pay range and rules for administration.

4           ((36.)) 37. "Pay range" means one or more pay rates representing the minimum,  
5           maximum and intermediate steps assigned to a classification.

6           ((37.)) 38. "Pay range adjustment" means the adjustment of the numbered pay range of a  
7           classification to another numbered pay range in the schedule based on a classification change,  
8           competitive pay data or other significant factors.

9           ((38.)) 39. "Personnel guidelines" means only those operational procedures promulgated  
10          by the director necessary to implement personnel policies or requirements previously stipulated by  
11          ordinance or the charter. Such personnel guidelines shall be applicable only to employees assigned to  
12          executive departments and administrative agencies.

13          ((39.)) 40. "Position" means a group of current duties and responsibilities assigned by  
14          competent authority requiring the employment of one person.

15          ((40.)) 41. "Probationary employee" means an employee ~~((employed))~~ servng a  
16          probationary period in a regular career service position ~~((and who is serving a probationary period)).~~  
17          Probationary employees ~~((shall be deemed))~~ are temporary employees and excluded from career  
18          service under Section 550 of the charter.

19          ((41.)) 42. "Probationary period" means a period of time as determined by the director,  
20          constituting the final step in the competitive screening process for career service or for promotion  
21          from one career service position to another. An appointment to the career service, whether following  
22          successful completion of an initial probationary period of county employment or a promotional  
23          probationary period, shall not be final unless the employee successfully completes this probationary  
24          period.



1 ((42.)) 43. "Provisional appointment" means an appointment made in the absence of a  
2 list of candidates certified as qualified by the director. Only the director may authorize a provisional  
3 appointment. An appointment to this status is limited to six months.

4 ((43.)) 44. "Provisional employee" means an employee (~~(employed)~~) servicing by  
5 provisional appointment in a regular career service position (~~(under provisional appointment)~~).  
6 Provisional employees (~~(shall be deemed)~~) are temporary employees and excluded from career  
7 service under Section 550 of the charter.

8 ((44.)) 45. "Recruiting step" means the first step of the salary range allocated to a class  
9 unless otherwise authorized by the executive.

10 ((45.)) 46. "Regular position" means a position established in the county budget and  
11 identified within a budgetary unit's authorized full time equivalent (FTE) level as set out in the budget  
12 detail report.

13 ((46.)) 47. "Salary or pay rate" means an individual dollar amount which is one of the  
14 steps in a pay range paid to an employee based on the classification of the position occupied.

15 ((47.)) 48. "Temporary employee" means an employee employed in a temporary position  
16 and, in addition, includes an employee serving a probationary period or is under provisional  
17 appointment. Under Section 550 of the charter, temporary employees (~~(shall)~~) are not (~~(be)~~) members  
18 of the career service.

19 ((48.)) 49. "Temporary position" means a position which is not a regular position as  
20 defined in this chapter and excludes administrative intern. Temporary positions include both term-  
21 limited temporary positions as defined in this chapter and short-term (normally less than six months)  
22 temporary positions in which a temporary employee works less than 910 hours in a calendar year in a  
23 work unit in which a thirty-five hour work week is standard or less than 1040 hours in a calendar year  
24 in a work unit in which a forty-hour work week is standard, except as provided elsewhere in this

1 chapter. Where the standard work week falls between thirty-five and forty hours, the director, in  
2 consultation with the department, will be responsible for determining what hour threshold will apply.

3 ((49.)) 50. "Term-limited temporary employee" means a temporary employee who is  
4 employed in a term-limited temporary position. Term-limited temporary employees are not members  
5 of the career service.

6 Term-limited temporary employees may not be employed in term-limited temporary  
7 positions longer than three years beyond the date of hire, except that for grant-funded projects, capital  
8 improvement projects, and information systems technology projects the maximum period may be  
9 extended up to five years upon approval of the director. The director shall maintain a current list of  
10 all term-limited temporary employees by department.

11 ((50.)) 51. "Term-limited temporary position" means a temporary position with work  
12 related to a specific grant, capital improvement project, information systems technology project, or  
13 other non-routine, substantial body of work, for a period greater than six months. In determining  
14 whether a body of work is appropriate for a term-limited temporary position, the appointing authority  
15 will consider the following:

16 A. Grant-funded projects: These positions will involve projects or activities that are  
17 funded by special grants for a specific time or activity. These grants are not regularly available to or  
18 their receipt predictable by the county.

19 B. Information systems technology projects: These positions will be needed to plan  
20 and implement new information systems projects for the county. Term-limited temporary positions  
21 may not be used for on-going maintenance of systems that have been implemented.

22 C. Capital improvement projects: These positions will involve the management of  
23 major capital improvement projects. Term-limited temporary positions may not be used for on-going  
24 management of buildings or facilities once they have been built.

