

Chapter 4.18  
ENFORCEMENT OF FEDERAL  
IMMIGRATION LAWS

Sections:

**4.18.010 Cooperation with enforcement of federal immigration laws.**

**4.18.020 Mayor reports to Council.**

**4.18.030 City Attorney enforcement duties.**

Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of its application to other persons or circumstances.  
(Ord. 113192 § 7, 1986.)

**4.18.010 Cooperation with enforcement of federal immigration laws.**

City officers and employees are directed to cooperate with, and not hinder, enforcement of federal immigration laws.  
(Ord. 113192 § 4, 1986.)

**4.18.020 Mayor reports to Council.**

The Mayor shall report to the City Council and the people on a quarterly basis, beginning thirty (30) days from November 4, 1986, as to the actions taken and being taken in support of the ordinance codified in this chapter and Initiative 30.<sup>1</sup>  
(Ord. 113192 § 5, 1986.)

1.Editor's Note: The full text of Sections 1, 2 and 3 of Ordinance 113192 is set out below for the convenience of the Code users.

Section 1. To carry out Initiative 30, passed by the electorate at a General Election held November 4, 1986, Resolution 27402, entitled—

A RESOLUTION declaring Seattle a City of Refuge urging fair and impartial enforcement of federal immigration law as it pertains to persons who fit the definition of refugee as defined in the Refugee Act of 1980 and in particular those of Central America, and recognizing the courage and personal convictions of Seattle residents who offer sanctuary to such persons.

is hereby rescinded effective December 3, 1986.

Section 2. As of December 3, 1986, Sections 2 and 4 of Ordinance 111256, entitled—

AN ORDINANCE providing for the submission to the voters of The City of Seattle at an election on November 8, 1983 of Initiative Measure 28 (C.F. 292402), which bears the caption "For Peace in Central America"; providing for certification of such initiative to the King County Director of Records and Elections, and prescribing the ballot title therefor.

and of Initiative 28 with the following ballot title—

"Should Seattle petition Congress to make more federal funds available to cities by eliminating expenditures for war in Central America?"

are hereby repealed, and the Citizens' Commission on Central America convened thereby is dissolved.

Section 3. Terms of members of the Citizens' Commission on Central America appointed pursuant to Resolution 27081, entitled—

A RESOLUTION appointing members of the Citizens' Commission on Central America.

and other resolutions shall expire upon dissolution of the Commission.

**4.18.030 City Attorney enforcement duties.**

Consistent with and subject to Article XIII of the City Charter<sup>2</sup> and the Code of Professional Responsibility, the City Attorney is requested to defend every action brought to declare invalid any section of Initiative 30<sup>3</sup> and the ordinance codified in this chapter, and maintain actions enforcing provisions of said Initiative 30 and this chapter.  
(Ord. 113192 § 6, 1986.)

2.Editor's Note: The Charter is set out at the front of Volume I of this Code.

3.Editor's Note: The full text of Ordinance 113160 on Initiative 30, is set out below:

AN ORDINANCE 113160

**INITIATIVE 30 FOR RESPONSIBLE IMMIGRATION**

WHEREAS the conduct of foreign policy is primarily the responsibility of the President of the United States with the advice and consent of the Congress, and

WHEREAS the Seattle City Council and Mayor should devote their attention to the problems facing Seattle and avoid diversions of their time and city funds for the consideration or obstruction of foreign policy and immigration matters, and

WHEREAS sister city relationships should be directed to cultural not political purposes, but it instead appears that the Managua sister city relationship has been used to advance the political views of the Marxist-Leninist government of Nicaragua, and

WHEREAS it appears that the Citizens' Commission on Central America has become or been used as a platform for political activities sympathetic to anti-democratic governments and political movements seeking to discredit or obstruct American policies and laws;

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

SECTION 1

The people of the City of Seattle favor legal immigration to the United States and believe that federal immigration laws and policies of this country are generally fair and just and should not be defied or hindered by public authorities and employees, including those of the City of Seattle.

SECTION 2

The Seattle City Council and Mayor shall, within thirty (30) days of the passage of this initiative, rescind the so-called "City of Refuge" Resolution 27402 and its provisions, dissolve the Citizens' Commission on Central America, refrain from creating similar resolutions, and direct city authorities to cooperate with, and not hinder, enforcement of federal immigration laws.

SECTION 3

The people of the City of Seattle urge the City Council and Mayor to devote their attention to the problems facing Seattle and to avoid diversions of their time and City funds for the consideration of foreign policy and immigration matters, and that sister city relationships be directed primarily to cultural rather than political purposes.

SECTION 4

The Mayor shall report to the City Council and the people on a quarterly basis, beginning thirty (30) days from the passage of this initiative, as to the actions taken and being taken in support of this initiative.

SECTION 5

If any provision of this initiative or its application to any person or circumstance is held invalid, the remainder of the initiative, or the application of the provision to other persons or circumstances, is not affected. The City Attorney shall defend every action brought to declare invalid any section of this initiative, and the City Attorney shall maintain all action to enforce the provisions of this initiative. Nothing in this section shall prohibit any person from bringing or participating in any action involving the validity or enforcement of the provisions of this initiative.

SECTION 6

This ordinance shall take effect at the earliest date authorized under Article 4, Section 1 of the City Charter.

Deadline May 30

Chapter 4.20  
COMPENSATION AND WORKING  
CONDITIONS GENERALLY

Sections:

Subchapter I General Compensation  
Regulations

- 4.20.010 Positions and compensation generally.
- 4.20.020 Position titles and compensation to be fixed by ordinance.
- 4.20.030 Salary upon appointment.
- 4.20.040 Time periods for automatic salary increases.
- 4.20.050 Temporary help in mechanical trades.
- 4.20.055 Premium pay for temporary City employees.
- 4.20.060 Credit for unpaid absences.
- 4.20.065 Administrative reassignment.
- 4.20.070 Effective date of salary increase.
- 4.20.080 Changes in incumbent status.
- 4.20.082 Definitions for implementation of Management Compensation Study.
- 4.20.085 Step increases for employees included in the Management Compensation Study.
- 4.20.090 Payment for employee working less than full-time.
- 4.20.100 Firefighters' compensation.
- 4.20.110 Biweekly pay periods.
- 4.20.120 Appointment authority.
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- 4.20.140 Filling positions for limited periods in excess of those established.
- 4.20.150 Use of allowances for vacation and sick relief.
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- 4.20.240 Overtime work—When authorized.
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- 4.20.315 Overtime for eligible professional, administrative and executive employees.
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- 4.20.325 Overtime-related meal compensation.
- 4.20.330 Coveralls to be furnished for certain personnel.
- 4.20.340 Conflict between subchapter and collective bargaining agreement.
- 4.20.350 Request for creation of new position.
- 4.20.370 Purchase of fare media.
- 4.20.375 Parking of privately-owned motor vehicles by Councilmembers.
- 4.20.380 Accountability Pay for Executives Program—Base pay and incentives.
- 4.20.390 Manager and Strategic Advisor Compensation Program.
- 4.20.430 Information Technology Compensation Program—Description.
- 4.20.440 Power Marketing Compensation Program—Description.

4.20.010 PERSONNEL

**Subchapter II Miscellaneous Provisions**

**4.20.510 Compensation for temporary work at other than regular location.**

**4.20.520 Employees under I.B.E.W. agreement—Day off for family emergency.**

**4.20.530 Police holidays.**

**4.20.540 Police working special events or emergency situations.**

**4.20.550 Days off for police officers and firefighters.**

**4.20.600 Contributions to LEOFF; PERS—Adjustment for federal income tax purposes.**

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**System—Adjustment for federal income tax purposes.**

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**Subchapter III**

**Reporting—Whistleblower Protection**

**4.20.800 Policy—Purpose.**

**4.20.810 Reporting improper governmental action— Employee protection.**

**4.20.820 Confidentiality.**

**4.20.830 Investigation.**

**4.20.840 Civil penalty.**

**4.20.850 Definitions.**

**4.20.860 Reporting and adjudicating retaliation.**

Statutory Reference: For Charter provisions regarding salaries, see Charter Art. XVII.

**Subchapter I General Compensation Regulations**

**4.20.010 Positions and compensation generally.**

From and after the first day of January 1989, except as otherwise specified in Section 3 of the ordinance codified herein,<sup>1</sup> the positions of the officers and employees in the various employing units of the City government, hereinafter named, shall be defined and designated as set forth in the Salary Schedule and Compensation Plan — September 1988, attached to the ordinance codified herein as Exhibit A, as modified by the Management Compensation Study payroll title and salary level actions described in the attached Exhibit B, and the compensation to be paid said officers and employees, under authority of this chapter shall

not exceed the amounts indicated in such modified schedule and plan; provided, that nothing herein contained shall be construed as requiring the continued employment of any officer or employee. The 1988 Salary Range Table included in Exhibit A, as modified by Exhibit B, shall be used to determine the salary rates applicable to various positions of employment with the City where such salary is identified by reference to a particular salary range.

(Ord. 114529 § 1, 1989; Ord. 97330 § 1, 1968.)

1. Editor's Note: Section 3 of Ord. 114529 pertains to implementation of the ordinance provisions and is not codified. It is on file with the ordinance, and Exhibits A and B of the ordinance, in the office of the City Clerk.

**4.20.020 Position titles and compensation to be fixed by ordinance.**

The titles and schedules of compensation for the positions of officers and employees of the City shall be as established by ordinance.

(Ord. 109564 § 1(part), 1980; Ord. 107172 § 1(part), 1978; Ord. 105939 § 1(part), 1976; Ord. 105843 § 1(part), 1976; Ord. 105333 § 1(part), 1976; Ord. 101614 § 1(part), 1972; Ord. 99859 § 1(part), 1971; Ord. 98292 § 1(part), 1969; Ord. 97410 § 1(part), 1969; Ord. 97330 § 46.1, 1968.)

**4.20.030 Salary upon appointment.**

A. Every employee, upon initial appointment to any position in the classified service that is not assigned to a compensation program that grants the appointing authority the discretion for setting base salary, shall receive the minimum rate of the salary range fixed for the position, except as provided herein. When the application of this section results in inadequate recognition of a job candidate's qualifications, or when competitive recruiting so requires, payment at other than the prescribed step may be authorized by the appointing authority, in accordance with rules promulgated by the Personnel Director.

B. Any position that is exempt from the classified service; or is included within a compensation program that grants the appointing authority the discretion for setting base salary; may be compensated without further review:

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1. At other than the minimum rate of the appropriate salary range, market group, or pay zone, on initial appointment to the City; and

2. At a step or rate other than that prescribed by promotion rules, for subsequent appointments between such positions.

C. The Personnel Director shall provide a summary report to the City Council annually demonstrating how department authorizations for salary step exceptions met the administrative guidelines, as well as his or her analysis of whether any such exception demonstrated a need for adjustment to the assigned salary range of the relevant position title.

(Ord. 119329 § 2, 1999; Ord. 118776 § 1, 1997; Ord. 118469 § 1, 1997; Ord. 117257 § 1, 1994; Ord. 109564 § 1(part), 1980; Ord. 107172 § 1(part), 1978; Ord. 105939 § 1(part), 1976; Ord. 105843 § 1(part), 1976; Ord. 105333 § 1(part), 1976; Ord. 101614 § 1(part), 1972; Ord. 99859 § 1(part), 1971; Ord. 98292 § 1(part), 1969; Ord. 97410 § 1(part), 1969; Ord. 97330 § 46.2, 1968.)

