



## King County

### PERSONNEL BOARD

516 3<sup>rd</sup> Avenue, Room 1222

Seattle WA 98104-2306

(206) 477-3400 | [PersonnelBoard@kingcounty.gov](mailto:PersonnelBoard@kingcounty.gov)

---

To: The Honorable Dave Upthegrove, Chair of the King County Council  
From: James Buck, Chair of the King County Personnel Board  
Date: October 25, 2023  
Re: **Request for Increase to the Per Diem Rate for Members of the King County Personnel Board**

---

To the Honorable Dave Upthegrove,

The Personnel Board respectfully requests an increase in the per diem compensation rate, as specified by KCC 3.08.110, from \$100 to \$375 for a full day (6 hours or more), and from \$75 to \$250 for a half day (3 hours or less) for all members, including the chair<sup>1</sup>. The Board requests that this increase take effect on January 1, 2024.

#### **Background**

The Personnel Board was created by the County Charter for the purpose of hearing and deciding certain kinds of appeals from County employees who are members of the Career Service and choose not to pursue a grievance procedure under an applicable bargaining agreement, if any. Any member of the Career Service may appeal to the Personnel Board; from any action pertaining to the methods of examination, appointment or promotion; from any suspension for more than sixty days, reduction in rank or pay, or removal; and from any classification or reclassification of positions. The Personnel Board shall hold a public hearing to consider an appeal and shall issue such orders as it deems proper including but not limited to the restoration of rank or pay, with or without loss of benefits and pay, and the allocation and reallocation of positions. The decision of the Personnel Board shall be final unless reviewed by a court of competent jurisdiction.<sup>2</sup>

---

<sup>1</sup> The current code allows for a premium chair per diem of \$125 for a full day and \$88 for a half day; however, the current membership would like to propose that this be eliminated and that the chair be compensated at the member rate.

<sup>2</sup> KC Charter Article 5, Section 540.

The Personnel Board is composed of five members, four of whom (serving a 5-year term) are appointed by the County Executive and one of whom (serving a 3-year unexpired term) is elected by County Career Service employees.

## **Reasons for Request**

### **1. Cost of Living Adjustment**

The per-diem was last adjusted by the Council in 1998. Since 1998, the Consumer Price Index (CPI) for the Seattle-Tacoma-Bellevue area has since increased 105.5% (1998 Seattle CPI-U index=167.7<sup>3</sup>; 2023 Seattle CPI-U index=344.45<sup>4</sup>). Thus, the Personnel Board believes an increase to the per diem is warranted.

### **2. Compensation Comparison**

The current \$100 full day per diem rate equates to \$16.67 per hour based on six scheduled hours. Personnel Board members receive no additional benefits or any other compensation for their services. Additionally, the payment of the federal income tax is the responsibility of the individual Board member. The Personnel Board's proposed full day per diem of \$375 equates to \$63 per scheduled hour. Comparatively, Washington administrative law judges, adjudicators, and hearing officers have an average salary of \$113,890<sup>5</sup> or \$55 per hour<sup>6</sup>. Benefit costs for an employee at this salary range approximates \$23<sup>7</sup> per hour indicating a fully burdened cost of \$78 per hour.

Moreover, the County has two quasi-judicial boards (the Board of Appeals and Equalization<sup>8</sup> and the Personnel Board) and both should be compensated equally.

---

<sup>3</sup> *Frequently Asked Questions*, Seattle Office of Economic and Revenue Forecasts, <https://www.seattle.gov/economic-and-revenue-forecasts/consumer-price-index-inflation/frequently-asked-questions>. Accessed 2 Oct. 2023.

<sup>4</sup> *Consumer Price Index, Seattle area-August 2023*, U.S. Bureau of Labor Statistics Western Information Office, 13 Sept. 2023, [https://www.bls.gov/regions/west/news-release/ConsumerPriceIndex\\_Seattle.htm](https://www.bls.gov/regions/west/news-release/ConsumerPriceIndex_Seattle.htm). Accessed 2 Oct. 2023.

<sup>5</sup> Bureau of Labor and Statistics, Occupational Code 23-1021, WA. May 2021.

<sup>6</sup> Assumes 2,080 hours per year.

