

May 23, 1991
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Introduced by: Ron Sims

Proposed No.: 91 - 413

ORDINANCE NO. **9967**

AN ORDINANCE relating to career service employees who enter upon active duty in the United States Services, extending benefits to such employees; amending Ordinance 4324, and K.C.C. Chapter 3.12.010; and adding new sections to K.C.C. 3.12.

PREAMBLE:

The King County Council has determined that a public purpose would be served by extending benefits to career service employees who enter upon active duty in the United States Armed Services. The Council further finds that such a public undertaking would promote loyalty and patriotism, thereby furthering the public good by providing assistance to those individuals who leave civilian life in order to serve their country.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. King County code section 3.12.010 is hereby amended to read as follows:

A. General definitions. 1. "Administrative guidelines" means only those operational procedures promulgated by the manager necessary to implement personnel policies or requirements previously stipulated by ordinance or the Charter.

2. "Administrative interns" are persons participating in employment sponsored, supported in whole or in part, or maintained in conjunction with, an educational institution in the State of Washington.

3. "Appointing authority" means the county council, county executive, department heads, or division managers having lawful authority to appoint or to remove persons from positions in the county service, or persons designated by such appointing authority to perform those duties which legally may be delegated.

4. "Basis of merit" means the value, excellence or superior quality of an individual's work performance, as determined by a structured process comparing the employee's

1 performance against defined standards and, where possible, the
2 performance of other employees of the same or similar class.

3 5. "Board" means the King County personnel board
4 established by Section 540 of the Charter.

5 6. "Career service employee" means a county employee
6 appointed to a career service position as a result of the
7 selection procedure provided for in K.C.C. 3.12.090, and who
8 has completed the probationary period.

9 7. "Career service position" means all positions in
10 the county service except for those which are designated by
11 Section 550 of the Charter as follows: All elected officers;
12 the county auditor, the clerk and all other employees of the
13 county council; the county administrative officer; the chief
14 officer of each executive department and administrative office;
15 the members of all boards and commissions; administrative
16 assistants for the county executive and one administrative
17 assistant each for the county administrative officer, the
18 county auditor, the county assessor, the chief officer of each
19 executive department and administrative office and for each
20 board and commission; a chief deputy for the county assessor;
21 one confidential secretary each for the county executive, the
22 chief officer of each executive department and administrative
23 office, and for each administrative assistant specified herein;
24 all employees of those officers who are exempted from the
25 provisions of this chapter by the state constitution; persons
26 employed in a professional or scientific capacity to conduct a
27 special inquiry, investigation or examination; temporary
28 employees; administrative interns; election precinct officials;
29 all persons serving the county without compensation;
30 physicians; surgeons; dentists; medical interns; and student
31 nurses and inmates employed by county hospitals, tuberculosis
32 sanitariums and health departments of the county.

33 A departmental division as determined by the county
34 council shall be considered to be executive departments for the

1 purpose of determining the applicability of Section 550 of the
2 Charter.

3 All part-time employees shall be exempted from career
4 service membership except, effective January 1, 1989, all
5 part-time employees employed at least half time or more, shall
6 be members of the career service.

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

8 9. "Class" or "classification" means a position or
9 group of positions, established under authority of this
10 chapter, sufficiently similar in respect to the duties,
11 responsibilities and authority thereof, that the same
12 descriptive title may be used to designate each position
13 allocated to the class; that essentially similar requirements
14 as to education, experience, ability and other qualifications
15 should be required of the incumbents; that similar tests of
16 fitness may be used to choose qualified employees; and that
17 similar schedules of compensation can be made to apply with
18 equity.

19 10. "Classification plan" means the arrangement of
20 positions into classifications together with specifications
21 describing each classification.

22 11. "Compensatory time" means time off granted with
23 pay in lieu of pay for work performed either on an authorized
24 overtime basis or work performed on a holiday which is normally
25 scheduled as a day off. Such compensatory time shall be
26 granted on the basis of time and one-half.

27 12. "Council" means the King County council as
28 established by Article 2 of the Charter.

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

32 14. "Employee" means any person who is employed in a
33 career service position or exempt position.

34 15. "Employed at least half time" means employed in a
35 permanent position which has an established work schedule of

1 not less than seventy hours every four weeks, or of not less
2 than eighty hours in those work units in which a forty-hour
3 week is standard.

4 16. "Established in the county budget" means a
5 position identified within a budgetary unit's authorized
6 full-time equivalent (FTE) level and set out by position
7 description in the budgetary unit's organizational budget
8 detail report as amended in the adopted budget.

9 17. "Executive" means the King County executive, as
10 established by Article 3 of the Charter, or his designee.

11 18. "Exempt employee" means an employee employed in
12 an exempt position. Exempt employees serve at the pleasure of
13 the appointing authority.

14 19. "Exempt position" means any position not included
15 in the career service. Exempt positions are positions to which
16 appointment may be made directly.

17 20. "Full-time employee" means an employee who is not
18 on probation and is employed in a full-time position.

19 21. "Full-time position" means a permanent position
20 which has an established work schedule of not less than
21 thirty-five hours per week, or of not less than forty hours per
22 week in those work units where a forty-hour week is standard.

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

27 23. "Incentive increase" means an increase to an
28 employee's base salary within the assigned pay range, based on
29 demonstrated performance.

30 24. "Manager" means the (~~manager of the personnel~~
31 ~~division of King County or his designee~~) the director of the
32 Office of Human Resource Management of King County or his or
33 her designee.

34 25. "Part-time employee" means an individual employed
35 in a part-time position.

1 26. "Part-time position" means a permanent position
2 established for a portion of or throughout a calendar year and
3 which has an established work schedule of less than thirty-five
4 hours per week, or of less than forty hours per week in those
5 work units where a forty-hour week is standard.

