



King County

Metropolitan King County Council Law, Justice, Health, and Human Services Committee

STAFF REPORT

Agenda Item No.: 8	Date:	10 Jan 2012
Proposed Ordinance No.: 2012-0008	Prepared by:	Nick Wagner

A. SUMMARY

Proposed Ordinance 2012-0008 (pp. 5-6 of these materials) would approve a collective bargaining agreement (CBA), including a memorandum of agreement (MOA), between King County and the Washington State Council of County and City Employees, Local 1652 (Medical Examiner). The CBA (pp. 7-35 of these materials) covers approximately 19 employees in the Prevention Division of the Department of Public Health.

1. Term of the CBA

The CBA covers the four-year period from 1 January 2011 through 31 December 2014. (CBA Article 21, p. 34 of these materials)

2. The Bargaining Unit

As described in the Executive's transmittal letter (pp. 47-48 of these materials), the approximately 19 employees covered by this agreement provide limited death investigation and forensic pathology services for King County residents and agencies for all sudden, unexpected, and unnatural deaths. The services include:

- Surveillance for bioterrorism and infectious diseases;
- Death investigations;
- Special investigations (e.g., Sudden Infant Death Syndrome, elder abuse, traffic fatalities);
- Contract Management (anthropology and pathology services); and
- Research and multiple fatality disaster response training.

The covered classifications include:

- Forensic Medicolegal Death Examiners;
- Forensic Autopsy Technicians;
- Health Program Assistants;
- Fiscal Specialists; and
- Administrative Specialists.

B. NEW CONTRACT PROVISIONS

The proposed CBA is a four-year rollover of the previous CBA, except for the following changes:

1. COLAs

Article 8, section 1 of the CBA (p. 21 of these materials) provides for the following cost of living adjustments (COLAs), which are the same as those agreed to by the vast majority of the County's represented employees:

Year	Formula	COLA
2011	No COLA	Zero
2012	90% of CPI-W for Seattle-Tacoma-Bremerton, with 0% floor and no ceiling	1.63%
2013	95% of CPI-W for Seattle-Tacoma-Bremerton, with 0% floor and no ceiling	2.05%
2014	95% of CPI-W for Seattle-Tacoma-Bremerton, with 0% floor and no ceiling	1.85%

The specific COLA percentages listed in the table for 2013 and 2014 are projections by the County's Office of Economic and Financial Analysis (OEFA).¹ They are slightly different from those listed in the Executive's Fiscal Note (p. 45 of these materials), which was based on earlier projections by OEFA.²

The fiscal impact of the COLAs is described in the Executive's Fiscal Note (p. 45 of these materials), which is summarized in the table below. The cost increases listed for 2013 and 2014 are based on earlier projections by the County's Office of Economic and Financial Analysis, which have changed slightly since the Fiscal Note was prepared.

	2011	2012	2013	2014
Increase over previous year	\$0	\$76,838	\$90,068	\$94,202
Cumulative increase over 2010	\$0	\$76,838	\$166,906	\$261,108

¹ See the OEFA website: <http://www.kingcounty.gov/business/Forecasting.aspx>.

² The COLA projected by OEFA for 2013 had changed from 1.88 percent to 2.05 percent as of 1 September 2011. The COLA for 2014 had changed from 1.93 percent to 1.85 percent as of the same date. The next official OEFA forecast will be based on data as of 1 March 2012.

2. COLA reopener

Article 8, section 1 of the CBA (p. 21 of these materials) and section 1 of the MOA (p. 38 of these materials) provide that COLA negotiations will be reopened if, comparing the current year to the previous year, there is either (1) an increase in the King County unemployment rate of more than two percentage points or (2) a decline of more than seven percent in county retail sales. Each year by July 30th the county will assess whether either of these conditions has been met.

3. Other compensation and benefits

Non-COLA forms of compensation (for example, step increases) remain unchanged in the proposed new CBA, which also provides that the county will maintain the benefits negotiated in the Joint Labor Management Insurance Committee (JLMIC) for 2011 through 2012 (see sections 2 and 4 of the Memorandum of Agreement that is CBA Attachment 1 (pp. 38-39 of these materials)).

4. Reopener re. transition to biweekly payroll system

Article 3, section 4, of the CBA (p. 11 of these materials) acknowledges the county's right to implement "a common biweekly payroll system that will standardize pay practices and Fair Labor Standards Act work weeks" and provides that the CBA may be reopened to negotiate these standardized pay practices, to the extent required by law.

C. CONSISTENCY WITH LABOR POLICIES

The proposed CBA is consistent with the County's adopted labor policies.

D. LEGAL REVIEW

The CBA has been reviewed by the Office of the Prosecuting Attorney, Civil Division. (Transmittal letter, p. 48 of these materials)

E. INVITED

1. Alex Golan, Labor Negotiator, King County Office of Labor Relations
2. Diana Prenguber, Staff Representative, Washington State Council of County and City Employees, Local 1652 (Medical Examiner)

ATTACHMENTS

	Page
1. Proposed Ordinance 2012-0008.....	5
a. Att. A (Collective Bargaining Agreement).....	7
i. Att. 1 (Memorandum of Agreement).....	37
2. Checklist and Summary of Changes	41
3. Contract Summary.....	43
4. Fiscal Note.....	45
5. Transmittal letter.....	47