<sup>7</sup> Based on King County 2020 position cost data. \$18,288 = annual medical benefits, 7.65% soc. sec, and 12.86% retirement benefits.

<sup>8</sup> The Board of Appeals and Equalization was granted a per diem increase of \$375 for a full day and \$250 for a half day of work that passed 11/15/2022 under ordinance no. 195333.

3. **Complexity of Workload, Need to Retain and Attract Skilled Members**

Since the Personnel Board can order the restoration of rank or pay, with or without loss of benefits and pay, and the allocation and reallocation of positions<sup>9</sup> of County employees, it is imperative that members are equipped with the human resource knowledge required to hear and make determinations on reclassification and termination cases. An increase to the per diem would facilitate better retention of skilled members and would make membership more attractive to new members. We also note that, Personnel Board members contribute a significant amount of time hearing cases. A recent termination case required seven hearing days over two months and multiple days for deliberation.

**Implementation Cost**

Per KCC 3.08.120, the Board of Appeals and Equalization provides administrative support<sup>10</sup> to the Personnel Board and is reimbursed by the department of human resources for costs related to Personnel Board activities such as board per diems.

Personnel Board members meet on Fridays as needed. Unless the parties reach an agreement, cases are scheduled for prehearing conferences (1-2 hours) and hearings (7 hours; 9am-4pm with lunch break). The Board then deliberates and makes a determination (1-3 hours). Historically only one day was required for hearings, but due to the complexity of termination cases and an increase in multiple appellant reclassification filings, cases are now scheduled for multiple hearing dates.

So far this year (January-September 2023), the Personnel Board's total per diem cost was \$2,716<sup>11</sup> (\$3,621 annualized). Historically, the Personnel Board's cost has been less than \$5,000 annually. Based on the assumptions in the following table, the estimated implementation cost of the increase would be approximately \$19,000.

---

<sup>9</sup> KC Charter Article 5, Section 540.

<sup>10</sup> Ordinance 2023-0288 is currently in committee to have the Hearing Examiner provide administrative support to the Personnel Board, instead of the Board of Appeals and Equalization. Reimbursement of per diem costs is still currently with the Department of Human Resources.

<sup>11</sup> \$775 per member for an estimated 39 hours of work; \$1,666 for chair for an estimated 51 hours of work.

**Impact Cost Analysis**

Proposed	Current	
N/A	18	Total cases resolved from 2018 to October of 2023
N/A	\$5,000	Historical max annual per diem cost (rd)
N/A	\$3,500	Historical average annual per diem cost (rd)
4	4	No. of members present per day
1	1	No. of chairpersons present per day
\$375	\$100	Member per diem rate
<u>\$375</u>	<u>\$125</u>	Chair per diem rate
\$1,875	\$525	Total daily per diem cost for full board <sup>1</sup>
50%	50%	Probability case is resolved in one day (e.g. dismissal)
50%	50%	Probability case goes to hearing (e.g. multi-day)
2.30	1.80	Average no. cases resolved in one day (e.g. dismissal)
<u>2.30</u>	<u>1.80</u>	Average no. cases that go to hearing (e.g. multi-day)
4.60	3.60	Average no. cases resolved per year (Rd) <sup>2</sup>
4.20	2.70	Estimated no. of full per diem days per case heard by board <sup>3</sup>
\$22,441	\$3,500	= Estimated annual per diem cost <sup>4</sup>
<b>\$19,000</b>		= Impact cost = Proposed less current estimated annual per diem cost (rd)

Notes:

1. Total daily per diem cost for full board = (no. members x per member diem rate)+( one chair x chair per diem rate)
2. No. of cases per year expected to increase nominally;
- 3a. Current no. of days per case heard = (historical ave annual cost less average cost allocated to 1-day cases) ÷ no. full board daily per diem cost;
- 3b. No. of days per case expected to increase due to increasing complexity of cases
4. Estimated annual cost = (full board cost of multi-day heard cases) + (full board 1-day cost of admin resolved cases)

In summary, members consider it a privilege to serve on the Personnel Board and respectfully request to be fairly compensated at the proposed rate of \$375 for a full day and \$250 for a half day so that they can offset costs for cost-of-living increases, and other expenses associated with serving King County. Thank you for considering this request.



James Buck, Chair of the Personnel Board