



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

November 24, 2003

Ordinance 14801

Proposed No. 2003-0488.2

Sponsors Phillips

1 AN ORDINANCE related to employee classification and
2 compensation; making technical changes; amending
3 Ordinance 12014, Section 17, and K.C.C. 3.12.170,
4 Ordinance 12014, Section 5, as amended, and K.C.C.
5 3.12.010, Ordinance 12014, Section 50, as amended, and
6 K.C.C. 3.15.020, Ordinance 12014, Section 52, and K.C.C.
7 3.15.030, Ordinance 1282, Section 5, as amended, and
8 K.C.C. 3.15.040, Ordinance 12014, Section 51, and K.C.C.
9 3.15.045, Ordinance 14233, Section 5, and K.C.C.
10 3.15.120, Ordinance 14233, Section 6, and K.C.C. 3.15.130
11 and Ordinance 14233, Section 7, and K.C.C. 3.15.140,
12 adding new sections to K.C.C. chapter 3.15, recodifying
13 K.C.C. 3.15.045, decodifying K.C.C. 3.15.090 and
14 repealing Ordinance 12077, Section 2, and K.C.C.
15 3.12.070.

18 PREAMBLE:

19 It is the policy of the county to prohibit discrimination in employment on
20 the basis of race, color, creed, religion, national origin, sex, sexual
21 orientation, marital status or the presence of a sensory, mental or physical
22 disability. Consistent with state and federal law, the county does not
23 discriminate between employees by paying wages to an employee in one
24 of the aforementioned groups at a rate less than the rate paid to another
25 employee for equal work on jobs the performance of which requires equal
26 skill, effort and responsibility, and that are performed under similar
27 working conditions, except where the payment is made in accordance
28 with: a collective bargaining agreement; a seniority system; an incentive
29 system; a system which measures earnings by quantity or quality of
30 production; or a differential based on any factor other than status in one of
31 the aforementioned groups.

32 The incorporation of functions and thousands of employees of the
33 municipality of metropolitan Seattle (Metro) into the county effective on
34 January 1, 1994, required a study of county employee classification and
35 compensation methods to integrate the workforce in a fair manner. The
36 study has been completed and implemented and county employees are
37 now under the classification and compensation system. K.C.C. 3.12.170 is
38 amended by this ordinance to reflect the completion of this study and the
39 pay rates accomplished through the process.

40 This ordinance establishes procedures to promote fair and consistent
41 treatment of employee compensation, including cyclical reviews of

42 classifications and adoption of procedures to provide consistency in pay
43 rates for employees with similar jobs, experience and longevity.

44 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

45 SECTION 1. Ordinance 12014, Section 17, and K.C.C. 3.12.170 are hereby
46 amended to read as follows:

47 **Equal pay for equal work – policy -- findings.** It is the general policy of the
48 county that compensation for all county employees shall be equitably provided on the
49 basis of equal pay for equal work consistent with state and federal law. ~~((A. Findings of~~
50 ~~fact. 1.))~~ The council finds that federal and state laws against discrimination provide
51 adequate and appropriate remedies for any pay ~~((which))~~ that is unequal on the basis of
52 unlawful discrimination. Consistent with state and federal law, ~~((F))~~ the equal pay policy
53 ~~((set forth))~~ in this section is intended to set forth general county policy for equitable pay
54 in county government ~~((for all equal jobs, even as to jobs between which no disparate~~
55 ~~impact exists upon protected classes)).~~ Pay for represented employees is determined
56 ~~((pursuant to))~~ in accordance with the collective bargaining procedures established by
57 law. This section shall not affect the collective bargaining position of the exclusive
58 bargaining representatives of any employee or of the county. This general equal pay
59 policy does not constitute an express or implied contract; it is a general statement of
60 county policy that cannot form the basis of a private right of action.

61 ~~((2. The assumption by the county of rights, powers, functions and obligations~~
62 ~~of the Municipality of Metropolitan Seattle (METRO) pursuant to Proposition One,~~
63 ~~effective January 1, 1994, caused thousands of employees of METRO to become county~~
64 ~~employees in the department of metropolitan services. The county and METRO~~

65 ~~historically used different methods of determining compensation, and a thorough study of~~
66 ~~classifications of positions and pay for them is necessary before the effects of equalizing~~
67 ~~pay can be evaluated.~~

68 ~~3. As a result, the council finds that pending the completion of such study, it is~~
69 ~~appropriate to not compare pay between classifications of the former department of~~
70 ~~metropolitan services and those of other county employees or to declare that such pay~~
71 ~~shall be equal for equal jobs unless a disparate impact on a protected class is shown,~~
72 ~~requiring remedial action.~~

73 ~~B. Until compensation and classification schedules are adopted to apply to all~~
74 ~~county employees, this section shall not apply to compensation differences between the~~
75 ~~classifications listed in Attachment B of Proposed Ordinance 12013 and other county~~
76 ~~classifications.))~~

77 SECTION 2. Ordinance 12014, Section 5, as amended, and K.C.C. 3.12.010 are
78 hereby amended to read as follows:

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

83 A. "Administrative interns" are employees who are also enrolled full-time during
84 the regular school year in a program of education, internship or apprenticeship. All
85 administrative internships in executive departments shall be approved by the manager.
86 Administrative interns are exempt from the career service under Section 550 of the
87 charter.

