



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

November 15, 2016

Ordinance 18408

Proposed No. 2016-0463.3

Sponsors Dembowski and Kohl-Welles

1 AN ORDINANCE establishing a paid parental leave
2 program for employees eligible for leave benefits,
3 including annual reports; amending Ordinance 12014,
4 Section 5, as amended, and K.C.C. 3.12.010 and adding a
5 new section to K.C.C. chapter 3.12.

6 STATEMENT OF FACTS:

- 7 1. Under federal and state law, eligible employees are entitled to take up
8 to twelve weeks of leave for the birth, adoption or foster placement of a
9 child. During that period, employees' jobs are protected, and they
10 continue to receive employer paid health benefits; however, there is no
11 requirement that employees be paid during the leave.
- 12 2. The United States is the only industrialized nation in the world that
13 does not mandate paid parental leave.
- 14 3. Paid maternity leave can increase breastfeeding rates and duration,
15 reduce the risk of infant mortality and increase the likelihood of infants
16 receiving well-baby care and vaccinations.
- 17 4. Fathers who take time off from work around childbirth are likely to
18 spend more time with their children in the months following their

19 children's birth, which could reduce stress on the family and contribute to
20 father-infant bonding.

21 5. A 2012 U.S. Department of Labor survey found that the number of
22 employees who reported needing leave, but not using it, had doubled since
23 2000. The most-common reasons for not using leave were inability to
24 afford an unpaid leave and fear of losing one's job. Those who did not
25 take needed leave were disproportionately women, nonwhite, unmarried,
26 and earning less than \$35,000 per year.

27 6. The King County women's advisory board has issued a report,
28 Improving Wage Equity and Promoting Family Friendly Workplace
29 Policies throughout King County, that recommends that King County offer
30 paid parental leave to its employees.

31 7. Providing paid parental leave may help attract and retain employees
32 and may reduce employee turnover, which has been estimated to cost
33 twenty-one percent of an employee's annual salary.

34 8. Providing paid parental leave supports King County's commitment to
35 equity and social justice, in that it makes parental leave more affordable
36 for lower-paid employees.

37 9. Paid parental leave is associated with improved health outcomes for
38 infants and children, which may result in avoided healthcare costs for
39 King County, which is self-insured.

40 10. In the absence of a paid parental leave program, childbirth and
41 adoption can take a significant financial and emotional toll on working
42 parents and thereby can impair their ability to serve the public.

43 11. According to executive reporting, through the 2016 paid parental
44 leave pilot program, one hundred twenty employees received paid parental
45 leave hours in the first half of 2016. Of the one hundred twenty
46 employees, seventy-three were male and forty-seven were female, which
47 is consistent with the gender breakdown of King County's workforce. The
48 costs of the program through June 30, 2016, were consistent with the
49 estimated costs for 2016.

50 12. Based on the success of King County's pilot program, establishing an
51 ongoing paid parental leave program is in the best interest of King County
52 employees, their families and the public that the employees serve.

53 13. For employees who experienced a qualifying event in 2016 but were
54 adversely affected by being ineligible to participate in the 2016 paid
55 parental leave pilot program, the executive is encouraged to seek and
56 implement mitigation options as this ongoing paid parental leave program
57 is implemented.

58 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

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

61 For the purposes of this chapter, all words shall have their ordinary and usual
62 meanings except those defined in this section which shall have, in addition, the following

63 meanings. In the event of conflict, the specific definitions set forth in this section shall
64 presumptively, but not conclusively, prevail.

65 A. "Accrued paid leave" includes accrued vacation leave, sick leave, executive
66 leave and other similar leaves, but excludes compensatory time.

67 B.1. "Administrative interns" means employees who are:

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

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

71 2. All administrative internships in executive departments shall be approved by
72 the manager. Administrative interns are exempt from the career service under Section
73 550 of the charter.

74 ~~((B.))~~ C. "AmeriCorps" means those who apply for and are selected to serve in
75 positions at King County government through either AmeriCorps or Washington Service
76 Corps programs, or both.

77 ~~((C.))~~ D. "Appointing authority" means the county council, the executive, chief
78 officers of executive departments and administrative offices, or division managers having
79 authority to appoint or to remove persons from positions in the county service.

