



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

December 15, 2015

Ordinance 18197

Proposed No. 2015-0451.1

Sponsors Dembowski

1 AN ORDINANCE allowing for the issuance of transit
2 passes to AmeriCorps service members; and amending
3 Ordinance 12014, Section 5, as amended, and K.C.C.
4 3.12.010 and Ordinance 12014, Section 36, as amended,
5 and K.C.C. 3.12.188.

6 **STATEMENT OF FACTS:**

- 7 1. King County stands for providing a workplace built on equity for all
8 employees and those providing continuous ongoing important work in
9 service of the county government.
- 10 2. King County recognizes the goals and opportunities that the
11 AmeriCorps and supported programs strive for in providing services to
12 communities in need, while also providing valuable work and training
13 skills to participants.
- 14 3. King County recognizes the need to assist economically and
15 professionally, those individuals who are new or entering the workforce.
16 Individuals in training related programs may not or often are not provided
17 a salary sufficient to meet most fiscal needs. King County recognizes that
18 the provision of a transit pass would provide some economic relief while

19 allowing the participants to continue to provide their services to the
20 county.

21 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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

24 For the purposes of this chapter, all words shall have their ordinary and usual
25 meanings except those defined in this section which shall have, in addition, the
26 following meanings. In the event of conflict, the specific definitions set forth in this
27 section shall presumptively, but not conclusively, prevail.

28 A.1. "Administrative interns" means employees who are:

29 a. enrolled full-time during the regular school year in a program of education,
30 internship or apprenticeship; or

31 b. veterans temporarily working to gain practical workforce experience.

32 2. All administrative internships in executive departments shall be approved by
33 the manager. Administrative interns are exempt from the career service under Section
34 550 of the charter.

35 B. "AmeriCorps" means those who apply for and are selected to serve in
36 positions at King County government through either AmeriCorps or Washington Service
37 Corps programs, or both.

38 C. "Appointing authority" means the county council, the executive, chief
39 officers of executive departments and administrative offices, or division managers
40 having authority to appoint or to remove persons from positions in the county service.

41 ~~((C.))~~ D. "Basis of merit" means the value, excellence or superior quality of an
42 individual's work performance, as determined by a structured process comparing the
43 employee's performance against defined standards and, where possible, the performance
44 of other employees of the same or similar class.

45 ~~((D.))~~ E. "Board" means the county personnel board established by Section 540
46 of the charter.

47 ~~((E.))~~ F. "Budgetary furlough" means a circumstance in which projected county
48 revenues are determined to be insufficient to fully fund county agency operations and,
49 in order either to achieve budget savings or to meet unallocated budget reductions,
50 which are commonly known as contras, or both, cost savings may be achieved through
51 reduction in days or hours of service, resulting in placing an employee for one or more
52 days in a temporary furlough status without duties and without pay.

53 ~~((F.))~~ G. "Career service employee" means a county employee appointed to a
54 career service position as a result of the selection procedure provided for in this chapter,
55 and who has completed the probationary period.

56 ~~((G.))~~ H. "Career service position" means all positions in the county service
57 except for those that are designated by Section 550 of the charter as follows: all elected
58 officers; the county auditor, the clerk and all other employees of the county council; the
59 county administrative officer; the chief officer of each executive department and
60 administrative office; the members of all boards and commissions; the chief economist
61 and other employees of the office economic and financial analysis; the chief economist
62 and other employees of the office of economic and financial analysis; administrative
63 assistants for the executive and one administrative assistant each for the county

64 administrative officer, the county auditor, the county assessor, the chief officer of each
65 executive department and administrative office and for each board and commission; a
66 chief deputy for the county assessor; one confidential secretary each for the executive,
67 the chief officer of each executive department and administrative office, and for each
68 administrative assistant specified in this section; all employees of those officers who are
69 exempted from the provisions of this chapter by the state constitution; persons
70 employed in a professional or scientific capacity to conduct a special inquiry,
71 investigation or examination; part-time and temporary employees; administrative
72 interns; election precinct officials; all persons serving the county without compensation;
73 physicians; surgeons; dentists; medical interns; and student nurses and inmates
74 employed by county hospitals, tuberculosis sanitariums and health departments of the
75 county.

