



Legislation Text

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Clerk 07/6/18

AN ORDINANCE relating to the establishment of the department of human resources; amending Ordinance 12075, Section 3, as amended, and K.C.C. 2.16.025, Ordinance 14199, Section 11, as amended, and K.C.C. 2.16.035, Ordinance 17699, Section 2, as amended, and K.C.C. 2.36.100, Ordinance 12075, Section 20, as amended, and K.C.C. 2.92.030, Ordinance 13370, Section 2, as amended, and K.C.C. 3.08.120, Ordinance 12014, Section 5, as amended, and K.C.C. 3.12.010, Ordinance 12014, Section 8, as amended, and K.C.C. 3.12.042, Ordinance 12014, Section 13, as amended, and K.C.C. 3.12.100, Ordinance 12014, Section 18, as amended, and K.C.C. 3.12.180, Ordinance 18572, Section 1, as amended, and K.C.C. 3.12.184, Ordinance 11149, Sections 1-4, as amended, and K.C.C. 3.12.187, Ordinance 12014, Section 24, as amended, and K.C.C. 3.12.247, Ordinance 12498, Section 1 and 4 through 7, as amended, and K.C.C. 3.12.335, Ordinance 12014, Section 32, as amended, and K.C.C. 3.12.350, Ordinance 16640, Section 3, as amended, and K.C.C. 3.12.400, Ordinance 12943, Section 14, as amended, and K.C.C. 3.12A.020, Ordinance 12014, Section 46, as amended, and K.C.C. 3.14.010, Ordinance 12014, Section 47, as amended, and K.C.C. 3.14.030, Ordinance 12014, Section 48, as amended, and K.C.C. 3.14.040, Ordinance 12014, Section 51, as amended, and K.C.C. 3.15.025, Ordinance 12014, Section 52, as amended, and K.C.C. 3.15.030, Ordinance 1282,

Section 5, as amended, and K.C.C. 3.15.040, Ordinance 14233, Section 5, as amended, and K.C.C. 3.15.120, Ordinance 14233, Section 7, as amended, and K.C.C. 3.15.140, Ordinance 14287, Section 5, as amended, and K.C.C. 3.16.055, Ordinance 12014, Section 56, as amended, and K.C.C. 3.24.170, Ordinance 12076, Section 14, as amended, and K.C.C. 4A.200.270 and Ordinance 12076, Section 15, as amended, and K.C.C. 4A.200.670 and adding a new section to K.C.C. chapter 2.16.

STATEMENT OF FACTS:

1. The county has prioritized goals of: developing a highly engaged, diverse, culturally responsive and high-performing workforce; optimizing county operations through innovation and continuous improvement; and delivering consistent, responsive, equitable and high-quality services to its customers.
2. The executive has directed departments to implement the executive's Best Run Government and Investing in YOU initiatives, which align with King County's strategic goals.
3. King County's over fifteen thousand employees play a major role in the success of each King County goal and every service it delivers.
4. King County will see many experienced and knowledgeable employees retire in the next five years, while also needing to continue to attract and retain high-performing employees in a competitive labor market.
5. Operations related to the delivery of human resources and organizational development services are currently located in various work units of the department of executive services.
6. Centrally locating in one department all of the human resources employees who serve more than one department and act as the service delivery manager for each executive department, including those with separately elected officials, will improve the ability of the county to reach

its goals and improve its services.

7. Raising human resources from division status to department status is consistent with the importance of properly addressing the human resources challenges of the coming years.

8. Establishing a department of human resources will facilitate:

a. Streamlining delivery of workforce development services, including those activities devoted to attracting and hiring quality employees, managing employee performance, training and planning for current and future workforce needs, with a focus on equity, diversity and cultural responsiveness;

b. Delivering high value employee benefits;

c. Developing and implementing human resources and organizational development standards, policies and practices that support a culture of engagement and high performance and the county's long-term goals;

d. Leveraging the county's technology investments to improve employee and organizational performance; and

e. Supporting employees' career growth and skill enhancement.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 12075, Section 3, as amended, and K.C.C. 2.16.025 are each hereby amended to read as follows:

A. The county executive shall manage and be fiscally accountable for the office of performance, strategy and budget and the office of labor relations.

B. The office of performance, strategy and budget functions and responsibilities shall include, but not be limited to:

1. Planning, preparing and managing, with emphasis on fiscal management and control aspects, the annual operating and capital project budgets;

2. Preparing forecasts of and monitor revenues;
3. Monitoring expenditures and work programs in accordance with Section 475 of the King County Charter;
4. Developing and preparing expenditure plans and ordinances to manage the implementation of the operating and capital project budgets throughout the fiscal period;
5. Formulating and implementing financial policies regarding revenues and expenditures for the county and other applicable agencies;
6. Performing program analysis, and contract and performance evaluation review;
7. Developing and transmitting to the council, concurrent with the biennial proposed budget, supporting materials consistent with K.C.C. chapter 4A.100;
8. Performance management and accountability:
 - a. providing leadership and coordination of the performance management and accountability system countywide;
 - b. overseeing the development of strategic plans and business plans for each executive branch department and office;
 - c. providing technical assistance on the development of strategic plans and business plans for agencies;
 - d. developing and using community-level indicators and agency performance measures to monitor and evaluate the effectiveness and efficiency of county agencies;
 - e. overseeing the production of an annual performance report for the executive branch;
 - f. coordinating performance review process of executive branch departments and offices;
 - g. collecting and analyzing land development, population, housing, natural resource enhancement, transportation and economic activity data to aid decision making and to support implementation of county plans and programs, including benchmarks;

h. leading public engagement and working in support of county performance management, budget and strategic planning; and

i. developing and transmitting to the council a biennial report on April 30 in odd-numbered years about the benefits achieved from technology projects. The report shall include information about the benefits obtained from completed projects and a comparison with benefits that were projected during different stages of the project. The report shall also include a description of the expected benefits from those projects not yet completed. The report shall be approved by the council by motion. The report and motion shall be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers;

9. Strategic planning and interagency coordination:

- a. coordinating and staffing executive initiatives across departments and agencies;
- b. facilitating interdepartmental, interagency and interbranch teams on multidisciplinary issues;
- c. negotiating interlocal agreements as designated by the executive; and
- d. serving as the liaison to the boundary review board for King County;

10. Business relations and economic development:

- a. developing proposed policies to address regional, unincorporated urban, and rural economic development;
- b. establishing, fostering and maintaining healthy relations with business and industry;
- c. implementing strategies and developing opportunities that include partnering with, cities, the Port of Seattle and other economic entities on regional and subregional economic development projects;
- d. developing and implementing strategies to promote economic revitalization and equitable development in urban unincorporated areas including the possible assembly of property for the purpose of redevelopment;
- e. refining and implementing strategies in the county's rural economic strategies to preserve and

enhance the rural economic base so that the rural area can be a place to both live and work; and

f. assisting communities and businesses in creating economic opportunities, promoting a diversified economy and promoting job creation with the emphasis on family-wage jobs; ~~((and))~~

11. Continuous improvement:

a. leading, coordinating and implementing a program of continuous improvement, including the provision of leadership development, transformational improvement and capacity building in Lean thinking; and

b. providing annual reports to the council on the implementation of the continuous improvement program, including but not limited to a description of the number of people and agencies that have received training, the processes changed as a result of Lean implementation and the budget and other impacts of these changes~~((:));~~ and

12. Regional planning:

a. coordinating the county's participation in multicounty planning at the Puget Sound Regional Council, including serving on the Puget Sound Regional Council's regional staff committee;

b. coordinating countywide planning at the Growth Management Planning Council consistent with the Washington state Growth Management Act, including leading the Growth Management Planning Council's interjurisdictional staff team in accordance with the interlocal agreement authorized by King County Motion 8495;

c. managing updates to the county's Comprehensive Plan in coordination with the department of local services, permitting division, in accordance with K.C.C. Title 20;

d. coordinating the development of demographic and growth forecasting data and information including census data, growth targets and buildable lands;

e. facilitating annexations and joint planning with cities, including developing annexation proposals, drafting interlocal agreements, and serving as the liaison to the boundary review board for King County; and

f. colending with the department of local services, permitting division, an interbranch regional planning team that supports the council and executive through the provision of information and data, development of policy proposals and options for regional issues related to growth management, economic development and transportation. Participation in the interbranch regional planning team shall include executive, department and council staff as designated by the respective branches.

C. The office of labor relations functions and responsibilities shall include, but not be limited to:

1. Representing county agencies in the collective bargaining process as required by chapter 41.56 RCW;
2. Developing and maintaining databases of information relevant to the collective bargaining process;
3. Representing county agencies in labor arbitrations, appeals, and hearings including those in chapter 41.56 RCW and required by K.C.C. Title 3, in collaboration with the department of human resources ((~~management division~~));
4. Administering labor contracts and providing consultation to county agencies regarding the terms and implementation of negotiated labor agreements, in collaboration with the department of human resources ((~~management division~~));
5. Advising the executive and council on overall county labor policies; and
6. Providing resources for labor relations training for county agencies, the executive, the council and others, in collaboration with the department of human resources ((~~management division~~)).

D.1. The county council hereby delegates to the executive or the executive's designee authority to request a hearing before the Washington state Liquor and Cannabis Board and make written recommendations and objections regarding applications relating to:

- a. liquor licenses under chapter 66.20 RCW; and
 - b. licenses for marijuana producers, processors or retailers under chapter 69.50 RCW.
2. Before making a recommendation under subsection D.1. of this section, the executive or designee

shall solicit comments from county departments and agencies, including, but not limited to, the department of local services, public health - Seattle & King County, the sheriff's office and the prosecuting attorney's office.

3. For each application reviewed under subsection D.1.b. of this section, the executive shall transmit to the county council a copy of the application received with the applicant's name and proposed license application location, a copy of all comments received under subsection D.2. of this section and the executive's recommendation to the Washington state Liquor and Cannabis board.

E. The executive may assign or delegate budgeting, performance management and accountability, economic development and strategic planning and interagency coordination functions to employees in the office of the executive but shall not assign or delegate those functions to any departments.