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

84 ~~((E.))~~ F. "Board" means the county personnel board established by Section 540 of
85 the charter.

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

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

95 (~~(H.)~~) I. "Career service position" means all positions in the county service
96 except for those that are designated by Section 550 of the charter as follows: all elected
97 officers; the county auditor, the clerk and all other employees of the county council; the
98 county administrative officer; the chief officer of each executive department and
99 administrative office; the members of all boards and commissions; the chief economist
100 and other employees of the office economic and financial analysis; the chief economist
101 and other employees of the office of economic and financial analysis; administrative
102 assistants for the executive and one administrative assistant each for the county
103 administrative officer, the county auditor, the county assessor, the chief officer of each
104 executive department and administrative office and for each board and commission; a
105 chief deputy for the county assessor; one confidential secretary each for the executive, the
106 chief officer of each executive department and administrative office, and for each
107 administrative assistant specified in this section; all employees of those officers who are
108 exempted from the provisions of this chapter by the state constitution; persons employed

109 in a professional or scientific capacity to conduct a special inquiry, investigation or
110 examination; part-time and temporary employees; administrative interns; election
111 precinct officials; all persons serving the county without compensation; physicians;
112 surgeons; dentists; medical interns; and student nurses and inmates employed by county
113 hospitals, tuberculosis sanitariums and health departments of the county.

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

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

120 ~~((I.))~~ J. "Charter" means the King County Charter, as amended.

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

- 123 1. Under eighteen years of age; or
124 2. Eighteen years of age or older and incapable of self care because of a mental
125 or physical disability.

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

130 ~~((L.))~~ M. "Classification plan" means the arrangement of positions into
131 classifications together with specifications describing each classification.

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

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

139 ~~((O.))~~ P. "Council" means the county council as established by Article 2 of the
140 charter.

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

143 ~~((Q.))~~ R. "Developmental disability" means a developmental disability, as
144 defined in RCW 71A.10.020(2), as amended, attributable to mental retardation, cerebral
145 palsy, epilepsy, autism or other neurological or other condition of an individual found by
146 the secretary of the Washington state Department of Social and Health Services, or the
147 secretary's designee, to be closely related to mental retardation or to require treatment
148 similar to that required for individuals with mental retardation, which disability originates
149 before the individual attains age eighteen, that has continued or can be expected to
150 continue indefinitely and that constitutes a substantial handicap for the individual.

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

155 (~~(S.)~~) T. "Director" means the manager of the human resources management
156 division.

157 (~~(F.)~~) U. "Division" means the human resources management division or its
158 successor agency.

159 (~~(U.)~~) V. "Domestic partners" are two people in a domestic partnership, one of
160 whom is a county employee.

161 (~~(V.)~~) W. "Domestic partnership" is a relationship whereby two people:

- 162 1. Have a close personal relationship;
- 163 2. Are each other's sole domestic partner and are responsible for each other's
164 common welfare;
- 165 3. Share the same regular and permanent residence;
- 166 4. Are jointly responsible for basic living expenses which means the cost of
167 basic food, shelter and any other expenses of a domestic partner that are paid at least in
168 part by a program or benefit for which the partner qualified because of the domestic
169 partnership. The individuals need not contribute equally or jointly to the cost of these
170 expenses as long as they agree that both are responsible for the cost;
- 171 5. Are not married to anyone;
- 172 6. Are each eighteen years of age or older;
- 173 7. Are not related by blood closer than would bar marriage in the state of
174 Washington;
- 175 8. Were mentally competent to consent to contract when the domestic
176 partnership began.

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

186 (~~(X.)~~) Y. "Employee" means any person who is employed in a career service
187 position or exempt position.

188 (~~(Y.)~~) Z. "Executive" means the county executive, as established by Article 3 of
189 the charter.

190 (~~(Z.)~~) AA. "Exempt employee" means an employee employed in a position that is
191 not a career service position under Section 550 of the charter. Exempt employees serve
192 at the pleasure of the appointing authority.