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

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

82 ~~((H.))~~ I. "Charter" means the King County Charter, as amended.

83 ~~((I.))~~ J. "Child" means a biological, adopted or foster child, a stepchild, a legal
84 ward or a child of an employee standing in loco parentis to the child, who is:

85 1. Under eighteen years of age; or

86 2. Eighteen years of age or older and incapable of self-care because of a mental
87 or physical disability.

88 ~~((J.))~~ K. "Class" or "classification" means a position or group of positions,
89 established under authority of this chapter, sufficiently similar in respect to the duties,
90 responsibilities and authority thereof, that the same descriptive title may be used to
91 designate each position allocated to the class.

92 ~~((K.))~~ L. "Classification plan" means the arrangement of positions into
93 classifications together with specifications describing each classification.

94 ~~((L.))~~ M. "Compensatory time" means time off granted with pay in lieu of pay
95 for work performed either on an authorized overtime basis or work performed on a
96 holiday that is normally scheduled as a day off. Such compensatory time shall be
97 granted on the basis of time and one-half.

98 ~~((M.))~~ N. "Competitive employment" means a position established in the county
99 budget and that requires at least twenty-six weeks of service per year as the work
100 schedule established for the position.

101 ~~((N.))~~ O. "Council" means the county council as established by Article 2 of the
102 charter.

103 ~~((O.))~~ P. "County" means King County and any other organization that is legally
104 governed by the county with respect to personnel matters.

105 ~~((P.))~~ Q. "Developmental disability" means a developmental disability, as
106 defined in RCW 71A.10.020(2), as amended, attributable to mental retardation, cerebral
107 palsy, epilepsy, autism or other neurological or other condition of an individual found
108 by the secretary of the Washington state Department of Social and Health Services, or

109 the secretary's designee, to be closely related to mental retardation or to require
110 treatment similar to that required for individuals with mental retardation, which
111 disability originates before the individual attains age eighteen, that has continued or can
112 be expected to continue indefinitely and that constitutes a substantial handicap for the
113 individual.

114 ~~((Q.))~~ R. "Direct cost" means the cost aggregate of the actual weighted average
115 cost of insured benefits, less any administrative cost therefor. Any payments to part-
116 time and temporary employees under this chapter shall not include any administrative
117 overhead charges applicable to administrative offices and executive departments.

118 ~~((R.))~~ S. "Director" means the manager of the human resources division*.

119 ~~((S.))~~ T. "Division" means the human resources division or its successor
120 agency*.

121 ~~((T.))~~ U. "Domestic partners" are two people in a domestic partnership, one of
122 whom is a county employee.

123 ~~((U.))~~ V. "Domestic partnership" is a relationship whereby two people:

- 124 1. Have a close personal relationship;
- 125 2. Are each other's sole domestic partner and are responsible for each other's
126 common welfare;
- 127 3. Share the same regular and permanent residence;
- 128 4. Are jointly responsible for basic living expenses which means the cost of
129 basic food, shelter and any other expenses of a domestic partner that are paid at least in
130 part by a program or benefit for which the partner qualified because of the domestic

131 partnership. The individuals need not contribute equally or jointly to the cost of these
132 expenses as long as they agree that both are responsible for the cost;

133 5. Are not married to anyone;

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

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

137 8. Were mentally competent to consent to contract when the domestic
138 partnership began.

139 ~~((W-))~~ W. "Employed at least half time or more" means employed in a regular
140 position that has an established work schedule of not less than one-half the number of
141 hours of the full-time positions in the work unit in which the employee is assigned, or
142 when viewed on a calendar year basis, nine hundred ten hours or more in a work unit in
143 which a work week of more than thirty-five but less than forty hours is standard or one
144 thousand forty hours or more in a work unit in which a forty hour work week is
145 standard. If the standard work week hours within a work unit varies (employees
146 working both thirty five and forty hours) the manager, in consultation with the
147 department, is responsible for determining what hour threshold applies.