SECTION 2. Ordinance 14199, Section 11, as amended, and K.C.C. 2.16.035 are each hereby amended to read as follows:

The county administrative officer shall be the director of the department of executive services. The department shall include the records and licensing services division, the finance and business operations division, (~~the human resources management division,~~) the facilities management division, the fleet services division, the airport division, the administrative office of risk management, the administrative office of emergency management, the administrative office of the business resource center and the administrative office of civil rights. In addition, the county administrative officer shall be responsible for providing staff support for the board of ethics.

A. The duties of the records and licensing services division shall include the following:

1. Issuing marriage, vehicle/vessel, taxicab and for-hire driver and vehicle and pet licenses, collecting license fee revenues and providing licensing services for the public;
2. Enforcing county and state laws relating to animal control;
3. Managing the recording, processing, filing, storing, retrieval and certification of copies of all public documents filed with the division as required;

4. Processing all real estate tax affidavits; and
5. Acting as the official custodian of all county records, as required by general law, except as

otherwise provided by ordinance.

B. The duties of the finance and business operations division shall include the following:

1. Monitoring revenue and expenditures for the county. The collection and reporting of revenue and expenditure data shall provide sufficient information to the executive and to the council. The division shall be ultimately responsible for maintaining the county's official revenue and expenditure data;

2. Performing the functions of the county treasurer;

3. Billing and collecting real and personal property taxes, local improvement district assessments and gambling taxes;

4. Processing transit revenue;

5. Receiving and investing all county and political subjurisdiction moneys;

6. Managing the issuance and payment of the county's debt instruments;

7. Managing the accounting systems and procedures;

8. Managing the fixed assets system and procedures;

9. Formulating and implementing financial policies for other than revenues and expenditures for the county and other applicable agencies;

10. Administering the accounts payable and accounts receivable functions;

11. Collecting fines and monetary penalties imposed by district courts;

12. Developing and administering procedures for the procurement of and awarding of contracts for tangible personal property, services, professional or technical services and public work in accordance with K.C.C. chapter 2.93 and applicable federal and state laws and regulations;

13. Establishing and administering procurement and contracting methods, and bid and proposal processes, to obtain such procurements;

14. In consultation with the prosecuting attorney's office and office of risk management, developing and overseeing the use of standard procurement and contract documents for such procurements;
15. Administering contracts for goods and services that are provided to more than one department;
16. Providing comment and assistance to departments on the development of specifications and scopes of work, in negotiations for such procurements, and in the administration of contracts;
17. Assisting departments to perform cost or price analyses for the procurement of tangible personal property, services and professional or technical services, and price analysis for public work procurements;
18. Developing, maintaining and revising as may be necessary from time to time the county's general terms and conditions for contracts for the procurement of tangible personal property, services, professional or technical services and public work;
19. Managing the payroll system and procedures, including processing benefits transactions in the payroll system and administering the employer responsibilities for the retirement and the deferred compensation plans;
20. Managing and developing financial policies for borrowing of funds, financial systems and other financial operations for the county and other applicable agencies;
21. Managing the contracting opportunities program to increase opportunities for small contractors and suppliers to participate on county-funded contracts. Submit an annual report as required by K.C.C. 2.97.090;
22. Managing the apprenticeship program to optimize the number of apprentices working on county construction projects. Submit an annual report as required by K.C.C. 12.16.175; and
23. Serving as the disadvantaged business enterprise liaison officer for federal Department of Transportation and other federal grant program purposes. The disadvantaged business enterprise liaison officer shall have direct, independent access to the executive on disadvantaged business enterprise program matters consistent with 49 C.F.R. Sec. 26.25. For other matters, the disadvantaged business enterprise liaison officer

shall report to the manager of the finance and business operations division.

C. ~~((The duties of the human resources management division shall include the following:~~

- ~~1. Developing and administering training and organizational development programs, including centralized employee and supervisory training and other employee development programs;~~
- ~~2. Developing proposed and administering adopted policies and procedures for:
 - ~~a. employment, including recruitment, examination and selection;~~
 - ~~b. classification and compensation; and~~
 - ~~c. salary administration;~~~~
- ~~3. Developing proposed and administering adopted human resources policy;~~
- ~~4. Providing technical and human resources information services support;~~
- ~~5. Developing and managing insured and noninsured benefits programs, including proposing policy recommendations, negotiating benefits plan designs with unions, preparing legally mandated communications materials and providing employee assistance and other work and family programs;~~
- ~~6. Developing and administering diversity management and employee relations programs, including affirmative action plan development and administration, management and supervisory diversity training and conflict resolution training;~~
- ~~7. Developing and administering workplace safety programs, including inspection of work sites and dissemination of safety information to employees to promote workplace safety;~~
- ~~8. Administering the county's self-funded industrial insurance/worker's compensation program, as authorized by Title 51 RCW;~~
- ~~9. Advising the executive and council on overall county employee policies;~~
- ~~10. Providing labor relations training for county agencies, the executive, the council and others, in collaboration with the office of labor relations;~~
- ~~11. Overseeing the county's unemployment compensation program;~~

~~12. Collecting and reporting to the office of management and budget on a quarterly basis information on the numbers of filled and vacant full-time equivalent and term-limited temporary positions and the number of emergency employees for each appropriation unit; and~~

~~13. Providing a quarterly report to the council showing vacant positions by department. The report must indicate whether a term-limited temporary employee is backfilling the position, the salary and benefits associated with a position and how long the position has been vacant. The report is due thirty days after the end of each calendar quarter and shall be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff to the budget and fiscal management committee or its successor.~~

D.) The duties of the facilities management division shall include the following:

1. Overseeing space planning for county agencies;
2. Administering and maintaining in good general condition the county's buildings except for those managed and maintained by the departments of natural resources and parks and transportation;
3. Operating security programs for county facilities except as otherwise determined by the council;
4. Administering all county facility parking programs except for public transportation facility parking;
5. Administering the supported employment program;
6. Managing all real property owned or leased by the county, except as provided in K.C.C. chapter 4.56, ensuring, where applicable, that properties generate revenues closely approximating fair market value;
7. Maintaining a current inventory of all county-owned or leased real property;
8. Functioning as the sole agent for the disposal of real properties deemed surplus to the needs of the county;
9. In accordance with K.C.C. chapter 4A.100, providing support services to county agencies in the acquisition of real properties, except as otherwise specified by ordinance;
10. Issuing oversized vehicle permits, franchises and permits and easements for the use of county

property except franchises for cable television and telecommunications;

11. Overseeing the development of capital projects for all county agencies except for specialized roads, solid waste, public transportation, airport, water pollution abatement, surface water management projects and parks and recreation;

12. Being responsible for all general projects, such as office buildings or warehouses, for any county department including, but not limited to, the following:

- a. administering professional services and construction contracts;
- b. acting as the county's representative during site master plan, design and construction activities;
- c. managing county funds and project budgets related to capital projects;
- d. assisting county agencies in the acquisition of appropriate facility sites;
- e. formulating guidelines for the development of operational and capital project plans;
- f. assisting user agencies in the development of capital projects and project plans, as defined and provided for in K.C.C. chapter 4A.100;
- g. formulating guidelines for the use of life cycle cost analysis and applying these guidelines in all appropriate phases of the capital process;
- h. ensuring the conformity of capital project plans with the adopted space plan and agency business plans;
- i. developing project cost estimates that are included in capital project plans, site master plans, capital projects and biennial project budget requests;
- j. providing advisory services, feasibility studies or both services and studies to projects as required and for which there is budgetary authority;
- k. coordinating with user agencies to assure user program requirements are addressed through the capital development process as set forth in this chapter and in K.C.C. chapter 4A.100;
- l. providing engineering support on capital projects to user agencies as requested and for which there

is budgetary authority; and

m. providing assistance in developing the executive budget for capital projects; and

13. Providing for the operation of a downtown winter shelter for homeless persons between October 15 and April 30 each year.

~~((E-))~~ D. The duties of the fleet services division shall include the following:

1. Acquiring, maintaining and managing the motor pool equipment rental and revolving fund for fleet vehicles and equipment, the equipment rental and revolving fund and the wastewater equipment rental and revolving fund. Metro transit department vehicles determined by the Metro transit department director to be intricately involved in or related to providing public transportation services shall not be part of the motor pool;

2. Establishing rates for the rental of equipment and vehicles;

3. Establishing terms and charges for the sale of any material or supplies that have been purchased, maintained or manufactured with money from the motor pool and equipment revolving fund, the equipment rental and revolving fund and the wastewater equipment rental and revolving fund;

4. Managing fleet and equipment training programs, stores function and vehicle repair facilities;

5. Administering the county alternative fuel program and take-home assignment of county vehicles policy; and

6. Inventorying, monitoring losses and disposing of county personal property in accordance with K.C.C. chapter 4.56.

~~((F-))~~ E. The duties of the airport division shall include managing the maintenance and operations of the King County international airport, and shall include the following:

1. Developing and implementing airport programs under state and federal law including preparing policy recommendations and service models;

2. Managing and maintaining the airport system infrastructure;

3. Managing, or securing services from other divisions, departments or entities to perform, the design,

engineering and construction management functions related to the airport capital program, including new facilities development and maintenance of existing infrastructure; providing support services such as project management, environmental review, permit and right-of-way acquisitions, schedule and project control functions; and

4. Preparing and administering airport service and supporting capital facility plans and periodic updates.

~~((G.))~~ F. The duties of the administrative office of risk management shall include the management of the county's insurance and risk management programs consistent with K.C.C. chapter 2.21.

~~((H.))~~ G. The duties of the administrative office of emergency management shall include the following:

1. Planning for and providing effective direction, control and coordinated response to emergencies; and

2. Being responsible for the emergency management functions defined in K.C.C. chapter 2.56.

~~((I.))~~ H. The duties of the administrative office of civil rights shall include the following:

1. Enforcing nondiscrimination ordinances as codified in K.C.C. chapters 12.17, 12.18, 12.20 and 12.22;

2. Assisting departments in complying with the federal Americans with Disabilities Act of 1990, the federal Rehabilitation Act of 1973, Section 504, and other legislation and rules regarding access to county programs, facilities and services for people with disabilities;

3. Serving as the county Americans with Disabilities Act coordinator relating to public access;

4. Providing staff support to the county civil rights commission;

5. Serving as the county federal Civil Rights Act Title VI coordinator; and

6. Coordinating county responses to federal Civil Rights Act Title VI issues and investigating complaints filed under Title VI.

