



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance 19444

Proposed No. 2022-0192.1

Sponsors Balducci

1 AN ORDINANCE approving and adopting a memorandum
2 of agreement negotiated by and between King County and
3 the King County Corrections Guild representing corrections
4 officers and corrections sergeants in the department of adult
5 and juvenile detention, which provides a one-time retention
6 bonus for employees in 2022.

7 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

8 SECTION 1. The memorandum of agreement negotiated by and between King
9 County and the King County Corrections Guild representing employees in the department
10 of adult and juvenile detention, which is Attachment A to this ordinance, is hereby
11 approved and adopted by this reference made a part hereof.

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12 SECTION 2. Terms and conditions of the agreement shall be effective upon full
13 and final ratification of the parties.

Ordinance 19444 was introduced on 5/17/2022 and passed by the Metropolitan King County Council on 5/24/2022, by the following vote:

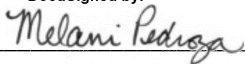
Yes: 9 - Balducci, Dembowski, Dunn, Kohl-Welles, Perry, McDermott, Upthegrove, von Reichbauer and Zahilay

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

DocuSigned by:

7E1C273CE9994B6...
Claudia Balducci, Chair

ATTEST:

DocuSigned by:

8DE1BB375AD3422...
Melani Pedroza, Clerk of the Council

APPROVED this _____ day of 6/2/2022, _____.

DocuSigned by:

4FBCAB8196AE4C6...
Dow Constantine, County Executive

Attachments: A. 2022 Retention Bonus Program for Corrections Officers and Corrections Sergeants in the Department of Adult and Juvenile Detention

**Memorandum of Agreement
By and Between
King County
and
King County Corrections Guild
Department of Adult and Juvenile Detention
[295/Q2]**

SUBJECT: 2022 Retention Bonus Program for Corrections Officers and Corrections Sergeants in the Department of Adult and Juvenile Detention

Background

1. King County (the County) and the King County Corrections Guild (the Guild) are Parties to a Collective Bargaining Agreement (CBA) effective January 1, 2020, through December 31, 2021. The Guild represents both Corrections Officers (COs) and Corrections Sergeants (Sergeants) working in the Department of Adult and Juvenile Detention (the Department). The Parties are currently bargaining a successor agreement.

2. The Department is currently facing an unusually high vacancy rate among its commissioned employees, which is impacting the current workforce. The County and Guild share an interest in retaining COs and Sgts through this challenging time while the Department pursues its recruitment strategies to lower the vacancy rate.

3. This program is in recognition of the tremendous work the COs and Sgts are doing in service to the County, and to help the Department retain these capable and committed employees.

Agreements

1. A one-time Retention Bonus of \$4,000 shall be payable to all COs and Sgts who are actively employed as of the effective date of this agreement provided that they:

A) Remain actively employed in a commissioned position in the Adult Divisions (CO, Sgt, Captain, or Major) through April 30, 2023; except, any employee that separates employment by disability or death, or any employee that retires between January 1, 2023 and April 30, 2023 with forty-five (45) calendar days advance notice to the Department prior to their retirement date shall not be required to return the retention bonus.

B) Sign a promissory agreement requiring the employee to return the entire retention bonus if they do not meet conditions A, above. Any repayment of monies required under the terms of this Agreement may be accomplished by the County by deducting from final paychecks and/or accrued leave cash outs. Any remaining balance will be due by the employee to the County at the time of separation.

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King County Corrections Guild - Department of Adult and Juvenile Detention [295/Q2]

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2. COs and Sgts who have separated from employment prior to the effective date of this agreement, but who are rehired into a CO or Sgt position within sixty (60) calendar days after the effective date of this agreement under either Article 12, Section 12.9 of the CBA, or under MOA 295U0321, shall be eligible to receive the Retention Bonus under the same terms and conditions throughout this agreement. The parties agree that these individuals who are separated from service and return to employment shall sign an appropriate Release of Claims (Release) related to the employee's separation from service. Such Release shall include any and all claims the individual has, or may have had, related to the employee's separation from service against the County and/or the Guild. Separated employees returning to work with the benefit of the retention incentive shall acknowledge that receipt of the retention incentive shall constitute a complete and final settlement of any and all claims or causes or actions he or she has had, now has, or may have up to the date of the Release including, without limitation, those arising out of or in connection with the employee's previous employment with King County, or pursuant to any federal, state or local employment laws, statutes, public policies, orders, or regulations, including, but not limited to discrimination claims or causes of action, or any other theory or basis whether legal or equitable. The Release shall release, discharge, and agree to hold harmless King County, the Department, and the Guild, their respective agents, elected officials, assigns and employees from any and all claims, causes of action, damages, attorneys' fees, costs, or consequential damages arising out of his or her previous employment and/or separation of employment, with King County. This Release shall include all claims for direct and indirect damages, expenses, attorneys' fees, and all claims in law and in equity. It is understood that this Release will also include, but will not be limited to, any claims under any theory of negligence or common law torts, any deprivation of civil rights (including federal and state constitutional rights), and all statutory claims including, but not limited to, 42 U.S.C. Section 1983, Title VII of the Civil Rights Act, as amended, the Age Discrimination in Employment Act, the Americans with Disabilities Act and Americans with Disabilities Act Amendments Act, and the Washington Law Against Discrimination, RCW 49.60.

3. The retention bonus shall be subject to all applicable federal and state taxes, retirement, and other withholdings.

4. This Agreement shall not establish a practice or precedent in any way.

5. In addition to the applicable collective bargaining agreements, this MOA is the full and final agreement of the parties related to the one-time 2022 Retention Bonus.

6. Any disputes regarding the interpretation or application of this Agreement shall be resolved by the parties using the grievance procedures of the applicable collective bargaining agreement.