#### **4.20.040 Time periods for automatic salary increases.**

A. An employee shall be granted the first automatic step increase in salary rate upon completion of six (6) months of service when hired at the first step of the salary range, and succeeding automatic step increases shall be granted after twelve (12) months of "actual service" from the date of eligibility for the last step increase to the maximum of the range; provided, that officers and employees in the following position classes shall be paid on the basis of the applicable criteria designated for each class, position, or program title:

Accountability Pay for Executives Program. The Personnel Director shall recommend to the City Council the assignment of included positions to and within one (1) of four (4) market groups. The appointing authority shall have the discretion to pay individual employees a salary within the recommended market group. The appointing authority may petition the Mayor for discretion to place individual employees in a market group other than the recommended placement, and the Mayor is authorized to approve, deny or modify such petitions, within the parameters of the Accountability Pay for Executives Program, codified at Section 4.20.380 SMC. Subsequent increases or modifications to the individual's base salary shall be in accordance with the Program.

Manager Compensation Program, Strategic Advisor Compensation Program, Information Technology Professional Compensation Program. The Personnel Director shall recommend to the City Council the allocation of included positions to one (1) of three (3) pay zones. The appointing authority shall have discretion to pay a Manager, Strategic Advisor, or Information Technology Professional a salary within the appropriate zone. Subsequent increases or modifications to an individual's base salary shall be in accordance with the appropriate Program, codified at Section 4.20.400, Section 4.20.420, and Section 4.20.430 SMC, respectively.

Strategic Advisor—Legislative, Executive Manager—Legislative and Strategic Advisor—Audit. The appointing authority shall have the discretion to pay a Strategic Advisor—Legislative, Executive Manager—Legislative, or a Strategic Advisor—Audit a salary within the pay band established by ordinance for each title.

Legislative Assistants. The City Councilmember to whom a Legislative Assistant reports shall have discretion for salary placement and modification, within the parameters of the base salary structure designed for the title.

Power Marketer. The appointing authority shall have the discretion to pay a Power Marketer a salary within the pay zone established for the title.

Student Accountant and Planning Intern. The first step of the respective salary range shall be paid to third-year college or university students and the second step shall be paid to those who have completed their third year of such academic training.

Student Engineer. The first step of the salary range shall be paid to students who have actually commenced a course of studies leading to an engineering degree, the second step to students who have completed their first year of such studies, the third step to students who have completed their second year, and the fourth step to students who have completed the third year of such academic training.

Auto Machinist Apprentice, Electrician Constructor Apprentice, Lineman Apprentice. Beginning apprentices shall receive the first step of the salary range assigned to the class to which appointed and shall receive a salary step increase each six (6) months unless otherwise recommended in writing by the Joint Advisory Appren-

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ticeship Committee and the Personnel Director and approved by the City Council.

Assistant Corporation Counsel. Assistants Corporation Counsel shall be paid such step in the salary range assigned to the position as may be determined by the Corporation Counsel.

Job Trainee Program. Beginning trainees shall receive the first step of the salary range assigned to the job class to which appointed and shall receive a salary step increase each six (6) months unless otherwise recommended by the Personnel Director.

Recreation Personnel. Employees in temporary or intermittent positions titled:

- Recreation Leader
- Recreation Attendant
- Life Guard, Beach and Pool Manager, Beach and Pool
- Pianist

shall receive the salary step in the range assigned to the class in which employed as determined by the Superintendent of Parks and Recreation, subject to approval by the Budget Director.

Seasonal Tour Guides and Forest Guards. Employees filling seasonal positions of Tour Guide or Forest Guard shall receive the first step of the salary range assigned to the class for the first period of employment and shall receive a step increase each additional season employed in such capacity until the maximum salary step is reached.

B. For employees assigned salary steps other than the beginning step of the salary range, subsequent salary increases within the salary range shall be granted after twelve (12) months of "actual service" from the appointment or increase, then at succeeding twelve (12) month intervals to the maximum of the salary range established for the class.

(Ord. 119329 § 3, 1999; Ord. 119089 § 2, 1998; Ord. 118849 § 1, 1997; Ord. 118776 § 2, 1997; Ord. 118572 § 3, 1997; Ord. 109564 § 1(part), 1980; Ord. 107172 § 1(part), 1978; Ord. 105939 § 1(part), 1976; Ord. 105843 § 1(part), 1976; Ord. 105333 § 1(part), 1976; Ord. 101614 § 1(part), 1972; Ord. 99859 § 1(part), 1971; Ord. 98292 § 1(part), 1969; Ord. 97410 § 1(part), 1969; Ord. 97330 § 46.3, 1968.)

#### 4.20.050 Temporary help in mechanical trades.

Whenever it becomes necessary to employ temporary help as Journeymen, Foremen or Helpers in any of the generally recognized mechanical trades, the employment of such help under civil service rules is authorized, payment for such service to be made at current prevailing rates for similar work in private employment as determined by the Personnel Director.

(Ord. 118912 § 26, 1998; Ord. 109564 § 1(part), 1980; Ord. 107172 § 1(part), 1978; Ord. 105939 § 1(part), 1976; Ord. 105843 § 1(part), 1976; Ord. 105333 § 1(part), 1976; Ord. 101614 § 1(part), 1972; Ord. 99859 § 1(part), 1971; Ord. 98292 § 1(part), 1969; Ord. 97410 § 1(part), 1969; Ord. 97330 § 46.4, 1968.)

#### 4.20.055 Premium pay for temporary City employees.

A. The City will pay all temporary City employees the following prospective benefits, based on cumulative nonovertime hours worked by each employee:

1. Hour 1 through hour 520: five (5) percent premium pay;
2. Hour 521 through hour 1,040: ten (10) percent premium pay;
3. Hour 1,041 through hour 2,080: fifteen (15) percent premium pay; however, if an employee worked eight hundred (800) hours or more in the previous twelve (12) months, premium pay shall instead be twenty (20) percent;
4. Hour 2,081 and up: twenty (20) percent premium pay; however, if an employee worked eight hundred (800) hours or more in the previous twelve (12) months, premium pay shall instead be twenty-five (25) percent.

B. The calculations of hours to attain the foregoing levels, eligibility for medical and dental insurance benefits, work on holidays, vacation pay, and other fringe benefits shall be as provided in the Settlement Agreement, dated June 5, 1989, in the case of **Scannell v. The City of Seattle**, King County Superior Court Cause No. 844600, Section 3.

(Ord. 117301 § 2, 1994.)

#### 4.20.060 Credit for unpaid absences.

In determining "actual service" for advancement in salary step, authorized absence for non-disciplinary reasons for which an employee does

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not receive compensation will be credited at the equivalent of two hundred forty (240) regular pay hours per year. For the purposes of this section, time lost by reason of disability for which an employee is compensated by Workers' Compensation or Charter disability provisions shall not be considered absence. An employee who returns

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after layoff, or who is reduced in rank to a position in the same or another department, may be given credit toward actual service for such prior service.

(Ord. 118266 § 1, 1996; Ord. 109564 § 1(part), 1980; Ord. 107172 § 1(part), 1978; Ord. 105939 § 1(part), 1976; Ord. 105843 § 1(part), 1976; Ord. 105333 § 1(part), 1976; Ord. 101614 § 1(part), 1972; Ord. 99859 § 1(part), 1971; Ord. 98292 § 1(part), 1969; Ord. 97410 § 1(part), 1969; Ord. 97330 § 46.5, 1968.)

#### **4.20.065 Administrative reassignment.**

A. "Administrative reassignment" means paid leave status which an appointing authority may authorize for any City officer or employee, when such employee is the cause of or subject of, or otherwise significantly affected by an active official investigatory process related to alleged violations of personnel rules, City ordinances, or state or federal laws and/or regulations. Administrative reassignment shall not be considered discipline.

B. The appointing authority of each City department or his/her designated management representative for this purpose shall have the sole authority to make an administrative reassignment of an employee when, and only when, such employee's absence from his or her regular work unit is deemed to be in the best business interest of the department, and there is no other work unit to which the employee can be assigned. Administrative reassignment may only be made after the appointing authority determines that it is the only reasonable course of action available within the department for such employee.

C. 1. Administrative reassignment shall not exceed eighty (80) work hours in duration except as provided in subsection C2, below.

2. If the appointing authority determines that extenuating circumstances require a period of administrative reassignment which exceeds eighty (80) work hours in duration, he or she shall record the circumstances of the investigation necessitating the extraordinary duration and shall immediately notify the Personnel Director, who may grant or deny the extension. The Personnel Director shall state in writing the reasons for his/her concurrence with or denial of the extension. No such extension shall be granted without prior authorization from the Personnel Director.

#### **D. Administration.**

1. In each instance where administrative reassignment has been authorized, the appointing authority shall record the circumstances and/or business justification necessitating the reassignment. Such documentation shall be immediately

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forwarded to the Personnel Director for purposes of assessing and evaluating use patterns. The Personnel Director shall provide a summary report of the aforementioned documentation to the City Council on an annual basis.

2. Administrative reassignment shall be recorded as regular hours worked on payroll records.  
(Ord. 118717 § 1, 1997; Ord. 117424 § 1, 1994.)

providing pay “over regular salary while so assigned.”

#### 4.20.070 Effective date of salary increase.

Any increase in salary based on service shall become effective upon the first day immediately following completion of the applicable period of service.

(Ord. 109564 § 1(part), 1980; Ord. 107172 § 1(part), 1978; Ord. 105939 § 1(part), 1976; Ord. 105843 § 1(part), 1976; Ord. 105333 § 1(part), 1976; Ord. 101614 § 1(part), 1972; Ord. 99859 § 1(part), 1971; Ord. 98292 § 1(part), 1969; Ord. 97410 § 1(part), 1969; Ord. 97330 § 46.6, 1968.)

#### 4.20.080 Changes in incumbent status.

Salary step placement for employees affected by an employment action, classification action, or compensation action shall be calculated as provided below, except that incumbents in positions assigned to compensation programs under which the appointing authority retains discretion for all base salary placement decisions shall be excluded from the provisions of this section for purposes of movement between positions in the same program or between two (2) such programs.

A. Transfers. An employee transferred to another position in the same class or having an identical salary range shall continue to be compensated at the same rate of pay until the combined service requirement is fulfilled for a step increase, and shall thereafter receive step increases as provided in Section 4.20.040 until the maximum step is reached.

B. Promotions. An employee appointed to a position in a class having a higher maximum salary shall be paid at the appropriate step in the higher range which shall result in an increase in pay equivalent to at least one (1) salary step; provided that such increase shall not exceed the maximum step established for the higher paying position; provided further that this provision shall apply only to appointments of employees from regular full-time positions and shall not apply to appointments from positions designated as “intermittent” or “as needed,” nor to temporary assignments

C. Demotions. An employee demoted because of inability to meet established performance standards from a regular full-time position to a position in a class having a lower salary range shall be paid the salary step in the lower range determined as follows:

1. If the rate of pay received in the higher class is above the maximum salary for the lower class, the employee shall receive the maximum salary of the lower range;

2. If the rate of pay received in the higher class is within the salary range for the lower class, the employee shall receive that salary rate for the lower class which, without increase, is nearest to the salary rate to which such employee was entitled in the higher class; provided that the employee shall receive not less than the minimum salary of the lower range.

An employee reduced because of organizational change or reduction in force from a regular full-time position to a position in a class having a lower salary range shall be paid the salary rate of the lower range which is nearest to the salary rate to which he was entitled in his former position without reduction provided that such salary shall in no event exceed the maximum salary of the lower range.