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

196 (~~(BB.)~~) CC. "Full-time regular employee" means an employee employed in a
197 full-time regular position and, for full-time career service positions, is not serving a
198 probationary period.

199 (~~CC~~) DD. "Full-time regular position" means a regular position that has an
200 established work schedule of not less than thirty-five hours per week in those work units
201 in which a thirty-five hour week is standard, or of not less than forty hours per week in
202 those work units in which a forty-hour week is standard.

203 (~~DD~~) EE. "Furlough day" means a day for which an employee shall perform no
204 work and shall receive no pay due to an emergency budget crisis necessitating emergency
205 budget furloughs.

206 (~~EE~~) FF. "Furloughed employee" means an employee who is placed in a
207 temporary status without duties and without pay due to a financial emergency
208 necessitating budget reductions.

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

212 (~~GG~~) HH. "Immediate family" means spouse, child, parent, son-in-law,
213 daughter-in-law, grandparent, grandchild, sibling, domestic partner and the child, parent,
214 sibling, grandparent or grandchild of the spouse or domestic partner.

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

217 (~~II~~) JJ. "Integrated work setting" means a work setting with no more than eight
218 persons with developmental disabilities or with the presence of a sensory, mental or
219 physical handicap as specified in K.C.C. 3.12.180. This definition refers to all county
220 offices, field locations and other work sites at which supported employees work

221 alongside employees who are not persons with development disabilities employed in
222 permanent county positions.

223 (~~(JJ.)~~) KK. "King County family and medical leave" means a leave of absence
224 taken under K.C.C. 3.12.221.

225 (~~(KK.)~~) LL. "Life-giving and life-saving procedures" means a medically-
226 supervised procedure involving the testing, sampling, or donation of blood, organs,
227 fluids, tissues and other human body components for the purposes of donation without
228 compensation to a person for a medically necessary treatment.

229 (~~(LL.)~~) MM. "Manager" means the manager of the human resources division or
230 its successor agency.

231 (~~(MM.)~~) NN. "Marital status" means the presence or absence of a marital
232 relationship and includes the status of married, separated, divorced, engaged, widowed,
233 single or cohabiting.

234 (~~(NN.)~~) OO. "Part-time employee" means an employee employed in a part-time
235 position. Under Section 550 of the charter, part-time employees are not members of the
236 career service.

237 (~~(OO.)~~) PP. "Part-time position" means an other than a regular position in which
238 the part-time employee is employed less than half time, that is less than nine hundred ten
239 hours in a calendar year in a work unit in which a thirty-five hour work week is standard
240 or less than one thousand forty hours in a calendar year in a work unit in which a forty-
241 hour work week is standard, except as provided elsewhere in this chapter. Where the
242 standard work week falls between thirty-five and forty hours, the manager, in

243 consultation with the department, is responsible for determining what hour threshold will
244 apply. Part-time position excludes administrative intern.

245 ~~((PP.))~~ QQ. "Part-time regular employee" means an employee employed in a
246 part-time regular position and, for part-time career service positions, is not serving a
247 probationary period. Under Section 550 of the charter, such part-time regular employees
248 are members of the career service.

249 ~~((QQ.))~~ RR. "Part-time regular position" means a regular position in which the
250 part-time regular employee is employed for at least nine hundred ten hours but less than a
251 full-time basis in a calendar year in a work unit in which a thirty-five hour work week is
252 standard or for at least one thousand forty hours but less than a full-time basis in a
253 calendar year in a work unit in which a forty-hour work week is standard. Where the
254 standard work week falls between thirty-five and forty hours, the manager, in
255 consultation with the department, is responsible for determining what hour threshold will
256 apply.

257 ~~((RR.))~~ SS. "Pay plan" means a systematic schedule of numbered pay ranges with
258 minimum, maximum and intermediate steps for each pay range, a schedule of assignment
259 of each classification to a numbered pay range and rules for administration.

260 ~~((SS.))~~ TT. "Pay range" means one or more pay rates representing the minimum,
261 maximum and intermediate steps assigned to a classification.

262 ~~((TT.))~~ UU. "Pay range adjustment" means the adjustment of the numbered pay
263 range of a classification to another numbered pay range in the schedule based on a
264 classification change, competitive pay data or other significant factors.