6 27. "Pay plan" means a systematic schedule of
7 numbered pay ranges with minimum, maximum and intermediate
8 steps for each pay range, a schedule of assignment of each
9 classification to a numbered pay range and rules for
10 administration.

11 28. "Pay range" means one or more pay rates
12 representing the minimum, maximum and intermediate steps
13 assigned to a classification.

14 29. "Pay range adjustment" means the adjustment of
15 the numbered pay range of a classification to another numbered
16 pay range in the schedule based on a classification change,
17 competitive pay data or other significant factors.

18 30. "Permanent position" means a position established
19 in the county budget and which will require at least twenty-six
20 weeks of service per year at the work schedule established for
21 the position. A position shall be permanent if the position is
22 established to begin after January 1 of any year, and would
23 have required at least twenty-six weeks of service per year had
24 the position been established on January 1.

25 31. "Position" means a group of current duties and
26 responsibilities assigned by competent authority requiring the
27 employment of one person.

28 32. "Probationary employee" means a potential career
29 service employee who is serving a probationary period.

30 33. "Probationary period" means a period of time
31 constituting the final step in the competitive screening
32 process for career service. An appointment to the career
33 service is not final unless the employee successfully completes
34 this period.

1 34. "Provisional appointment" means an appointment
2 made in the absence of a list of candidates certified as
3 qualified by the manager. Only the manager may authorize a
4 provisional appointment. An appointment to this status is
5 limited to thirty days after the manager certifies qualified
6 candidates, or a maximum of six months, whichever occurs
7 sooner.

8 35. "Provisional employee" means an employee holding
9 a position under provisional appointment.

10 36. "Recruiting step" means the first step of the
11 salary range allocated to a class unless otherwise authorized
12 by the executive.

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

16 38. "Temporary employee" means an individual employed
17 in a temporary position and for purposes of being a part of
18 career service, includes a provisional or probationary
19 employee.

20 39. "Temporary position" means a position which is
21 not a permanent position as defined in this chapter.

22 40. "Y-Rate" means a pay rate that is in excess of
23 the maximum of the pay range assigned to the classification of
24 a position.

25 B. Definitions related to family leave. Unless the
26 context clearly requires otherwise, the following terms have
27 the following meanings:

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

31 a. Under eighteen years of age, or
32 b. Eighteen years of age or older and incapable
33 of self-care because of mental or physical disability.

34 2. "Employee" means a person employed in a permanent
35 position on a full-time or part-time basis and who is not on an

1 initial period of probation. The term "employee" shall not
2 include part-time workers employed less than twenty hours per
3 week, or intermittent, seasonal, or temporary workers.

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

7 a. Inpatient care in a hospice or residential
8 medical care facility, or

9 b. Continuing treatment or continuing supervision
10 by a health care provider.

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

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

17 NEW SECTION. SECTION 2. Extension of benefits to
18 military personnel. Any employee who upon demand by the United
19 States Government vacates his or her full-time position with
20 the County either to determine his or her physical fitness to
21 enter, or to actually enter upon active duty or training in the
22 Washington National Guard, the United States Armed Services, or
23 the United States Public Health Service shall receive medical,
24 dental and life benefits for the time period commencing with
25 the beginning of an employee's military leave of absence and
26 continuing until active duty has been completed. These

1 employees shall continue to receive the medical, dental and
2 life benefits that they received prior to separation from
3 county employment. These benefits shall be provided
4 retroactive to October 1, 1990.

5 INTRODUCED AND READ for the first time this 13th day
6 of May 1991.

7 PASSED this 3rd day of June, 1991.

8 KING COUNTY COUNCIL
9 KING COUNTY, WASHINGTON

10 Lois North
11 Chair

12 ATTEST:

13 Gerald G. Peters
14 Clerk of the Council

15 APPROVED this 14th day of June, 1991.

16 Russell D.
17 King County Executive



**King County Executive
TIM HILL**

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RECEIVED
91 JUN 14 PM 2:40
CLERK
KING COUNTY COUNCIL

June 14, 1991

The Honorable Lois North, Chair
King County Council
Room 402
C O U R T H O U S E

Re: ORDINANCE 9967 - BENEFITS FOR EMPLOYEES ON ACTIVE DUTY

Dear Councilmember North:

I am pleased to return with my signature Ordinance 9967, which provides medical, dental, vision and life insurance benefits to employees absent from work for the purpose of active duty service in the U. S. armed forces. The purpose of this letter is to advise you of a conflict between the provisions of the ordinance and terms of the County's existing contract with Equicor, the provider of employee life insurance coverage.

The existing contract allows for a maximum six month extension for employees, including reservists, on leaves of absence without pay, after which in order to retain active coverage an employee must apply for an individual conversion policy directly from the insurance company. Benefits Manager Karen Feltes is in contact with Equicor representatives and is attempting to develop a resolution acceptable to the carrier that will satisfy the provisions of Ordinance 9967.

I have been advised by Jim Yearby, Director of the Office of Human Resource Management (OHRM), that despite the conflict addressed above, each reservist called to active duty will be reviewed individually for the purpose of making a manual, retroactive adjustment as required. A letter of notification with a copy of the ordinance will be sent

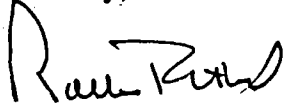
The Honorable Lois North

January 14, 1991

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from the Benefits Section, OHRM, to all employees who served in Operations Desert Shield and Desert Storm during the period October 1, 1990, to present. If you have any questions, please contact Jim Yearby, 296-1737, or Karent Feltes, 296-7493.

Sincerely,



Tim Hill
King County Executive

TH:LAS:ls

cc: Jim Yearby, Director, Office of Human Resource Management
ATTN: Karen Feltes, Benefits Manager