



Legislation Text

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Clerk 02/16/2023

A MOTION requesting the executive to provide a priority pathway for job applicants previously employed by the county but who were separated or resigned due to noncompliance with the county's COVID-19 vaccination mandate.

WHEREAS, public health - Seattle & King County activated the Public Health Departmental Emergency Operations Center on January 21, 2020, for the significant health emergency caused by novel coronavirus disease 2019 ("COVID-19"), and

WHEREAS, on March 1, 2020, King County executive Dow Constantine issued a proclamation of emergency enabling the use of extraordinary measures in response to the COVID-19 public health emergency, and the council passed Motion 15610 affirming the proclamation on March 3, 2020, and

WHEREAS, on August 21, 2021, the executive issued Executive Order ACO-8-27-EO pursuant to the emergency proclamation requiring all executive branch employees to be fully vaccinated against COVID-19 by October 18, 2021, with vaccines authorized by the Centers for Disease Control and Prevention, and

WHEREAS, exceptions could be made to the vaccination mandate for employees entitled under law to a disability-related reasonable accommodation or a sincerely held religious belief accommodation, and

WHEREAS, King County has over 16,000 employees and provides essential services to the public, and

WHEREAS, there were 281 employees separated from the county due to noncompliance with the vaccination mandate including 110 employees in the Metro transit department and 33 in the sheriff's office, and

WHEREAS, the county had 25 employees resign and eight employees choose to retire in response to

the vaccination mandate, and

WHEREAS, during the government accountability and oversight committee meeting held on May 10, 2022, it was reported that 84 exemptions and three accommodations were granted to sheriff's office employees, and

WHEREAS, at the annual labor summit held on September 9, 2022, it was reported that the county is experiencing increased turnover countywide and difficulty in filling vacant positions, and

WHEREAS, King County is currently facing an unusually high vacancy rate among its law enforcement employees, particularly deputy sheriffs, corrections officers and detention officers, and

WHEREAS, at the meeting of the committee of the whole on August 17, 2022, it was reported that there were approximately 120 vacancies in sheriff deputy positions, 75 vacancies in corrections officer positions, and 14 vacancies in detention officer positions, and

WHEREAS, the Metro transit department is also experiencing high vacancy rates, including currently being short nearly 40 vehicle maintenance staff and 100 bus operators, and

WHEREAS, ongoing vacancies have a negative impact on the county's provision of essential services including law enforcement, emergency responders and transit services, and

WHEREAS, Section 510 of the King County Charter directs the county to maintain an effective personnel system which will assure recruitment, selection and retention of county employees on the basis of merit and personnel practices that will keep the county system competitive, and

WHEREAS, the King County executive, after consulting with the director of public health - Seattle & King County and others, terminated the emergency proclamation issued on March 1, 2020, and additional orders pursuant to the proclamation including Executive Order ACO-8-27-EO, as of February 6, 2023;

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

A.1. Subject to any collective bargaining requirements, the executive is requested to proactively recruit and provide a priority pathway for job applicants previously employed by the county but who were separated or

resigned due to noncompliance with the county's COVID-19 vaccination mandate.

2. When developing a priority pathway program, the executive should also work to reinstate employees on administrative leave due to the vaccination mandate or who received an accommodation to the mandate that resulted in significant changes to the employees' job duties.

3. Efforts to implement a priority pathway program should begin with the King County sheriff's office, emergency medical services and other first responders.

4. The executive should work with labor partners to explore offering employees rehired through a priority pathway program the position they held when they left the county or an equivalent position as well as restoring the employees' seniority and benefits. Leave balances should be restored and any waiting periods for health benefits should be waived.

B. A priority pathway program shall not impede a competitive hiring process as required by the King County Charter and K.C.C. 3.12.050.

C. The executive should provide an oral report on the progress of a priority pathway program to the committee of the whole no later than September 1, 2023.