265 (~~UU~~) VV. "Personnel guidelines" means only those operational procedures
266 promulgated by the manager necessary to implement personnel policies or requirements
267 previously stipulated by ordinance or the charter. Such personnel guidelines shall be
268 applicable only to employees assigned to executive departments and administrative
269 agencies.

270 (~~VV~~) WW. "Position" means a group of current duties and responsibilities
271 assigned by competent authority requiring the employment of one person.

272 (~~WW~~) XX. "Probationary employee" means an employee serving a
273 probationary period in a regular career service. Probationary employees are temporary
274 employees and excluded from career service under Section 550 of the charter.

275 (~~XX~~) YY. "Probationary period" means a period of time, as determined by the
276 director, for assessing whether an individual is qualified for a career service position to
277 which the employee has been newly appointed or has moved from another position,
278 whether through promotion, demotion or transfer, except as provided in K.C.C. 3.12.100.

279 (~~YY~~) ZZ. "Probationary period salary increase" means a within-range salary
280 increase from one step to the next highest step upon satisfactory completion of the
281 probationary period.

282 (~~ZZ~~) AAA. "Promotion" means the movement of an employee to a position in
283 a classification having a higher maximum salary.

284 (~~AAA~~) BBB. "Provisional appointment" means an appointment made in the
285 absence of a list of candidates certified as qualified by the manager. Only the manager
286 may authorize a provisional appointment. An appointment to this status is limited to six
287 months.

288 ~~((BBB.))~~ CCC. "Provisional employee" means an employee serving by
289 provisional appointment in a regular career service. Provisional employees are temporary
290 employees and excluded from career service under Section 550 of the charter.

291 ~~((CCC.))~~ DDD. "Qualifying event" means the birth of the employee's child, the
292 employee's adoption of a child or the foster-to-adopt placement of a child with the
293 employee.

294 EEE. "Recruiting step" means the first step of the salary range allocated to a class
295 unless otherwise authorized by the executive.

296 ~~((DDD.))~~ FFF. "Regular position" means a position established in the county
297 budget and identified within a budgetary unit's authorized full time equivalent (FTE)
298 level as set out in the budget detail report.

299 ~~((EEE.))~~ GGG. "Salary or pay rate" means an individual dollar amount that is one
300 of the steps in a pay range paid to an employee based on the classification of the position
301 occupied.

302 ~~((FFF.))~~ HHH. "Section" means an agency's budget unit comprised of a particular
303 project program or line of business as described in the budget detail plan for the previous
304 fiscal period as attached to the adopted appropriation ordinance or as modified by the
305 most recent supplemental appropriations ordinance. This definition is not intended to
306 create an organization structure for any agency.

307 ~~((GGG.))~~ III. "Serious health condition" means an illness or injury, impairment
308 or physical or mental condition that involves one or more of the following:

309 1. An acute episode that requires more than three consecutive calendar days of
310 incapacity and either multiple treatments by a licensed health care provider or at least one

311 treatment plus follow-up care such as a course of prescription medication; and any
312 subsequent treatment or period of incapacity relating to the same condition;

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

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

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

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

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

324 ~~((HHH.))~~ JJJ. "Temporary employee" means an employee employed in a
325 temporary position and in addition, includes an employee serving a probationary period
326 or is under provisional appointment. Under Section 550 of the charter, temporary
327 employees shall not be members of the career service.

328 ~~((HH.))~~ KKK. "Temporary position" means a position that is not a regular position
329 as defined in this chapter and excludes administrative intern. Temporary positions
330 include both term-limited temporary positions as defined in this chapter and short-term
331 (normally less than six months) temporary positions in which a temporary employee
332 works less than nine hundred ten hours in a calendar year in a work unit in which a thirty-
333 five hour work week is standard or less than one thousand forty hours in a calendar year

334 in a work unit in which a forty hour work week is standard, except as provided elsewhere
335 in this chapter. Where the standard work week falls between thirty-five and forty hours,
336 the manager, in consultation with the department, is responsible for determining what
337 hour threshold will apply.