If an employee who has completed twenty-five (25) years of City service and who within five (5) years of a reduction in lieu of layoff to a position in a class having a lower salary range is again reduced in lieu of layoff to a position in a class having a lower salary range, such employee shall receive the salary he or she was receiving prior to such second reduction as an "incumbent" for so long as he or she remains in such position or until the regular salary for the lower class exceeds the "incumbent" rate of pay.

D. Reclassifications. When a position is reclassified by ordinance to a new or different class having a different salary range the employee occupying the position immediately prior to and at the time of the reclassification shall receive the salary rate which shall be determined in the same manner as for a promotion; provided, that if the employee's salary prior to reclassification is higher than the maximum salary of the range for such new or different class, he shall continue to receive such higher salary as an "incumbent" for so long as he remains in such position or until the regular salary for the classification exceeds the "incumbent" rate of pay.

E. Change in the Number of Steps Assigned to a Salary Range. When the number of steps in a salary range is increased, the incumbent of a position affected by such change shall receive the salary step of the new salary range which has the same relationship to the maximum of such new range as the step received in the prior range had to the maximum of such prior range.

When the number of steps in a salary range is reduced, the incumbent of a position affected by such change shall receive the salary step of the new range as if such new range had been in effect at the time of appointment to the position.

(Ord. 118849 § 2, 1997; Ord. 118776 § 3, 1997; Ord. 109564 § 1(part), 1980; Ord. 107172 § 1(part), 1978; Ord. 105939 § 1(part), 1976; Ord. 105843 § 1(part), 1976; Ord. 105333 § 1(part), 1976; Ord. 101614 § 1(part), 1972; Ord. 99859 § 1(part), 1971; Ord. 98292 § 1(part), 1969; Ord. 97410 § 1(part), 1969; Ord. 97330 § 46.7, 1968.)

**4.20.082 Definitions for implementation of Management Compensation Study.**

For purposes of implementing the Management Compensation Study, clarifying the timing and impacts of the salary changes effected by the

ordinance codified in this section, and identifying the salary rates established for the positions of employment listed in the attached Exhibit B,<sup>1</sup> which is a complete list, by employing unit, of all positions of employment included in the Management Compensation Study, the following phrases have the meanings set forth below:

A. "Actual service" means and includes all regular straight-time hours of work as well as paid time off such as vacation time, holiday time off, and sick leave. "Actual service" does not mean or include hours of work outside of regular straight-time hours for overtime pay. Except as limited herein, "actual service" shall be calculated as provided in SMC Section 4.20.060, but the rates stated therein for crediting unpaid absences for purposes of advancement in salary step shall be treated as being applicable to full-time employment and shall be adjusted proportionately for service in a part-time position as defined in the Personnel Ordinance.

B. "Anniversary date" means the date on which an employee who was not at the top step of the former salary range would have been eligible for a step increase had this legislation not been adopted.

C. "Downgrade" means the establishment, with respect to a particular position of employment, of a new salary range that has a lower top step established with respect to such employment position's former salary range, regardless of either the creation of a new title for, or any change in the particular payroll title assigned to, a given position of employment as of the effective date of the ordinance codified in this section.<sup>2</sup>

D. "Former salary range" means the salary range for the particular payroll title assigned to a given position of employment as of December 31, 1988, for upgrades, and as of the day immediately preceding the effective date of the ordinance codified herein<sup>2</sup> for downgrades.

E. "New salary range" means the salary range for the particular payroll title assigned to a given position of employment as of January 1, 1989, for upgrades, and as of the effective date of the ordinance codified herein<sup>2</sup> for downgrades.

F. "Salary range" means all of the salary steps applicable to a particular payroll title.

G. "Salary Range Table" means the chart included in Exhibit A of the ordinance codified in this section,<sup>1</sup> in which various salary steps are individually identified by a combined number and letter designation, and are grouped together into

various series, each of which is identified by another combined number and letter designation.

H. "Upgrade" means the establishment, with respect to a particular position of employment, of a new salary range that has a higher top step than the top step established with respect to such employment position's former salary range, regardless of either the creation of a new title for, or any change in the particular payroll title assigned to, a given position of employment as of January 1, 1989.  
(Ord. 114529 § 2, 1989.)

1. Editor's Note: Exhibits A and B are on file with Ord. 114529 in the office of the City Clerk.

2. Editor's Note: Ord. 114529 was passed by the City Council on May 22, 1989.

3. Editor's Note: The Personnel Ordinance is set out at Chapter 4.04 of this Code.

**4.20.085 Step increases for employees included in the Management Compensation Study.**

In the event of any inconsistency with any other provision in this chapter, the following subsections shall govern the providing of step increases in salary to employees occupying, both immediately prior to and on the effective date of the ordinance codified in this section,<sup>1</sup> a position of employment listed in Exhibit B:<sup>2</sup>

A. Study Implementation Resulting in an Upgrade in Salary.

1. Where the dollar amount specified for the salary step attained, on or by December 31, 1988, by any such employee is the same as any salary step of the new salary range associated with the position of employment held by such employee as of January 1, 1989, such employee shall be placed at, and treated as having attained, that equal dollar amount-salary step in the new salary range. Any such employee who had not attained, on or by December 31, 1988, the top step of such employee's former salary range shall be provided, as of such employee's next anniversary date, a step increase within such employee's new salary range so long as one (1) or more additional salary steps within the new salary range can be attained. Any such employee who had attained, on or by December 31, 1988, the top step of such employee's former salary range (a) after six (6) months of actual service, if the top step of the former salary range is equal to the first

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step of the new salary range; or (b) after one (1) additional year of actual service, if the top step of the former salary range is equal to any step other than either the first or top step of the new salary range.

2. Where the dollar amount specified for the salary step attained, on or by December 31, 1988, by any such employee is not the same as that for any salary step of the new salary range associated with the position of employment held by such employee as of January 1, 1989, such employee shall be placed at, and treated as having attained, the step of the new salary range that increases such employee's salary by the smallest amount over the salary step attained by such employee on or by December 31, 1988. Each such employee shall be provided a step increase (a) after six (6) months of actual service, where such employee is placed at the first step of the new salary range; or (b) after one (1) additional year of actual service, where such employee is placed at any step other than either the first or top step of the new salary range; provided, that any employee who will receive a smaller total 1989 salary increase through implementation of the ordinance codified in this section than he/she would have received without the upgrade provided hereby, shall be provided an additional step increase on his/her 1989 anniversary date.

#### B. Study Implementation Resulting in a Downgrade in Salary.

1. Where the dollar amount specified for the salary step attained, on or by the day immediately preceding the effective date of the ordinance codified in this section,<sup>1</sup> by any such employee is within the new salary range associated with the position of employment held by such employee as of the effective date of said ordinance, such employee's salary shall remain unchanged (except for any 1989 general increase in salary that may be provided) until his/her next anniversary date, as of which date such employee shall be placed at, and treated as having attained, the step of the new salary range that increases such employee's salary by the smallest amount over the salary provided to such employee immediately prior to such anniversary date.

2. Where the dollar amount specified for the salary step attained, on or by the day immediately preceding the effective date of the ordinance codified in this section,<sup>1</sup> by any such employee is greater than the top step of the new salary range

associated with the position of employment held by such employee as of the effective date of said ordinance, such employee shall continue to receive such higher salary as an "incumbent" for so long as he/she remains in such position or until the regular salary for such position exceeds the "incumbent" rate of pay; and each such employee shall also receive whatever 1989 general increase in salary is provided to other employees listed in Exhibit B.<sup>2</sup>

C. Step Placement for Police Chief and Assistant Police Chiefs. Because of the salary compression between the position of Major and the positions of Assistant Police Chief and Police Chief created through the April 22, 1988 arbitration between the Seattle Police Management Association and The City of Seattle, all employees who had attained the third step of the former salary range for Assistant Chief on or by December 31, 1988, shall be placed at, and treated as having attained, the fourth step of the new salary range for Assistant Police Chief, and the Police Chief shall be placed at, and treated as having attained, the third step of the new salary range for Police Chief.

(Ord. 114529 § 4, 1989.)

1. Editor's Note: Ord. 114529 was passed by the City Council on May 22, 1989.

2. Editor's Note: Exhibit B is on file with Ord. 114529 in the office of the City Clerk.

#### 4.20.090 Payment for employee working less than full-time.

An employee on a forty (40) hour workweek schedule whose pay is established on a monthly or annual rate and who works less than full-time in a position shall be paid for actual hours worked at an hourly rate of pay equal to the established salary for a twelve (12) month period divided by the number of regularly scheduled paid hours, determined as the total of eight (8) hour workdays falling on Mondays through Fridays, within such twelve (12) month period.

(Ord. 109564 § 1(part), 1980; Ord. 107172 § 1(part), 1978; Ord. 105939 § 1(part), 1976; Ord. 105843 § 1(part), 1976; Ord. 105333 § 1(part), 1976; Ord. 101614 § 1(part), 1972; Ord. 99859 § 1(part), 1971; Ord. 98292 § 1(part), 1969; Ord. 97410 § 1(part), 1969; Ord. 97330 § 46.8, 1968.)

**4.20.100 Firefighters' compensation.**

Firefighters who work, or are otherwise entitled to pay, for all scheduled shifts in a work schedule that averages 45.7462 hours per week on an annual basis shall be paid for 91.4924 hours a pay period regardless of the number of hours actually worked. The biweekly pay of firefighters who are absent from scheduled work and are in a nonpay status for less than four (4) shifts during the pay period shall be computed by subtracting the number of hours absent from 91.4924 and multiplying by the hourly rate of pay. When the absence extends for one (1) or more full shifts, twelve (12) hours will be subtracted for each full shift not worked. When unpaid absence equals four (4) or more scheduled working shifts in one (1) pay period, payment will be made only for time worked with each full shift counted as twelve (12) hours. The hourly rate of pay for firefighters shall be determined as follows:

Monthly salary × 12 = Annual salary  
 Annual salary/26.0714 = Biweekly salary  
 Biweekly salary/2 = Weekly salary  
 Weekly salary/45.7462 = Hourly rate  
 (Combat)

or

Weekly salary/40 = Hourly rate (40-hour)  
 (Ord. 109564 § 1(part), 1980: Ord. 107172 § 1(part), 1978: Ord. 105939 § 1(part), 1976: Ord. 105843 § 1(part), 1976: Ord. 105333 § 1(part), 1976: Ord. 101614 § 1(part), 1972: Ord. 99859 § 1(part), 1971: Ord. 98292 § 1(part), 1969: Ord. 97410 § 1(part), 1969: Ord. 97330 § 46.9, 1968.)

**4.20.110 Biweekly pay periods.**

Biweekly pay periods for all officers and employees of all departments of the City including the Library are authorized on the following basis:

A. Each biweekly pay period shall end on a Tuesday and except for such advances on earned salary from "Contingent Fund A" as may be specifically authorized by ordinance, warrants shall be delivered to those concerned after three p.m. (3:00 p.m.) on the day before the payday, which payday shall be one (1) week from the Friday following said Tuesday; provided, that such payday may be advanced to Thursday if Friday is a legal holiday or to Tuesday or Wednesday if Christmas or New Year's Day falls on a Wednesday or Thursday. When payday is advanced, the Finance Director is authorized to distribute the

warrant, on that advanced payday or the day before payday. Furthermore, the Finance Director is authorized to designate the employees to be paid each week so as to distribute the warrants payable as near equally as possible on the day before each payday.