~~((J.))~~ I. The duties of the administrative office of the business resource center shall include the

following:

1. The implementation and maintenance of those systems necessary to generate a regular and predictable payroll through the finance and business operations division;
2. The implementation and maintenance of those systems necessary to provide regular and predictable financial accounting and procedures through the finance and business operations division;
3. The implementation and maintenance of those systems necessary to generate regular and predictable county budgets, budget reports and budget management tools for the county; and
4. The implementation and maintenance of the human resources systems of record for all human resources data for county employment purposes.

NEW SECTION. SECTION 3. There is hereby added to K.C.C. chapter 2.16 a new section to read as follows:

A. The department of human resources shall be responsible for the administration of the county personnel system in accordance with K.C.C. Title 3. The department shall manage and be fiscally responsible for the human resources services division, the career and culture division(~~(, the administration and operations division))~~) and the employee health and safety division.

B. The duties of the department shall include:

1. Developing, administering and monitoring (~~(adopted)~~) human resources policy;
2. Developing, administering and monitoring diversity management programs including equal employment opportunity affirmative action plan development and integration of equity and social justice concepts into plans and programs;
3. Advising the executive and council on overall county employment policies;
4. Developing and disseminating communications to employees regarding issues related to human resources; and
5. Providing labor relations training for county agencies, the executive, the council and others, in

collaboration with the office of labor relations.

C. The duties of the human resources services division shall include:

1. Developing proposed and administering (~~adopted~~) policies and procedures for:
 - a. employment, including recruitment, examination and selection;
 - b. classification and compensation; and
 - c. salary administration;
2. Providing technical and human resources information services support;
3. Coordinating individual employee performance review programs in executive departments;
4. Administering the county's civil service personnel system in accordance with K.C.C. chapter 3.14;

~~((and))~~

5. Monitoring executive branch compliance with human resources policies;
6. Collecting and reporting to the office of performance, strategy and budget on a quarterly basis

information on the numbers of filled and vacant full-time equivalent and term-limited temporary positions and the number of emergency employees for each appropriation unit; and

7. Providing a quarterly report to the council showing vacant positions by department. The report must indicate whether a term-limited temporary employee is backfilling the position, the salary and benefits associated with a position and how long the position has been vacant. The report is due thirty days after the end of each calendar quarter and shall be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff to the budget and fiscal management committee or its successor.

D. The duties of the career and culture division shall include:

1. Developing and administering training and organizational development programs, including centralized employee and supervisory training, conflict resolution training and other employee development programs;

2. Developing and administering programs to minimize detrimental workplace conflict;
3. Developing and administering programs that promote employee engagement; and
4. Providing organization assistance, mediation and restoration((s)) services.

E. ~~((The duties of the administration and operations division shall include:~~

- ~~1. Collecting and reporting to the office of performance, strategy and budget on a quarterly basis information on the numbers of filled and vacant full-time equivalent and term-limited temporary positions and the number of emergency employees for each appropriation unit;~~
- ~~2. Providing a quarterly report to the council showing vacant positions by department. The report must indicate whether a term-limited temporary employee is backfilling the position, the salary and benefits associated with a position and how long the position has been vacant. The report is due thirty days after the end of each calendar quarter and shall be filed in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff to the budget and fiscal management committee or its successor; and~~
- ~~3. In collaboration with the office of performance, strategy and budget, and the administrative office of the business resource center, administering the county's human resources information system.~~

F.)) The duties of the employee health and safety division shall include:

1. Developing and managing insured and noninsured benefits programs, including proposing policy recommendations, negotiating benefits plan designs with unions, preparing legally mandated communications materials and providing employee assistance and other work and family programs;
2. Developing and administering workplace safety programs, including inspection of work sites and dissemination of safety information to employees to promote workplace safety;
3. Administering the county's self-funded industrial insurance/worker's compensation program, as authorized by Title 51 RCW;
4. Overseeing the county's unemployment compensation program; and

5. Administering the county's employee benefits program fund.

SECTION 4. Ordinance 17699, Section 2, as amended, and K.C.C. 2.36.100 are each hereby amended to read as follows:

A. The central business systems steering committee is hereby created. The committee's purpose shall be to:

1. Maximize benefits from the accountable business transformation program;
2. Achieve the proper functioning and integration of the countywide systems for human resources, payroll, time and labor, finance and budget; and
3. Provide for communication and accountability.

B. The members of the committee shall be:

1. The deputy county executive or designee;
2. The assistant deputy county executive;
3. The county administrative officer;
4. The director of the office of performance, strategy and budget; and
5. The chief information officer.

C. The committee shall:

1. Make recommendations to the executive;
2. Coordinate work, set priorities and guide how technical and business process issues with the countywide system are addressed to achieve the proper functioning and integration of the countywide policies, business processes and systems for human resources, payroll, time and labor, finance and budget. The committee shall also align and integrate work plans for allocation of resources and budget;
3. Create a structured process for regular end-user engagement, involvement, communication and training;
4. Promote continued business process improvements and business rule standardization, and eliminate

obstacles to adopting best practices;

5. Maximize benefits of the integrated enterprise system through business process and system standardization, optimization and transformation, and monitor performance measurement and reporting including benefit realization; and

6. Provide an annual performance report to the council on the benefits achieved and their contributions to the county's service excellence, financial stewardship and quality workforce goals. The annual report should describe how the benefit measurement process was used by the department of human resources ((~~division~~)), office of performance strategy and budget, and finance and business operations division to improve county operations. The annual report should also propose potential corrective actions to achieve benefit targets where needed. The report shall also include exemplary accomplishments countywide and at the agency level in leveraging the new tools to streamline and standardize business processes and improve county operations. The report shall be filed annually on June 1, in the form of a paper original and an electronic copy with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers.

SECTION 5. Ordinance 12075, Section 20, as amended, and K.C.C. 2.92.030 are each hereby amended to read as follows:

The director of the department of human resources ((~~management division~~)) shall at a minimum:

A. Investigate or supervise the investigation of all accidents involving county employees and/or property resulting from department operations;

B. Establish and supervise procedures designed to discover and control hazardous conditions and unsafe work practices;

C. Inspect all properties and work areas and require reasonable correction to safety deficiencies;

D. Select and approve purchase of all safety equipment and establish safety specifications prior to purchase of other equipment of machines;

E. Establish safety requirements in addition to minimum state and local rules and regulations where

deemed necessary;

F. Review all employee suggestions relating to safety to ensure compatibility with federal, state and local codes, rules and regulations;

G. Review the safety criteria on all proposed construction projects to be accomplished by private contractors;

H. Coordinate or provide training to employees in first aid, driving and other safety related specialty fields;

I. Demand immediate cessation of work around any operation or piece of equipment in which the director believes a hazard exists creating imminent danger to the employees involved;

J. Act as liaison between the county, the state Department of Labor and Industries and the Washington Traffic Safety Commission and coordinate activities toward compliance under the Washington State Industrial Safety and Health Act and the Highway Safety Act of 1966;

K. Coordinate the requirements of the Washington State Traffic Safety Commission within the county.

L. Coordinate the county ((pre-employment)) preemployment physical examination program.

SECTION 6. Ordinance 13370, Section 2, as amended, and K.C.C. 3.08.120 are each hereby amended to read as follows:

((Beginning January 1, 1999, a))Administrative support to the personnel board will be provided by the clerk of the board of appeals and equalization authorized by K.C.C. 2.34.040. Authority for appointment of the clerk and staff will remain with the board of appeals and equalization; however, the chair of the personnel board may bring concerns about performance and related issues to the attention of the chair of the board of appeals and equalization for resolution.

The board of appeals and equalization will be reimbursed by the ((office)) department of human resources ((management)) for costs related to personnel board activities such as board per diem, supplies, and services other than staffing, employee benefits, and office equipment.

SECTION 7. Ordinance 12014, Section 5, as amended, and K.C.C. 3.12.010 are each hereby amended to read as follows:

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

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

- a. enrolled during the regular school year in a program of education, internship or apprenticeship;
- b. legal interns who have graduated from law school but have not yet been admitted to the

Washington State Bar Association; or

- c. veterans temporarily working to gain practical workforce experience.

2. All administrative internships in executive departments shall be approved by the ~~((manager))~~ director. Administrative interns are exempt from the career service under Section 550 of the charter.

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

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

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

E. "Board" means the county personnel board established by Section 540 of the charter.

F. "Budgetary furlough" means a circumstance in which projected county revenues are determined to be insufficient to fully fund county agency operations and, in order either to achieve budget savings or to meet unallocated budget reductions, which are commonly known as contras, or both, cost savings may be achieved

through reduction in days or hours of service, resulting in placing an employee for one or more days in a temporary furlough status without duties and without pay.

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

H. "Career service position" means all positions in the county service except for those that are designated by Section 550 of the charter as follows: all elected officers; the county auditor, the clerk and all other employees of the county council; the county administrative officer; the chief officer of each executive department and administrative office; the members of all boards and commissions; the chief economist and other employees of the office economic and financial analysis; the chief economist and other employees of the office of economic and financial analysis; administrative assistants for the executive and one administrative assistant each for the county administrative officer, the county auditor, the county assessor, the chief officer of each executive department and administrative office and for each board and commission; a chief deputy for the county assessor; one confidential secretary each for the executive, the chief officer of each executive department and administrative office, and for each administrative assistant specified in this section; all employees of those officers who are exempted from the provisions of this chapter by the state constitution; persons employed in a professional or scientific capacity to conduct a special inquiry, investigation or examination; part-time and temporary employees; administrative interns; election precinct officials; all persons serving the county without compensation; physicians; surgeons; dentists; medical interns; and student nurses and inmates employed by county hospitals, tuberculosis sanitariums and health departments of the county.

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

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

service.

I. "Charter" means the King County Charter, as amended.

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

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

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

L. "Classification plan" means the arrangement of positions into classifications together with specifications describing each classification.

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

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

O. "Comprehensive leave benefits" means those leave benefits described in and subject to this chapter, including leaves for vacations, promotional or qualifying examinations, bereavement, life-giving or life-saving procedures, sickness, volunteer service, parental leave, donated leave and leaves of absence without pay.