88 B. "Appointing authority" means the county council, the executive, chief officers
89 of executive departments and administrative offices, or division managers having
90 authority to appoint or to remove persons from positions in the county service.

91 C. "Basis of merit" means the value, excellence or superior quality of an
92 individual's work performance, as determined by a structured process comparing the
93 employee's performance against defined standards and, where possible, the performance
94 of other employees of the same or similar class.

95 D. "Board" means the county personnel board established by Section 540 of the
96 charter.

97 E. "Career service employee" means a county employee appointed to a career
98 service position as a result of the selection procedure provided for in this chapter, and
99 who has completed the probationary period.

100 F. "Career service position" means all positions in the county service except for
101 those which are designated by Section 550 of the charter as follows: All elected officers;
102 the county auditor, the clerk and all other employees of the county council; the county
103 administrative officer; the chief officer of each executive department and administrative
104 office; the members of all boards and commissions; administrative assistants for the
105 executive and one administrative assistant each for the county administrative officer, the
106 county auditor, the county assessor, the chief officer of each executive department and
107 administrative office and for each board and commission; a chief deputy for the county
108 assessor; one confidential secretary each for the executive, the chief officer of each
109 executive department and administrative office, and for each administrative assistant
110 specified herein; all employees of those officers who are exempted from the provisions of

111 this chapter by the state constitution; persons employed in a professional or scientific
112 capacity to conduct a special inquiry, investigation or examination; part-time and
113 temporary employees; administrative interns; election precinct officials; all persons
114 serving the county without compensation; physicians; surgeons; dentists; medical interns;
115 and student nurses and inmates employed by county hospitals, tuberculosis sanitariums
116 and health departments of the county.

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

120 All part-time employees shall be exempted from career service membership
121 except, all part-time employees employed at least half time or more, as defined by
122 ordinance, shall be members of the career service.

123 G. "Charter" means the King County Charter, as amended.

124 H. "Child" means a biological, adopted or foster child, a stepchild, a legal ward
125 or a child of an employee standing in loco parentis to the child, who is:

- 126 1. Under eighteen years of age; or
127 2. Eighteen years of age or older and incapable of self care because of a mental
128 or physical disability.

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

133 J. "Classification plan" means the arrangement of positions into classifications
134 together with specifications describing each classification.

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

139 L. "Competitive employment" means a position established in the county budget
140 and which will require at least twenty-six weeks of service per year as the work schedule
141 established for the position.

142 M. "Council" means the county council as established by Article 2 of the charter.

143 N. "County" means ~~((the))~~ King ~~((e))~~ County ~~((of King))~~ and any other
144 organization that is legally governed by the county with respect to personnel matters.

145 O. "Developmental disability" means a developmental disability, as defined in
146 RCW 71A.10.020(2), as amended, attributable to mental retardation, cerebral palsy,
147 epilepsy, autism or other neurological or other condition of an individual found by the
148 secretary of the Washington state ~~((d))~~ Department of ~~((s))~~ Social and ~~((h))~~ Health
149 ~~((s))~~ Services, or designee to be closely related to mental retardation or to require
150 treatment similar to that required for individuals with mental retardation, which disability
151 originates before the individual attains age eighteen, which has continued or can be
152 expected to continue indefinitely, and which constitutes a substantial handicap for the
153 individual.

154 P. "Direct cost" means the cost aggregate of the actual weighted average cost of
155 insured benefits, less any administrative cost therefor. Any payments to part-time and

156 temporary employees under this chapter shall not include any administrative overhead
157 charges applicable to administrative offices and executive departments.

158 Q. "Director" means the manager of the human resources division.

159 R. "Division" means the human resources division or its successor agency.

160 S. "Domestic partners" are two people in a domestic partnership, one of whom is
161 a county employee.

162 T. "Domestic partnership" is a relationship whereby two people:

163 1. Have a close personal relationship;

164 2. Are each other's sole domestic partner and are responsible for each other's
165 common welfare;

166 3. Share the same regular and permanent residence;

167 4. Are jointly responsible for basic living expenses which means the cost of
168 basic food, shelter and any other expenses of a domestic partner which are paid at least in
169 part by a program or benefit for which the partner qualified because of the domestic
170 partnership. The individuals need not contribute equally or jointly to the cost of these
171 expenses as long as they agree that both are responsible for the cost;

172 5. Are not married to anyone;

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

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

176 8. Were mentally competent to consent to contract when the domestic
177 partnership began.