B. All payrolls shall be subject to approval by the Auditing Committee and reported by the Committee to the City Council at its regular meeting on the following Monday for ratification, and appropriation by ordinance of such funds as may be required.

(Ord. 116368 § 88, 1992; Ord. 109564 § 1(part), 1980: Ord. 107172 § 1(part), 1978: Ord. 105939 § 1(part), 1976: Ord. 105333 § 1(part), 1976: Ord. 101614 § 1(part), 1972: Ord. 98292 § 1(part), 1969: Ord. 97410 § 1(part), 1969: Ord. 97330 § 46.10, 1968.)

**4.20.120 Appointment authority.**

The heads of departments are authorized to make appointments under personnel rules to the positions herein specified whenever vacancies exist, subject to provisions of Section 4.20.010. (Ord. 97330 § 47.1, 1968.)

**4.20.130 Substitution of lower class position.**

The heads of departments, at their discretion and with approval of the Budget Director may, when a position is provided for herein substitute therefor a position of lower class in the same line of work temporarily and may fill that position as provided by personnel rules. The heads of departments, at their discretion, may terminate this substitution of lower class position and reinstate the higher position; such position also to be filled in accordance with personnel rules. (Ord. 97330 § 47.2, 1968.)

**4.20.140 Filling positions for limited periods in excess of those established.**

The Budget Director may, within the limits of moneys appropriated for "salaries," authorize filling positions for limited periods in excess of those established in the current budget and may authorize the use of unencumbered salary funds as a reimbursement for trainee positions budgeted in the Executive Services Department. (Ord. 118397 § 67, 1996: Ord. 97330 § 47.3, 1968.)

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**4.20.150 Use of allowances for vacation and sick relief.**

Allowances for vacation and sick relief may be used to replace employees indicated on the payroll as being on vacation, sick, or other type of leave and for such other employment as may be authorized by the Budget Director.  
(Ord. 97330 § 47.4, 1968.)

**4.20.160 Personnel Director to check payrolls.**

The Personnel Director is authorized and directed to check all payrolls of City departments as to the right of each employee to draw the rate of pay, appearing opposite his name on the payroll, and to report the result of such check to the Auditing Committee. Other payroll audit functions shall be performed by the City Finance Director.  
(Ord. 116368 § 88, 1992; Ord. 97330 § 48, 1968.)

**4.20.170 Eight-hour day—Five-day week.**

Eight (8) hours shall constitute a day's work and five (5) days a week's work for all except eligible employees of the City. Provided, work schedules may be promulgated for other than an eight (8) hour day or a five (5) day week, with corresponding change in time off, and any such schedule heretofore arranged and promulgated is ratified and confirmed.  
(Ord. 116867 § 1, 1993; Ord. 105961 § 1(part), 1976; Ord. 101026 § 1(part), 1972; Ord. 99752 § 1(part), 1971; Ord. 98849 § 1(part), 1970; Ord. 98316 § 1(part), 1969; Ord. 97330 § 49.1, 1968.)

**4.20.190 Holiday pay or time off.**

A. Employees, except uniformed police and fire personnel, shall be entitled to ten (10) legal holidays and two (2) personal holidays each calendar year, or days off in lieu thereof occurring Monday to Friday inclusive, without salary deduction. Employees hired for short terms of employment of thirty (30) days or less and temporary employees shall not be qualified to receive paid holiday time off for personal holidays or for legal holidays falling during their term of employment. The provisions of this section shall not apply to any employee whose compensation is set by a collective bargaining agreement unless the labor organization representing such employee agrees to be bound solely by provisions of this section with respect to the subject matter hereof. The Personnel Director is hereby authorized to promulgate rules providing alternative holiday pay or

time off for employees not covered by collective bargaining agreements whose work schedules are other than five (5) eight (8) hour days in a payroll workweek.

B. Effective January 1, 1993, legal holidays shall be observed as follows:

New Year's Day	January 1st
Martin Luther King Jr.'s Birthday	Third Monday in January
Presidents's Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	First Monday in September
Veterans' Day	November 11th
Thanksgiving Day	Fourth Thursday in November
The day immediately following Thanksgiving Day	
Christmas Day	December 25th

C. When a legal holiday falls on a Sunday, the holiday shall be observed on the following Monday. When a legal holiday falls on a Saturday, the holiday shall be observed on the preceding Friday.

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(Ord. 116475 § 1, 1992; Ord. 111890 § 1, 1984; Ord. 108481 § 1, 1979; Ord. 105961 § 1(part), 1976; Ord. 101026 § 1(part), 1972; Ord. 99752 § 1(part), 1971; Ord. 98849 § 1(part), 1970; Ord. 98316 § 1(part), 1969; Ord. 97330 § 49.3, 1968.)

**4.20.200 Holiday pay—Employee to work day preceding or following.**

An employee must be on pay status on the regularly scheduled workday immediately preceding or immediately following a holiday to be entitled to holiday pay and new employees and employees returning from nonpay leave starting work the day after a holiday shall not be entitled to pay for the holiday preceding their first day of work; provided, that short authorized absences of not to exceed four (4) days' duration shall not be considered in the application of the preceding portion of this section, and provided further that no combination of circumstances whereby two (2) holidays are affected by the foregoing provisions may result in payment for more than one (1) of such holidays. Employees who work less than a full calendar year shall be entitled only to those holidays Monday to Friday inclusive, which fall within their work period. Employees quitting work or discharged for cause shall not be entitled to pay for holidays following their last day of work.

(Ord. 105961 § 1(part), 1976; Ord. 101026 § 1(part), 1972; Ord. 99752 § 1(part), 1971; Ord. 98849 § 1(part), 1970; Ord. 98316 § 1(part), 1969; Ord. 97330 § 49.4, 1968.)

**4.20.210 Payment for work on a holiday.**

A. As of January 1, 1971, employees, except police officers and police recruits and firefighters and eligible employees, regularly scheduled to work on any recognized paid holiday shall be paid for the holiday at their straight-time rate of pay and in addition shall be paid at the rate of one and one-half (1½) times their straight-time rate of pay for hours worked during scheduled shift.

B. Employees, except police officers and police recruits and firefighters whose work assignments do not normally require holiday work but who are specifically called for emergency work on any recognized paid holiday, shall be paid at the double-time rate for the actual hours worked, in addition to the straight-time holiday pay. Extra pay pursuant to the foregoing shall be paid in cash unless the department head and the

employee mutually agree to payment in the form of paid time off.

C. Firefighters, including Battalion and Deputy Chief regularly scheduled for combat duty on the following holidays shall be paid one and one-half (1½) times their straight-time rate of pay for each hour worked during said holidays:

New Year's Day: Commencing 1800 hours December 31st and ending 1800 hours January 1st;

Memorial Day: Commencing 0800 hours on the holiday and ending 0800 hours the following day;

Labor Day: Commencing 0800 hours on the holiday and ending 0800 hours the following day;

Thanksgiving Day: Commencing 0800 hours on the holiday and ending 0800 hours the following day;

Day After Thanksgiving Day: Commencing 0800 hours on the holiday and ending 0800 hours the following day;

Christmas Day: Commencing 1800 hours December 24th and ending 1800 hours December 25th.

(Ord. 116867 § 2, 1993; Ord. 108481 § 2, 1979; Ord. 105961 § 1(part), 1976; Ord. 101026 § 1(part), 1972; Ord. 99752 § 1(part), 1971; Ord. 98849 § 1(part), 1970; Ord. 98316 § 1(part), 1969; Ord. 97330 § 49.5, 1968.)

**4.20.220 Jury duty or subpoena as witness—No loss of pay.**

An employee working on other than an intermittent basis shall suffer no monetary loss while on jury duty or while under subpoena on behalf of the state or any political subdivision thereof to appear as a witness in court in a criminal or civil action. The total amount of money received from the court while on jury duty during the employee's normal work schedule, and the amount of any witness fees received for appearing in court for the state or any political subdivision thereof in a criminal or civil action during the employee's normal work schedule, except for transportation allowance, either shall be deducted from the gross pay due the employee for such period or the money, less the amount paid for transportation allowances, shall be collected from the employee; provided, that an employee ex-



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cused from service as a juror or from appearing as a witness by the court on any day falling within his normal schedule shall notify his supervisor and if so directed, report for work for the balance of his normal shift.

(Ord. 112990 § 1, 1986; Ord. 99944 § 1, 1971; Ord. 99829 § 1, 1971; Ord. 97330 § 50, 1968.)

#### 4.20.225 Testimony at Civil Service

##### **Commission hearing—Compensation conditions.**

All City employees subpoenaed by the Civil Service Commission to testify at a Commission hearing, or a hearing delegated by the Commission to the Office of the Hearing Examiner, on behalf of the appellant or the responding department during the employee's regular work hours shall be released by the employing department to testify at the hearing without loss of the compensation otherwise due. Paid release time shall include reasonable travel time to and from the hearing and such time as is required from the employee's arrival at the hearing, as specified in the subpoena, through the time spent giving testimony. If an employee receives witness expenses for testimony, he or she shall remit the sum to the employing department in order to receive his or her regular compensation.

B. Any City employee who is an appellant in a hearing before the Civil Service Commission, or a hearing delegated by the Commission to the Office of the Hearing Examiner, shall be released by the employing department to attend the hearing without loss of compensation otherwise due under the following conditions:

1. When such hearing is scheduled during the employee's normal work hours and the employee is on regular pay status; and

2. Paid release time is limited to a maximum of sixteen (16) hours per appeal.

C. In order for the affected employee to attend the hearing during normal work hours without loss of compensation, the Civil Service Commission shall notify the employing department in advance of the hearing and shall schedule testimony with due regard for the impact of the employee's absence from his or her work duties on City business.

(Ord. 119120 § 1, 1998; Ord. 112987 § 1, 1986; Ord. 110202 § 1, 1981.)

#### 4.20.230 Overtime work defined.

"Overtime work" is defined to be work performed in excess of the time regularly required or scheduled for the performance of the duties of a particular position. Overtime work shall be of two types, "extraordinary" and "ordinary." Extraordinary overtime is defined as work necessitated by emergency caused by fire, flood, or danger to life or property; or work so urgently necessary that its nonperformance will cause serious loss or damage to the City. All overtime which is not covered by the foregoing definition of "extraordinary" overtime shall be "ordinary" overtime.

(Ord. 98316 § 1(part), 1969; Ord. 97552 § 1(part), 1969; Ord. 97330 § 51.1, 1968.)

#### 4.20.240 Overtime work—When authorized.

No employee shall be ordered to perform overtime work unless an emergency exists, as defined in Section 4.20.230, or such work is authorized by the head of the department, or some person duly authorized by him.

(Ord. 98316 § 1(part), 1969; Ord. 97552 § 1(part), 1969; Ord. 97330 § 51.2, 1968.)

#### 4.20.250 Overtime work—Rates of pay.

Employees, except police officers and fire-fighters, and eligible employees, when ordered to work "extraordinary" overtime, shall be paid at the rate of double time for all such overtime worked and when ordered to work "ordinary" overtime shall be paid at the rate of time-and-one-half; provided, however, that part-time employees and temporary workers shall be paid at their straight-time rate for all hours worked up to and including forty (40) per week. When overtime is not an extension of a normal shift, the minimum credit shall be for two (2) hours.

(Ord. 116867 § 3, 1993; Ord. 110979 § 1, 1983; Ord. 98316 § 1(part), 1969; Ord. 97552 § 1(part), 1969; Ord. 97330 § 51.4, 1968.)

#### 4.20.260 Overtime work—Police officers.

Police officers ordered to work "extraordinary" overtime shall be paid at the rate of time-and-one-half for all such overtime worked.

