City of Seattle
Office of the City Clerk
206.684.8344
Clerk Filing, MS CH-03-10

FILED
CITY OF SEATTLE
2016 APR -5 PM 3:14
Clerk's Office date stamp
CITY CLERK

STANDARD TRANSMITTAL FORM

Sender's Name: Sarah Butler **Phone Number / Extension:** ext 47929

Department: SDHR **Date of Transmittal:** 4/5/16

Division / Workgroup: Policy **Date Executed:** 4/5/16

Title of Document:	City Personnel Rules
Document Number:	N/A
Authorizing or Related Legislation:	Ordinance No. 123703 and 123788
For Council Consideration?	☐ Yes ☒ No
SMC or other statute / policy requiring filing with the City Clerk *See chart on InWeb 'What to File' page: http://inweb/legislative_dep/WhatToFile.htm #AllDepartments*	SMC 3.02
Other identifying Numbers: *(Related projects, permits, etc.)*	N/A
Street address and abbreviated legal description:	Seattle Department of Human Resources 700 5th Avenue, Suite 5400 Seattle, WA 98115
Actions to be taken by the City Clerk's Office:	For filing only

Notes / Comments:

This filing memorializes changes to Personnel Rule 7.5 to reflect Ordinance 123788 provisions for employee conversion of vacation leave for donation to natural disaster relief agencies. This filing also memorializes changes to Personnel Rule 9.3 to provide for paid employee lactation breaks, as authorized by Ordinance 123703.

FILED
CITY OF SEATTLE

2016 APR -5 PM 3:14

CITY CLERK

Personnel Rule 7.5 - Vacation

7.5.0 Authority

SMC 4.04.040 and subsequent revisions thereto, Administration

SMC 4.04.050 and subsequent revisions thereto, Rule-Making Authority

SMC 4.34 and subsequent revisions thereto, Vacation

SMC 4.44 and subsequent revisions thereto, Disability Compensation

7.5.1 Definitions

A. "Accrual rate" shall mean the rate at which an individual earns vacation based on his or her hours on regular pay status.
B. "Appointing authority" shall mean the head of an employing unit authorized by ordinance or City Charter to employ others on behalf of the City, or a designated management representative. The term includes and can be used interchangeably with department head, department director, superintendent, and chief.
C. "Initial appointment" shall mean the first appointment of an individual to a non-temporary position without regard for subsequent breaks in service and reappointments.
D. "Maximum allowance" shall mean 2 times an employee's annual vacation accrual rate.
E. "Primary rate of pay" shall mean an employee's straight-time rate of pay in the classification or position to which the employee is regularly appointed.
F. "Regular pay status" shall mean all non-overtime compensated hours.
G. "Regularly appointed employee" shall mean an individual who has a probationary, regular or exempt appointment to a position of City employment.
H. "Voluntary break in service" shall mean a quit, resignation, retirement, or failure to return from leave of absence, or, for temporary employees, a lack of availability for work.

7.5.2 Application of this Rule

A. The provisions of this Rule apply to all regularly appointed employees.
B. For regularly appointed employees who are represented under the terms of a collective bargaining agreement, this Rule prevails except where it conflicts with the collective bargaining agreement, any memoranda of agreement or understanding signed pursuant to the collective bargaining agreement, or any recognized and established practice relative to the members of a bargaining unit.
C. This Rule does not apply to individuals who are employed under the terms of a grant that includes vacation provisions that conflict with this Rule.

D. This Rule does not apply to individuals hired by the City on a temporary, intermittent or seasonal basis, or for a work schedule of fewer than 20 hours per week, nor does it apply to individuals hired under contract to the City.
E. Appointing authorities may establish written policies and procedures for the implementation and administration of this Rule to facilitate the management of the personnel system within their employing units, provided that such policies do not conflict with the provisions of this Rule.