178 U. "Employed at least half time or more" means employed in a regular position
179 which has an established work schedule of not less than one-half the number of hours of
180 the full-time positions in the work unit in which the employee is assigned, or when
181 viewed on a calendar year basis, nine hundred ten hours or more in a work unit in which
182 a work week of more than thirty-five but less than forty hours is standard or one thousand
183 forty hours or more in a work unit in which a forty hour work week is standard. If the
184 standard work week hours within a work unit varies (for instance, employees working
185 both thirty five and forty hours), the manager, in consultation with the department, is
186 responsible for determining what hour threshold will apply.

187 V. "Employee" means any person who is employed in a career service position or
188 exempt position.

189 W. "Executive" means the county executive, as established by Article 3 of the
190 charter.

191 X. "Exempt employee" means an employee employed in a position that is not a
192 career service position under Section 550 of the charter. Exempt employees serve at the
193 pleasure of the appointing authority.

194 Y. "Exempt position" means any position excluded as a career service position by
195 Section 550 of the charter. Exempt positions are positions to which appointment may be
196 made directly without a competitive hiring process.

197 Z. "Full-time regular employee" means an employee employed in a full-time
198 regular position and, for full-time career service positions, is not serving a probationary
199 period.

200 AA. "Full-time regular position" means a regular position which has an
201 established work schedule of not less than thirty-five hours per week in those work units
202 in which a thirty-five hour week is standard, or of not less than forty hours per week in
203 those work units in which a forty-hour week is standard.

204 BB. "Grievance" means an issue raised by an employee relating to the
205 interpretation of rights, benefits, or condition of employment as contained in either the
206 administrative rules or procedures, or both, for the career service.

207 CC. "Immediate family" means spouse, child, parent, son-in-law, daughter-in-
208 law, grandparent, grandchild, sibling, domestic partner and the child, parent, sibling,
209 grandparent or grandchild of the spouse or domestic partner.

210 DD. "Incentive increase" means an increase to an employee's base salary within
211 the assigned pay range, based on demonstrated performance.

212 EE. "Integrated work setting" means a work setting with no more than eight
213 persons with developmental disabilities or with the presence of a sensory, mental or
214 physical handicap as specified in K.C.C. 3.12.180. This definition refers to all county
215 offices, field locations and other work sites at which supported employees work along
216 side employees who are not persons with development disabilities employed in
217 permanent county positions.

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

222 GG. "Manager" means the manager of the human resources division or its
223 successor agency.

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

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

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

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

242 LL. "Part-time regular position" means a regular position in which the part-time
243 regular employee is employed for at least nine hundred ten hours but less than a full-time
244 basis in a calendar year in a work unit in which a thirty-five hour work week is standard

245 or for at least one thousand forty hours but less than a full-time basis in a calendar year in
246 a work unit in which a forty-hour work week is standard. Where the standard work week
247 falls between thirty-five and forty hours, the manager, in consultation with the
248 department, is responsible for determining what hour threshold will apply.

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

252 NN. "Pay range" means one or more pay rates representing the minimum,
253 maximum and intermediate steps assigned to a classification.

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

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

261 QQ. "Position" means a group of current duties and responsibilities assigned by
262 competent authority requiring the employment of one person.

263 RR. "Probationary employee" means an employee serving a probationary period
264 in a regular career service. Probationary employees are temporary employees and
265 excluded from career service under Section 550 of the charter.

266 SS. "Probationary period" means a period of time, as determined by the manager,
267 constituting the final step in the competitive screening process for career service or for

268 promotion from one career service position to another. An appointment to the career
269 service, whether following successful completion of an initial probationary period of
270 county employment or a promotional probationary period, shall not be final unless the
271 employee successfully completes this probationary period.

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

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

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

280 ~~((VV.))~~ WW. "Provisional employee" means an employee serving by provisional
281 appointment in a regular career service. Provisional employees are temporary employees
282 and excluded from career service under Section 550 of the charter.

283 ~~((WW.))~~ XX. "Recruiting step" means the first step of the salary range allocated
284 to a class unless otherwise authorized by the executive.

285 ~~((XX.))~~ YY. "Regular position" means a position established in the county
286 budget and identified within a budgetary unit's authorized full time equivalent (FTE)
287 level as set out in the budget detail report.

288 ~~((YY.))~~ ZZ. "Salary or pay rate" means an individual dollar amount which is one
289 of the steps in a pay range paid to an employee based on the classification of the position
290 occupied.