P. "Council" means the county council as established by Article 2 of the charter.

Q. "County" means King County and any other organization that is legally governed by the county with respect to personnel matters.

R. "Department" means the department of human resources or its successor agency.

S. "Developmental disability" means a developmental disability, as defined in RCW 71A.10.020(2), as

amended, attributable to mental retardation, cerebral palsy, epilepsy, autism or other neurological or other condition of an individual found by the secretary of the Washington state Department of Social and Health Services or the secretary's designee to be closely related to mental retardation or to require treatment similar to that required for individuals with mental retardation, which disability originates before the individual attains age eighteen, that has continued or can be expected to continue indefinitely and that constitutes a substantial handicap for the individual.

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

~~((T-))~~ U. "Director" means the manager of the department of human resources ~~((management division))~~ or its successor agency.

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

V. "Domestic partners" are two people in a domestic partnership, one of whom is a county employee.

W. "Domestic partnership" is a relationship whereby two people:

1. Have a close personal relationship;
2. Are each other's sole domestic partner and are responsible for each other's common welfare;
3. Share the same regular and permanent residence;
4. Are jointly responsible for basic living expenses which means the cost of basic food, shelter and any other expenses of a domestic partner that are paid at least in part by a program or benefit for which the partner qualified because of the domestic partnership. The individuals need not contribute equally or jointly to the cost of these expenses as long as they agree that both are responsible for the cost;
5. Are not married to anyone;

6. Are each eighteen years of age or older;
7. Are not related by blood closer than would bar marriage in the state of Washington;
8. Were mentally competent to consent to contract when the domestic partnership began.

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

Y. "Employee" means any person who is employed in a career service position or exempt position.

Z. "Employees eligible for comprehensive leave benefits" means full-time regular, part-time regular, provisional, probationary and term-limited temporary employees.

AA. "Executive" means the county executive, as established by Article 3 of the charter.

BB. "Exempt employee" means an employee employed in a position that is not a career service position under Section 550 of the charter. Exempt employees serve at the pleasure of the appointing authority.

CC. "Exempt position" means any position excluded as a career service position by Section 550 of the charter. Exempt positions are positions to which appointments may be made directly without a competitive hiring process.

DD. "Full-time regular employee" means an employee employed in a full-time regular position and, for full-time career service positions, is not serving a probationary period.

EE. "Full-time regular position" means a regular position that has an established work schedule of not less than thirty-five hours per week in those work units in which a thirty-five hour week is standard, or of not less than forty hours per week in those work units in which a forty-hour week is standard.

FF. "Furlough day" means a day for which an employee shall perform no work and shall receive no pay due to an emergency budget crisis necessitating emergency budget furloughs.

GG. "Furloughed employee" means an employee who is placed in a temporary status without duties and without pay due to a financial emergency necessitating budget reductions.

HH. "Grievance" means an issue raised by an employee relating to the interpretation of rights, benefits, or condition of employment as contained in either the administrative rules or procedures, or both, for the career service.

II. "Immediate family" means spouse, child, parent, son-in-law, daughter-in-law, grandparent, grandchild, sibling, domestic partner and the child, parent, sibling, grandparent or grandchild of the spouse or domestic partner.

JJ. "Incentive increase" means an increase to an employee's base salary within the assigned pay range, based on demonstrated performance.

KK. "Insured benefits" means those insurance benefits described in and subject to this chapter, including medical, dental, life, disability and vision benefits.

LL. "Integrated work setting" means a work setting in which the majority of people employed are individuals without disabilities and wages are paid at minimum wage or better.

MM. "King County family and medical leave" means a leave of absence taken under K.C.C. 3.12.221.

NN. "Life-giving and life-saving procedures" means a medically-supervised procedure involving the testing, sampling, or donation of blood, organs, fluids, tissues and other human body components for the purposes of donation without compensation to a person for a medically necessary treatment.

OO. (~~"Manager" means the manager of the human resources management division or its successor agency.~~

PP.)) "Marital status" means the presence or absence of a marital relationship and includes the status of married, separated, divorced, engaged, widowed, single or cohabiting.

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

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

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

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

~~((UU-))~~ TT. "Pay plan" means a systematic schedule of numbered pay ranges with minimum, maximum and intermediate steps for each pay range, a schedule of assignment of each classification to a numbered pay range and rules for administration.

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

~~((WW-))~~ VV. "Pay range adjustment" means the adjustment of the numbered pay range of a

classification to another numbered pay range in the schedule based on a classification change, competitive pay data or other significant factors.

~~((XX.))~~ WW. "Personnel guidelines" means only those operational procedures promulgated by the ~~((manager))~~ director necessary to implement personnel policies or requirements previously stipulated by ordinance or the charter. Such personnel guidelines shall be applicable only to employees assigned to executive departments and administrative agencies.

~~((YY.))~~ XX. "Position" means a group of current duties and responsibilities assigned by competent authority requiring the employment of one person.

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

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

~~((BBB.))~~ AAA. "Probationary period salary increase" means a within-range salary increase from one step to the next highest step upon satisfactory completion of the probationary period.

~~((CCC.))~~ BBB. "Promotion" means the movement of an employee to a position in a classification having a higher maximum salary.

~~((DDD.))~~ CCC. "Provisional appointment" means an appointment made in the absence of a list of candidates certified as qualified by the ~~((manager))~~ director. Only the ~~((manager))~~ director may authorize a provisional appointment. An appointment to this status is limited to six months.

~~((EEE.))~~ DDD. "Provisional employee" means an employee serving by provisional appointment in a regular career service. Provisional employees are temporary employees and excluded from career service

under Section 550 of the charter.

~~((FFF.))~~ EEE. "Qualifying event" means the birth of the employee's child, the employee's adoption of a child or the foster-to-adopt placement of a child with the employee.

~~((GGG.))~~ FFF. "Recruiting step" means the first step of the salary range allocated to a class unless otherwise authorized by the executive.

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

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

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

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

1. An acute episode that requires more than three consecutive calendar days of incapacity and either multiple treatments by a licensed health care provider or at least one treatment plus follow-up care such as a course of prescription medication; and any subsequent treatment or period of incapacity relating to the same condition;
2. A chronic ailment continuing over an extended period of time that requires periodic visits for treatment by a health care provider and that has the ability to cause either continuous or intermittent episodes of incapacity;
3. In-patient care in a hospital, hospice or residential medical care facility or related out-patient follow-up care;

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

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

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

~~((LLL))~~ KKK. "Short-term temporary employee" means a temporary employee who is employed in a short-term temporary position.

~~((MMM))~~ LLL. "Short-term temporary position" means a type of position in which a temporary employee works less than nine hundred ten hours in a calendar year in a work unit in which a thirty-five-hour work week is standard or less than one thousand forty hours in a calendar year in a work unit in which a forty-hour work week is standard. Where the standard work week falls between thirty-five and forty hours, the ~~((manager))~~ director, in consultation with the department, is responsible for determining what hour threshold will apply.

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

~~((OOO))~~ NNN. "Temporary position" means a position that is not a regular position as defined in this chapter and excludes administrative intern. Temporary positions include both term-limited temporary and short-term temporary positions

~~((PPP))~~ OOO. "Term-limited temporary employee" means a temporary employee who is employed in a term-limited temporary position. Term-limited temporary employees are not members of the career service. Term-limited temporary employees may not be employed in term-limited temporary positions longer than three years beyond the date of hire, except that for grant-funded projects capital improvement projects and information systems technology projects the maximum period may be extended up to five years upon approval

of the ((manager)) director. The ((manager)) director shall maintain a current list of all term-limited temporary employees by department.

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

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

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

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

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

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

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

All appointments to term-limited temporary positions will be made by the appointing authority in consultation with the ~~((manager))~~ director before the appointment of term-limited temporary employees.

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

~~((SSSS.))~~ RRR. "Volunteer intern" means volunteers who are either:

1. Enrolled during the regular school year in a program of education, internship or apprenticeship and receiving scholastic credit or scholastic recognition for participating in the internship; or
2. Legal interns who have graduated from law school but have not yet been admitted to the Washington State Bar Association.

~~((TTT.))~~ SSS. "Washington state registered domestic partner" means persons who have met the requirements for a valid state-registered domestic partnership as established by RCW 26.60.030 and who have been issued a certificate of state-registered domestic partnerships by the Secretary of State's office.

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

SECTION 8. Ordinance 12014, Section 8, as amended, and K.C.C. 3.12.042 are each hereby amended to read as follows:

A. The county shall offer to those employees who are qualified to receive medical benefits the opportunity to participate in a qualifying Internal Revenue Code Sections 125 and 129 dependent care assistance program. The ~~((office))~~ department of human resources ~~((management))~~ shall incorporate the dependent care assistance program in its employee flexible benefit program.

B. The costs of administering the dependent care assistance program shall be fully borne by the county and existing and future employee benefits shall not be reduced as a result of the cost of administering the program. Savings in county paid payroll taxes, if any, resulting from this program shall accrue to the county.

C. Non-represented employees who are qualified to receive medical benefits shall be offered the dependent care assistance program whether or not represented employee groups choose to participate in the program.

SECTION 9. Ordinance 12014, Section 13, as amended, and K.C.C. 3.12.100 are each hereby amended to read as follows:

A. There shall be a probationary period during which time a probationary employee shall be evaluated by the appointing authority to determine qualification for entry into the career service. Except as otherwise provided in this section, an individual's appointment, promotion, demotion or transfer to a career service position is not final unless the employee successfully completes the probationary period. The probationary period shall be determined by the director, but shall be not less than six months or more than one year of actual service, and shall be served by those employees who have been newly hired or reemployed or have moved from another career service position, whether through promotion, demotion or transfer except:

1. A furloughed employee's probationary period shall not be extended as a result of a budgetary furlough; and
2. A career service employee who transfers to a position within the employee's same classification,

pay range and department or agency shall not be required to serve a probationary period unless the director of the department of human resources (~~(division)~~) or its successor or the director's designee makes a written finding, in advance of the transfer, that the essential functions of the new position are substantially different from those of the employee's previous position, taking into consideration: the specific duties of the position; the work setting; the skills, training, and experience needed; the level of available support and supervision; and any other factors the director or designee deems relevant.