1                    D. Miscellaneous projects: Other significant and substantial bodies of work may be  
2 appropriate for term-limited temporary positions. These bodies of work must be either non-routine  
3 projects for the department, or related to the initiation or cessation of a county function, project, or  
4 department.

5                    E. Seasonal positions. These are positions with work for more than six consecutive  
6 months, half-time or more, with total hours of at least 910 in a calendar year in a work unit in which a  
7 thirty-five hour work week is standard or at least 1040 hours in a calendar year in a work unit in  
8 which a forty-hour work week is standard, that due to the nature of the work have predictable periods  
9 of inactivity exceeding one month. Where the standard work week falls between thirty-five and forty  
10 hours, the director, in consultation with the department, will be responsible for determining what hour  
11 threshold will apply.

12                    F. Temporary placement in regular positions. These are positions used to back fill  
13 regular positions for six months or more due to a career service employee's absence such as extended  
14 leave or assignment on any of the foregoing time-limited projects.

15                    All appointments to term-limited temporary positions will be made by the appointing  
16 authority in consultation with the director prior to the appointment of term-limited temporary  
17 employees.

18                    B. Definitions related to family leave. Unless the context clearly requires otherwise, the  
19 following terms have the following meanings:

20                    1. "Child" means a biological, adopted, or foster child, a stepchild, a legal ward, or a  
21 child of a person standing in loco parentis, who is:

22                    a. Under eighteen years of age, or

23                    b. Eighteen years of age or older and incapable of self-care because of mental or  
24 physical disability.

1                   2. "Employee" means a ~~((person employed in a))~~ full-time regular or part-time regular  
2 employee ~~((position on a full-time or part-time basis and who is not on an initial period of probation))~~  
3 and includes provisional, probationary and term-limited temporary employees The term "employee"  
4 shall not include part-time ~~((employee employed less than half time))~~ and temporary employees other  
5 than ~~((provisional employees and probationary employees))~~ the temporary employees identified  
6 above.

7                   3. "Serious health condition" means an illness, injury, impairment, or physical or mental  
8 condition, whether or not preexisting, which requires:

- 9                   a. Inpatient care in a hospice or residential medical care facility, or  
10                   b. Continuing treatment or continuing supervision by a health care provider.

11                   4. "Health care provider" means a person whose services are of a type which are  
12 compensated under any county health care plan.

13                   5. "Reduced leave schedule" means leave scheduled for fewer than an employee's usual  
14 number of hours per workweek or hours per workday.

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

17                   Benefits. A. Full-time regular, part-time regular, provisional, probationary and term-limited  
18 temporary ((E)) employees shall receive the leave benefits provided in this chapter ~~((provided, that~~  
19 ~~temporary employees other than provisional employees and probationary employees employed at~~  
20 ~~least half-time shall receive either compensation in lieu of the vacation and sick leave benefits~~  
21 ~~provided in this chapter for each hour worked or, at the discretion of the director, pro-rated vacation~~  
22 ~~and sick leave benefits based upon the ratio of hours worked to the full-time schedule in their work~~  
23 ~~units; and provided, further, that part-time employees shall not receive vacation or sick leave benefits~~  
24 ~~or compensation in lieu thereof)).~~

1 B. ~~((Except for part-time))~~ Full-time regular, part-time regular, provisional, probationary and  
2 term-limited temporary employees ~~((and temporary employees other than provisional employees and~~  
3 ~~probationary employees, employees))~~ and their spouse or domestic partner, each of their dependent  
4 children, and each of the dependent children of their spouse or domestic partner shall be eligible for  
5 medical, dental, life, ~~((and))~~ disability ~~((insurance))~~, and vision benefits, except in those instances  
6 where contrary provisions have been agreed to in the collective bargaining process and to the extent  
7 such benefits are available through insurers selected by the county. The director shall establish  
8 specific provisions governing eligibility for these benefits as part of the personnel guidelines and  
9 consistent with budget requirements. Such provisions may include waiting periods for employees  
10 newly-hired to the county.

11 C. Part-time and temporary employees, other than probationary, provisional and term-limited  
12 temporary employees, who exceed the calendar year working hours threshold defined in this chapter  
13 shall receive compensation in lieu of leave benefits at the rate of 15% of gross pay for all hours  
14 worked, paid retroactive to the first hour of employment and for each hour worked thereafter. The  
15 employee will also receive a one-time only payment in an amount equal to the direct cost of three  
16 months of insured benefits, as determined by the director, and, in lieu of insured benefits, an amount  
17 equal to the direct cost to the county for each employee for whom insured benefits are provided,  
18 prorated to reflect the affected employee's normal work week, for each hour worked thereafter. Such  
19 additional compensation shall continue until termination of employment or hire into a full-time  
20 regular, part-time regular or term-limited position. Further, employees receiving pay in lieu of  
21 insured benefits may elect to receive the medical component of the insured benefit plan, with the cost  
22 to be deducted from their gross pay; provided, that an employee who so elects shall remain in the  
23 selected plan until termination of employment, hire into a full-time regular, part-time regular, or term-  
24 limited position, or service of an appropriate notice of change or cancellation during the employee  
25 benefits annual open-enrollment.