(Ord. 98316 § 1(part), 1969; Ord. 97552 § 1(part), 1969; Ord. 97330 § 51.4, 1968.)

#### 4.20.270 Overtime work—Firefighters.

Firefighters ordered to work overtime shall be paid at the rate of time-and-one-half for all such overtime worked, either in cash or in the form of compensatory time off as the employee may elect. (Ord. 98316 § 1(part), 1969; Ord. 97552 § 1(part), 1969; Ord. 97330 § 51.5, 1968.)

**4.20.280 Compensatory time off in lieu of overtime pay.**

When mutually agreed by the employee and

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**Seattle Municipal Code**  
**July, 2000 code update file**  
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4-36.2

**Seattle Municipal Code  
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sections for complete text, graphics,  
and tables and to confirm accuracy of  
this source file.**

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the head of his department, compensatory time off equivalent to the amount of overtime earned may be taken off in lieu of overtime pay.

(Ord. 98316 § 1(part), 1969: Ord. 97552 § 1(part), 1969: Ord. 97330 § 51.6, 1968.)

#### **4.20.290 Overtime work—Payroll records.**

All overtime shall be separately itemized on the payroll and a separate list of such employees, and the amount of such overtime to be paid or credited to compensatory time shall be signed by the head of the department and one (1) copy transmitted to the Auditing Committee and one (1) copy to the Budget Director prior to date of issuance of the payroll warrants.

(Ord. 98316 § 1(part), 1969: Ord. 97552 § 1(part), 1969: Ord. 97330 § 51.7, 1968.)

#### **4.20.300 Payment for performance of out-of-class and limited term assignment duties.**

##### **A. Definitions.**

1. The phrase “delegated pay discretion” describes compensation programs in which the appointing authority, in accordance with guidelines and procedures established by the Personnel Director, is granted discretion to set pay within the salary range.

2. “Limited term assignment” means the temporary assignment of duties and responsibilities typically associated with one (1) position to the incumbent (“assignee”) of another position when the assignee's position is allocated to a classification in a compensation program with delegated pay discretion.

3. “Out-of-class assignment” means the temporary assignment of duties and responsibilities associated with a higher-paid position to the incumbent of a lower-paid position when the incumbent's position is not included in a compensation program with delegated pay discretion.

4. “Proper authority” shall be the appointing authority or his or her designated management representative.

5. “Threshold” means the amount of time an employee must perform out-of-class or limited term assignment duties prior to being compensated for the performance of those duties. The threshold shall consist of consecutive work hours or work days. The threshold must be satisfied for each out-of-class or limited term assignment.

B. Except as otherwise provided in authorized collective bargaining agreements, qualified employees, assigned by proper authority to perform the ongoing duties and accept the responsibilities of a higher-paid classification or position in order to avoid a significant interruption of work or ser-

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vices shall be paid as provided herein while performing such duties. Each out-of-class assignment is limited to six (6) months unless an extension is authorized by the appointing authority. Appropriate reasons for the assignment of out-of-class or limited term assignment duties include:

1. Absence of a position incumbent;
2. Peak workload periods;
3. Position vacancy; or
4. Completion of a special project.

C. An employee whose regular position is not included in a compensation program with delegated pay discretion may be assigned to work out-of-class in a higher-paid position that is not included in a compensation program with delegated pay discretion; or may be assigned to work out-of-class in a position that is allocated to a classification in a compensation program with delegated pay discretion. Unless approved by the Classification and Compensation Director of the Personnel Division of the Executive Services Department, an employee who is not a Manager or Strategic Advisor may not be assigned to work out-of-class in an APEX position.

1. Payment for the out-of-class assignment shall be determined as in promotion (Seattle Municipal Code Section 4.20.080 B).

2. The threshold for payment of an out-of-class rate of pay is four (4) hours for hourly employees and ten (10) days for salaried employees.

3. Hours worked in an out-of-class assignment will be credited toward salary step placement in the event the employee who was so assigned is promoted, or his or her position reclassified, to the same class as the out-of-class assignment, within twelve (12) months of the end of such out-of-class assignment; except that hours worked in an out-of-class assignment to a classification in a compensation program with delegated pay discretion shall not be counted toward salary placement in the event of promotion or reclassification to a classification in a compensation program with delegated pay discretion.

4. For each consecutive twelve (12) month period that an employee is assigned to perform the same out-of-class duties on a full-time, continuous basis he or she will receive a step increment in the higher salary range; provided, that he or she has not already received an increment because of increases to the primary pay

rate; provided further, that such increment does not exceed the top step of the higher salary range.

D. An employee of a compensation program with delegated pay discretion may be assigned by proper authority to perform some or all of the duties associated with another classification or position on a limited term assignment. The appointing authority may grant a temporary increase to the employee's base salary to compensate him or her for the limited term assignment, but may not exceed the maximum of the pay zone to which the employee's regular position is allocated; provided, that such employee may be given a limited term assignment to a position assigned to the Accountability Pay for Executives (APEX) Program and paid at the minimum rate of the appropriate market group if such minimum rate exceeds his or her normal rate of pay. The threshold for compensation for a limited term assignment is ten (10) days.

E. An employee who holds an APEX position may be temporarily assigned additional duties normally associated with another APEX position in the same or different market group. Except when such assignment is to be acting head of an employing unit, there shall be no adjustment of the base salary.

F. Any employee may be designated by proper authority to be acting head of an employing unit for up to twelve (12) months following the occurrence of a vacancy, and for up to ninety (90) days after a City Council rejection of a nomination to fill the vacancy. An employee so assigned shall be paid the minimum rate of the market group to which the vacant position is assigned; provided, that application of this provision shall not result in a pay reduction.

(Ord. 119776 § 7, 1999; Ord. 119033 § 1, 1998; Ord. 118470 § 1, 1997; Ord. 117961 § 1, 1995; Ord. 116867 § 4, 1993; Ord. 113147 § 2, 1986; Ord. 110503 § 1, 1982; Ord. 110507 § 1, 1982; Ord. 104561 § 1, 1975; Ord. 98316 § 1(part), 1969; Ord. 97330 § 51A, 1968.)

#### 4.20.315 Overtime for eligible professional, administrative and executive employees.

A. Regular professional, administrative and executive officers and employees who are assigned to a classification with a top salary step less than the top salary step of pay range 36.5 and who, pursuant to specific directions of the

department director or such director's designee, are ordered to work more than forty (40) hours in one (1) workweek shall be compensated at the rate of time-and-one-half for all hours worked in excess of forty (40), unless excluded by subsection B, below.

B. The following employees shall be excluded from the provisions of Section 4.20.315 A:

1. Employees who are exempt from or are not otherwise covered by provisions of the Fair Labor Standards Act who work in the Executive Department, the Legislative Department, or the Law Department;

2. Department Directors who receive vacation allowance pursuant to SMC Section 4.34.030;

3. Employees of the Municipal Court who are not covered by the Fair Labor Standards Act;

4. Employees who are working pursuant to a collective bargaining agreement;

5. All employees employed by the Seattle Public Library.

(Ord. 117259 § 1, 1994; Ord. 116864 § 1, 1993; Ord. 116825 § 1, 1993; Ord. 116809 § 1, 1993; Ord. 116714 § 1, 1993; Ord. 116643 § 2(part), 1993.)

**4.20.320 Executive leave for eligible employees.**

A. Definitions.

1. "Eligible employee" is any regular, salaried, professional, administrative, or executive employee who is exempt from the Fair Labor Standards Act, and not otherwise excluded by this section. Eligible employees are those assigned to a classification or position which receives a top salary step equal to or greater than the top salary step of pay range 36.5, and those assigned to the Accountability Pay for Executives Program, Manager Compensation Program, or Strategic Advisor Program, regardless of pay group or zone, and are not entitled to receive overtime compensation or compensatory time for hours worked in excess of forty (40) in one (1) workweek.

2. "Emergency response employee" shall be defined as an employee who occupies a position with a title that is exempt from the provisions of the Fair Labor Standards Act, is assigned to a classification which receives a top salary step that is equal to or greater than the top salary step of pay range 36.5, and is uniformly subject to call back to

work to respond to emergency situations after completing the regular work shift. Only employees working in the position titles listed below shall be designated as Emergency response employees:

**Title**

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Electrical Construction and Maintenance

Supervisor  
Electrical Workload Supervisor  
Generation Supervisor  
Power Dispatcher Supervisor  
Power Station Operations Supervisor  
Power Supply Engineer  
Power Supply Engineer, Assistant  
Station Construction and Maintenance  
Supervisor I  
Station Construction and Maintenance  
Supervisor II  
Substation Operators Supervisor  
Transmission/Distribution Services Supervisor  
Water Maintenance Supervisor  
Water Pipe District Supervisor  
Water Quality Lab Supervisor  
Water Transmission Supervisor  
Water Treatment Supervisor  
Water Supply Supervisor

3. "Executive leave" shall be defined as time off with pay and shall be in addition to earned vacation benefits. Eligible employees may not receive cash in lieu of executive leave.

4. "Merit leave" shall be defined as leave which may be awarded to an eligible employee for outstanding, meritorious and/or extraordinary work performance, which is in addition to executive leave.

B. Policy.

1. Executive leave: Unless specifically excluded in subsection C below, all eligible employees shall receive four (4) days of executive leave at the beginning of each calendar year. Executive leave must be used in the calendar year for which it is given.

2. Eligible employees are expected to fulfill their professional responsibilities with no expectation of receiving overtime or compensatory time off in lieu of overtime, regardless of the actual time it takes to perform assigned tasks. Eligible employees should be allowed discretion in structuring their workday to ensure that assigned tasks are completed. Eligible employees are not required to use paid vacation or sick leave to cover occasional absences of less than four (4) hours during any one (1) workday, and shall be paid their regular salary despite such absences. Eligible employees are expected to notify supervisors in advance of such absences and are expected to schedule such absences in a manner

which will cause the least impact on work within their work unit.

3. Merit leave: A Department Director may, at his or her discretion, award to eligible employees up to six (6) days of merit leave during the month of December of each year. Eligible employees must use any awarded merit leave in the subsequent calendar year and may not receive cash in lieu of merit leave.

4. Out-of-class assignment: Employees who are otherwise eligible for overtime compensation who work out-of-class in an executive leave eligible position shall be eligible for executive and merit leave according to a minimum hour threshold and formula established and published by the Personnel Director and shall not receive overtime compensation when so assigned. This provision may apply to represented employees provided their bargaining agent has concurred in its application. Part 2 of this subsection becomes applicable to employees who work out-of-class in an executive leave eligible position after a specified threshold is reached as defined by the Personnel Director.

C. Exclusions.

1. Employees who are not covered by or are otherwise exempt from provisions of the Fair Labor Standards Act and work in the Executive Department, the Legislative Department, the Law Department and Department Directors who receive vacation allowance pursuant to SMC Section 4.34.030 shall be excluded from Sections 4.20.315 and 4.20.320. Officers and employees of the Seattle Municipal Court who are exempt from, or not otherwise covered by the Fair Labor Standards Act; and employees who are working pursuant to a collective bargaining agreement shall also be excluded from Sections 4.20.315 and 4.20.320 except as provided for in subsection B4 of this section. All employees employed by the Seattle Public library are specifically excluded from all provisions of Sections 4.20.315 and 4.20.320.