148 ~~((W-))~~ X. "Employee" means any person who is employed in a career service
149 position or exempt position.

150 ~~((X-))~~ Y. "Executive" means the county executive, as established by Article 3 of
151 the charter.

152 ~~((Y.))~~ Z. "Exempt employee" means an employee employed in a position that is
153 not a career service position under Section 550 of the charter. Exempt employees serve
154 at the pleasure of the appointing authority.

155 ~~((Z.))~~ AA. "Exempt position" means any position excluded as a career service
156 position by Section 550 of the charter. Exempt positions are positions to which
157 appointments may be made directly without a competitive hiring process.

158 ~~((AA.))~~ BB. "Full-time regular employee" means an employee employed in a
159 full-time regular position and, for full-time career service positions, is not serving a
160 probationary period.

161 ~~((BB.))~~ CC. "Full-time regular position" means a regular position that has an
162 established work schedule of not less than thirty-five hours per week in those work units
163 in which a thirty-five hour week is standard, or of not less than forty hours per week in
164 those work units in which a forty-hour week is standard.

165 ~~((CC.))~~ DD. "Furlough day" means a day for which an employee shall perform
166 no work and shall receive no pay due to an emergency budget crisis necessitating
167 emergency budget furloughs.

168 ~~((DD.))~~ EE. "Furloughed employee" means an employee who is placed in a
169 temporary status without duties and without pay due to a financial emergency
170 necessitating budget reductions.

171 ~~((EE.))~~ FF. "Grievance" means an issue raised by an employee relating to the
172 interpretation of rights, benefits, or condition of employment as contained in either the
173 administrative rules or procedures, or both, for the career service.

174 (~~(FF.)~~) GG. "Immediate family" means spouse, child, parent, son-in-law,
175 daughter-in-law, grandparent, grandchild, sibling, domestic partner and the child,
176 parent, sibling, grandparent or grandchild of the spouse or domestic partner.

177 (~~(GG.)~~) HH. "Incentive increase" means an increase to an employee's base salary
178 within the assigned pay range, based on demonstrated performance.

179 (~~(HH.)~~) II. "Integrated work setting" means a work setting with no more than
180 eight persons with developmental disabilities or with the presence of a sensory, mental
181 or physical handicap as specified in K.C.C. 3.12.180. This definition refers to all
182 county offices, field locations and other work sites at which supported employees work
183 alongside employees who are not persons with development disabilities employed in
184 permanent county positions.

185 (~~(H.)~~) JJ. "Life-giving and life-saving procedures" means a medically-supervised
186 procedure involving the testing, sampling, or donation of blood, organs, fluids, tissues
187 and other human body components for the purposes of donation without compensation
188 to a person for a medically necessary treatment.

189 (~~(JJ.)~~) KK. "Manager" means the manager of the human resources division* or
190 its successor agency.

191 (~~(KK.)~~) LL. "Marital status" means the presence or absence of a marital
192 relationship and includes the status of married, separated, divorced, engaged, widowed,
193 single or cohabiting.

194 (~~(LL.)~~) MM. "Part-time employee" means an employee employed in a part-time
195 position. Under Section 550 of the charter, part-time employees are not members of the
196 career service.

197 ~~((MM.))~~ NN. "Part-time position" means an other than a regular position in
198 which the part-time employee is employed less than half time, that is less than nine
199 hundred ten hours in a calendar year in a work unit in which a thirty-five hour work
200 week is standard or less than one thousand forty hours in a calendar year in a work unit
201 in which a forty-hour work week is standard, except as provided elsewhere in this
202 chapter. Where the standard work week falls between thirty-five and forty hours, the
203 manager, in consultation with the department, is responsible for determining what hour
204 threshold will apply. Part-time position excludes administrative intern.