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

8            SECTION 3. Ordinance 12077, Section 3, and K.C.C. 3.12.125 are hereby amended to read  
9 as follows:

10            **Change in work week – Adjustment to sick leave and vacation accruals. A.**

11 Notwithstanding any other provision of this chapter, in the event the number of hours in the standard  
12 work week of a ((regular)) position occupied by a full-time regular employee, part-time regular  
13 employee or, term-limited temporary employee ((~~who is employed at least half time and receives~~  
14 ~~vacation and sick leave~~)) is increased, the sick leave and vacation leave accruals of such employee at  
15 the time of the increase shall be adjusted upward so as to insure that the equivalent number of sick  
16 leave and vacation leave days accrued does not change. (For example, if the standard work week of  
17 such a position is increased from 35 to 40 hours, and if at the time of such change the employee  
18 occupying the position had accrued seven hours of sick leave, the sick leave accrual of that employee  
19 would be adjusted upward to eight hours.) This section shall apply to all ((~~full time regular~~  
20 ~~employees, part time regular employees and temporary employees who are employed at least half~~  
21 ~~time and receive vacation and sick leave~~)) employees eligible for leave benefits occupying positions  
22 where the standard work week of the position was increased on or after July 1, 1991. After such  
23 increase, such employees shall accrue vacation and sick leave in accordance with the otherwise  
24 applicable provisions of K.C.C. 3.12.

1           B. Separate accounts shall be maintained for any vacation or sick leave accrued prior to an  
 2 increase in the number of work-week hours. The "adjusted leave account" shall be used for leave  
 3 accrued prior to an increase in the number of work-week hours. The "unadjusted leave account" shall  
 4 be used for leave accrued subsequent to an increase in the number of work-week hours. Leave in the  
 5 adjusted leave account shall be used first.

6           C. In the event the number of work-week hours is reduced for any employee whose vacation  
 7 and sick leave accruals have been adjusted upward under the terms of this section, the remaining  
 8 hours in the adjusted leave account shall be reduced in the same proportion as the work-week hours  
 9 are reduced. Under no circumstances shall the adjusted leave account be reduced by a greater  
 10 proportion than the proportion of the previous upward adjustment. Any leave accrued in the  
 11 unadjusted leave account shall not be affected by this reduction.

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

14           **Vacation leave.** A. Beginning January 1, 1996, (~~full-time regular~~) employees eligible for  
 15 leave benefits shall accrue vacation leave benefits as described in and further qualified by 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

1 B. Notwithstanding the vacation leave schedule set forth in paragraph A of this section, ~~(the~~  
2 ~~following full-time regular))~~ employees eligible for leave benefits, excluding employees in the former  
3 department of metropolitan services, shall accrue vacation leave as follows:

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

7 2. Said employees who were employed on or before December 31, 1995 and subsequent  
8 to that date complete three full years of service shall begin to accrue fifteen days of vacation leave per  
9 year effective on the first day of their fourth full year of service

10 Beginning on the first of their sixth full year of service, such employees shall accrue vacation  
11 leave as set forth in paragraph A of this section.

12 C. ~~((Part-time regular employees shall accrue vacation leave in accordance with the vacation~~  
13 ~~leave schedule set forth in paragraph A of this section, provided, however, such accrual rates))~~  
14 Vacation accrual rates for an employee who works other than the full time schedule standard to his or  
15 her work unit shall be prorated to reflect his((A) or her normally scheduled work week.

16 D. Employees eligible for vacation leave shall accrue vacation leave from their date of hire  
17 into a benefit eligible position.

18 E. ~~((Full-time regular e))~~ Employees eligible for vacation leave may accrue up to sixty days  
19 vacation leave, ~~((Part-time regular employees and temporary employees who are employed at least~~  
20 ~~half time and receive vacation and sick leave may accrue vacation leave up to sixty days))~~ prorated to  
21 reflect their normally scheduled work ~~((week))~~ day. Such employees shall use vacation leave beyond  
22 the maximum accrual amount prior to December 31 of each year. Failure to use vacation leave  
23 beyond the maximum accrual amount will result in forfeiture of the vacation leave beyond the  
24 maximum amount unless the appointing authority has approved a carryover of such vacation leave  
25 because of cyclical workloads, work assignments or other reasons as may be in the best interests of



1 the county. ~~((The maximum vacation accrual amount established in this paragraph shall apply to~~  
2 ~~vacation accruals as of December 31, 1995.))~~

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

6 G. Career service ~~((E))~~ employees, ~~((other than exempt employees in regular positions))~~  
7 provisional, probationary and term-limited temporary employees, shall not be eligible to take or be  
8 paid for vacation leave until they have successfully completed their first six months of county  
9 service, and if they leave county employment prior to successfully completing their first six months  
10 of county service, shall forfeit and not be paid for accrued vacation leave.