291 (~~ZZ-~~) AAA. "Serious health condition" means an illness or injury, impairment
292 or physical or mental condition that involves one or more of the following:

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

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

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

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

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

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

308 (~~AAA-~~) BBB. "Temporary employee" means an employee employed in a
309 temporary position and in addition, includes an employee serving a probationary period
310 or is under provisional appointment. Under Section 550 of the charter, temporary
311 employees shall not be members of the career service.

312 (~~BBB-~~) CCC. "Temporary position" means a position which is not a regular
313 position as defined in this chapter and excludes administrative intern. Temporary

314 positions include both term-limited temporary positions as defined in this chapter and
315 short-term (normally less than six months) temporary positions in which a temporary
316 employee works less than nine hundred ten hours in a calendar year in a work unit in
317 which a thirty-five hour work week is standard or less than one thousand forty hours in a
318 calendar year in a work unit in which a forty hour work week is standard, except as
319 provided elsewhere in this chapter. Where the standard work week falls between thirty-
320 five and forty hours, the manager, in consultation with the department, is responsible for
321 determining what hour threshold will apply.

322 ((~~CCC~~)) DDD. "Term-limited temporary employee" means a temporary
323 employee who is employed in a term-limited temporary position. Term-limited
324 temporary employees are not members of the career service.

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

331 ((~~DDD~~)) EEE. "Term-limited temporary position" means a temporary position
332 with work related to a specific grant, capital improvement project, information systems
333 technology project or other nonroutine, substantial body of work, for a period greater
334 than six months. In determining whether a body of work is appropriate for a term-limited
335 temporary position, the appointing authority will consider the following:

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

339 2. Information systems technology projects: These positions will be needed to
340 plan and implement new information systems projects for the county. Term-limited
341 temporary positions may not be used for on-going maintenance of systems that have been
342 implemented;

343 3. Capital improvement projects: These positions will involve the management
344 of major capital improvement projects. Term-limited temporary positions may not be
345 used for on-going management of buildings or facilities once they have been built;

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

350 5. Seasonal positions: These are positions with work for more than six
351 consecutive months, half-time or more, with total hours of at least nine hundred ten in a
352 calendar year in a work unit in which a thirty-five hour work week is standard or at least
353 one thousand forty hours in a calendar year in a work unit in which a forty hour work
354 week is standard, that due to the nature of the work have predictable periods of inactivity
355 exceeding one month. Where the standard work week falls between thirty-five and forty
356 hours, the manager, in consultation with the department, is responsible for determining
357 what hour threshold will apply; and

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

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

364 SECTION 3. Ordinance 12014, Section 50, as amended, and K.C.C. 3.15.020 are
365 hereby amended to read as follows:

366 **Procedures – schedule of pay ranges – salary schedule – within-range pay**
367 **increases.** ~~((The provisions of t))~~This section ~~((shall be applicable))~~ applies to all
368 positions in the executive branch, noncommissioned positions in the office of the sheriff
369 and the department of assessments allocated to a classification ~~((assigned a pay range in~~
370 ~~Ordinance 7996, Sections 3 and 4, as amended, and K.C.C. 3.15.040))~~ approved by the
371 council.

372 A.1. Except as otherwise provided by ordinance, the schedule of pay ranges shall
373 consist of ninety-nine pay ranges, each containing ten steps as approved ~~((in the annual~~
374 ~~cost of living ordinance))~~ by ordinance annually.

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

378 B. ~~((Employees may receive within range increases from one step to the next~~
379 ~~higher step, upon satisfactory completion of the probationary period and annually~~
380 ~~thereafter as provided in 1. through 3. of this subsection B. The manager shall adopt~~

381 ~~guidelines and criteria for salary advancement for satisfactory work e))~~Consistent with
382 K.C.C. 3.12.350((-)), the manager of the human resources management division shall
383 establish guidelines for pay increases in accordance with the following:

384 1. Employees may receive within-range increases from one step to the next
385 higher step upon satisfactory completion of the probationary period. All probationary_
386 period ((salary)) pay increases must be supported by documented performance appraisal.
387 Probationary-period ((salary)) pay increases exceeding Step 5 must have prior written
388 approvals by the department director and the manager of the human resources
389 management division. In the event of the completion of the probationary period by a
390 division of human resources employee, ((in addition to the manager of the human
391 resource division,)) the county administrative officer must provide prior written approval
392 for probationary-period ((salary)) pay increases exceeding Step 5. A written report
393 listing the number of employees who have received probationary increases above Step 5
394 must be ((made semiannually to the council management)) filed with the clerk of the
395 council for distribution to the chair of the labor, operations and ((customer services))
396 technology committee or its successor((-)) committee on February 15 and August 15 of
397 each year;

398 2. ((Annual step incentive increases shall be prospective and given on January 1
399 with prior written approval and justification by the department in which the employee
400 works. The manager of the human resources division shall establish guidelines consistent
401 with this chapter for incentive pay increases.