205 ~~((NN.))~~ OO. "Part-time regular employee" means an employee employed in a
206 part-time regular position and, for part-time career service positions, is not serving a
207 probationary period. Under Section 550 of the charter, such part-time regular
208 employees are members of the career service.

209 ~~((OO.))~~ PP. "Part-time regular position" means a regular position in which the
210 part-time regular employee is employed for at least nine hundred ten hours but less than
211 a full-time basis in a calendar year in a work unit in which a thirty-five hour work week
212 is standard or for at least one thousand forty hours but less than a full-time basis in a
213 calendar year in a work unit in which a forty-hour work week is standard. Where the
214 standard work week falls between thirty-five and forty hours, the manager, in
215 consultation with the department, is responsible for determining what hour threshold
216 will apply.

217 ~~((PP.))~~ QQ. "Pay plan" means a systematic schedule of numbered pay ranges
218 with minimum, maximum and intermediate steps for each pay range, a schedule of
219 assignment of each classification to a numbered pay range and rules for administration.

220 ~~((QQ-))~~ RR. "Pay range" means one or more pay rates representing the
221 minimum, maximum and intermediate steps assigned to a classification.

222 ~~((RR-))~~ SS. "Pay range adjustment" means the adjustment of the numbered pay
223 range of a classification to another numbered pay range in the schedule based on a
224 classification change, competitive pay data or other significant factors.

225 ~~((SS-))~~ TT. "Personnel guidelines" means only those operational procedures
226 promulgated by the manager necessary to implement personnel policies or requirements
227 previously stipulated by ordinance or the charter. Such personnel guidelines shall be
228 applicable only to employees assigned to executive departments and administrative
229 agencies.

230 ~~((TT-))~~ UU. "Position" means a group of current duties and responsibilities
231 assigned by competent authority requiring the employment of one person.

232 ~~((UU-))~~ VV. "Probationary employee" means an employee serving a
233 probationary period in a regular career service. Probationary employees are temporary
234 employees and excluded from career service under Section 550 of the charter.

235 ~~((VV-))~~ WW. "Probationary period" means a period of time, as determined by
236 the manager, constituting the final step in the competitive screening process for career
237 service or for promotion from one career service position to another. An appointment
238 to the career service, whether following successful completion of an initial probationary
239 period of county employment or a promotional probationary period, shall not be final
240 unless the employee successfully completes this probationary period.

241 (~~WW~~) XX. "Probationary period salary increase" means a within-range salary
242 increase from one step to the next highest step upon satisfactory completion of the
243 probationary period.

244 (~~XX~~) YY. "Promotion" means the movement of an employee to a position in a
245 classification having a higher maximum salary.

246 (~~YY~~) ZZ. "Provisional appointment" means an appointment made in the
247 absence of a list of candidates certified as qualified by the manager. Only the manager
248 may authorize a provisional appointment. An appointment to this status is limited to six
249 months.

250 (~~ZZ~~) AAA. "Provisional employee" means an employee serving by
251 provisional appointment in a regular career service. Provisional employees are
252 temporary employees and excluded from career service under Section 550 of the
253 charter.

254 (~~AAA~~) BBB. "Recruiting step" means the first step of the salary range
255 allocated to a class unless otherwise authorized by the executive.

256 (~~BBB~~) CCC. "Regular position" means a position established in the county
257 budget and identified within a budgetary unit's authorized full time equivalent (FTE)
258 level as set out in the budget detail report.

259 (~~CCC~~) DDD. "Salary or pay rate" means an individual dollar amount that is
260 one of the steps in a pay range paid to an employee based on the classification of the
261 position occupied.

262 (~~DDD~~) EEE. "Section" means an agency's budget unit comprised of a
263 particular project program or line of business as described in the budget detail plan for

264 the previous fiscal period as attached to the adopted appropriation ordinance or as
265 modified by the most recent supplemental appropriations ordinance. This definition is
266 not intended to create an organization structure for any agency.