11 H. ~~((Temporary e))~~ Employees ~~((who are employed at least half time and receive vacation and~~  
12 ~~sick leave, full time regular employees, and part time regular employees))~~ eligible for leave benefits  
13 shall be paid for accrued vacation leave to their date of separation up to the maximum accrual amount  
14 if they have successfully completed their first six months of county service and are in good standing;  
15 provided that, except with the written approval of the executive, the position, if vacated by a non-  
16 represented employee, shall not be filled until salary savings for such position are accumulated in an  
17 amount sufficient to pay the cost of the cashout. Payment shall be the accrued vacation leave  
18 multiplied by the employee's rate of pay in effect upon the date of leaving county employment less  
19 mandatory withholdings.

20 ~~((G))~~I. Employees shall not use or be paid for vacation leave until it has accrued and such use  
21 or payment is consistent with the provisions of this section.

22 ~~((H))~~J. No employee shall work for compensation for the county in any capacity during the  
23 time that the employee is on vacation leave.

24 ~~((I))~~K. For employees covered by the overtime requirements of the Fair Labor Standards Act,  
25 vacation leave may be used in one-half hour increments, at the discretion of the appointing authority.

1            ~~((J))~~L. In cases of separation from county employment by death of an employee with accrued  
2 vacation leave and who has successfully completed his ~~((H))~~ or her first six months of county service,  
3 payment of unused vacation leave up to the maximum accrual amount shall be made to the  
4 employee's estate, or, in applicable cases, as provided for by state law, RCW Title 11; provided that,  
5 except with the written approval of the executive, the position, if vacated by a non-represented  
6 employee, shall not be filled until salary savings for such position are accumulated in an amount  
7 sufficient to pay the cost of the cashout.

8            ~~((K))~~M. If an employee resigns from a full-time regular or part-time regular position with the  
9 county ~~((employment))~~ in good standing or is laid off and subsequently returns to county employment  
10 within two years from such resignation or lay off, as applicable, the employee's prior county service  
11 shall be counted in determining the vacation leave accrual rate under paragraph A of this section.

12            SECTION 5. Ordinance 12077, Section 4, and K.C.C. 3.12.200 are hereby amended to read  
13 as follows:

14            **Leave - Examinations.** Employees eligible for leave benefits ~~((All full-time regular~~  
15 ~~employees, part-time regular employees, and temporary employees who are employed at least half~~  
16 ~~time))~~ shall be entitled to necessary time off with pay for the purpose of taking county qualifying or  
17 promotional examinations. This shall include time required to complete any required interviews.

18            SECTION 6. Ordinance 12052 and K.C.C. 3.12.210 are hereby amended to read as follows:

19            **Leave - Bereavement.** A. Employees eligible for leave benefits ~~((All employees except~~  
20 ~~temporary employees and administrative interns))~~ shall be entitled to three working days of  
21 bereavement leave a year due to death of members of their immediate family. ~~((For purposes of this~~  
22 ~~section, "immediate family" as defined elsewhere in this chapter shall also include parent, son-in-law,~~  
23 ~~daughter-in-law, grandchild, or sibling, mother-in-law, and father-in-law.))~~

1 B. Employees who have exhausted their bereavement leave shall be entitled to use sick leave  
2 in the amount of three days for each instance of death when death occurs to a member of the  
3 employee's immediate family.

4 C. In cases of family death where no sick leave benefit is authorized or exists, an employee  
5 may be granted leave without pay.

6 D. In the application of any of the foregoing provisions, holidays or regular days off falling  
7 within the prescribed period of absence shall not be charged.

8 SECTION 7. Ordinance 12014, Section 21, as amended, and K.C.C. 3.12.220 are hereby  
9 amended to read as follows:

10 **Sick leave.** A. Except for employees covered by paragraph H of this section, (~~full-time~~  
11 ~~regular employees, part-time regular employees, and temporary employees who are employed at least~~  
12 ~~half-time and receive vacation and sick leave~~) employees eligible for leave benefits shall accrue sick  
13 leave benefits at the rate of 0.04616 hours for each hour in pay status exclusive of overtime up to a  
14 maximum of eight hours per month; except that sick leave shall not begin to accrue until the first of  
15 the month following the month in which the employee commenced employment. The employee is  
16 not entitled to sick leave if not previously earned.

17 B. During the first six months of service, employees eligible to accrue vacation leave may, at  
18 the appointing authority's discretion, use any accrued days of vacation leave as an extension of sick  
19 leave. If an employee does not work a full six months, any vacation leave used for sick leave must be  
20 reimbursed to the county upon termination.

21 C. For employees covered by the overtime requirements of the Fair Labor Standards Act, sick  
22 leave may be used in one-half hour increments, at the discretion of the appointing authority.

