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Title: AN ORDINANCE instituting a hiring freeze for all nonessential county personnel through the end of 2009; and declaring an emergency.

Sponsors: Dow Constantine

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7/20/2009	1	Metropolitan King County Council	Hearing Held	
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AN ORDINANCE instituting a hiring freeze for all nonessential county personnel through the end of 2009; and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY: **SECTION 1. Findings:**

A. Through the passage of Ordinance 16339 on December 15, 2008, the council ratified the executive's emergency budget proclamation.

B. The emergency budget crisis proclamation was necessary despite the council's reduction of ninety-three million dollars from the county's general fund budget.

C. The emergency budget crisis has continued into 2009 as the economy has showed further signs of contraction, tax collections have continued to fall and the overall outlook for 2010 has worsened.

D. The county is projecting a 2010 deficit for the county's general fund of nearly fifty million dollars.

E. The county is projecting a 2010-2011 deficit in the public transportation fund of one hundred sixty-eight million dollars.

F. The county's single biggest expense is the salary and benefit costs associated with employees.

G. Deferring decisions on the filling of county vacancies has the advantage of both saving money in 2009 and reducing prospective cuts for the 2010 budget.

H. Due to the severity and time-critical nature of the emergency budget crisis and the need for a hiring freeze, enactment of this ordinance as an emergency ordinance is necessary to ensure that restrictions on hiring established by this ordinance take effect immediately.

SECTION 2. From the effective date of this ordinance, the county shall institute a hiring freeze of all nonessential personnel. Positions shall not be filled except as exceptions outlined in sections 3 and 4 of this ordinance.

SECTION 3.

A. Due to the public safety and public health nature of these positions, the hiring freeze prescribed in section 2 of this ordinance does not apply to:

1. Positions in the department of public safety;
2. Corrections officers in the county's correctional facilities;
3. Public health or medical professionals directly responsible for protecting the health of the public from communicable disease and other health threats and health care providers in county corrections facilities or health centers;
4. Positions in the superior court;
5. Positions in the district court;
6. Positions in the office of the prosecuting attorney and the office of public defense;
7. Temporary or seasonal workers; and
8. Positions that are fully grant funded.

B. Even though the positions covered by subsection A. of this section are exempt from the hiring freeze, the responsible department heads or separately elected officials are encouraged to implement a hiring freeze for administrative positions not directly associated with the provision of public safety or public health.

SECTION 4.

A. Positions in the executive branch beyond those listed in section 3 of this ordinance shall be filled only under the following conditions:

1. The department can numerically substantiate that the county would incur verifiable increased costs by continuing to hold the position vacant rather than filling the position;
2. The department's director has certified in writing to the executive the need to fill the position;
3. The director of the office of management and budget has certified in writing to the executive that the requesting department has sufficient budget authority to fill the vacant position; and
4. The executive authorizes the department, in writing, to fill the vacant position.

B. By the first day of each month, the executive shall provide a report to the council summarizing all executive branch requests for hiring. The report shall be filed in the form of twelve copies with the clerk of the council who will retain the original and provide a copy to each councilmember and the coordinator for the government accountability and oversight committee and the budget and fiscal management committee, or their successors. The report shall indicate:

1. All positions requested for hiring by each department;
2. The positions that were approved by the executive; and
3. The rationale for approving each position approved for hiring.

C. Positions in the legislative branch shall be filled only under the following conditions:

1. The legislative branch agency can numerically substantiate that the county would incur verifiable increased costs by continuing to hold the position vacant rather than filling the position;
2. The legislative branch agency manager has certified in writing to the chair of the employment and administration committee the need to fill the position;
3. The council administrator has certified in writing to the chair of the employment and administration committee that the requesting agency has sufficient budget authority to fill the vacant position; and

4. The employment and administration committee recommends and the full council approves filling the vacant position.

D. By the first day of each month, the council administrator shall provide a report to the council summarizing all legislative-branch requests for hiring. The report shall be filed in the form of twelve copies with the clerk of the council who will retain the original and provide a copy to each councilmember and the coordinator for the government accountability and oversight committee and the budget and fiscal management committee, or their successors. The report shall indicate:

1. All positions requested for hiring by each agency;
2. The positions that were approved by the council; and
3. The rationale for approving each position approved for hiring.

SECTION 5. This ordinance expires January 1, 2010.

SECTION 6. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

SECTION 7. The council finds as a fact and declares that an emergency exists and that the enactment of this ordinance as an emergency ordinance is necessary for the immediate preservation of public peace, health or safety or for the support of county government and its existing public institutions.