



## Legislation Details (With Text)

**File #:** 2021-0435      **Version:** 2

**Type:** Motion                      **Status:** Passed

**File created:** 11/16/2021              **In control:** Employment and Administration Committee

**On agenda:**                      **Final action:** 12/7/2021

**Enactment date:**                      **Enactment #:** 15998

**Title:** A MOTION relating to the organization of the council; amending Motion 10651, Section V, as amended, and OR 2-030, adding a new section OR 3-xxxx to the Organizational Compilation and rescinding Motion 15446, Section III, as amended, and OR 3-033, Motion 10651, Section VIII, as amended, and OR 3-040 and Motion 8868, Sections 1-2, as amended, and OR 3-110.

**Sponsors:** Claudia Balducci

**Indexes:** Council, King County

**Code sections:**

**Attachments:** 1. Motion 15998, 2. A. King County Legislative Branch Employee, Equipment, and Facilities Policies, 3. 2021-0435\_ATTA\_AMD1 bar.docx

Date	Ver.	Action By	Action	Result
12/7/2021	2	Metropolitan King County Council	Passed	Pass
11/23/2021	1	Employment and Administration Committee	Recommended Do Pass Substitute Consent	Pass
11/16/2021	1	Metropolitan King County Council	Introduced and Referred	

A MOTION relating to the organization of the council; amending Motion 10651, Section V, as amended, and OR 2-030, adding a new section OR 3-xxxx to the Organizational Compilation and rescinding Motion 15446, Section III, as amended, and OR 3-033, Motion 10651, Section VIII, as amended, and OR 3-040 and Motion 8868, Sections 1-2, as amended, and OR 3-110.

WHEREAS, in accordance with Sections 220.30 and 240 of the King County Charter, the council organizes and administers the legislative branch by motion, and

WHEREAS, in furtherance of that authority, the council passes organizational motions that establish among other administrative functions, the council's committee structure, membership and chairs and vice-chairs to reflect the will of the council and to ensure the efficient conduct of council business;

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

I. There is hereby added to the organizational compilation a new section to read as follows:

**King County Legislative Branch Employee, Equipment and Facilities Policies.** The King County Legislative Branch Employee, Equipment and Facilities Policies, Attachment A to this motion, are hereby adopted.

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

**Employment and administration committee.**

**A. Duties.**

1. In accordance with this section OR 2-030, the committee shall oversee employment-related issues in the legislative branch, excluding all decisions for those positions and employees serving councilmembers' personal, district support and constituent services functions.

2. The employment and administration committee shall consider and make recommendations on:

a. administrative and personnel-related policies;

b. changes to the organization chart established in (~~OR 3-030-A.~~) the King County Legislative Branch Employee, Equipment and Facilities Policies adopted under section I of this motion;

c. classification specifications and compensation ranges;

d. job descriptions for all positions in the legislative branch;

e. hiring chief officers and independent agency officers, in accordance with a hiring process established by the committee that may include forming a subcommittee to implement the hiring process. The committee may consult with the board of appeals on its hiring of the executive director and staff of the board of appeals and the committee may express its preference; and

f. censure related to alleged violations by a councilmember of any antiharassment or discrimination policy.

3. The council chair, in consultation with the committee, shall provide oral and written expectations and counseling regarding employee performance for chief officers and independent agency officers. The chair of the council, with committee input, shall establish a process for periodically evaluating the chief officers and

independent agency officers for their performance in performing job duties and achieving goals.

4.a. The council chair, in consultation with the committee, shall, when appropriate, issue either written reprimands or performance improvement plans, or both, regarding employee performance issues of a chief officer or an independent agency officer that persist, following an oral or written statement of expectations or counseling.

b. It is the responsibility of the council chair, when appropriate, to recommend to the committee for approval either suspension without pay or termination of chief officers or independent agency officers.

c. Following a suspension without pay of more than ten working days or termination hearing decision, a chief officer or independent agency officer subject to the committee's suspension without pay or termination decision may, within five business days of being notified of the decision, appeal the decision to the council. An appeal is filed by delivering a notice of appeal to the clerk of the council.

d. A decision of the council to suspend without pay or terminate a chief officer or independent agency officer is final.

e. The chair of the council, with consultation of the committee, may execute a settlement agreement with a chief officer or independent agency officer.

f. A written disciplinary action may not be issued before completion of review of it by legal counsel or the civil division of the office of the prosecuting attorney. For the purposes of this subsection A.4., "written disciplinary action" means written expectations and counseling regarding employee performance issues, reprimands, performance improvement plans and decisions regarding suspension without pay or termination of an employee.

#### **B. Committee recommendations and actions.**

1. Committee recommendations on matters set out in subsection A.2. of this section shall be presented to the council as a motion for its consideration.

2. For actions authorized under subsection A.3. and 4. of this section, the chair of the employment and

administration committee shall issue notice to the affected employee upon final action of the committee or council.

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

D. **Construction of section.** Nothing in this section is to be construed to alter the at-will status of legislative branch employees. This section designed to facilitate the will of the majority of the council. If there are specific provisions of a collective bargaining agreement that are different than this section, the collective bargaining agreement shall prevail.

E. **Definitions.** For the purposes of this section OR 2-030:

1. "Administrative services staff" are those legislative branch employees assigned to communications, government relations, ~~((administration))~~ operations, council initiatives, municipal relations, equity & social justice and clerk blocks in the organization chart, Attachment A to Motion 15791.

2. "Chief officers" includes the chief of staff and chief legal counsel;

3. "Directors" includes the clerk of the council, the communication director, the director of government relations, the director of municipal relations, the director of operations, the director of equity and social justice, the director of council initiatives and the chief policy officer;

4. "Independent agency officers" includes the auditor, the director of law enforcement oversight, the hearing examiner, the board of appeals and equalization and the director of the office of citizen complaints/tax advisor, which is also known as the ombuds.

5. "Legislative services staff" are those legislative branch employees assigned to the legislative services block in the organization chart, Attachment A to Motion 15791. "Legislative services staff" includes the policy analysts and legislative clerks who are assigned to support council committees.

III. The following are hereby rescinded:

- A. Motion 15446, Section III, as amended, and OR 3-033;
- B. Motion 10651, Section VIII, as amended, and OR 3-040; and
- C. Motion 8868, Sections 1-2, as amended, and OR 3-110.