23 D. There shall be no limit to the hours of sick leave benefits accrued by an eligible employee.

1 E. Department management is responsible for the proper administration of the sick leave  
2 benefit. Verification of illness from a licensed physician may be required for any requested sick leave  
3 absence.

4 F. Separation from or termination of county employment except by reason of retirement or  
5 layoff due to lack of work, funds or efficiency reasons, shall cancel all sick leave accrued to the  
6 employee as of the date of separation or termination. Should the employee resign in good standing or  
7 be laid off and return to county employment within two years, accrued sick leave shall be restored  
8 provided that such restoration shall not apply where the former employment was in a term-limited  
9 temporary position.

10 G. Except employees covered by paragraph H of this section, employees eligible to accrue  
11 sick leave and who have successfully completed at least five years of county service and who retire as  
12 a result of length of service or who terminate by reason of death shall be paid, or their estates paid or  
13 as provided for by RCW Title 11, as applicable, an amount equal to thirty-five percent of their  
14 unused, accumulated sick leave multiplied by the employee's rate of pay in effect upon the date of  
15 leaving county employment less mandatory withholdings. This provision is predicated on the  
16 requirement that, except with the written approval of the executive, the position, if vacated by a non-  
17 represented employee, shall not be filled until salary savings for such position are accumulated in an  
18 amount sufficient to pay the cost of the cashout.

19 H. Uniformed employees covered under the LEOFF Retirement System-Plan I shall apply for  
20 disability retirement under the provisions of RCW 41.26.120.

21 I. Accrued sick leave may be used for the following reasons:

22 1. The employee's bona fide illness; provided, that an employee who suffers an  
23 occupational illness may not simultaneously collect sick leave and worker's compensation payments  
24 in a total amount greater than the net regular pay of the employee;

- 1           2. The employee's incapacitating injury, provided that:
- 2           a. An employee injured on the job may not simultaneously collect sick leave and
- 3 worker's compensation payments in a total amount greater than the net regular pay of the employee;
- 4           b. An employee may not collect sick leave for physical incapacity due to any injury
- 5 or occupational illness which is directly traceable to employment other than with the county.
- 6           3. Exposure to contagious diseases and resulting quarantine.
- 7           4. A female employee's temporary disability caused by or contributed to by pregnancy
- 8 and childbirth.
- 9           5. The employee's medical or dental appointments, provided that the employee's
- 10 appointing authority has approved the use of sick leave for such appointments.
- 11           6. To care for the employee's child or the child of an employee's domestic partner if the
- 12 following conditions are met:
- 13           a. The child is under the age of eighteen;
- 14           b. The employee is the natural parent, stepparent, adoptive parent, legal guardian or
- 15 other person having legal custody and control of the child;
- 16           c. The employee's child or the child of an employee's domestic partner has a health
- 17 condition requiring the employee's personal supervision during the hours of his(~~h~~) or her absence
- 18 from work; and,
- 19           d. The employee actually attends to the child during the absence from work.
- 20           7. Employees shall be entitled to use sick leave in the maximum amount of three days for
- 21 each instance where such employee is required to care for immediate family members who are
- 22 seriously ill. There shall be no limit on the use of sick leave to care for children under paragraph I.6
- 23 of this section.
- 24           8. Up to one day of sick leave may be used by a male employee for the purpose of being
- 25 present at the birth of his child.

1 J. An employee who has exhausted all of his((~~A~~)) or her sick leave may use accrued vacation  
2 leave as sick leave before going on leave of absence without pay, if approved by his((~~A~~)) or her  
3 appointing authority.

4 SECTION 8. Ordinance 12014, Section 22, and K.C.C. 3.12.223 are hereby amended to  
5 read as follows:

6 **Donation of vacation leave hours and donation of sick leave hours.** A. Vacation leave  
7 hours.

8 1. Any (~~full time regular employee, part time regular employee, and temporary~~  
9 ~~employee who is employed at least half time and receives vacation and sick leave~~) employee eligible  
10 for leave benefits may donate a portion of his or her accrued vacation leave to another (~~full-time~~  
11 ~~regular employee, part time regular employee, and temporary employee who is employed at least~~  
12 ~~half time and receives vacation and sick leave~~) employee eligible for leave benefits. Such donation  
13 will occur upon written request to and approval of the donating and receiving employees' department  
14 director(s), except that requests for vacation donation made for the purposes of supplementing the  
15 sick leave benefits of the receiving employee shall not be denied unless approval would result in a  
16 departmental hardship for the receiving department.

17 2. The number of hours donated shall not exceed the donor's accrued vacation credit as  
18 of the date of the request. No donation of vacation hours shall be permitted where it would cause the  
19 employee receiving the transfer to exceed his or her maximum vacation accrual:

20 3. Donated vacation leave hours must be used within ninety calendar days following the  
21 date of donation. Donated hours not used within ninety days or due to the death of the receiving  
22 employee shall revert to the donor. Donated vacation leave hours shall be excluded from vacation  
23 leave payoff provisions contained in this chapter. For purposes of this section, the first hours used by  
24 an employee shall be accrued vacation leave hours.