7. The effective date of this one-time Agreement shall be the date of full and final ratification by the King County Council. Electronic signatures will have the same force and effect as does an original signature on this document. This Agreement may be signed in counterparts, which together shall constitute the entire agreement.

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King County Corrections Guild - Department of Adult and Juvenile Detention [295/Q2]

295U0522

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For the King County Corrections Guild:

DocuSigned by:
Dennis Folk
7D59C6086F154E3...
Dennis Folk
President

5/9/2022

Date

DocuSigned by:
Ryan Lufkin
27BD002EA2214D9...
Ryan Lufkin
Legal Advisor

5/9/2022

Date

For King County:

DocuSigned by:
Diana Joy
1599FA1B311F404...
Diana Joy, Labor Relations Manager
Office of Labor Relations
King County Executive Office

5/9/2022

Date

Ordinance 19444

King County Corrections Guild - Department of Adult and Juvenile Detention [295/Q2]

295U0522

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Certificate Of Completion

Envelope Id: 89FA529CE937427F83350C5DF90910F9

Status: Completed

Subject: Please DocuSign: 295U0522 KCCG Retention Bonus MOA - Corrected.pdf

Source Envelope:

Document Pages: 3

Signatures: 3

Envelope Originator:

Certificate Pages: 5

Initials: 0

Diana Joy

AutoNav: Enabled

11943 Sunset Hills Rd

Enveloped Stamping: Enabled

Reston, VA 20190

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Diana.Joy@kingcounty.gov

IP Address: 198.49.222.20

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Status: Original

Holder: Diana Joy

Location: DocuSign

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Diana.Joy@kingcounty.gov

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Pool: King County-King County Executive

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Office-Office of Labor Relations

Signer Events

Ryan Lufkin

ryan@pslglawyers.com

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(None)**Signature**

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Signed: 5/9/2022 9:29:33 AM

Signature Adoption: Pre-selected Style

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Dennis Folk

dennis.folk@kccguild.org

Security Level: Email, Account Authentication
(None)

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Signature Adoption: Pre-selected Style

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Electronic Record and Signature Disclosure:

Accepted: 8/19/2020 12:57:57 PM

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Diana Joy

diana.joy@kingcounty.gov

Labor Relations Manager

King County Executive Department-OLR

Security Level: Email, Account Authentication
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Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure
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Ordinance 19444

Electronic Record and Signature Disclosure created on: 3/25/2020 1:20:13 PM

Parties agreed to: Ryan Lufkin, Dennis Folk

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At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

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If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

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Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

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You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: bmconnaughey@kingcounty.gov

To advise King County Sub Account - Office of Labor Relations of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at bmconnaughey@kingcounty.gov and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from King County Sub Account - Office of Labor Relations

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to bmconnaughey@kingcounty.gov and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

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- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to bmcconnaughey@kingcounty.gov and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

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To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to ‘I agree to use electronic records and signatures’ before clicking ‘CONTINUE’ within the DocuSign system.

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- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify King County Sub Account - Office of Labor Relations as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by King County Sub Account - Office of Labor Relations during the course of your relationship with King County Sub Account - Office of Labor Relations.

Certificate Of Completion

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Supplemental Document Pages: 11	Initials: 0
Certificate Pages: 5	Envelope Originator:
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Envelopeld Stamping: Enabled	401 5th Ave
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	Suite 100
	Seattle, WA 98104
	Cherie.Camp@kingcounty.gov
	IP Address: 198.49.222.20

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Signer Events

Claudia Balducci
 claudia.balducci@kingcounty.gov
 King County General (ITD)
 Security Level: Email, Account Authentication (None)

Signature

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 Signature Adoption: Pre-selected Style
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 claudia.balducci@kingcounty.gov
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 Signed: 5/25/2022 3:04:08 PM

Electronic Record and Signature Disclosure:

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 Supplemental Documents:

Ordinance 19444 Attachment A.docx

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Melani Pedroza
 melani.pedroza@kingcounty.gov
 Clerk of the Council
 King County Council
 Security Level: Email, Account Authentication (None)

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 melani.pedroza@kingcounty.gov
 Using IP Address: 198.49.222.20

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 Supplemental Documents:

Ordinance 19444 Attachment A.docx

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Kaitlyn Wiggins kwiggins@kingcounty.gov Executive Legislative Coordinator King County Executive Office Security Level: Email, Account Authentication (None)	COPIED	<p>Sent: 5/26/2022 7:35:18 AM Viewed: 5/26/2022 8:11:44 AM</p>
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Payment Events	Status	Timestamps
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To contact us by email send messages to: bob.johnson@kingcounty.gov

To advise Carahsoft OBO King County ITD of your new e-mail address

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at bob.johnson@kingcounty.gov and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc. to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in the DocuSign system.

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To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to bob.johnson@kingcounty.gov and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

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- ii. send us an e-mail to bob.johnson@kingcounty.gov and in the body of such request you must state your e-mail, full name, US Postal Address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

Operating Systems:	Windows® 2000, Windows® XP, Windows Vista®; Mac OS® X
Browsers:	Final release versions of Internet Explorer® 6.0 or above (Windows only); Mozilla Firefox 2.0 or above (Windows and Mac); Safari™ 3.0 or above (Mac only)
PDF Reader:	Acrobat® or similar software may be required to view and print PDF files
Screen Resolution:	800 x 600 minimum

Enabled Security Settings:	Allow per session cookies
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** These minimum requirements are subject to change. If these requirements change, you will be asked to re-accept the disclosure. Pre-release (e.g. beta) versions of operating systems and browsers are not supported.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

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- Until or unless I notify Carahsoft OBO King County ITD as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by Carahsoft OBO King County ITD during the course of my relationship with you.