7.5.3 Vacation

A. Vacation for all employees except appointing authorities is accrued based on length of service, from a minimum of 12 days to a maximum of 30 days per year for full-time employees, pro-rated for part-time employees. For purposes of calculating the vacation accrual rate, there is only 1 initial appointment date. Employees returning to City employment shall have their accrual rate restored to the level attained prior to separation.
B. Employees are required to complete more than 6 months of continuous service or 1040 hours of work, whichever is earlier, on regular pay status to be eligible to use vacation. Once served, the eligibility waiting period need not be repeated by employees returning to City service. Straight-time hours worked by temporary employees since their most recent temporary appointment count toward the eligibility period upon appointment to a regular position, as long as the most recent temporary appointment and the regular appointment are not interrupted by a voluntary break in service of longer than 30 days.
C. The appointing authority shall schedule employees' vacation to minimize interference with the functions of the employing unit and may set a minimum increment of vacation use no greater than 4 hours and no smaller than 15 minutes.
D. An employee may accumulate vacation to a maximum of twice his or her annual accrual. Vacation accrual shall cease when an employee reaches the maximum allowance. When an employee must cancel a scheduled and approved vacation at the request of management and is not able to reschedule and use vacation prior to attaining his or her maximum allowance, the appointing authority may allow the employee to exceed the maximum allowance and continue to accrue vacation. This "grace period" shall not exceed 3 months, and no more than 1 such "grace period" shall be granted per 12-month period.
E. An employee who is receiving disability compensation pursuant to SMC Chapter 4.44 continues to accrue vacation and may exceed his or her maximum allowance until the employee ceases to receive such compensation. If the employee does not return to work when his or her disability compensation eligibility ends, he or she shall run out his or her vacation balance. If the employee returns to regular pay status with a vacation balance that exceeds the maximum allowance, he or she shall have 3 months from the date of return to reduce the balance, during which time he or she shall continue to accrue vacation. Failure to reduce the balance below the maximum allowance shall result in a lump sum cash-out of the employee's unused vacation balance.

F. An employee's unused vacation balance shall be cashed out upon separation from City service at the employee's primary rate of pay in effect at the time of separation.
G. An employee who takes vacation for a Family and Medical Leave-qualifying condition shall comply with the notification, certification and release protocols of the Family and Medical Leave program.
H. The appointing authority may deny use of vacation to an employee who has exhausted his or her sick leave and requests additional paid leave for medical reasons, except that the appointing authority may not deny the use of vacation to an employee with a properly certified Family and Medical Leave-qualifying condition.

7.5.4 Vacation for Appointing Authorities

A. Appointing authorities shall receive 30 working days of vacation per calendar year, regardless of their date of appointment.
B. Unused vacation days cannot be carried over from year to year, except that if an appointing authority accepts a position that accrues vacation pursuant to Personnel Rule 7.5.3, he or she may retain any of his or her current unused vacation balance for use until December 31st of the following calendar year.
C. Unused vacation days cannot be cashed out except when the appointing authority separates from City service.
D. In the event an employee who accrues vacation pursuant to Personnel Rule 7.5.3 accepts an appointment to an appointing authority position, his or her unused vacation balance shall be cashed out upon appointment.

7.5.5 - Donation of Vacation Leave for Natural Disaster Relief Efforts

A. For the purposes of administering this Personnel Rule 7.5.5, a natural disaster is defined as the effect of a natural hazard (e.g. earthquake, flood, or landslide) on human populations. The Seattle Human Resources Director, in consultation with the Director of the Office of Emergency Management, shall designate which natural disasters qualify for employee donations via vacation conversion. The Seattle Human Resources Director, in consultation with the Director of Office of Emergency Management, will also designate which agencies are eligible to receive converted vacation donation.
B. An employee may voluntarily authorize the conversion of accumulated and unused vacation balances to cash for transmission by the City to a designated agency for the purposes of funding natural disaster relief. An employee may not convert more than 20 hours of his or her vacation time over the course of a calendar year, and must convert vacation time in one-hour increments. An employee may only donate vacation for natural disaster relief efforts within the time period designated by the Seattle Human Resources Director for each donation cycle.
C. An employee who chooses to donate vacation for disaster relief response shall do so using the following administrative processes:

1. The Seattle Human Resources Director shall provide and the donating employee shall sign a form stating the employee's consent to and approval of conversion of vacation hours. The employee shall state the number of vacation hours to be converted to cash for donation, and shall identify the relief agency that shall receive the funds;
2. The amount of vacation donated by any employee shall be converted to cash at the straight-time base rate of pay in effect for the employee's regular position title, exclusive of premium, shift differential or longevity payment at the time of donation.
3. The cash resulting from the converted vacation hours shall be transmitted by the Seattle Human Resources Director to the designated agency or agencies specifically for use in the designated relief efforts related to natural disasters;
4. Participating employees' accumulated and unused vacation balances shall be reduced by the number of hours designated for conversion to cash. The Director of Department of Finance and Administrative Services will adjust the accumulated and unused vacation balances for employees who select to participate in the natural disaster giving opportunities.