1 B. Sick leave hours.

2 1. Any ~~((full-time regular employee, part-time regular employee, and temporary~~  
3 ~~employee who is employed at least half-time and receives vacation and sick leave))~~ employee eligible  
4 for leave benefits may donate a portion of his or her accrued sick leave to another ~~((full-time regular~~  
5 ~~employee, part-time regular employee, and temporary employee who is employed at least half-time~~  
6 ~~and receives vacation and sick leave))~~ employee eligible for leave benefits upon written notice to the  
7 donating and receiving employees' department director(s).

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

11 3. Donated sick leave hours must be used within ninety calendar days. Donated hours  
12 not used within ninety days or due to the death of the receiving employee shall revert to the donor.  
13 Donated sick leave hours shall be excluded from the sick leave payoff provisions contained in this  
14 chapter, and sick leave restoration provisions contained in this chapter. For purposes of this section,  
15 the first hours used by an employee shall be accrued sick leave hours.

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

19 D. All vacation and sick leave hours donated shall be converted to a dollar value based on the  
20 donor's straight time hourly rate at the time of donation. Such dollar value will then be divided by the  
21 receiving employee's hourly rate to determine the actual number of hours received. Unused donated  
22 vacation and sick leave shall be reconverted based on the donor's straight time hourly rate at the time  
23 of reconversion.

24 SECTION 9. Ordinance 12014, Section 23, and K.C.C. 3.12.230 are hereby amended to  
25 read as follows:

1           **Holidays.** A. The following days are hereby designated as official county holidays:

- 2           1. January 1, New Year's Day;
- 3           2. Third Monday in January, Martin Luther King, Jr. Birthday;
- 4           3. Third Monday in February, President's Day;
- 5           4. Last Monday in May, Memorial Day;
- 6           5. July 4, Independence Day;
- 7           6. First Monday in September, Labor Day;
- 8           7. November 11, Veteran's Day;
- 9           8. Thanksgiving Day and the day immediately following;
- 10          9. December 25, Christmas Day;
- 11          10. Special or limited holidays as declared by the president or governor, and as approved

12 by the council;

- 13          11. Such other days in lieu of holidays as the council may determine;

14          12. ~~((Full-time regular employees, part-time regular employees, provisional employees~~  
15 ~~and probationary employees))~~ Employees eligible for leave benefits shall be granted two personal  
16 holidays to be administered through the vacation plan; provided, that the hours granted to ~~((less than~~  
17 ~~full-time))~~ employees working less than a full-time schedule shall be prorated to reflect their normally  
18 scheduled work day. One day shall be credited to the employee's leave balance on the first of  
19 October and one day on the first of November.

20           B. For holidays falling on a Saturday, the Friday before shall be a paid holiday. For holidays  
21 falling on a Sunday, the Monday following shall be a paid holiday.

22           C. ~~((To be eligible for holiday pay, a))~~ An employee must be eligible for leave benefits and in  
23 a ~~((regular position and in a))~~ pay status on the day prior to and the day following a holiday to be  
24 eligible for holiday pay; provided, however, that an employee who has successfully completed at least  
25 five years of county service and who retires at the end of a month in which the last regularly



1 scheduled working day is observed as a holiday, shall be eligible for holiday pay if the employee is in  
2 a pay status the day before the day observed as a holiday.

3 SECTION 10. Ordinance 12077, Section 5, and K.C.C. 3.12.240 are hereby amended to  
4 read as follows:

5 **Leave - Jury duty.** Any (~~full-time regular employees, part-time regular employees, and~~  
6 ~~temporary employees who are employed at least half-time~~) employee eligible for leave benefits who  
7 is ordered on a jury shall be entitled to his or her regular county pay; provided, that fees for such jury  
8 duty are deposited, exclusive of mileage, with the department of finance. Employees shall report  
9 back to their work supervisor when dismissed from jury service.

10 SECTION 11. Ordinance 9967, Section 2, and KCC 3.12.262, are hereby amended to read  
11 as follows:

12 **Extension of benefits to military personnel.** Any employee eligible for leave and  
13 insured benefits who upon demand by the United States Government vacates his or her (~~full-~~  
14 ~~time~~) position with the county either to determine his or her physical fitness to enter, or to actually  
15 enter upon active duty or training in the Washington National Guard, the United States Armed  
16 Services, or the United States Public Health Service shall receive medical, dental and life benefits  
17 for the time period commencing with the beginning of an employee's military leave of absence and  
18 continuing until active duty has been completed. These employees shall continue to receive the  
19 medical, dental and life benefits that they received prior to separation from county employment.  
20 (~~these benefits shall be provided retroactive to October 1, 1990.~~)

21 SECTION 12. There is hereby established a new K.C.C. 3.12A entitled "Career Service  
22 Review".

23 NEW SECTION. SECTION 13. There is hereby added to K.C.C. 3.12A a new section to  
24 read as follows:

1           **Findings and Policy Statement.** The council finds that both operational efficiency and fair  
2 and equitable employment practices are advanced by the use of regular, career service employees  
3 where appropriate. Therefore, it is the policy of King County to have ongoing, relatively stable, and  
4 predictable bodies of work necessary to the provision of services to the public performed by career  
5 service employees, and to minimize its use of part-time and temporary employees. To achieve that  
6 goal, the council hereby adopts the procedures set forth in this chapter.