267 ~~((EEE.))~~ FFF. "Serious health condition" means an illness or injury, impairment
268 or physical or mental condition that involves one or more of the following:

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

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

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

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

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

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

284 ~~((FFF.))~~ GGG. "Temporary employee" means an employee employed in a
285 temporary position and in addition, includes an employee serving a probationary period

286 or is under provisional appointment. Under Section 550 of the charter, temporary
287 employees shall not be members of the career service.

288 ~~((GGG.))~~ HHH. "Temporary position" means a position that is not a regular
289 position as defined in this chapter and excludes administrative intern. Temporary
290 positions include both term-limited temporary positions as defined in this chapter and
291 short-term (normally less than six months) temporary positions in which a temporary
292 employee works less than nine hundred ten hours in a calendar year in a work unit in
293 which a thirty-five hour work week is standard or less than one thousand forty hours in
294 a calendar year in a work unit in which a forty hour work week is standard, except as
295 provided elsewhere in this chapter. Where the standard work week falls between thirty-
296 five and forty hours, the manager, in consultation with the department, is responsible for
297 determining what hour threshold will apply.

298 ~~((HHH.))~~ III. "Term-limited temporary employee" means a temporary employee
299 who is employed in a term-limited temporary position. Term-limited temporary
300 employees are not members of the career service. Term-limited temporary employees
301 may not be employed in term-limited temporary positions longer than three years
302 beyond the date of hire, except that for grant-funded projects capital improvement
303 projects and information systems technology projects the maximum period may be
304 extended up to five years upon approval of the manager. The manager shall maintain a
305 current list of all term-limited temporary employees by department.

306 ~~((HH.))~~ JJJ. "Term-limited temporary position" means a temporary position
307 with work related to a specific grant, capital improvement project, information systems
308 technology project or other non-routine, substantial body of work, for a period greater

309 than six months. In determining whether a body of work is appropriate for a term-
310 limited temporary position, the appointing authority will consider the following:

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

314 2. Information systems technology projects: These positions will be needed to
315 plan and implement new information systems projects for the county. Term-limited
316 temporary positions may not be used for ongoing maintenance of systems that have
317 been implemented;

318 3. Capital improvement projects: These positions will involve the management
319 of major capital improvement projects. Term-limited temporary positions may not be
320 used for ongoing management of buildings or facilities once they have been built;

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

325 5. Seasonal positions: These are positions with work for more than six
326 consecutive months, half-time or more, with total hours of at least nine hundred ten in a
327 calendar year in a work unit in which a thirty-five hour work week is standard or at least
328 one thousand forty hours in a calendar year in a work unit in which a forty hour work
329 week is standard, that due to the nature of the work have predictable periods of
330 inactivity exceeding one month. Where the standard work week falls between thirty-five

331 and forty hours, the manager, in consultation with the department, is responsible for
332 determining what hour threshold will apply; and

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

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

339 ~~((JJJ))~~ KKK. "Volunteer for the county" means an individual who performs
340 service for the county for civic, charitable or humanitarian reasons, without promise,
341 expectation or receipt of compensation from the county for services rendered and who
342 is accepted as a volunteer by the county, except emergency service worker volunteers as
343 described by chapter 38.52 RCW. A "volunteer for the county" may receive reasonable
344 reimbursement of expenses or an allowance for expenses actually incurred without
345 losing his or her status as a volunteer. "Volunteer for the county" includes, but is not
346 limited to, a volunteer serving as a board member, officer, commission member,
347 volunteer intern or direct service volunteer.

348 ~~((KKK-))~~ LLL. "Volunteer intern" means volunteers who are also enrolled full-
349 time during the regular school year in a program of education, internship or
350 apprenticeship who are receiving scholastic credit or scholastic recognition for
351 participating in the internship.