2. Emergency Response Employees. In order to ensure continued effective response to public emergencies, all emergency response employees who work in position titles designated in SMC Section 4.20.320 A2 shall be eligible for overtime or compensatory time at the rate of time-and-one-half for all hours worked in excess of forty (40) during one (1) workweek. Emergen-

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cy response employees shall not receive executive or merit leave benefit(s).

3. Class Series Exception. If at least one (1) position title in a class series is below the 36.5 salary range, then all position titles in the class series up through and including the "senior" level will be eligible for overtime and shall not receive executive or merit leave benefit(s).

D. Review. It is recognized that executive and merit leave are new personnel practices in The City of Seattle, and that it may be necessary to adjust aspects of this policy from time to time. Therefore, it shall be the responsibility of the Personnel Director to study the impact of the executive leave policy and, when appropriate, make recommendations to the Council regarding its impact, and propose any appropriate rules to implement the provisions of this act. The Personnel Director shall make a report to the Council regarding implementation of this policy twenty-four (24) months after the effective date of the ordinance codified in Sections 4.20.315 and 4.20.320.

(Ord. 118776 § 4, 1997; Ord. 117259 § 2, 1994; Ord. 116864 § 2, 1993; 116825 § 1, 1993; Ord. 116809 § 1, 1993; Ord. 116714 § 1, 1993; Ord. 116643 § 2(part), 1993.)

**4.20.325 Overtime-related meal compensation.**

A. Any full-time City officer or employee who, pursuant to specific directions of the head of the employing unit to which such worker is assigned, or of such head's designee, works for a total of two (2) or more consecutive overtime hours beyond either (1) such worker's normal working hours, or (2) a reasonably continuous period of overtime equal to the length of such worker's normal shift, shall be compensated as specified in subsection B, hereof, for one (1) meal that such worker purchased reasonably contemporaneously with such overtime. In the event the head of the employing unit to which such worker is assigned, or his or her designee, has certified in writing, to the City Finance Director, that because of emergency circumstances, the worker was required to work overtime on an immediate and continuous basis without the opportunity to plan and take normal meal breaks, then such worker shall be compensated as specified in subsection B hereof, for such additional number of meals as are indicated in such certification.

B. If such worker provides to his/her supervisor, no later than the beginning of such worker's next regular shift, the purchased meal receipt(s), such worker shall be eligible for the reimbursement of the actual cost of the meal(s), but not more than the average cost for such meal(s) as reflected in a national comparative cost index such as the Runzheimer Meal-Lodging Cost Index; but if such receipt(s) are not provided as specified herein, then such worker shall be eligible only for meal compensation in the sum of Five Dollars (\$5) per meal for which compensation has been authorized as provided herein.

(Ord. 116368 § 89, 1992; Ord. 111768 § 1, 1984.)

**4.20.330 Coveralls to be furnished for certain personnel.**

Coveralls will be furnished as needed to Auto Machinist Foremen, Auto Machinists, Equipment Servicemen, and certain employees working for the Sewerage and Garbage Utilities as determined by the various heads of the departments.

(Ord. 97330 § 52, 1968.)

**4.20.340 Conflict between subchapter and collective bargaining agreement.**

In the event of a conflict between the provisions of this subchapter and those of a properly authorized collective bargaining agreement, the provisions of the agreement shall prevail insofar as members of the bargaining unit covered by the agreement are concerned and for the duration of the period of time covered by the agreement.

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(Ord. 98316 § 1(part), 1969; Ord. 97330 § 52A, 1968.)

##### **4.20.350 Request for creation of new position.**

When any City department head requests the creation of a new or additional position of more than sixty (60) days' duration, or a change in allocation of an existing position, he shall address his request for such consideration to the Budget Director, accompanied by a statement of the duties and the responsibility and qualification requirements of the position. A complete copy of such request and statement shall at the same time be furnished to the City Council and the Personnel Director.

(Ord. 97330 § 53, 1968.)

##### **4.20.370 Purchase of fare media.**

To encourage commuting by municipal employees in other than single occupancy vehicles, and in accordance with the agreements authorized by Section 1 of Ordinance 116682, as a condition of municipal employment, the City shall pay Fifteen Dollars (\$15) a month per employee toward the purchase of monthly transit passes, monthly transit/ferry combination passes, and ferry walk-on frequent user books by a City officer or employee. The fare media shall be purchased from the Director of Finance for use in commuting to and from work or during working hours, and any incidental personal use thereafter, for so long as an appropriation has been made by ordinance or the City budget to provide for any deficit resulting to the City from such sales. The net price of the fare media to the officer or employee shall be the established rate less the City's Fifteen-Dollar (\$15) payment.

(Ord. 116682 § 2, 1995.)

##### **4.20.375 Parking of privately-owned motor vehicles by Councilmembers.**

A. Seattle City Councilmembers who choose to park privately-owned motor vehicles in the Municipal Building garage, or in any other City-owned parking facilities in which other City officers or employees must pay for the parking of such vehicles, shall pay for such parking. Rates for such Councilmember parking shall be established by the Executive Services Director pursuant to Seattle Municipal Code Section 3.24.040 I, and shall be established in an amount that is consistent with fees charged to other City officers and employees for comparable parking

privileges. City Councilmembers also shall be eligible for other types of parking permits, including but not limited to carpool parking permits, on the same terms and pursuant to the same rates as are applicable to other City officers and employees; and may request the issuance of occasional City-paid one-day parking passes, on the same basis as those are available to other City officers and employees, when it is necessary to park privately-owned motor vehicles in such garage or facilities for purposes that are solely related to City business. City Councilmembers also are eligible to use City motor-pool vehicles pursuant to Seattle Municipal Code Section 3.18.140.

B. City Council Positions 1, 3, 5, 7 and 9 shall become subject to subsection A of this section at the time of commencement of the next term of office in January, 2000. All other City Council positions shall become subject to subsection A of this section at the time of commencement of the next term of office in January, 2002. Nothing in this section shall be construed so as to prevent City Councilmembers from voluntarily paying for parking privileges in the Municipal Building garage or other City-owned parking facilities in which other City officers or employees must pay for the parking of privately-owned motor vehicles prior to such effective dates, and the Executive Services Director shall be authorized to collect such voluntary payments prior to such effective dates, and to establish a payroll check-off or deduction system to facilitate such collection.

(Ord. 119775 § 1, 1999.)

##### **4.20.380 Accountability Pay for Executives Program—Base pay and incentives.**

A. There is established an Accountability Pay for Executives Program (hereinafter referred to as the APEX Program) having a base salary structure consisting of one (1) "executive pay band" with four (4) sub-bands, or "market groupings." Upon the recommendation of the Personnel Director or his or her designated management representative and approval by the City Council, a position may be included in the APEX Program. Each position included in the APEX Program shall be exempt from the classified service pursuant to Article XVI, Section 3 of the Charter of The City of Seattle and Seattle Municipal Code Chapter 4.13. Positions will initially be allocated by the Personnel Director to a market grouping on the

executive pay band. The appointing authority shall have the discretion to set and/or modify base salary anywhere within the recommended market grouping for any such position under his or her direction within formal budget and spending limits established by the Mayor and the City Council. The appointing authority may also petition the Mayor for authorization to pay any APEX Program position under his or her direction in a market grouping other than that initially recommended by the Director, and the Mayor may accept, modify or decline such a petition. The APEX Program shall be implemented and administered substantially in accord with the APEX, Managers and Strategic Advisors Plan Design, which is incorporated by this reference, and any subsequent revisions thereto that are approved by the Mayor and the City Council. The Personnel Director shall recommend to the City Council for approval adjustments to the salary structure based on a biennial labor market analysis of selected benchmark titles. The appointing authority may award to each APEX position under his or her direction a base salary increase up to the maximum approved market adjustment; provided, no APEX incumbent shall be eligible for such an adjustment if his or her performance in the most recent evaluation cycle failed to be described as "satisfactory" or better. Other adjustments to base salaries must be made in accordance with program guidelines and within budget and spending guidelines.

B. The Personnel Director will recommend measures of performance and establish performance recognition guidelines for the APEX Program. Using these guidelines, the appointing authority may award to an APEX Program executive a lump sum payment of up to eight (8) percent of base salary, in addition to base salary, for recognition of the accomplishment of goals and work outcomes at the completion of an annual evaluation period. Any lump sum payment made pursuant to this subsection shall be considered a part of regular compensation, prorated annually, for purposes of withholding retirement contributions and determining retirement benefits for affected employees who are members of the City Employees Retirement System.

C. The Personnel Director shall recommend subsequent allocations of positions into or out of the APEX Program in accordance with established rules and procedures.

(Ord. 119706 § 1, 1999; Ord. 118782 § 1, 1997.)

**4.20.390 Manager and Strategic Advisor Compensation Program.**

A. There is established a Manager and Strategic Advisor Compensation Program under which positions allocated to "Manager" and "Strategic Advisor" shall be compensated. The Personnel Director is authorized to implement and administer the Manager and Strategic Advisor Compensation Program substantially in accord with the APEX, Managers and Strategic Advisors Plan Design, which is incorporated by this reference, and any subsequent revisions thereto that are approved by the Mayor and the City Council. The Personnel Director shall allocate positions into and out of Manager and Strategic Advisor in accordance with established rules and procedures.

B. The salary structure for the Manager and Strategic Advisor Compensation Program shall consist of one (1) pay band with three (3) sub-bands, or pay zones. Pay zone assignment

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shall constitute the classification for all relevant provisions of the Seattle Municipal Code and the Personnel Rules. Where occupational groups have been designated, the occupational group shall constitute the class series. The appointing authority shall have the discretion to set and/or modify base salary anywhere within the recommended pay zone for any Manager or Strategic Advisor under his or her direction, within formal budget and spending limits established by the Mayor and the City Council. The Personnel Director shall recommend to the City Council for approval market adjustments to the salary structure based on a biennial labor market analysis of selected representative classifications. The appointing authority shall determine whether position incumbents shall receive a base salary increase to reflect any or all of the approved market adjustment; provided, that no Manager or Strategic Advisor shall be eligible for such an adjustment if his or her performance in the most recent evaluation cycle failed to be described as "satisfactory" or better. Other adjustments to base salaries must be made in accordance with Program Guidelines and within budget and spending guidelines.

C. The Personnel Director will establish performance recognition guidelines for the Manager and Strategic Advisor Compensation Program. The appointing authority may award to a Manager or Strategic Advisor under his or her direction a lump sum payment of up to eight (8) percent of base salary, in addition to base salary, for recognition of the accomplishment of goals and work outcomes at the completion of an annual evaluation period. Any lump sum payment made pursuant to this section shall be considered a part of regular compensation, prorated annually, for purposes of withholding retirement contributions and calculating retirement benefits for affected employees who are members of the City Employees Retirement System. (Ord. 119705 § 1, 1999.)

**4.20.430 Information Technology Compensation Program—Description.**

A. There is established an Information Technology Professional Compensation Program to which positions identified as "Information Technology Professional" will be assigned. The Personnel Director is authorized to implement the Information Technology Professional Compensation

Program substantially in accord with the "Comprehensive Human Resources Strategy for Information Technology Positions," which is incorporated by this reference. Revisions to titles and compensation components must be approved by the City Council. The titles and pay zones established effective January 5, 2000 for the Information Technology Professional Compensation Program are:

Title	Pay Zone
Information Technology Professional C, Exempt	\$22.44 — \$31.50
Information Technology Professional B, Exempt	26.51 — 35.78
Information Technology Professional A, Exempt	30.58 — 41.30
Information Technology Professional C	22.44 — 31.50
Information Technology Professional B	26.51 — 35.78

B. The Personnel Director shall recommend to the City Council for approval, market adjustments to the pay zones annually. The market adjustment will be based upon labor market analysis of

selected benchmark positions to be conducted as needed, and/or at least every two (2) years with the biennial budget. Program incumbents will receive the equivalent percentage adjustment to their base salary to retain a strong competitive position in the labor market.

