



Legislation Text

File #: 2019-0055, **Version:** 1

Clerk 01/31/2019

AN ORDINANCE relating to living wage requirements; and amending Ordinance 17909, Section 4, and K.C.C. 3.18.010 and Ordinance 17909, Section 6, and K.C.C. 3.18.030.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 17909, Section 4, and K.C.C. 3.18.010 are hereby amended to read as follows:

- A. "Actuarial value" means the percentage of total average costs for covered benefits that a health benefits package will cover.
- B. "Bonuses" means non-discretionary payments in addition to hourly, salary, commission or piece-rate payments paid under an agreement between an employer and employee.
- C. "Commissions" means a sum of money paid to an employee upon completion of a task, usually selling a certain amount of goods or services.
- D. "Compensation" means wages together with the money paid by an employer towards an individual employee's health benefits plan.
- E. "Contract" means a mutually binding legal relationship or any modification thereof obligating the county to pay a contractor one hundred thousand dollars or more to provide professional services, technical services or services, as defined in K.C.C 2.93.030 to, or at the direction of, the county. "Contract" does not include: a contract between a contract-awarding authority and another government or public entity; a contract that the county enters into as the administrator of grants received from a third party; a contract for public works; an architectural or engineering contract; or a collective bargaining agreement.

F. "Contract-awarding authority" means the county officer, department, commission, employee or board authorized to enter into or to administer contracts on behalf of the county.

G. "Contractor" means any person that enters into a contract with the county, or negotiates the extension of an existing contract with the county, after the effective date of this ordinance, or that is a subcontractor performing services under such a contract.

H. "Division" means the finance and business operations division of the department of executive services.

I. "Director" means the manager of the finance and business operations division of the department of executive services, or the manager's designee.

J. "Employee" means any individual employed by an employer, whether on a full-time, part-time, temporary or seasonal basis, including temporary workers, contracted workers, contingent workers and persons made available to work through a temporary services, staffing or employment agency or similar entity.

K. "Employer" includes King County and any individual, partnership, association, corporation, business trust or person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee.

L. "Health benefits plan" means a silver or higher level essential health benefits package, as defined in 42 U.S.C. Sec. 18022, or an equivalent plan that is designed to provide benefits that are actuarially equivalent to seventy percent of the full actuarial value of the benefits provided under the plan, whichever is greater.

M. "Hourly minimum compensation" means the minimum compensation due to an employee under this chapter for each hour worked during a pay period.

N. "Hourly minimum wage" means the minimum wage due to an employee under this chapter for each hour worked during a pay period.

O. "Person" means any individual, partnership, corporation, limited liability company, sole proprietorship, association, joint adventure, estate, trust or other entity, group or combination acting as a unit,

and the individuals constituting the group or unit.

P. "Piece-rate" means a price paid per unit of work.

Q. "Rate of inflation" means ~~((the))~~ one hundred percent of the annual average growth rate of the bi-monthly Seattle-Tacoma-Bremerton Area Consumer Price Index ~~((annual percent change))~~ for urban wage earners and clerical workers, termed CPI-W, ~~((or a successor index,))~~ for the twelve month~~((s before each September 1 as calculated by the United States Department of Labor))~~ period ending in August, provided that the percentage increase shall not be less than zero.

R. "Schedule 1 employer" means an employer that employs more than five hundred employees in the United States, regardless of where those employees are employed in the United States.

S. "Schedule 2 employer" means an employer that employs five hundred or fewer employees in the United States, regardless of where those employees are employed in the United States.

T. "Subcontractor" means any person, not an employee, that enters into a contract with a contractor or subcontractor, and that employs employees for that purpose, to assist the contractor or subcontractor in performing a contract with the county.

U. "Wage" means compensation due to an employee by reason of employment, payable in legal tender of the United States or checks on banks convertible into cash on demand at full face value, subject to such deductions, charges or allowances as may be permitted by rules of the director. "Wages" include commissions, piece-rate compensation and bonuses, all of which shall be counted as wages in the work-week in which they were earned. An employer payment toward a health benefits plan does not constitute a "wage."

SECTION 2. Ordinance 17909, Section 6, and K.C.C. 3.18.030 are hereby amended to read as follows:

The county shall pay its employees at a rate no less than the hourly minimum wage for Schedule 1 employers, except for ~~((individuals performing services under a work study agreement and))~~ short-term temporary employees who are employed in social service programs

designed to help youth gain basic work training skills.