338 ~~((JJJ.))~~ LLL. "Term-limited temporary employee" means a temporary employee
339 who is employed in a term-limited temporary position. Term-limited temporary
340 employees are not members of the career service. Term-limited temporary employees
341 may not be employed in term-limited temporary positions longer than three years beyond
342 the date of hire, except that for grant-funded projects capital improvement projects and
343 information systems technology projects the maximum period may be extended up to five
344 years upon approval of the manager. The manager shall maintain a current list of all
345 term-limited temporary employees by department.

346 ~~((KKK.))~~ MMM. "Term-limited temporary position" means a temporary position
347 with work related to a specific grant, capital improvement project, information systems
348 technology project or other nonroutine, substantial body of work, for a period greater
349 than six months. In determining whether a body of work is appropriate for a term-limited
350 temporary position, the appointing authority will consider the following:

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

354 2. Information systems technology projects: These positions will be needed to
355 plan and implement new information systems projects for the county. Term-limited

356 temporary positions may not be used for ongoing maintenance of systems that have been
357 implemented;

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

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

365 5. Seasonal positions: These are positions with work for more than six
366 consecutive months, half-time or more, with total hours of at least nine hundred ten in a
367 calendar year in a work unit in which a thirty-five hour work week is standard or at least
368 one thousand forty hours in a calendar year in a work unit in which a forty hour work
369 week is standard, that due to the nature of the work have predictable periods of inactivity
370 exceeding one month. Where the standard work week falls between thirty-five and forty
371 hours, the manager, in consultation with the department, is responsible for determining
372 what hour threshold will apply; and

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

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

379 (~~LLL~~) NNN. "Volunteer for the county" means an individual who performs
380 service for the county for civic, charitable or humanitarian reasons, without promise,
381 expectation or receipt of compensation from the county for services rendered and who is
382 accepted as a volunteer by the county, except emergency service worker volunteers as
383 described by chapter 38.52 RCW. A "volunteer for the county" may receive reasonable
384 reimbursement of expenses or an allowance for expenses actually incurred without losing
385 his or her status as a volunteer. "Volunteer for the county" includes, but is not limited to,
386 a volunteer serving as a board member, officer, commission member, volunteer intern or
387 direct service volunteer.

388 (~~NNN~~) OOO. "Volunteer intern" means volunteers who are also enrolled full-
389 time during the regular school year in a program of education, internship or
390 apprenticeship who are receiving scholastic credit or scholastic recognition for
391 participating in the internship.

392 (~~NNN~~) PPP. "Work study student" means a student enrolled or accepted for
393 enrollment at a post-secondary institution who, according to a system of need analysis
394 approved by the higher education coordinating board, demonstrates a financial inability,
395 either parental, familial or personal, to bear the total cost of education for any semester or
396 quarter.

397 NEW SECTION. SECTION 2. There is hereby added to K.C.C. chapter 3.12 a
398 new section to read as follows:

399 A. The executive shall create a program that provides nonrepresented employees,
400 on the terms in this ordinance, paid parental leave following a qualifying event.

401 B. The executive is authorized to enter into memoranda of agreement with the
402 labor organizations that represent King County employees to provide those employees
403 paid parental leave consistent with the terms of this section.

404 C. The program for paid parental leave shall be subject to the following:

405 1. The program is intended to provide employees eligible for leave benefits with
406 twelve weeks of paid parental leave during the twelve months following a qualifying
407 event;

408 2. Participation in the program shall be limited to employees eligible for leave
409 benefits who have been employed with the county for at least six months of continuous
410 service at the time of the qualifying event and are either nonrepresented or represented by
411 a union that has signed a paid parental leave memorandum of agreement in subsection B.
412 of this section;

413 3. An employee's supplemental paid leave benefit shall be calculated based on
414 the employee's accrued paid leave balances at the time of the qualifying event.