352 ~~((LLL))~~ MMM. "Work study student" means a student enrolled or accepted for
353 enrollment at a post-secondary institution who, according to a system of need analysis

354 approved by the higher education coordinating board, demonstrates a financial inability,
355 either parental, familial or personal, to bear the total cost of education for any semester
356 or quarter.

357 SECTION 2. Ordinance 12014, Section 36, as amended, and K.C.C. 3.12.188
358 are each hereby amended to read as follows:

359 A. Employees eligible for leave and insured benefits under this chapter,
360 administrative interns, volunteer interns, work study students, AmeriCorps members
361 and eligible department of transportation retirees (~~as defined in this section~~) shall be
362 issued a transit (~~bus~~) pass entitling the holder to ride without payment of fare on
363 public transportation services operated by or under the authority of the county. In
364 addition, (~~such~~) those employees shall be entitled to use the transit (~~bus~~) pass to ride
365 without payment of fare on public transportation services operated by or under the
366 authority of Pierce Transit, Kitsap Transit, (~~the King County Ferry District,~~) Sound
367 Transit, Everett Transit(~~s~~) and Community Transit, subject to agreements with such
368 agencies as may be entered into by the executive. Use of transit (~~bus~~) passes shall be
369 restricted to such employees, administrative interns, volunteer interns, work study
370 students, AmeriCorps members and department of transportation retirees and any
371 unauthorized use shall, at a minimum, result in forfeiture of the passes. With the
372 exception of administrative interns, volunteer interns, (~~and~~) work study students(~~s~~)
373 and AmeriCorps members, employees not eligible for leave and insured benefits under
374 this chapter shall not receive transit (~~bus~~) passes or any transit (~~bus~~) pass subsidy.

375 B. The executive shall cause an appropriate survey to be conducted biennially of
376 the use of public transportation services by county employees and volunteer interns.

377 Based on the results of the survey, the projected usage of public transportation services
378 by county employees, the county's commute trip reduction objectives and other factors
379 determined appropriate by the executive, the executive shall recommend in the annual
380 budget an amount to be paid to the public transportation operating account for transit
381 ((bus)) passes. The amount recommended by the executive shall not include any
382 payment for transit ((bus)) passes for commissioned police officers, eligible department
383 of transportation retirees and employees whose positions are determined by the director
384 of the department of transportation to be dedicated exclusively to the public
385 transportation function. The final amount to be transferred to the public transportation
386 operating account for transit ((bus)) passes shall be determined by the council as part of
387 the annual budget and appropriation process consistent with the requirements of the
388 King County Charter and applicable state law.

389 C. For purposes of this section, "eligible department of transportation retiree"
390 means an employee eligible for leave and insured benefits under this chapter who:

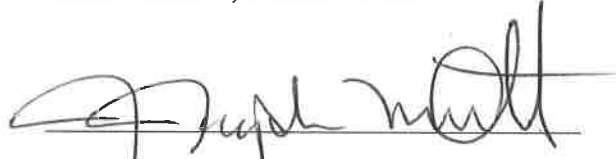
391 1. Separates from employment with the county while holding a position in the
392 department of transportation determined by the director of the department of
393 transportation to be dedicated exclusively to the public transportation function; and

394 2. On the date of the separation is eligible to receive benefits from a retirement
395 system established pursuant to state law.
396

Ordinance 18197 was introduced on 11/16/2015 and passed by the Metropolitan King
County Council on 12/14/2015, by the following vote:

Yes: 7 - Mr. von Reichbauer, Mr. Gossett, Ms. Hague, Mr. Dunn, Mr.
McDermott, Mr. Dembowski and Mr. Upthegrove
No: 0
Excused: 2 - Mr. Phillips and Ms. Lambert


KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Larry Phillips, Chair

ATTEST:


Anne Noris, Clerk of the Council

APPROVED this 14th day of December, 2015.


Dow Constantine, County Executive

RECEIVED
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KING COUNTY CLERK
KING COUNTY COUNCIL

Attachments: None