402 3. ~~Employees are eligible for a step increase on the basis of performance and~~
403 ~~current step position as authorized in the incentive pay program step increase guidelines, in~~
404 ~~accordance with the following, as applicable:~~

405 a. ~~In recognition of above standard or exceptional performance, the appointing~~
406 ~~authority may grant an annual increase exceeding a single step;)) Employees may be~~
407 ~~eligible to receive increases annually in accordance with the following principles:~~

408 ~~((b-)) a. An incentive ((H))increase((s beyond Step 5 must be based upon above~~
409 ~~standard performance and)) must be supported by an annual documented performance~~
410 ~~appraisal approved by the department director, or his or her designee, and the documented~~
411 ~~performance appraisal must be maintained in the employee's personnel file. Incentive~~
412 ~~increases shall be prospective only and shall be effective on January 1 following the year~~
413 ~~on which the appraisal was based;~~

414 ~~((e. Increases beyond Step 8 must be based upon outstanding performance and~~
415 ~~must be supported by performance appraisal; or~~

416 d. ~~Employees receiving incentive increases whose current salary does not~~
417 ~~coincide with a step on the pay plan shall be advanced to a step on the pay plan which shall~~
418 ~~be the next higher step after such an incentive increase.~~

419 e.)) b. ~~For employees currently in Steps 1 through 4 in the pay range, the~~
420 ~~appointing authority may grant an increase of a single step for standard performance and~~
421 ~~may grant an increase exceeding a single step for above-standard or outstanding~~
422 ~~performance, as defined by the manager of the human resources management division;~~

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

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

428 ~~((C1.))~~ 3. An appointing authority may grant ((to)) an employee ((an increase to a
429 salary)) incentive pay up to five percent above the top step of the range for a period of
430 twelve months, if all of the following conditions are met:

431 a. ~~((F))~~ the employee is not a department director;

432 b. ~~((F))~~ the employee ((must have)) has been at the top step of the prior or current
433 range for ((at least two consecutive years)) two years before the award of the increase; and

434 c. ~~((F))~~ the employee ((must have)) has demonstrated continuous outstanding
435 performance ((, which must be supported by performance appraisal.));

436 ~~((2. Incentive increases must have prior written approval by the department~~
437 ~~director, which must be maintained in the employee's personnel file;~~

438 ~~3. Incentive increases above the top step may not exceed five percent.~~

439 ~~4. Incentive increases above the top step will be in effect for twelve months only.~~

440 ~~Such increases must be justified each year by subsection C.1. through 3. of this section.~~

441 ~~D.))~~ 4. All incentive increases are subject to the availability of funds. Within-
442 range incentive increases are not automatic but shall be given only upon the ((affirmative
443 action)) written direction of the appointing authority, as defined in K.C.C. 3.12.010B,
444 within the guidelines established by the manager of the human resources management
445 division;

446 5.a. When the manager of the human resources management division reclassifies
447 a position to a higher classification, the pay rate of the incumbent employee shall be

448 increased to the first step of the pay range of the new classification or the nearest step that
449 constitutes an increase of no more than five percent above the former rate of pay,
450 whichever is greater.

451 b. A pay increase as a result of reclassification may not exceed the top step of
452 the new range, unless the employee's former pay includes an above-Step-10 amount as a
453 result of an incentive increase. If the employee's former pay includes an above-Step-10
454 amount as a result of an incentive increase, the employee's new pay is calculated upon the
455 above-Step-10 amount. If the increase from reclassification results in pay that is above the
456 top step of the new range, the pay shall be reduced to the top step of the new range at the
457 end of the incentive period unless the employee requalifies for an above-Step-10 incentive
458 award.

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

463 6. When the manager of the human resources management division adjusts the
464 pay range of a classification, the incumbent employee shall be placed at the same step in
465 the new pay range as the employee was in the previous range. Implementation of any pay
466 range adjustment shall be prospective and is effective when approved by the manager of
467 the human resources management division or, if required by K.C.C. 3.15.040, by the labor,
468 operations and technology committee, or its successor committee.