B. A probationary employee may be separated from county service at any time during the probationary period without right of appeal to the personnel board. Notwithstanding any other provisions of this section, an employee who does not successfully complete the probationary period in a position to which the employee had been promoted or transferred may be restored to the employee's former position. Such restoration is not mandatory, but is optional at the discretion of the former appointing authority within the limits of available authorized positions. Such restoration shall include restoration of the employee's former salary and all other benefits to which the employee would have been entitled if the promotion or transfer had not occurred.

SECTION 10. Ordinance 12014, Section 18, as amended, and K.C.C. 3.12.180 are each hereby amended to read as follows:

A. For purposes of this section:

1. "County work force" means persons employed by King County executive departments;
2. "Job group" means a grouping of jobs as defined by the United States Department of Labor;
3. "Labor force availability rate" means the percentage of persons of color or women with requisite job skills in King County as reported by the United States Census Bureau;
4. "Persons of color" means persons in each of the following groups: Blacks; Hispanics; Asian/Pacific Islanders; and Native Americans; and
5. "Placement goal" shall equal the labor force availability rate.

B. The county is an equal opportunity employer and shall carry out federal, state and local laws and

regulations prohibiting discrimination in employment on the basis of race, color, religion, religious affiliation, creed, national origin, ancestry, sex, sexual orientation, gender identity or expression, age (except by minimum age and retirement provisions), marital status, honorably discharged veteran or military status, or the presence of a sensory, mental or physical disability. Further, it is the intent of the county to ensure that employment is based on the principle of equal opportunity and that such a principle shall be implemented in all county personnel-related actions including, but not limited to, recruitment, hiring, testing, training, promotion, compensation, transfer and all other terms and conditions of employment in all job classifications.

C. In order to comply with federal contracting requirements and to ensure equal opportunity for all persons, all county departments shall establish and maintain an effective equal employment opportunity affirmative action plan, as adopted by the council by ordinance. Such an equal employment opportunity affirmative action plan shall promote the objectives of public policy set forth in applicable federal and state laws relating to nondiscrimination, equal employment opportunity, affirmative action and civil rights. Specifically, the plan shall promote the objectives of the State Law Against Discrimination, chapter 49.60 RCW (applicable parts), and provisions of the Washington Administrative Code adopted thereunder. As part of the county's equal employment opportunity affirmative action plan, the executive shall submit by June 1 of every fourth year, commencing with 2018, a proposed ordinance for the approval of an equal employment opportunity affirmative action plan pertaining to executive county departments and agencies to be approved, or modified, by the council by ordinance, or rejected by the council, by January 1 following the plan's submittal to council. The equal employment opportunity affirmative action plan shall include:

1. Information related to county work force statistics, which shall include:

a. a comparison of labor force availability for women and persons of color to the county's actual labor force for women and persons of color as a summary across all departments. The plan shall also compare labor force availability for women and persons of color to the county's actual labor force for women and persons of color by departments and job group. The plan shall also summarize the percentage of total goal setting areas

which meet or exceed the labor force availability rate;

b. a summary of the county work force by job group and by race and gender;

c. a discussion of the methodology by which the labor force availability and county work force data is developed and a listing of the county job classifications that are included in each job group;

d. the total number of persons with disabilities in each job group within the county work force and the total number of persons with disabilities by department voluntarily reported by individuals for equal employment opportunity affirmative action purposes. The plan shall include the number of positions for which an accommodation is currently in effect;

e. the total number and percentage of employees by salary range and by race and gender. Salary ranges shall be reported in a manner consistent with the equal employment opportunity data reported by the United States Census Bureau. The plan shall include data reported by the United States Census bureau on the total number and percentage of the labor force working in King County by salary range and by race and gender;

f. an analysis by race and gender of the positions filled by promotion during the prior plan period. For the purposes of this subsection, "promotions" means those instances in which an individual advances in salary level because the individual changed to a position with a higher pay range assignment;

g. a summary by year for the prior plan period on executive branch discrimination complaints by basis of complaint and complaint status. The summary shall also include data by department on the number of complaints filed by complaint type and the number of people filing complaints; and

h. historical data on the county work force by race and gender. Historical data before 2014 is required only to the extent it is readily available;

2. Placement goals for the plan period. For those job groups within departments where the actual number of women and persons of color employed is less than projected by labor force availability, a placement goal by race and gender shall be established for the entire plan period. A placement goal shall equal the labor force availability rate. Placement goals are used to measure progress toward achieving equal employment

opportunity. Placement goals may not be quotas, which must be met, nor do they create set-asides for specific groups. Placement goals may not be used to supersede merit selection principles. Further, existence of a placement goal does not constitute evidence of discrimination. If a placement goal has been established, the plan shall identify the labor force availability rate;

3. Implementation plans for departments. Each implementation plan shall:

a. identify the activities proposed each year during the plan period to meet the department's placement goals. The plan shall discuss how the proposed activities will help the department achieve its placement goals;

b. identify the activities proposed during the plan period by year to recruit, retain and promote women and persons of color in the work force; and

c. identify the specific activities during the plan period, by year, that each department will undertake to increase its hiring, retention and promotion of persons with disabilities; and

4. A summary of the results of the prior equal employment opportunity affirmative action plan, which shall include:

a. A description of the progress of each department in completing the activities listed in subsection C.3. a. through c. of this section proposed in the previous implementation plan. The outcomes of each activity shall be reported. The department of human resources (~~((management division))~~) shall provide an evaluation of the effectiveness of each department's implementation activities during the plan period;

b. the status of each placement goal established in the prior equal employment opportunity affirmative action plan. For each identified placement goal, the status report shall report the:

- (1) labor force availability rate;
- (2) total number of positions filled for the corresponding job group within a department;
- (3) of the total number reported under subsection C.4.b.(2) of this section, the number of positions

that were filled by each race and gender category; and

(4) an actual hiring rate for each race and gender category calculated by dividing the number of positions filled by the number of positions filled by each race and gender category; and

c. a separate listing of those placement goals for the plan period that were not achieved. Placement goals are considered not achieved when the actual hiring rate is less than the availability rate for the overall plan period. For each placement goal not achieved, the plan shall provide an analysis of why the goals were not met including whether the planned implementation activities were completed. Placement goals shall only be considered not achieved in those instances in which the total number of hires is large enough such that it is statistically reasonable to expect under conditions of equal employment opportunity that the number of hires by race and gender will reflect work force availability.

D. A progress report on each year's placement goals and implementation plans shall be delivered to the council annually on June 1. Eleven copies of the report shall be filed with the clerk of the council, for distribution to all councilmembers. For each category where a placement goal is established, the following shall be reported:

1. Labor force availability rates as proposed in the equal employment opportunity affirmative action plan by department, job group, race and gender;

2. Data by department and job group of the total number of positions filled;

3. For each department and job group, the number of positions that were filled by each race and gender category;

4. For each department and job group, the percentage of positions that were filled by each race and gender category;

5. A separate listing of placement goals not achieved. Placement goals are considered not achieved when the availability rates are greater than the hiring rates. Placement goals shall only be considered not achieved in those instances in which the total number of hires is large enough such that it is statistically

reasonable to expect under conditions of equal employment opportunity that the number of hires by race and gender will reflect work force availability;

6. Beginning in the second year, cumulative data for the plan period for the information required under subsection D. 1. through 5. of this section; and

7. The status of each activity proposed in each department's implementation plan as required by subsection C.3. a. through c. of this section. The progress report shall include updates to the implementation plans in order that the plans consist of more than repeating the same activities which have previously produced inadequate results.

E. The executive shall submit a proposed ordinance approving a new four-year equal employment opportunity affirmative action plan to the council within twelve months of the publication of the appropriate data from the ten-year United States census.

SECTION 11. Ordinance 18572, Section 1, as amended, and K.C.C. 3.12.184 are each hereby amended to read as follows:

A. The Ruth Woo emerging leaders fellowship is hereby created. The fellowship shall be a paid, full-time, term-limited temporary position and shall be awarded to a person who has demonstrated a commitment to public service. Priority in selection will be given to economically disadvantaged college graduates from backgrounds that have historically lacked equitable access to education, employment, and professional development opportunities. There shall be one fellow at a time in county employment, who shall serve for a term of one year.

B. The fellow shall be an employee of the department of human resources (~~((management division))~~). The fellow shall be assigned to work in various county agencies for periods of three to four months at a time with the written approval of the presiding elected official or designee of such agency. The assignments shall include periods with the council and with executive branch agencies. While assigned to an agency the fellow shall be subject to the administrative supervision of that agency.

C. The Ruth Woo fellow shall have the following responsibilities:

1. Assignments may include following a piece of legislation through the legislative process, preparing briefings, correspondence or other documents, communicating with constituents and other county departments, assisting in outreach and executive branch policy administration;

2. The work in the branches and departments shall include:

a. working on projects related to each branch or department and seeing them to completion;

b. experiencing but directly working on how policies are developed and implemented and how they relate to the communities served by the county;

c. participating in internship orientations, workshops and policy exercises; and

d. maintaining professional, nonpartisan conduct.

D. Each agency shall reimburse the department of human resources (~~(management division)~~) for the cost of the fellow for the period assigned to the agency.

E. Annually, a committee to review applicants for the fellowship shall be formed, composed of members appointed by the executive and the chair of the council. The committee shall recommend to the department of human resources (~~(management division)~~) criteria for the selection of applicants, shall screen, interview and score the applicants and shall recommend to the department of human resources (~~(management division)~~) appointment of the fellow.

SECTION 12. Ordinance 11149, Sections 1-4, as amended, and K.C.C. 3.12.187 are each hereby amended to read as follows:

A. (~~(Findings.)~~) The King County council finds as a fact that minorities, women and disabled persons are underrepresented in the construction trades. The council also finds as a fact that a major reason for the underrepresentation of minorities, women and disabled persons in the construction trades is the lack of opportunity for those persons to serve apprenticeships in state-approved apprenticeship programs designed to have them earn the hours necessary to reach journey-level status. Further, the council finds that the traditional

methods for persons to find opportunities as apprentices in the construction trades serve as a barrier to minorities, women and disabled persons. Therefore, the council finds that the temporary employment of these individuals as construction trade apprentices enrolled in state-approved apprenticeship programs will serve to benefit the public by assisting minority, women and disabled persons gain entry to the construction trades by their earning a portion of the hours needed to reach the journey level while placed with King County.