7           NEW SECTION. SECTION 14. There is hereby added to K.C.C. 3.12A a new section to  
8 read as follows:

9           **Definitions.** The definitions set forth in K.C.C. 3.12 are hereby incorporated in this chapter.  
10 Words not defined in K.C.C. 3.12 or in this chapter shall have their ordinary and usual meanings.  
11 In the event of conflict, the specific definitions set forth in this chapter shall presumptively, but not  
12 conclusively, prevail.

13           A. "Committee" means the career service review committee which shall consist of the  
14 following three permanent members: the deputy county executive or his or her designee; the chief  
15 officer of the office of budget and strategic planning or successor organizational unit, or his or her  
16 designee; and the director of the office of human resources management or successor organizational  
17 unit, or his or her designee; and one member representing the department whose body of work and/or  
18 employees are then under review.

19           NEW SECTION. SECTION 15. There is hereby added to K.C.C. 3.12A a new section to  
20 read as follows:

21           **Annual Review.** The executive shall conduct an annual review as described herein. By  
22 March 1 of each year, beginning March 1, 1999, each executive department and administrative  
23 office shall prepare and submit to the committee a comprehensive report documenting its use of  
24 part-time and temporary employees, other than probationary and provisional employees, in the  
25 preceding calendar year.

1           Within 60 days of submission of the above reports, the committee shall make a factual  
2 determination as to whether an ongoing, relatively stable and predictable body of work on an  
3 annualized basis has been identified. If the committee determines that such a body of work exists,  
4 the committee may recommend: (1) the creation of any new part-time or full-time regular career  
5 service position(s); or (2) the filling of an existing vacant career service position in which the  
6 work is being performed by a temporary or part-time employee(s); or (3) the creation of a term-  
7 limited temporary employee position; or (4) the cessation of the work. If the committee identifies  
8 such a body of work, but the committee does not make any of the recommendations described  
9 above, the department must discontinue the use of part-time or temporary employees to perform  
10 that work. If the committee recommends creation of a regular career service position, but the  
11 executive does not recommend or the council does not create such a position, the department shall  
12 discontinue performance of the pertinent body of work by temporary or part-time employees.

13           Any regular career service position created as a result of this process will be filled by a  
14 competitive hiring process.

15           The reports of each department and of the committee and the records of their proceedings  
16 shall be considered disclosable public records and shall also be made available to the council upon  
17 request.

18           NEW SECTION. SECTION 16. There is hereby added to K.C.C. 3.12A a new section to  
19 read as follows:

20           **Effect of Exceeding Threshold Hours.** Part-time and temporary employees, other than  
21 probationary, provisional and term-limited temporary employees, who exceed the calendar year  
22 working hour thresholds set forth in the definitions contained in K.C.C. 3.12 shall receive pay in lieu  
23 of benefits as provided in K.C.C. 3.12. Provided, that exceeding the threshold hours does not confer  
24 career service status on any employee.

1            NEW SECTION. SECTION 17. There is hereby added to K.C.C. 3.12A a new section to  
2 read as follows:

3            **Appeal Procedure.** Part-time and temporary employees, other than probationary and  
4 provisional employees, who exceed the calendar-year working-hour thresholds set forth in the  
5 definitions contained in K.C.C 3.12 may seek conversion of a body of work in which they perform  
6 into a part-time or full-time regular career service position by appeal to the committee. Conversion  
7 decisions shall be based on whether the work performed by the employee is an ongoing, relatively  
8 stable, and predictable body of work that is half time or more, even though the work was not  
9 perceived as such previously, and whether it should be performed by a regular part-time or full-  
10 time career service employee. The committee shall also decide, if the body of work does not  
11 warrant a career service position, whether the position should be converted to a term-limited  
12 temporary employee position. The committee shall determine whether the work performed by the  
13 employee shall (1) remain outside career service as part-time or temporary, (2) be converted to a  
14 term-limited temporary employee position that receives benefits, or (3) be converted to a part-time  
15 or full-time regular career service position.