469 SECTION 4. Ordinance 12014, Section 52, and K.C.C. 3.15.030 are hereby
470 amended to read as follows:

471 **Reclassification((s)) and reassignment of pay ranges.** The ~~((director shall have~~
472 ~~the responsibility and authority to))~~ manager of the human resources management division
473 may reclassify any position to an existing or new classification and reassign pay ranges to
474 existing classifications. ~~((In the case of a reclassification, an incumbent employee shall be~~
475 ~~placed on the first step of the newly assigned pay range or on the step which is the nearest~~
476 ~~to but not less than five percent more than the incumbent's previous salary, whichever is~~
477 ~~greater, but not greater than the top step, except for annual incentive increases provided for~~
478 ~~in this chapter or otherwise provided by ordinance. In the case of a reassignment of a pay~~
479 ~~range to an existing classification, an incumbent employee shall be placed on the same step~~
480 ~~of the newly assigned pay range as the previously assigned pay range. Any salary~~
481 ~~adjustments resulting from said reclassification or pay range reassignment shall not become~~
482 ~~effective until such time as the executive certifies that sufficient funds are available, within~~
483 ~~the then existing appropriation of the department within which the position is being~~
484 ~~reclassified.))~~

485 SECTION 5. Ordinance 1282, Section 5, as amended, and K.C.C. 3.15.040 are
486 hereby amended to read as follows:

487 **Classification changes.** The ~~((personnel))~~ manager of the human resources
488 management division may abolish, amend or create new classifications, except as provided
489 in this section. ~~((provided t))~~ The assignment or reassignment of pay ranges to ((said)) a
490 classification or classifications ((shall be)) is subject to ((the provisions of Section)) K.C.C.
491 ~~((3.15.030 herein, provided further,))~~ 3.15.020. A request for the creation of any
492 ~~((appointed)) classification((, position, or reclassification of any appointed position,~~
493 ~~regardless of pay range))~~ applicable to regular exempt positions, as defined in K.C.C.

494 3.12.010, or any pay range adjustments for ~~((positions))~~ classifications exceeding range 54
495 or movements of four or more pay ranges for an existing classification or any pay range
496 adjustment affecting two or more classifications in a classification series, shall be
497 ~~((confirmed by the Administration and Justice Committee prior to))~~ filed with the clerk of
498 the council for distribution to the chair of the labor, operations and technology committee,
499 or its successor committee, and confirmed by the committee before implementation.

500 SECTION 6. K.C.C. 3.15.045, as amended by this ordinance, should be
501 recodified as K.C.C. 3.15.025.

502 SECTION 7. Ordinance 12014, Section 51, and K.C.C. 3.15.045 are each hereby
503 amended to read as follows:

504 **Classification ~~((of positions))~~ plan.**

505 A. The ~~((director))~~ manager of the human resources management division shall
506 develop and maintain a classification plan for all positions within the career service
507 ~~((which))~~ system. The plan shall provide that all positions ~~((which))~~ that are substantially
508 similar ~~((and comparable))~~ as to kind, difficulty~~((,))~~ and responsibility of work are included
509 in the same ~~((class))~~ classification.

510 B. The classification plan ~~((shall))~~ should set forth for each career service ~~((class))~~
511 classification a title, a definition, distinguishing characteristics, representative examples of
512 work~~((,))~~ and the knowledge and skills necessary to perform the work.

513 C. The ~~((director shall periodically))~~ manager of the human resources management
514 division should, on a continuing three-year cycle, review the classification plan, and may
515 add, combine, abolish~~((,))~~ or revise the specifications or establish new ~~((classes))~~
516 classifications, as provided in K.C.C. 3.12.040.

517 D. Whenever reorganization, change in job content or council action causes the
518 duties of a position to change, or ~~((such))~~ a position appears to have been incorrectly
519 classified, the ~~((director))~~ manager of the human resources management division may
520 reclassify the position to a more appropriate classification ~~((after conferring with the
521 appointing authority and employee involved and reviewing recommendations and
522 suggestions))~~.

523 SECTION 8. K.C.C. 3.15.090 should be decodified.

524 SECTION 9. Ordinance 14233, Section 5, and K.C.C. 3.15.120 are hereby
525 amended to read as follows:

526 ~~((Salary))~~ **Pay on initial employment.**

527 A.1. New county employees shall ~~((normally))~~ start at the first step of the
528 ~~((salary))~~ pay range. If necessary for recruitment, however, ~~((the))~~ a department director
529 ~~((on occasion))~~ may authorize an offer of a higher ~~((salary))~~ pay step ~~((in order to attract
530 an exceptionally qualified candidate. In the event that a department director determines it
531 is necessary to hire above the first step, a copy of the appointment letter, together with a
532 statement of the reason for hiring above the first step, must be provided to the manager of
533 the human resources division at the time of hire. The following are criteria, one of which
534 must be met, in order to hire above the first step:~~

535 1. ~~The candidate's education and experience are significantly above the
536 minimum requirements for the position;~~

537 2. ~~The candidate has an especially desirable skill, talent, knowledge or ability;~~

538 3. ~~The candidate has a current salary that is above the first step of the of the
539 salary range; or~~

540 4. ~~he candidate has a competing written, formal offer of employment that is~~
541 ~~above the first step of the salary range)).~~

542 2. At least one of the following criteria must be met to hire an employee above
543 the first step:

544 a. The candidate's education and experience are significantly above the
545 minimum requirements for the position;

546 b. The candidate has an especially desirable skill, talent, knowledge or ability;

547 c. The candidate has a current salary that is above the first step of the of the
548 salary range; or

549 d. The candidate has a competing written, formal offer of employment that is
550 above the first step of the salary range.