B. ~~((Employment status of apprentices.))~~ Notwithstanding any King County ordinance to the contrary, persons who are enrolled in state approved apprenticeship programs and are employed by King County to earn hours to complete such apprenticeship programs, shall be classified as temporary employees. Such person shall be entitled to only such rights, working conditions and benefits as are granted by ordinance to other temporary employees of King County.

C. ~~((Agreement as to status — apprentices.))~~ All persons who are enrolled in state approved apprenticeship programs and who are employed by King County to earn hours towards completing such programs shall, prior to becoming a temporary employee of King County, sign a sworn statement, in substantially the same form contained in Attachment A to Ordinance 11149 and indicating an understanding as to the temporary nature of the employment, the absence of career service rights and entitlements, the right of the county to terminate employment at any time without just cause, the absence of appeal rights for any action pertaining to appointment, promotion, suspension, discipline, reduction in pay or rank, removal and the absence of the right to grieve under any collective bargaining agreement, and recognition and understanding that upon termination of temporary employment no right exists to any career service or other position with King County.

It shall be the responsibility of the ~~((office))~~ department of human resources ~~((management))~~ to retain the originals of such sworn statements.

D. ~~((Severability.))~~ If any provision of this section or its application to any person or circumstance is held invalid, the remainder of the section or the application of the provision to other persons or circumstances is not affected.

SECTION 13. Ordinance 12014, Section 24, as amended, and K.C.C. 3.12.247 are each hereby amended to read as follows:

A. The council finds that:

1. The county is committed to affirmative action in hiring and the full participation of pregnant county employees in all occupations throughout the county's work force.
2. Pregnancy is a normal occurrence.
3. The county has already established maternity and parental leaves for its employees.
4. It is desirable to establish a policy to reasonably accommodate pregnant county employees in a medically approved limited duty assignment.

B. For the purpose of this section, "employee" means a full-time regular employee or a part-time regular employee. Promotional probation may be extended at the discretion of the director and after consultation with an employee's appointing authority so an employee who utilizes the limited duty provisions of this section has the opportunity to perform for the established promotional probationary period.

C.1. It is the policy of the county to recognize that pregnancy is a normal event and that provisions shall be made to provide every employee the opportunity to continue to participate in the work force during and up to three months after the employee's pregnancy.

2. An employee, who upon the advice of the employee's physician, cannot safely perform all of the normal duties of the employee's job due to pregnancy and who indicates a desire to continue working before taking sick or maternity leave for which the employee may otherwise be eligible, shall upon concurrence of the director receive consideration for temporary reassignment. The county shall, where reasonably possible, accommodate an employee's desire for medically approved continued employment during the employee's pregnancy and up to three months thereafter via one or more of the three alternatives listed. The first alternative shall have preference, and either assignments or reassignments, or both, shall be given within the employee's department where possible. The ~~((office))~~ department of human resources ~~((management))~~ shall be

responsible for coordination of the following limited duty alternatives:

- a. temporary assignment to limited duties within the employee's classification;
- b. temporary reassignment of the employee to a similar classification with equal pay for which the employee is qualified;
- c. only if the director concurs that an employee cannot reasonably be accommodated by subsection C.2.a. or b. of this section, temporary reassignment of the employee can be made to another classification for which the employee is qualified but with lesser pay, to be assigned at the pay step closest to that which the employee was receiving in the employee's normal job classification.

3. The executive shall determine and facilitate any necessary interfund transfers when an employee is temporarily reassigned to another department.

4. Because of the separate and unique retirement system for police, either the temporary assignment or temporary reassignment, or both, for pregnant police personnel shall be provided as in subsection C.2.a. and b. of this section for LEOFF I members. All three alternatives listed in subsection C.2. of this section can apply to LEOFF II members.

D.1. Temporary assignments or reassignments, or both, made pursuant to this section shall be limited to the period of temporary incapacity caused by pregnancy both before childbirth and upon return to work, all prior to the time when released by the employee's physician to return to full duty.

2. For the purposes of this section, "temporary incapacity" means the period during which because of pregnancy the employee cannot perform all of the employee's regular duties but is capable of performing a temporary limited duty assignment provided by the county as listed in subsection C. of this section and, for purposes of this policy, in no instance shall such a temporary incapacity extend more than three months after termination of the pregnancy.

3. Employees shall continue to be eligible for paid accrued vacation and sick leave and leave of absence without pay pursuant to the personnel rules during the period of temporary incapacity due to

pregnancy, pregnancy related conditions, and parenting.

E. The director shall develop procedures to implement this policy, which shall include verification of the medical basis for the limited duty request.

F. Should any subsection, paragraph, sentence, clause or phrase of this section be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this chapter.

SECTION 14. Ordinance 12498, Section 1 and 4 through 7, as amended, and K.C.C. 3.12.335, are each hereby amended to read as follows:

A. It is the policy of King County to provide opportunities for paid, competitive employment for individuals with developmental disabilities, as defined in this chapter, in integrated work settings. The executive shall seek the cooperation, assistance and participation of all county departments in the successful implementation of this policy.

B. Persons with developmental disabilities as defined in RCW 71A.10.020(5) as amended, shall be eligible for supported employment pursuant to this section.

C. The department of human resources (~~((management division))~~) or its successor agency, is designated as the lead agency responsible for the management of the supported employment program, with the technical supports provided by the developmental disabilities division, or its successor agency.

D. The executive is authorized to adopt administrative rules to implement this section pursuant to K.C.C. 3.12.350.

SECTION 15. Ordinance 12014, Section 32, as amended, and K.C.C. 3.12.350 are each hereby amended to read as follows:

A. The ~~((manager))~~ director shall adopt personnel guidelines for the purpose of implementing the directives, policies and standards contained in this chapter and in Article 5 of the charter.

Such personnel guidelines shall be subject to approval by the executive. Before adoption, amendment

or repeal of any guideline, the ((~~division~~)) department shall give at least forty-five days' notice of its intended action by filing notice with the clerk of the council and mailing notice of the intended action to each member of the council, each department director and agency head, each collective bargaining unit that has a collective bargaining agreement with the county, the chief of staff of the council and the council policy staff director, or their successors. After adoption of the guideline, the ((~~division~~)) department shall post all guidelines to the Internet.

B. The personnel guidelines shall include, but not be limited to, the following subjects:

1. Purpose, objectives and intent;
2. Definitions;
3. Preemployment administration:
 - a. role of the ((~~manager~~)) director and the ((~~division~~)) department;
 - b. recruitment procedures;
 - c. application procedures;
 - d. examinations;
 - e. employment lists;
 - f. certification;
 - g. appointment; and
 - h. process requirements of equal employment opportunity;
4. Postemployment administration:
 - a. role of the department of human resources ((~~division~~));
 - b. probationary periods;
 - c. classification system;
 - d. employee performance evaluation;
 - e. disciplinary procedures;

- f. separation, including reductions in force;
- g. employee relations; and
- h. process requirements of equal employment opportunity;

5. Special duty;

6. Grievance and appeals procedures:

a. role of the department of human resources (~~((division))~~) and other departments, including relationship and processes of the equal employment program;

b. role of the (~~((manager))~~) director;

c. grievance procedures;

d. appeals procedures; and

e. role of the personnel board;

7. Conditions of employment;

8. Employee benefits;

9. Procedures for leaves of absence; and

10. Procedures for salary and administration.

SECTION 16. Ordinance 16640, Section 3, as amended, and K.C.C. 3.12.400 are each hereby amended to read as follows:

A. It is the policy of the county to support the endeavors of volunteers for the county in a manner that benefits the community and is in the best interest of the county, and provides scope of work direction to its volunteers.

B. Volunteers for the county are expected to act within the scope of assigned volunteer work responsibilities. Volunteers for the county are authorized agents of the county only when acting within the scope of their assigned volunteer work responsibilities. Volunteers for the county are entitled to defense and indemnification as provided in K.C.C. chapter(~~((s 4.12 and 4.13))~~) 2.21.

C. Volunteers for the county shall be administered as follows:

1. A county employee may be a volunteer for the county only if the service as a volunteer for the county is not the same type of services that the employee is employed to perform for the county;
2. A volunteer for the county may be asked by an agency to enter into a volunteer agreement, waiver or other type of liability mitigation protection agreement;
3. The county retains the sole right to accept, decline or terminate the services of a volunteer for the county for any reason. A volunteer for the county is expected to comply with all federal, state and local laws and to adhere to all county policies and procedures related to workplace conduct and use of county resources, including all those applicable to the specific department, division, section and work place that oversees their volunteer work. If the volunteer for the county violates any law, county policy or procedure, or any workplace expectation, including those related to workplace conduct or the use of county resources the county, at its sole discretion, may impose corrective measures upon the volunteer for the county. Such corrective measures may include, but not be limited to, verbal counseling in an effort to achieve acceptable compliance up to and including dismissal the volunteer for the county. Progressive measures are not required and there shall be no formal right of appeal for any corrective action taken by the county. The services of a volunteer for the county may be terminated at any time by either the volunteer for the county or by the county for any reason without cause or notice;
4. The use of county resources and property by a volunteer for the county is limited to the conduct appropriately required to deliver the volunteer services within the scope of work identified for the volunteer and uses that are available to the general public as provided in K.C.C. 3.04.020;
5. For each program that uses volunteers for the county, departments shall develop a code of conduct. The department shall provide volunteers for the county with a copy of the relevant code of conduct or post the code of conduct in an area where volunteers report for work. Codes of conduct shall include the principles of behaving with respect toward other volunteers for the county, behaving with respect toward members of the

public, behaving with respect toward county employees and behaving with respect for individuals, animals or property that are the focus of the program using volunteers for the county. Individuals who violate the code of conduct shall be subject to the corrective measures in subsection C.3. of this section; and

6. The departments, in consultation with the ~~((manager))~~ director of the department of human resources ~~((division))~~, shall be responsible for the administration of volunteer programs and the management of volunteers for the county in accordance with the policies and standards established by this chapter.

SECTION 17. Ordinance 12943, Section 14, as amended, and K.C.C. 3.12A.020 are each hereby amended to read as follows:

The definitions set forth in K.C.C. chapter 3.12 are hereby incorporated in this chapter. Words not defined in K.C.C. chapter 3.12 or in this chapter shall have their ordinary and usual meanings. In the event of conflict, the specific definitions set forth in this chapter shall presumptively, but not conclusively, prevail.

