

December 9, 1987
3320B:HK:clt:mls

Introduced by: Ron Sims
Proposed No.: 87 - 832

ORDINANCE NO. 8351

AN ORDINANCE relating to the personnel rules; establishing a policy for limited duty assignment due to pregnancy for all female county employees; setting forth the procedures for implementing this policy and adding a new chapter to K.C.C. 3.12.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings. The council finds that:

A. King County is committed to affirmative action in hiring and the full participation of women in all occupations throughout the county's work force.

B. Pregnancy is a normal occurrence in a woman's life.

C. King County has already established maternity and parental leaves for its employees.

D. It is desirable to establish a policy to reasonably accommodate pregnant female county employees in a medically approved limited duty assignment.

SECTION 2. Definition.

"Employee" means a person employed in a budgeted position on a full-time basis or part-time basis and who is not on an initial period of probation following county hiring date. Promotional probation may be extended at the discretion of the personnel manager and after consultation with an employee's immediate supervisor so an employee who utilizes the limited duty provisions of this ordinance has the opportunity to perform the full duty for the intended promotional probationary period.

SECTION 3. Establish Policy.

A. It is the policy of King County to recognize that pregnancy is a normal event in a woman's life and that provisions shall be made to provide all female employees the opportunity to continue to participate in the work force during and up to three months after a pregnancy.

1 B. A female employee, who upon the advice of her physician
2 cannot safely perform all of the normal duties of her job due to
3 pregnancy and who indicates a desire to continue working prior to
4 taking sick or maternity leave for which she may otherwise be
5 eligible, shall upon concurrence of the personnel manager receive
6 consideration for temporary reassignment. The county shall,
7 where reasonably possible, accommodate a female employee's desire
8 for medically approved continued employment during pregnancy and
9 up to three months thereafter via one or more of the three
10 alternatives listed below. The first alternative shall have
11 preference, and assignments and/or reassignments shall be given
12 within an employee's department where possible. The division of
13 personnel shall be responsible for coordination of the following
14 limited duty alternatives:

15 1. Temporary assignment to limited duties within the
16 employee's classification;

17 2. Temporary reassignment of the employee to a similar
18 classification with equal pay for which the employee is qualified;

19 3. Only if the personnel manager concurs that an employee
20 cannot reasonably be accommodated by numbers 1 or 2 listed above,
21 temporary reassignment of the employee can be made to another
22 classification for which the employee is qualified but with
23 lesser pay, to be assigned at the pay step closest to that which
24 the employee was receiving in her normal job classification.

25 C. The budget office shall determine and facilitate any
26 necessary interfund transfers when an employee is temporarily
27 reassigned to another department.

28 D. Because of the separate and unique retirement system
29 for police, the temporary assignment and/or reassignment for
30 pregnant police personnel shall be provided as in Section 3.B.1.
31 and 2. for LEOFF I members. All three alternatives listed in
32 Section 3.B can apply to LEOFF II members.
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1 SECTION 4. Limitations.

2 A. Temporary assignments and/or reassignments made pursuant
3 to this ordinance shall be limited to the period of temporary
4 incapacity caused by pregnancy both before childbirth and upon
5 return to work, all prior to the time when released by the
6 employee's physician to return to full duty.

7 B. For the purposes of this ordinance, temporary incapacity
8 is defined as the period during which because of pregnancy the
9 employee cannot perform all of her regular duties but is capable
10 of performing a temporary limited duty assignment provided by the
11 county as listed in Section 3 of this ordinance and in no
12 instance shall such temporary incapacity last longer than three
13 months after termination of the pregnancy.

14 C. Female employees shall continue to be eligible for paid
15 leave and leave without pay pursuant to the personnel rules
16 during the period of temporary disability due to pregnancy,
17 pregnancy related conditions, and parenting.

18 SECTION 5. Procedures. The personnel division will develop
19 procedures to implement this policy which shall include
20 verification of the medical basis for the limited duty request.

21 SECTION 6. Effective date. This ordinance shall not apply
22 to employees represented by unions until the unions have had an
23 opportunity to consult and confer with the county personnel
24 manager, but in any event, it shall apply to all county employees
25 not later than ninety days after its adoption by the county
26 council.
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1 SECTION 7. Should any section, subsection, paragraph,
2 sentence, clause or phrase of this ordinance be declared
3 unconstitutional or invalid for any reason, such decision shall
4 not affect the validity of the remaining portions of this
5 ordinance.

6 INTRODUCED AND READ for the first time this 23rd day
7 of November, 1987.

8 PASSED this 14th day of December, 1987.

10 KING COUNTY COUNCIL
11 KING COUNTY, WASHINGTON

12 Nancy Grant
Chairman

13 ATTEST:

14 Dorothy M. Owens
Clerk of the Council

16 APPROVED this 23rd day of December, 1987.

18 Jim Hill
19 King County Executive