551 3. If a department director determines it is necessary to hire an employee above
552 the first step, a copy of the appointment letter, together with a statement of the reason for
553 hiring the employee above the first step, must be provided to the manager of the human
554 resources management division at the time of hire.

555 B. The county administrative officer (~~or his or her designee then~~) may (~~give~~
556 ~~approval to hire~~) approve the hiring of an ((applicant)) employee above Step 5. In such
557 cases, the county administrative officer (~~or his or her designee~~) must issue prior written
558 approval to the department director and send a copy of the written notification to the
559 executive.

560 C. The executive shall report in writing (~~on a semiannual basis to the council's~~
561 ~~management,)) filed with the clerk of the council for distribution to the chair of the labor,~~
562 operations and ((customer services)) technology committee, or its successor committee,

563 on the number of instances (~~where persons~~) when employees are hired above Step 5 on
564 February 15 and August 15 of each year.

565 SECTION 10. Ordinance 14233, Section 6, and K.C.C. 3.15.130 are each hereby
566 amended to read as follows:

567 **((Salary)) Pay on promotion.**

568 A.1. (~~If an appointing authority promotes an employee, the employee must be~~
569 ~~placed the greater of:~~

570 a. ~~step 1 of the new salary range; or~~

571 b. ~~the step that constitutes a two-step increase or approximately five percent~~
572 ~~above the former rate of pay.~~

573 2. ~~A promotional salary increase may not exceed the top step of the new range,~~
574 ~~except if the former salary step includes an above-Step-10 amount as a result of an~~
575 ~~incentive increase. If the former salary step includes an above-Step-10 amount as a result~~
576 ~~of an incentive increase, the employee's new salary is based upon the above-Step-10~~
577 ~~amount. If the promotional increase results in a salary that is above the top step of the~~
578 ~~new range, the salary shall be reduced to the top step at the end of the merit period unless~~
579 ~~the employee requalifies for an above-Step-10 merit award. The promotional salary~~
580 ~~increase may not exceed five percent above the top step in any case.)) A pay increase as a~~

581 result of reclassification may not exceed the top step of the new range, unless the

582 employee's former pay includes an above-Step-10 amount as a result of an incentive

583 increase. If the employee's former pay includes an above-Step-10 amount as a result of an

584 incentive increase, the employee's new pay is calculated upon the above-Step-10 amount.

585 If the increase from reclassification results in pay that is above the top step of the new

586 range, the pay shall be reduced to the top step of the new range at the end of the incentive
587 period unless the employee requalifies for an above-Step-10 incentive award.

588 2. Implementation of a reclassification and any related pay change shall be
589 prospective and is effective when the classification is approved by the manager of the
590 human resources management division. The pay increase as a result of reclassification may
591 not exceed five percent above the top step in any case.

592 B. If a promotion results from something other than a reclassification, the
593 promoted employee may be placed at a higher step in the ((salary)) pay range when the
594 department director determines this action is warranted, if the criteria and procedures in
595 ((section 5 of this ordinance)) K.C.C. 3.15.120 are met and if funds are available in the
596 agency.

597 SECTION 11. Ordinance 14233, Section 7, and K.C.C. 3.15.140 are hereby
598 amended to read as follows:

599 **Assignment to special duty.**

600 A. An appointing authority, with the prior written approval of the department
601 director and the manager of the human resources management division, or his or her
602 designee, may temporarily assign an employee to ((special duty under either of the
603 following conditions:

604 1. Temporarily assigning the work of)) an existing higher-level classification
605 ((to the employee. This work must)) when the higher-level duties and responsibilities
606 comprise the majority of the work performed((;)). ((or

607 2. The employee is designated as a lead worker, if both of the following
608 conditions exist:

609 a. ~~There is a need for limited supervisory authority to perform certain duties,~~
610 ~~for example, to assign and distribute work or to maintain a balanced workload among~~
611 ~~employees who are in the same classification or a classification that has the same salary~~
612 ~~range. Such an assignment does not preclude lower level positions from being in the~~
613 ~~work group being led and does not preclude employees in lower level job classifications~~
614 ~~from serving as the lead for a work group in which there are employees in higher level~~
615 ~~positions; and~~

616 b. ~~The duties listed in subsection A.2.a. of this section do not justify~~
617 ~~reclassifying the position.~~

618 ~~B. An appointing authority may assign an employee to)~~ B. The maximum
619 period of special duty ((for a maximum of) is six months, except as provided in this
620 section.