415 4. An employee electing to participate in the program must reserve one week of
416 accrued vacation and one week of accrued sick leave, or whatever smaller amount of
417 each the employee has accrued. An employee with twelve weeks or more of unreserved,
418 accrued paid leave at the time of the qualifying event may use up to twelve weeks of
419 accrued paid leave as paid parental leave during the twelve months after the qualifying
420 event. An employee who has less than twelve weeks of unreserved, accrued paid leave at
421 the time of the qualifying event shall be granted supplemental paid leave in an amount
422 sufficient, when combined with the employee's unreserved accrued paid leave, to equal a
423 total of twelve weeks of paid parental leave. For example, if an employee has two weeks

424 of accrued vacation and three weeks of accrued sick leave at the time of the qualifying
425 event, the employee shall be granted nine weeks of supplemental paid leave, bringing the
426 total available paid parental leave to twelve weeks.

427 5. An employee may use supplemental paid leave and accrued paid leave in any
428 order and is not required to use any of the accrued paid leave as paid parental leave.

429 6. An employee on paid leave in the program shall be compensated at the
430 employee's base pay rate.

431 7. An employee should provide notice to the designated representative of the
432 employee's department that the employee intends to participate in the program. The
433 notice should meet the notice requirements for taking family and medical leave under
434 federal law.

435 8. Paid parental leave under the program must begin and end within twelve
436 months after the qualifying event.

437 9. The employee and the employee's supervisor shall agree upon a schedule for
438 taking paid parental leave that is consistent with the county's operational needs. An
439 employee may use the paid parental leave on a part-time basis as long as that is consistent
440 with the county's operational needs and is approved in writing by the supervisor before
441 the leave begins.

442 10. Paid parental leave under this ordinance shall run concurrently with King
443 County family and medical leave, as well as federal and state family and medical leave,
444 to the extent permitted by law.

445 11. During the time that an employee is on leave in the program, the employee's
446 job shall be protected to the same extent that an employee's job is protected while the

447 employee is on family or medical leave under federal or state law. No retaliatory action
448 may be taken against an employee for participating or planning to participate in the
449 program or for exercising the employee's rights under this ordinance. In particular,
450 permission to use accrued paid leave shall not be denied or delayed on the basis that the
451 employee intends to participate in the program. This is a general statement of county
452 policy that cannot form the basis of a private right of action.

453 12. Taking leave under the program shall not affect an employee's health
454 benefits or an employee's accrual of paid leave, which shall continue during the period of
455 paid parental leave.

456 13. Employees shall not be compensated in any manner for not using the
457 supplemental paid leave that is available under this ordinance.

458 14. An employee who does not return to work for at least six months of
459 continuous service following the paid parental leave, will be required to reimburse King
460 County for the supplemental paid parental leave funds received.

461 SECTION 3. The executive shall monitor the usage and costs associated with the
462 program established by this ordinance and shall report to the council by April 1, 2018, on
463 2017 usage and costs and by April 1, 2019, on 2018 usage and costs. The reports shall
464 include: the number, gender, compensation rate, and tenure at King County of the
465 employees who have used the program; their distribution among the county's departments
466 and divisions; the amount of supplemental paid leave that each employee was granted
467 under the program; the type of qualifying event; whether the positions of the employees
468 taking leave were backfilled and the costs of backfilling, to the extent that it can be
469 determined; and any other costs associated with the program. The executive shall file the

470 reports in the form of a paper original and an electronic copy with the clerk of the
471 council, who shall retain the original and provide an electronic copy to all
472 councilmembers, the council chief of staff, the policy staff director and the lead staff for
473 the transportation, economy and environment committee, or its successor.

474 SECTION 4. Severability. If any provision of this ordinance or its application to

475 any person or circumstance is held invalid, the remainder of the ordinance or the
476 application of the provision to other persons or circumstances is not affected.
477

Ordinance 18408 was introduced on 9/26/2016 and passed as amended by the Metropolitan King County Council on 11/14/2016, by the following vote:

Yes: 9 - Mr. von Reichbauer, Mr. Gossett, Ms. Lambert, Mr. Dunn,
Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles
and Ms. Balducci
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



J. Joseph McDermott, Chair

ATTEST:



Melani Pedroza, Acting Clerk of the Council

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CLERK
KING COUNTY COUNCIL

APPROVED this 21 day of NOVEMBER, 2016.



Dow Constantine, County Executive

Attachments: None