A. "Committee" means the career service review committee, which shall consist of:

1. The following three permanent members:

- a. the county executive or designee;
- b. the chief officer of the office of budget or successor organizational unit or designee; and
- c. the ~~((manager))~~ director of the department of human resources ~~((management division))~~ or

successor organizational unit or designee; and

2. One member representing the department whose body of work or employees are then under review.

SECTION 18. Ordinance 12014, Section 46, as amended, and K.C.C. 3.14.010 are each hereby amended to read as follows:

The powers and duties of the sheriff's civil service commission under ~~((C))~~ chapter 41.14 RCW are hereby assigned to the ~~((office))~~ department of human resources ~~((management))~~ except those powers and duties set forth in RCW 41.14.120.

SECTION 19. Ordinance 12014, Section 47, as amended, and K.C.C. 3.14.030 are each hereby

amended to read as follows:

The position of secretary/chief examiner of the sheriff's civil service commission is hereby abolished as of ~~((the effective date of this chapter))~~ January 1, 1996. Any functions ~~((which))~~ that have heretofore been performed by ~~((said))~~ the secretary/chief examiner are hereby assigned to the director of the ~~((office))~~ department of human resources ~~((management))~~.

SECTION 20. Ordinance 12014, Section 48, as amended, and K.C.C. 3.14.040 are each hereby amended to read as follows:

A. Rules and regulations for the administration of the sheriff's personnel system shall be adopted and amended by the county council by ordinance. The director of the ~~((office))~~ department of human resources ~~((management))~~ is directed to promulgate administrative guidelines for the purpose of implementing such rules and regulations and the requirements of ~~((C))~~ chapter 41.14 RCW.

B. Except to the extent they are inconsistent with the provisions of this chapter, the current rules and regulations of the sheriff's civil service commission, which are on file with the clerk of the council, are hereby incorporated by this reference and made a part hereof and adopted for the administration of the sheriff's personnel system. The executive shall review such rules and regulations and report periodically to the council proposing such amendments thereto as may be appropriate to bring such rules into substantial conformance with general county personnel rules insofar as permitted by ~~((C))~~ chapter 41.14 RCW.

SECTION 21. Ordinance 12014, Section 51, as amended, and K.C.C. 3.15.025 are each hereby amended to read as follows:

A. The ~~((manager))~~ director of the department of human resources ~~((management division))~~ shall develop and maintain a classification plan for all positions within the career service system. The plan shall provide that all positions that are substantially similar as to kind, difficulty and responsibility of work are included in the same classification.

B. The classification plan should set forth for each career service classification a title, a definition,

distinguishing characteristics, representative examples of work and the knowledge and skills necessary to perform the work.

C. The ~~((manager))~~ director of the department of human resources ~~((management division))~~ should, on a continuing three-year cycle, review the classification plan, and may add, combine, abolish or revise the specifications or establish new classifications, as provided in K.C.C. 3.12.040.

D. Whenever reorganization, change in job content or council action causes the duties of a position to change, or a position appears to have been incorrectly classified, the ~~((manager))~~ director of the department of human resources ~~((management division))~~ may reclassify the position to a more appropriate classification.

SECTION 22. Ordinance 12014, Section 52, as amended, and K.C.C. 3.15.030 are each hereby amended to read as follows:

A. The director may reclassify any position to an existing or new classification.

B. An employee or a group of employees may request that a position or group of positions be reclassified for the following reasons:

1. The employee's position is not assigned to the appropriate classification;

2. A significant or gradual change has occurred in the employee's ongoing duties or responsibilities over at least one-year; or

3. A departmental reorganization or council action has caused the duties of the position to change.

C. Group reclassifications may be submitted if all of the employees' positions are in the same classification in the same section of a division. The director shall evaluate each position individually, reserving the right to place individual positions into different classifications.

D. An employee is not eligible to submit a reclassification request if:

1. It has been less than twelve months since the date of a previous classification determination for the position;

2. The employee is on probation;

3. The employee is on a performance improvement plan; or
4. The employee is asking for a reclassification of a special duty position.

E. When the director reclassifies a position to a higher classification, the pay rate of the incumbent employee shall be increased to the first step of the pay range of the new classifications or the step that is at least five percent above the former rate of pay, whichever is greater.

F. When the director reclassifies a position to a lateral classification, the pay rate of the incumbent employee shall remain at the same step of the pay range.

G. When the director reclassifies a position to a lower classification, the pay rate of the incumbent employee shall be the highest step in the new pay range that does not exceed the employee's current pay rate.

H. A pay increase as a result of a reclassification may not exceed the top step of the new pay range, unless the employee's former pay includes above-Step-10 incentive pay. If the employee's former pay includes an above-Step-10 incentive pay, the employee's new pay is calculated upon the above-Step-10 amount. If the increase from reclassification results in pay that is above the top step of the new range, the pay shall be reduced to the top step of the new range at the end of the incentive period, unless the employee requalifies for an above-Step-10 incentive award.

I. Implementation of a reclassification and any related pay change shall be effective at the start of the pay period following receipt of the completed reclassification request form at the department of human resources (~~((division or its successor agency))~~), except a reclassification to a lower pay grade shall be effective at the start of the pay period at least thirty calendar days after notification of the classification determination from the department of human resources (~~((management division or its successor agency))~~).

J. A reclassified employee shall not serve a probationary period in the new classification.

K.1. When an employee's position is reclassified retroactively into a classification with a different ((FLSA)) Fair Labor Standards Act of 1938 status, the change in ((FLSA)) status shall be prospective only.

2. When an employee's position is reclassified from a ((FLSA-)) Fair Labor Standards Act of 1938

exempt classification to ~~((an FLSA))~~ a Fair Labor Standards Act of 1938 non-exempt classification, the employee will be paid overtime pay from the date of the reclassification decision.

3. When an employee's position is reclassified from a ~~((FLSA))~~ Fair Labor Standards Act of 1938 non-exempt classification to a ~~((FLSA-))~~ Fair Labor Standards Act of 1938 exempt classification, the employee shall receive a cash-out of all accrued compensatory time.

SECTION 23. Ordinance 1282, Section 5, as amended, and K.C.C. 3.15.040 are each hereby amended to read as follows:

The ~~((manager))~~ director of the department of human resources ~~((management division))~~ may abolish, amend or create new classifications, except as provided in this section. The assignment or reassignment of pay ranges to a classification or classifications is subject to K.C.C. 3.15.020. A request for the creation of any classification applicable to regular exempt positions, as defined in K.C.C. 3.12.010, or any pay range adjustments for classifications exceeding Range 54 or movements of four or more pay ranges for an existing classification or any pay range adjustment affecting two or more classifications in a classification series, shall be filed with the clerk of the council for distribution to the chair of the labor, operations and technology committee, or its successor committee, and confirmed by the committee before implementation.

SECTION 24. Ordinance 14233, Section 5, and K.C.C. 3.15.120 are each hereby amended to read as follows:

A.1. New county employees shall start at the first step of the pay range. If necessary for recruitment, however, a department director may authorize an offer of a higher pay step.

2. At least one of the following criteria must be met to hire an employee above the first step:

- a. The candidate's education and experience are significantly above the minimum requirements for the position;
- b. The candidate has an especially desirable skill, talent, knowledge or ability;
- c. The candidate has a current salary that is above the first step of the of the salary range; or

d. The candidate has a competing written, formal offer of employment that is above the first step of the salary range.

3. If a department director determines it is necessary to hire an employee above the first step, a copy of the appointment letter, together with a statement of the reason for hiring the employee above the first step, must be provided to the ~~((manager))~~ director of the department of human resources ~~((management division))~~ at the time of hire.

B. The ~~((county administrative officer))~~ director of the department of human resources may approve the hiring of an employee above Step 5. In such cases, the ~~((county administrative officer))~~ director of the department of human resources must issue prior written approval to the department director and send a copy of the written notification to the executive.

SECTION 25. Ordinance 14233, Section 7, as amended, and K.C.C. 3.15.140 are each hereby amended to read as follows:

A.1. A department director and, when required, the director of the department of human resources ~~((management division or its successor agency))~~ may assign an employee in a regular position to an existing higher-level classification for a limited term when the higher-level duties and responsibilities comprise the majority of the work performed for a minimum of thirty calendar days.

2. Temporary employees, including term-limited temporary employee, are not eligible for special duty assignments.

B. Depending upon the type of special duty assignments needed for business operations, special duty assignments may be made for up to a maximum of five years.

1. Assignments may be approved for up to a term of twelve months if authorized in advance by the department director to backfill for a vacant regular position, or to provide additional staffing needed:

a. due to work that exceeds either the volume or complexity, or both, than what is routinely expected, but the work is of a limited duration;

- b. due to work that is unanticipated due to unique circumstances that are not expected to reoccur; or
- c. to either develop or implement, or both, a new function, system or proposal.

2. Assignments may be approved for up to a term of up to three years if authorized in advance by the director to perform a significant or substantial body of work, such as a (~~non-routine~~) nonroutine project or work related to the initiation or cessation of a county function, project or department.

3. Assignments may be approved for up to a term of five years if authorized in advance in writing by the director:

- a. to backfill a regular position, when:

- (1) an employee is absent because of an extended leave of absence for a medical reason;
- (2) an employee is absent because of military service; or
- (3) an employee is absent because of a special duty or another assignment; and

- b. to staff or backfill staff on a clearly defined grant-funded, capital improvement((;)) or information systems technology project.

4. A special duty backfill assignment may not exceed the term of the incumbent employee's absence.

5. Special duty assignments to salaried classifications shall be made in full-week increments, from Saturday through Friday.

6. An employee's special duty assignment shall end when management becomes aware that the employee's absence will exceed thirty calendar days or at the conclusion of a thirty-day absence, whichever occurs first.

C. A special duty assignment must be made in writing to the employee before the beginning of the assignment. The written notice must provide the classification title and description and must list the specific duties that the employee is to perform and the duration of the assignment. The written notice must also include a statement that the assignment does not confer on the employee any new privilege, right of appeal, right of position, transfer, demotion, promotion or reinstatement. A special duty assignment may be revoked at any

time at the discretion of the appointing authority. Special duty pay may not be assigned retroactively.