621 1. A special duty assignment may be extended to a maximum of twelve months
622 if authorized in advance in writing by the department director ((prior to)) and the
623 manager of the human resources management division before the expiration of the initial
624 six-month period((. Special duty assignments may be extended for a total of eighteen
625 months if authorized in advance in writing by the department director and the manager of
626 the human resources division prior to the expiration of the one-year period)).

627 2. Any further extensions must be authorized in writing in advance by the
628 department director and the county administrative officer ((or his or her designee,)) based
629 upon a specific determination that a special duty assignment continues to meet the
630 requirements stated in this chapter and that a position reclassification is not appropriate.
631 Such cases shall only include back-filling for a regular position ((where)) when: (a) an

632 incumbent employee is absent because of an extended leave of absence for a medical
633 disability, as required under reasonable accommodation provisions of applicable state or
634 federal law~~((;))~~; (b) it is military reserve duty; or (c) it is the performance of a project
635 ~~((where))~~ when a higher level of work has a definite termination date. ~~((Extensions~~
636 ~~beyond eighteen months are limited to a maximum of six months and must be authorized~~
637 ~~only by the county administrative officer.))~~ Special duty assignments may not exceed
638 two years in duration.

639 C. A special duty assignment must be made in writing to the employee before the
640 beginning of the assignment. The written notice must provide the classification title and
641 description and must list the specific duties that the employee is to perform and the
642 duration of the assignment. ~~((#))~~ The written notice must also include a statement that
643 the assignment will not confer on the employee any new privilege, right of appeal, right
644 of position, transfer, demotion, promotion or reinstatement. A special duty assignment
645 may be revoked at any time at the discretion of the appointing authority. Special duty
646 pay may not be assigned retroactively.

647 D. ~~((An employee who is assigned to special duty based upon lead worker~~
648 ~~responsibilities must receive an increase to a salary step that most closely approximates a~~
649 ~~five percent increase within the employee's current salary range. If the special duty~~
650 ~~assignment involves working in a higher job classification, t))~~ The special duty increase
651 shall be to the first step of the ~~((salary))~~ pay range of the existing higher-level job
652 classification or to a ~~((salary))~~ pay step in the existing higher classification that ~~((most~~
653 ~~closely approximates five percent over the employee's current rate of pay))~~ provides an
654 increase of no more than five percent above the former rate of pay, whichever is greater.

655 E. Special duty compensation may not exceed the top step of the new range
656 ~~((except in the following two situations:~~

657 1. ~~For a lead worker assignment where compensation may exceed the maximum~~
658 ~~of the pay range by no more than five percent; or~~

659 2. ~~Where))~~ if the employee was receiving above-Step-10 ((merit)) incentive
660 pay((;)). In those instances, the pay may exceed the maximum of the new ((salary)) pay
661 range by no more than five percent and ((it)) shall continue only as long as the ((merit))
662 incentive pay would have remained in effect.

663 F. When the special duty assignment is completed, the employee's ((salary)) pay
664 shall revert to the ((salary)) pay rate ((at which)) the employee would have ((been))
665 received if the employee had not been assigned to special duty.

666 G. Special duty pay ~~((may not be awarded retroactively))~~ shall not be considered
667 part of an employee's base pay rate for purposes of placement within a salary range as a
668 result of promotion or reclassification.

669 NEW SECTION. SECTION 12. There is hereby added to K.C.C. chapter 3.15 a
670 new section to read as follows:

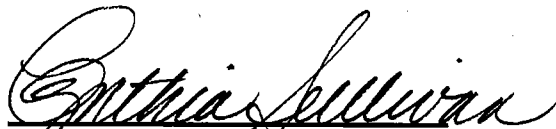
671 **Chapter not a contract.** This chapter does not constitute an express or implied
672 contract. It is a general statement of county policy that cannot form the basis of a private
673 right of action.

674 SECTION 13. Ordinance 12077, Section 2, and K.C.C. 3.12.070 are hereby
675 repealed.
676

Ordinance 14801 was introduced on 11/10/2003 and passed by the Metropolitan King
County Council on 11/24/2003, by the following vote:

Yes: 13 - Ms. Sullivan, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr.
Phillips, Mr. Pelz, Mr. McKenna, Mr. Hammond, Mr. Gossett, Ms. Hague,
Mr. Irons, Ms. Patterson and Mr. Constantine
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

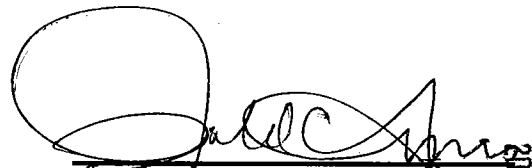

Cynthia Sullivan, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 10 day of December 2003.



Ron Sims, County Executive

Attachments None

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2003 DEC 10 PM 3:50
CLERK
KING COUNTY COUNCIL.