



## Legislation Text

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**File #:** 2015-0126, **Version:** 1

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A MOTION relating to the organization of the council; and amending Motion 10651, Section V, as amended, and OR 2-030, Motion 11122, and Motion 11122, Section H, as amended, and OR 2-050.

WHEREAS, the council has specified by motion the members of council committees and provided for any changes to these positions to be made by adoption of a formal legislative motion, and

WHEREAS, the council desires to specify committee membership;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

I. Motion 10651, Section V, as amended, and OR 2-030 are each hereby amended to read as follows:

**A. Membership requirements.** The employment and administration committee shall consist of ((three)) four members. The chair of the employment and administration committee shall issue, upon recommendation of the employment and administration committee and with the approval of a majority of the council, all employment decisions for legislative branch employees except interns and the councilmembers' personal and district support and constituent services staff, other than employment decisions that are made by the chair of the employment and administration committee as provided in this section.

**B. Duties and process.**

1. Administrative committee. The employment and administration committee is an administrative committee of the council. The employment and administration committee shall consult with councilmembers, the chief of staff and policy staff director on a continuing basis in order to review council operations under the staffing structure defined in this motion.

2. Personnel decisions. The employment and administration committee shall make recommendations

to the council concerning decisions for legislative branch employees, except for interns and councilmembers' personal and district support and constituent services staff, and except for minor personnel decisions, which may be made by the chair of the employment and administration committee in accordance with subsection B.6. of this section. Personnel decisions include decisions to hire, to fill vacancies, to make staffing adjustments, to designate staff employment assignments, except assignments of policy staff to specific issues and legislation which shall be made by the policy staff director under OR 3-040.D.2, to adjust staff pay, to analyze future hiring needs and to make other necessary employment decisions. Personnel decisions do not include termination or disciplinary decisions, which follow the process stated in subsection B.3. of this section, or minor personnel decisions, which follow the process stated in subsection B.6. of this section. Where applicable, employment and administration committee recommendations on personnel decisions shall be developed in consultation with appropriate committee chairs and, where applicable, the chief of staff and policy staff director.

3. Personnel decisions shall be contained in a written recommendation report and may be voted out of committee upon: a. the receipt of the signature of ~~((two))~~ three committee members during a meeting of the committee; or b. subject to signature by a quorum of the committee members in accordance with K.C.C. 1.24.055.C (Rule 6.C). Once the necessary signatures are obtained, recommendation reports from the committee shall be forwarded to the council for consideration on an employment and administration committee consent agenda. The chair of the employment and administration committee shall issue, upon recommendation of the employment and administration committee and with the approval of a majority of the council, all employment decisions for legislative branch employees except interns and the councilmembers' personal and district support and constituent services staffs.

4. Terminations and disciplinary decisions. The employment and administration committee makes decisions on discipline and termination, including layoffs, except for councilmembers' personal and district support and constituent services staff. If ~~((two))~~ three committee members vote for a termination or

disciplinary action the decision is final, except when an employee exercises the right of an appeal to the full council. An employee who has been either suspended without pay of two weeks or more or terminated may appeal the decision of the employment and administration committee to the council. The appeal must be filed within ten calendar days of written notice of the suspension or termination being sent to the employee. An appeal is accomplished by delivering a notice of appeal to the clerk of the council. Nondisciplinary terminations are subject to appeal in the same manner as disciplinary terminations.

5. Performance evaluations of chief of staff and policy staff director. Valuing broad-spectrum review of key staff within the legislative branch, performance appraisals of the chief of staff and policy staff director shall be drafted by the chair of the council with input from all councilmembers. Performance evaluation drafts shall then be forwarded to the committee for review and consideration before review with the individual being reviewed and rated.