D. The special duty increase shall be to the first step of the pay range of the higher-level job classification or a flat five percent above the base rate of pay, whichever is greater.

E. If the employee was receiving above-Step-10 incentive pay, the pay for the special duty assignment is calculated using the incentive pay and may result in incentive pay while in the special duty assignment.

F. While on special duty assignment, the employee shall continue to be eligible for step increases in the employee's regular position. If the employee is at Step-10 in the employee's regular position, the employee shall be eligible for step increases in the special duty classification.

G. Any accrued compensatory time shall be cashed out before an hourly employee begins a salaried special duty assignment, and before an employee is an hourly special duty assignment returns to a salaried regular position.

H. When the special duty assignment is completed, the employee's pay shall revert to the pay rate the employee would have received if the employee had not been assigned to special duty.

I. Special duty pay shall not be considered part of an employee's base pay rate for purposes of placement within a salary range as a result of promotion or reclassification, for purposes of cashing out vacation or sick leave or when making vacation or sick leave donations.

J. When the special duty assignment is hourly, the employee's special duty pay will be used for the computation of overtime and compensatory time.

K. If the special duty position is converted to a regular position and the employee who served in the special duty position is hired into the regular position, the time served in the special duty position will count toward any required probationary period. If the time served in the special duty position was longer than the required probationary period, the employee's probationary period shall be considered served.

L. The executive shall notify the council each year in writing of the total number of county employees on special duty assignment by department. The executive shall file a paper original and electronic copy of each

memorandum with the clerk of the council, who shall retain the original and provide an electronic copy to all councilmembers and the lead staff for the government accountability and oversight committee or its successor.

SECTION 26. Ordinance 14287, Section 5, as amended, and K.C.C. 3.16.055 are each hereby amended to read as follows:

A.1. A bargaining representative may at any time during negotiations forward to the ~~((manager))~~ director of the department of human resources ~~((management division))~~, or its successor, a written complaint that the collective bargaining process is not being conducted in a timely manner or is not being conducted in a manner consistent with good faith bargaining. The ~~((manager))~~ director shall, within fifteen calendar days, respond in writing to the complaint and propose such remedies as may address the complaint.

2. If the bargaining representative is not satisfied with the written response of the ~~((manager))~~ director, or if a written response to the complaint is not received within fifteen calendar days, the bargaining representative may forward the written complaint to the King County executive, as the bargaining agent, who shall, within fifteen calendar days, respond to it in writing and propose such remedies as may address the complaint.

3. If the bargaining representative is not satisfied with the written response of the bargaining agent, or if a written response is not received from the bargaining agent within fifteen calendar days, the bargaining representative may request that the written complaint be forwarded to the implementation committee.

4. If the bargaining agent receives a written request to have the complaint forwarded to the implementation committee, including an explanation of reasons for the request, the bargaining agent shall forward the request, together with the bargaining agent's written response, to the implementation committee within five calendar days from the receipt of the request. These materials or any discussion thereof shall remain confidential to the extent allowed by law.

5. The implementation committee may request that the bargaining agent meet with the implementation committee for the purpose of reviewing the status of negotiations with regard to the principles

contained in this chapter and the overall policy direction established by the policy committee, but the implementation committee shall take no action that would interfere with the lawful role of the bargaining agent.

B. By June 30 of each year, the prosecuting attorney, in conjunction with bargaining agent, shall report to the implementation committee on all pending unfair labor practice charges and all pending arbitration involving represented employees.

C. By June 30 of each year, or, in the case of agreements expiring other than December 31, at least ninety days before the commencement of negotiations, in preparation for collective bargaining the bargaining agent shall report to the implementation committee the agreements expiring that calendar year. The bargaining agent shall also generally explain existing policies that, if changed, would further the principles and intent established by this chapter. County department management concerned with the collective bargaining process, with the advice of other relevant county departments, shall assist the bargaining agent in reporting to the implementation committee.

D. By June 30 of each year or, for agreements expiring other than December 31, at least ninety days before commencing negotiations, the implementation committee shall meet with the bargaining agent to review the schedule of collective bargaining agreements expiring in that calendar year and the key issues related to the collective bargaining process. Methods of consultation with unions, management rights and eliminating the causes of employee grievances shall also be considered.

E. Following the establishment of overall policy, and before commencing negotiations, the implementation committee shall meet to hear the bargaining agent's recommended strategies for implementing adopted policies. The implementation committee shall confer with the bargaining agent as it deems necessary to ensure compliance with this chapter and good-faith collective bargaining. The bargaining agent's strategies shall be generally consistent with the principles contained in this chapter and the overall policy direction established by the policy committee.

F. The implementation committee shall meet at least quarterly to review the progress of the negotiations but shall not interfere with good-faith collective bargaining.

G. The implementation committee shall review all agreements negotiated between the bargaining agent and bargaining representatives to ensure compliance with the principles contained in this chapter and with the overall policy direction established by the policy committee. The implementation committee may recommend to the council adoption or rejection of agreements or it may forward agreements to the council for action without recommendation.

H. For the purpose of maintaining an effective collective bargaining process, the strategies and related information presented by the bargaining agent shall be maintained as confidential. The implementation committee shall develop guidelines to assist in accomplishing such confidentiality.

SECTION 27. Ordinance 12014, Section 56, as amended, and K.C.C. 3.24.170 are each hereby amended to read as follows:

A. Within the executive branch, including the department of judicial administration, the ~~((manager))~~ director of the department of human resources ~~((management division))~~ may authorize in writing at the written request of the appointing authority reimbursement of reasonable and necessary moving expenses for the following categories of county employees:

1. Persons whose appointments require council confirmation and who have been so confirmed;
2. Persons appointed by the county administrative officer to exempt positions;
3. Persons appointed by the directors of executive departments to exempt positions; and
4. Persons hired for positions requiring specialized knowledge, skill or abilities that the ~~((manager))~~ director of the department of human resources ~~((management division))~~ has confirmed in writing are not found in the local labor market. However, this subsection A.4. may be used no more than four times each calendar year.

B. Within the legislative branch, the department of assessments, the department of public safety, the

department of elections, the office of the prosecuting attorney, district court and superior court, the presiding elected official may authorize, in writing, the reasonable and necessary moving expenses of employees appointed within their agencies.

C. The forecast council may authorize, in writing, reimbursement of the reasonable and necessary moving expenses of the chief economist.

D. Moving expenses may not be reimbursed unless the following conditions are met:

1. The reimbursement is permitted under subsection A., B. or C. of this section;
2. The reimbursement is necessary to obtain the services of the individual whose moving expenses are being reimbursed;
3. The reimbursement is limited to reasonable and necessary moving expenses, which may include the cost of travel directly to the place of new residence following appointment;
4. The reimbursement to a particular employee does not exceed a total of fifteen thousand dollars;
5. The reimbursement will not create a need for a supplemental appropriation to the department, agency or office in which the individual is employed;
6. Before the appointment the appointing authority and the appointee agreed to the reimbursement in writing;
7. The written reimbursement agreement provides that if the appointee leaves county employment, either voluntarily or involuntarily, less than two years after the appointment, the appointee shall repay to the county, within thirty days after leaving county employment, the entire amount of the reimbursement; and
8. Reimbursement of specific expenses complies with the other limitations contained in this chapter.

E. Moving expenses may not be reimbursed for confidential secretaries or other exempt clerical positions.

F. To the extent that reimbursement of moving expenses is permitted under this section, the appointing authority may pay the third party provider of moving services directly, rather than by reimbursing the

employee, subject to any applicable requirements concerning the county's purchase of goods and services from third parties.

SECTION 28. Ordinance 12076, Section 14, as amended, and K.C.C. 4A.200.270 are each hereby amended to read as follows:

A. There is hereby created an employee benefits program fund.

B. The fund shall be a first tier fund. It is an internal service fund.

C. The director of the department of (~~executive services~~) human resources shall be the manager of the fund.

D. All receipts from rates charged for the fund's services to county agencies shall be deposited in the fund.

E.1. The fund shall provide for the receipt of revenues and disbursement of expenditures related to the dental, medical, life, and disability insurance claims, and other benefit plans of county employees, including the costs of administration. The fund shall seek to maintain an excess of assets over liabilities for each of the benefit programs accounted for by the fund.

2. Premium rates for the fund shall be established such that sufficient revenues shall accrue to the fund to pay for the cost of each program's functions and all indirect costs allocated to that program, as determined by the fund manager, and such that the cost of the program shall be borne by the participants of the program. Such rates shall take into consideration, but need not be limited to, the following factors: premium and administrative costs for dental, medical, life insurance and other benefit programs; claims reimbursement costs; county indirect costs; self-insured loss stabilization reserves; and income earned from the investment of available fund balance.

3. The fund manager is hereby authorized to charge each county department and agency at the end of each fiscal month a sum of money that represents the number of employees of that department and agency covered by an employer-paid benefit plan that month times the monthly premium established for that plan. The

fund manager is also hereby authorized to charge county employees, retired employees and others, at the end of each fiscal month, a sum of money that represents the monthly premium established for the program for which the person is enrolled.

SECTION 29. Ordinance 12076, Section 15, as amended, and K.C.C. 4A.200.670 are each hereby amended to read as follows:

A. There is hereby established the self insurance reserve fund, which shall be known as the safety and worker's compensation fund.

B. The fund shall be a second tier fund. It is an internal service fund.

C. The director of the department of (~~executive services~~) human resources shall be the manager of the fund.

D. All receipts from rates charged for the fund's services to county agencies shall be deposited in the fund.

E.1. The fund shall be used for the purposes in chapter 51.15 RCW.

2. The fund is intended to collect and disburse moneys to carry out the functions of the safety and worker's compensation program, and moneys shall not be attached for other purposes, unless that action is expressly approved by the council.

3. Industrial insurance rates shall be established such that sufficient revenues shall accrue to the fund to pay for the cost of the program functions and to maintain an excess of current and other assets over liabilities, excluding estimated claims settlements. The rates

shall take into consideration, but need not be limited to the following factors: past losses for each industrial insurance classification, the number of hours worked in each classification, and estimated claims settlements for injury claims.