C. The Personnel Director will recommend to the City Council the assignment of each position within the Information Technology Professional category to a pay zone, and will establish criteria for subsequent allocation of positions as needed. Affected incumbents may appeal allocations in accordance with the Personnel Rules.

D. Each employee appointed to a position within the Information Technology Professional Compensation Program will be assigned a base rate of pay within the pay zone by the appointing authority, and with the Personnel Director's approval. If the rate of pay received by an incumbent immediately prior to assignment to the Information Technology Professional Compensation Program is higher than the upper limit of the pay zone recommended by the Personnel Director, or is higher than the rate established for the position by the appointing authority upon program implementation, the employee will retain an incumbency rate of pay until any market adjustments to the pay zone equal or exceed the incumbency rate; provided, the incumbency rating shall be maintained only as long as the duties assigned to the position are commensurate with the rate of pay.

E. The appointing authority may award a market premium of up to twenty-five (25) percent of base salary, not to exceed one hundred twenty-five (125) percent of the maximum rate of Pay Zone A to any employee appointed to an exempt position in the Information Technology Professional Compensation Program with the concurrence of the Personnel Director that the employee possesses and is required to use technological skills that are at a premium in the current labor market. The market premium shall be discontinued when the skills that it compensates are no longer in demand by the City, or are no longer so scarce in the labor market as to present a recruiting or retention problem. The market premium shall be considered part of regular compensation for purposes of withholding retirement contributions and determining retirement benefits for affected employees who are members of the City Employees Retirement System.

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F. For positions in the Information Technology Professional Compensation Program that are included in the City's classified service, "Information Technology Professional" shall constitute the class series and the pay zone shall constitute the classification for all relevant provisions of the Seattle Municipal Code and Personnel Rules. (Ord. 119776 §§ 5, 6, 1999; Ord. 119411 § 1, 1999.)

**4.20.440 Power Marketing Compensation Program—Description.**

A. There is established a Power Marketing Compensation Program to which positions identified as "Power Marketer" will be assigned. The Personnel Director is authorized to implement the Power Marketing Compensation Program substantially in accord with the "Power Marketer Classification, Compensation and Sales Revenue Reward Plan Summary," which is incorporated by this reference. Revisions to titles and compensation components must be approved by the City Council. The title and pay zone established for the Power Marketer Compensation Program are:

Title	Pay Zone
Power Marketer	\$24.90 — \$43.20

B. The Personnel Director shall recommend to the City Council for approval a market adjustment to the pay zone based on a labor market analysis to be conducted at least biennially.

C. The Personnel Director will recommend to the City Council the assignment of each position within the Power Marketer category to this pay zone, and will establish criteria for subsequent allocation of positions to and withdrawal of positions from the Power Marketing Compensation Program.

D. Each employee appointed to a position within the Power Marketing Compensation Program will be assigned a base rate of pay within the pay zone by the appointing authority. If the rate of pay received by an incumbent immediately prior to assignment to the Power Marketing Compensation Program is higher than the upper limit of the pay zone recommended by the Personnel Director, or is higher than the rate established for the position by the appointing authority upon program implementation, the employee will retain an incumbency rate of pay until any market adjustments to the pay zone equal or exceed the

incumbency rate; provided, the incumbency rating shall be maintained only as long as the duties assigned to the position are commensurate with the rate of pay.

E. Establishing Sales Revenue Reward Plan. Up to ten (10) percent of individual base pay may be awarded as a Power Marketing Team Reward in accordance with the "Sales Revenue Reward Plan," which is incorporated by this reference. The specific provisions of awarding performance pay are outlined in the Sales Revenue Reward Plan. Any lump sum payment made pursuant to this section shall be considered a part of regular compensation, prorated annually for purposes of withholding retirement contributions and determining retirement benefits for affected employees who are members of the City Employees Retirement System. (Ord. 119351 § 1, 1999.)

**Subchapter II Miscellaneous Provisions**

**4.20.510 Compensation for temporary work at other than regular location.**

All employees of the City who are temporarily assigned to work at a location other than their regular place of employment shall receive additional compensation which shall be the equivalent of one (1) hour's compensation at the normal rate of pay, for each night of required absence from their regular place of employment, if the department head concerned determines that the site of such assignment is beyond reasonable commuting distance from the employee's regular place of employment; provided that such additional compensation shall not be paid to any employee in a position to which is assigned duties which regularly include travel to and performance of work

at locations other than his regular place of employment without specific assignment by a superior.  
(Ord. 97185 § 1, 1968.)

**4.20.520 Employees under I.B.E.W. agreement—Day off for family emergency.**

Employees covered by those certain collective bargaining agreements entered into between the City and I.B.E.W. Local No. 77 pursuant to the authority of Ordinance 98887 and Ordinance 98977<sup>1</sup> shall, subject to approval by the department head, be allowed one day off each year without salary deduction for the purpose of meeting a family emergency caused by serious illness or accident disabling a member of such employee's immediate family and necessitating such employee's presence at home. For the purpose of this section, "immediate family" means the spouse, children, and/or parents of such employee, who regularly occupy the same residence as such employee.

(Ord. 100112 § 1, 1971.)

1. Editor's Note: Ordinances 98887 and 98977 are on file in the office of the City Clerk.

**4.20.530 Police holidays.**

Uniformed Police personnel shall be allowed nine (9) holidays off per year with pay, or nine (9) days off in lieu thereof, at the discretion of the Chief of Police.

(Ord. 95256 § 1, 1966.)

**4.20.540 Police working special events or emergency situations.**

Payment on a straight-time basis is authorized for overtime ordered and worked by police personnel during special events or emergency situations, as determined by the Chief of Police and approved by the Chairman of the Finance Committee.

(Ord. 88419 § 1, 1959.)

**4.20.550 Days off for police officers and firefighters.**

Police officers shall be allowed two (2) days off in eight (8) with pay and police officers and firefighters shall be allowed an additional nine (9) days off with pay per year at the convenience of the respective department heads.

(Ord. 80528 § 1, 1951.)

**4.20.600 Contributions to LEOFF; PERS—Adjustment for federal income tax purposes.**

To carry out the City's election to take advantage of the opportunities extended by 26 U.S.C § 414 (h) and Chapter 227, Laws of 1984 for deferral of federal income taxes upon members' contributions to the Law Enforcement Officers and Fire Fighters' Retirement System and to the Washington Public Employees' Retirement System, the City will pay those members' contributions under RCW 41.26.080(1) and 41.26.450 and RCW 41.40.330(1) and 41.40.650 respectively for pay warrant dates commencing on or after January 1, 1985, and will reduce the member's wages or salary by the amount of the City's contribution so paid. The foregoing payment and wage/salary reduction is made under these conditions and limitations:

A. This arrangement is made for purposes of federal income taxation. An employee's wages or salary for purposes of the Federal Insurance Contributions Act (social security tax), the City salary and wage ordinances, and other purposes shall be computed as if the foregoing contribution and corresponding salary or wage reduction had not been made; and

B. The City may withdraw its election to make such adjustments as contemplated by Section 3(2) of Chapter 227, Laws of 1984, and no affected member shall be entitled to continuance of the adjustment thereafter.

(Ord. 111992 § 1, 1984.)

**4.20.610 Contributions to City Employees' Retirement System—Adjustment for federal income tax purposes.**

A. The City hereby elects to extend to members of the City Employees' Retirement System the tax deferral benefits allowed by 26 U.S.C. § 414(h) and Chapter 27, Laws of 1984. For such purposes, the City will pay the member's contributions to the City Employees' Retirement System contemplated by SMC Section 4.36.110 for pay warrant dates commencing on or after January 1, 1985, and will reduce the member's wages or salary by the amount of the City's contribution so paid. The City contribution made under this section, plus accumulated interest, shall be paid to a member upon the withdrawal of the member's

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documented contributions pursuant to SMC Section 4.36.190.

B. An employee's wage or salary for purposes of the Federal Insurance Contributions Act (social security tax), for purposes of workers' compensation, and for all purposes other than federal income taxation shall be computed as if the foregoing contribution and corresponding reduction in a member's wage or salary had not been made.

C. The City reserves the right to discontinue this arrangement for a City contribution and corresponding wage or salary reduction at any time as to compensation earned afterwards. No affected member shall have any contract right to compel the City to continue the arrangement should the City decide to pay the member his or her full salary or wage and then require that the member pay to the City Employees' Retirement System the member's contribution contemplated by SMC Section 4.36.110. (Ord. 111992 § 2, 1984.)

#### 4.20.700 Pay warrants under One Dollar (\$1.00).

It is City policy and a condition of City employment to draw pay warrants only when the net pay is One Dollar (\$1.00) or more. Whenever payment is authorized to a City employee and the net pay amount is less than One Dollar (\$1.00), the amount shall be added to the employee's next pay warrant or severance pay warrant. If no further pay warrants are contemplated, payment shall only be made to an employee who makes demand and appears in person for payment. (Ord. 113872 § 1, 1988.)

### Subchapter III Reporting—Whistleblower Protection

#### 4.20.800 Policy—Purpose.

Unless prohibited by State law, City employees are encouraged to report on improper governmental action to the appropriate City or other government official, depending on the nature of the improper governmental action. To assist such reporting and to implement Sections 42.41.030 and 42.41.040 of the Revised Code of Washington ("RCW"), Sections 4.20.800 through 4.20.860 provide City employees a process for reporting improper governmental action and protection from retaliatory action for reporting and cooper-

ating in the investigation and/or prosecution of improper governmental action in good faith in accordance with this subchapter.

(Ord. 117039 § 1(part), 1994; Ord. 116368 § 90, 1992; Ord. 116005 § 9, 1991; Ord. 115464 § 1(part), 1990.)

#### 4.20.810 Reporting improper governmental action—Employee protection.

A. Right. Every City employee shall have the right to report, in good faith and in accordance with this subchapter, to a City official, another government official or a member of the public, information concerning an improper governmental action.

##### B. Limitations.

1. This section does not authorize a City employee to report information that is subject to an applicable privilege against disclosure at law (e.g., RCW 5.60.060 privileged communications), unless waived, or to make disclosure where prohibited at law. The only purpose of this subchapter is to protect and encourage employees who know or in good faith believe improper governmental action has occurred to report those actions in good faith and in accordance with this subchapter.

2. Except in cases of emergency where the employee believes in good faith that substantial damage to persons or property will result unless a report is made immediately to a person or entity who is not the appropriate auditing official listed in Section 4.20.850 A, an employee shall, before making a report to a person who is not the appropriate auditing official, first make a written report of the improper governmental action to the appropriate auditing official. No emergency under this subsection exists where prompt attention and reporting under this subchapter by the employee could have avoided the perceived need to report immediately to a person not the appropriate auditing official.

An employee making a written report as required by this subsection is encouraged to wait at least thirty (30) days from receipt of the written report by the appropriate auditing official before reporting the improper governmental action to a person who is not an appropriate auditing official.



3. An employee's reporting of his or her own improper action does not grant an employee immunity from discipline or termination under Section 4.04.230 or 4.08.100 insofar as his or her improper action would be cause for discipline.