16            The committee shall make its determination within 45 days of the employee's request. In  
17 the event of a tie vote by the committee, where half the committee finds that the body of work  
18 should be converted, the appeal shall be deemed to have prevailed. The committee shall make a  
19 recommendation to the executive for recommendation to the council. The executive's  
20 recommendation shall be submitted to the council if the executive decides the body of work should  
21 be performed by a career service employee and that further position authority is required. If the  
22 council does not approve the additional position, the work shall promptly be discontinued and not  
23 performed by temporary or part-time employees.

24            If the committee finds that the work performed by the employee should remain part-time  
25 or temporary, the employee may appeal within ten days from the date of receipt of the committee's

1 finding by filing a notice of appeal with the committee. The committee shall direct the appeal to be  
2 considered by a hearing examiner of the county or, at its option, the committee may direct the  
3 appeal be considered by an independent, neutral arbitrator who will make a final determination.

4 The arbitrator shall be chosen by the director and the appellant, and shall be paid by the employing  
5 department or administrative office. The hearing examiner's or arbitrator's decision shall be  
6 limited to either upholding the committee's finding or overturning the committee's finding. The  
7 decision shall be based on whether the work performed by the employee is an ongoing, relatively  
8 stable, and predictable body of work and is half-time or more, under the same standards applicable  
9 to the committee, or on whether the work meets the definition of term-limited temporary position.

10 Employees covered by a grievance procedure contained in a collective bargaining agreement may  
11 elect either to use the grievance procedure, if the applicable collective bargaining agreement  
12 permits it, or to use the appeal procedure described above, but not both procedures.

13 If the hearing examiner or arbitrator overturns the committee's findings, any new career  
14 service or term-limited temporary position must be absorbed by the department within its  
15 authorized position level, or within funds available for term-limited temporary position work,  
16 provided that the department may request additional position or budget authority. The appealing  
17 employee will be placed in the career service position as a provisional appointee, with insured  
18 benefits and leave benefits, until a competitive hiring process, which substantially takes into  
19 account and weighs the experience of the employee performing the tasks of the position, is  
20 completed. If the appealing employee is selected for the position, his or her start date will be the  
21 date of the provisional appointment for all purposes, including seniority and/or a probationary  
22 period, except that those employees covered by a collective bargaining agreement the date of the  
23 appointment shall be determined in accordance with the collective bargaining agreement or by the  
24 collective bargaining process. If the employee is placed in a term-limited temporary position, his  
25 or her start date will be the date of his or her appointment to the term-limited temporary position

1 for all purposes, except for those employees covered by collective bargaining agreements, whose  
2 start date will be determined by the collective bargaining agreement or by the collective bargaining  
3 agreement process.

4 **Appeal Procedure For Term-Limited Temporary Employees.**

5 A term-limited temporary employee who exceeds his or her term may appeal to the  
6 committee to have the body of work converted to a career service position. The committee shall  
7 decide whether the body of work still warrants a term-limited temporary position designation or  
8 should be converted to a career service position. If a majority of the committee finds that the body  
9 of work should continue as a term-limited temporary position, the employee may appeal within ten  
10 days from the date of receipt of the committee's finding by filing a notice of appeal with the  
11 committee. In the event of a tie vote, the appeal shall be deemed to prevail. The appeal process  
12 shall be the same as for part-time and temporary employees (other than probationary and  
13 provisional employees), provided, however, if the employee prevails in the appeal, the employee  
14 shall be placed in a career service position, not a provisional appointment, and the employee shall  
15 not be required to serve a probationary period.

16 NEW SECTION. SECTION 18. There is hereby added to K.C.C. 3.12A a new section to  
17 read as follows:

18 **Termination.** Nothing in this chapter shall restrict King County's ability to terminate part-  
19 time and temporary employees who exceed the calendar year working hour thresholds or term-  
20 limited temporary employees who exceed the calendar years threshold set forth in the definitions  
21 contained in K.C.C. 3.12: provided, however, that if an employee seeks conversion of their position  
22 by appeal to the committee, termination of that employee for reasons related to the appeal shall be  
23 deferred until the conclusion of the appeal process described herein. If the employee's appeal is  
24 successful, the employee shall not be terminated but rather be assigned to a position as required by  
25 the appeal process described herein.

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NEW SECTION. SECTION 19. There is hereby added to K.C.C. 3.12A a new section to read as follows:

**Severability.** If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or its application to other persons or circumstances shall not be affected thereby.

SECTION 20. Effective Date. This ordinance shall take effect on January 1, 1998.

SECTION 21. Severability. If any provision of this ordinance, or its application to any person or circumstance is held invalid, the remainder of the ordinance, or its application to other persons or circumstances is not affected.

INTRODUCED AND READ for the first time this 17<sup>th</sup> day of November, 1997

PASSED by a vote of 12 to 0 this 15<sup>th</sup> day of December, 1997

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

Gene Hague  
Chair

ATTEST:

[Signature]  
Clerk of the Council

APPROVED this 15 day of December, 1997

[Signature]  
King County Executive

Attachments: None