6. Minor personnel decisions.

a. Except for interns and councilmembers' personal and district support and constituent services staff, the chair of the employment and administration committee shall make all minor personnel decisions as set forth in this subsection B.6. Minor personnel actions are:

(1) authorizing recruiting for a vacated or newly created position;

(2) increasing or reducing the hours assigned to a current position up to the total budgeted hours for the position, as reflected in the Staff and Salary Detail Report maintained by the chief of staff or his or her designee;

(3) reassigning an employee employed within a legislative branch agency of the county auditor, board of appeals/equalization, hearing examiner, office of law enforcement oversight, ombudsman/tax advisor or civic television to another position in the same agency and pay range;

(4) hiring a temporary or a term-limited temporary employee to perform clerical or technical functions, up to a total of the maximum period allowed by ordinance or two years, whichever is less;

(5) extending the employment period of a temporary or a term-limited temporary employee hired to perform clerical or technical functions, up to a total of the maximum period allowed by ordinance or two years, whichever is less; and

(6) approving a carryover of excess vacation leave under K.C.C. 3.12.190 because of cyclical workloads, work assignments or other reasons as may be in the best interests of the county.

b. Requests for minor personnel decisions shall be made in writing to the employment and administration committee chair via the chief of staff or policy staff director. Requests may be made only by councilmembers, legislative branch agency managers, the chief of staff, the policy staff director or a staff member who is supervised directly by the chair of the council. The chief of staff or policy staff director shall promptly provide the employment and administration committee chair with a copy of the request and the chief of staff's or policy staff director's recommendation for approval, disapproval or modification of the request.

c. Action on a requested minor personnel decision shall be in writing, signed by the chair of the employment and administration committee. The chief of staff shall file the original of the decision action with the clerk of the council, and shall provide copies of the decision action to the agency manager or supervisor, affected employee and members of the employment and administration committee.

7. Nothing in this process is to be construed to alter the at-will status of legislative branch employees. This process is designed to facilitate the will of the majority of the council. If there are specific provisions of a collective bargaining agreement that are contrary to this process, the collective bargaining agreement controls.

**C. Recommendations to the council chair.** The employment and administration committee may consider and make recommendations to the council chair regarding management organization structure and legislative branch customer service. The committee may monitor and make recommendations on the legislative branch budget.

**D. Removal of recommendations from consent agenda.** Upon the request of any member present before the council, any specific recommendation from the employment and administration committee shall be

removed from the consent agenda and considered separately by the council prior to adoption of the employment and administration committee consent agenda. The council may then by a majority vote make whatever orderly disposition of the matter it deems appropriate.

**E. Motions for censure.** The employment and administration committee shall consider and make recommendations on motions for censure related to alleged violations of any antiharassment policy by a councilmember.

**F. Personnel records as confidential.** To the extent permitted by law, personnel records which would be exempt from public disclosure shall continue to be treated as confidential and records or portions thereof which are exempt shall be conspicuously identified as such and separated from nonexempt records.

II. Motion 11122, Section H, as amended, and OR 2-050 are each hereby amended to read as follows:

The council designates the following councilmembers, in addition to the chairs and vice-chairs, as members of the standing committees created in this motion and the regional committees established in the King County Charter.

Budget and fiscal management committee:

Members: Rod Dembowski, Jane Hague, Dave Upthegrove.

Committee of the whole:

Members: All councilmembers.

Employment and administration committee:

Members: Kathy Lambert, Larry Phillips.

Government accountability and oversight committee:

Members: Reagan Dunn.

Health, housing and human services committee:

Members: Larry Gossett, Joe McDermott.

Law, justice and emergency management committee:

Members: Rod Dembowski, Joe McDermott.

Transportation, economy and environment committee:

Members: Kathy Lambert, Joe McDermott, Larry Phillips, Dave Upthegrove, Pete von Reichbauer.

Regional policy committee:

Members: Larry Gossett, Kathy Lambert.

Alternate: Joe McDermott.

Regional transit committee:

Members: Jane Hague, Joe McDermott.

Alternate: Rod Dembowski.

Regional water quality committee:

Members: Jane Hague, Larry Phillips.

Alternate: .