C. Employee Protections and Protected Conduct.

1. The following conduct by employees is protected if carried out in good faith under this subchapter:

a. Reporting sexual harassment to the employee's supervisor, EEO officer, department head, or other government official as set out in the City's adopted procedure for reporting sexual harassment complaints; reporting violations of the Fair Employment Practices ordinance to the Office for Civil Rights; reporting police misconduct to the Police Department's Internal Investigation Section; reporting violations of the Code of Judicial Conduct by Municipal Court judges to the Washington State Commission on Judicial Conduct; reporting violations of criminal laws to the appropriate county prosecuting attorney; and reporting violations of the Elections Code or the Ethics Code, and any actions for which no other appropriate recipient of a report is listed in this subsection, to the Executive Director of the Seattle Ethics and Elections Commission;

b. Cooperating in an investigation by an "auditing official" related to "improper governmental action"; and/or

c. Testifying in a proceeding or prosecution arising out of an "improper governmental action."

2. No City officer or employee shall retaliate against any employee because that employee proceeded or is proceeding in good faith in accordance with this subchapter.

D. Penalty. Any City officer or employee who engages in prohibited retaliatory action is subject to discipline by suspension without pay, demotion or discharge or, pursuant to Section 4.20.840, a civil fine up to Five Hundred Dollars (\$500.00), or both discipline and a fine.

E. Annual Restatement. Upon entering City service and at least once each year thereafter, every City officer and employee shall receive a written summary of this chapter, the procedures for reporting improper governmental actions to auditing officials, the procedures for obtaining the protections extended, and the prohibition against retaliation in this section. The Executive Director

of the Ethics and Elections Commission shall ensure that such summaries are distributed and that copies are posted where all employees will have reasonable access to them.

(Ord. 118392 § 20, 1996; Ord. 117039 § 1(part), 1994; Ord. 116368 § 91, 1992; Ord. 116005 § 10, 1991; Ord. 115464 § 1(part), 1990.)

**4.20.820 Confidentiality.**

To the extent allowed by law, the identity of an employee reporting information about an improper governmental action shall be kept confidential unless the employee in writing waives confidentiality.

(Ord. 117039 § 1(part), 1994; Ord. 115464 § 1(part), 1990.)

**4.20.830 Investigation.**

A. Referral or Retention. The Executive Director of the Ethics and Elections Commission, upon receiving a report alleging improper governmental action, shall refer the complainant to the appropriate auditing official listed in Section 4.20.850 A if the Executive Director is not the appropriate auditing official. If the Executive Director is the appropriate auditing official, and the report alleges a violation of the Elections Code or the Code of Ethics, the Executive Director shall handle that allegation according to the ordinances and rules applicable to the code alleged to have been violated. If the Executive Director is the appropriate auditing official and the report alleges improper governmental action that does not fall within the prohibitions of the Ethics Code or the Elections Code, the Executive Director may refer the report to the chief elected official of the branch of government implicated in the allegation, who shall ensure that the appropriate officer or agency responds to the complainant in writing within thirty (30) days of receipt of the report by the appropriate auditing official, with a copy of the response to the Executive Director. If the Executive Director does not refer the report to another official, or if the other official's response is not timely or satisfactory to the Executive Director, the Executive Director may conduct an investigation. The procedures in subsections B through E of Section 4.20.830 shall apply only to the Executive Director of the Ethics and Elections Commission when he or she is investigating an improper governmental action that does not fall within the prohibitions of the Ethics Code or the

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Elections Code and that should not have been referred to another auditing official under the first sentence of this subsection; other auditing officials investigating allegations of improper governmental action appropriately referred to them are not bound by these procedures.

B. Executive Director's Investigation. At any stage in an investigation of an alleged "improper governmental action," the Executive Director of the Seattle Ethics and Elections Commission may issue subpoenas, administer oaths, examine witnesses, compel the production of documents or other evidence, enlist the assistance of the City Attorney, the City Auditor, or the Chief of Police, refer the matter to the State Auditor or law enforcement authorities, and/or issue reports, each as deemed appropriate.

Within thirty (30) days after receiving information about an "improper governmental action" from a City employee, the Executive Director shall conduct a preliminary investigation, and provide the complainant with a written report of the general status of the investigation which may include matters for further research or inquiry.

C. Completion and Reports. Upon completion of the investigation, the Executive Director shall notify the complainant in writing of any determinations made. If the Executive Director determines that an improper governmental action has occurred, the Executive Director shall report the nature and details of the activity to the complainant; to the head of the department with responsibility for the action; and if a department head is implicated, to the Mayor and City Council; and to such other governmental officials or agencies as the Executive Director deems appropriate. If satisfactory action to follow up the report is not being taken within a reasonable time, the Executive Director shall report his or her determination to the Mayor and advise the City Council.

D. Closure. The Executive Director may close an investigation at any time he or she determines that no further action is warranted and shall so notify the complainant.

E. Decisions of the Executive Director under this section are not appealable to the Ethics and Elections Commission.

(Ord. 117039 § 1(part), 1994; Ord. 116368 § 92, 1992; Ord. 116005 § 11, 1991; Ord. 115464 § 1(part), 1990.)

#### 4.20.840 Civil penalty.

(Seattle 3-97)

A violation of subsection C of Section 4.20.810 is a civil offense. A person who is guilty thereof may be punished in the Seattle Municipal Court by a civil fine or forfeiture not to exceed Five Hundred Dollars (\$500.00).

(Ord. 117039 § 1(part), 1994; Ord. 115464 § 1(part), 1990.)

#### 4.20.850 Definitions.

As used in Sections 4.20.800 through 4.20.860, the following terms shall have these meanings:

A. "Auditing official" means, each in connection with a report of improper governmental action within his, her, or its respective jurisdiction, the Executive Director of the Seattle Ethics and Elections Commission; a person to whom sexual harassment was properly reported according to City policy; the Office for Civil Rights; the Washington State Commission on Judicial Conduct; the Police Department's Internal Investigations Section; the county prosecuting attorneys of the State of Washington; and any authorized assistant or representative of any of them in cases within their respective appropriate jurisdictions.

B. "Employee" means anyone employed by the City, whether in a permanent or temporary position, including full-time, part-time, and intermittent workers. It also includes members of appointed boards or commissions, whether or not paid.

C. 1. "Improper governmental action" means any action by a City officer or employee that is undertaken in the performance of the officer's or employee's official duties, whether or not the action is within the scope of employment, and:

- a. Violates any state or federal law or rule or City ordinance, and, where applicable, King County ordinances, or
- b. Constitutes an abuse of authority, or
- c. Creates a substantial or specific danger to the public health or safety, or
- d. Results in a gross waste of public funds.

2. "Improper governmental action" excludes personnel actions, including but not limited to: employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, reprimands, violations of collective bargaining or civil

service laws, or alleged violations of agreements with labor organizations under collective bargaining, or any action that may be taken under Chapter 41.08, 41.12, 41.14, 41.56, 41.59, or 53.18 RCW or RCW 54.04.170 and 54.04.180.

3. A properly authorized City program or activity does not become an “improper governmental action” because an employee or auditing official dissents from the City policy or considers the expenditures unwise.

D. “Retaliate,” and its kindred nouns, “retaliation” and “retaliatory action,” mean to make, because of an activity protected under Section 4.20.810, any unwarranted adverse change in an employee’s employment status or the terms and conditions of employment including, but not limited to, denial of adequate staff to perform duties; frequent staff changes; frequent and undesirable office changes; refusal to assign meaningful work; unsubstantiated letters of reprimand or unsatisfactory performance evaluations; demotion, reduction in pay; denial of promotion; transfer or reassignment; suspension or dismissal; or other unwarranted disciplinary action.

E. “Executive Director” means the Executive Director of the Seattle Ethics and Elections Commission. (Ord. 118392 § 21, 1996; Ord. 117039 § 1(part), 1994; Ord. 116368 § 93, 1992; Ord. 116005 § 12, 1991; Ord. 115464 § 1(part), 1990.)

**4.20.860 Reporting and adjudicating retaliation.**

A. Complaint. In order to seek relief, an employee who believes he or she has been retaliated against in violation of Section 4.20.810 C must file a signed written complaint within thirty (30) days of the occurrence alleged to constitute retaliation. The complaint shall be filed with the Office of the Mayor and must specify the alleged retaliatory action and the relief requested.

B. Investigation and Response. The Mayor’s office shall forward the complaint to the head of the executive office or department in which the retaliation is alleged to have occurred, or, at the Mayor’s option, to the President of the City Council or the Presiding Judge of the Municipal Court if their respective branches are implicated in the complaint. The head of the department, office, or branch to which the complaint was referred shall ensure that the complainant is sent a response within thirty (30) days after the filing of the complaint. If the head of an executive office or

department is alleged to have retaliated in violation of Section 4.20.810, the Mayor shall ensure that the complainant is sent a response within thirty (30) days after the filing of the complaint.

C. Hearing. If an employee who has filed a complaint of retaliation under this section is dissatisfied with the response and desires a hearing pursuant to Section 42.41.040 RCW, the employee shall deliver a request for hearing to the Office of the Mayor within the time limitations specified in that section. Within five (5) working days of receipt of the request for hearing, the City shall apply to the state office of administrative hearings for a hearing to be conducted as provided in Section 42.41.040 RCW. (Ord. 117039 § 2, 1994.)

**Chapter 4.21  
STANDBY DUTY**

**Sections:**

- 4.21.010 Standby duty—Definitions.**
- 4.21.020 Standby duty responsibilities.**
- 4.21.030 Determination of eligibility for standby duty.**
- 4.21.040 Standby pay—Rates.**
- 4.21.050 Standby pay not concurrent with regular or overtime pay.**
- 4.21.060 Standby duty schedules.**
- 4.21.070 Resolution of conflict with collective bargaining agreements.**
- 4.21.080 Reporting of standby pay.**

**4.21.010 Standby duty—Definitions.**

As used in this chapter, the following terms shall mean:

A. “Eligible employee” means an employee eligible for overtime compensation who is not working pursuant to a collective bargaining agreement.

B. “Standby duty” means the formal assignment, by the head of an employing unit or his/her designated representative, to an employee of responsibility to respond to emergencies and other problems during the employee’s non-working

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hours. The act of carrying a pager or other such communication device does not, in itself, constitute standby duty.

C. "Standby pay" means the monetary compensation paid to an employee who is assigned to standby duty.

(Ord. 117321 § 1(part), 1994; Ord. 112666 § 1(part), 1986.)

#### 4.21.020 Standby duty responsibilities.

An eligible employee on standby duty must remain contactable through some communications device (such as by carrying a pager) and be in a state of readiness to direct and/or participate in any City response to an emergency or other problem, through telephone response or personal appearance at some predetermined location, within fifteen (15) minutes after communication contact is made by the employing unit. The appointing authority may establish time parameters within which the employee assigned to standby duty must report to such work location when the occasion requires the employee's presence.

(Ord. 117321 § 1(part), 1994; Ord. 112666 § 1(part), 1986.)

#### 4.21.030 Determination of eligibility for standby duty.

The appointing authority may assign eligible employees to perform standby duty, based upon reasonable criteria which shall include: the likelihood of the occurrence of an off-hours emergency, the nature of the emergency, and the consequences of delaying response to the emergency until normal working hours or of assigning the emergency response to an employee who is already on regular duty or standby status.

(Ord. 117321 § 1(part), 1994; Ord. 112666 § 1(part), 1986.)

#### 4.21.040 Standby pay—Rates.

A. An eligible employee assigned by proper authority to be on standby duty to perform the duties of his or her position title shall be paid ten percent (10%) of his or her regular straight-time hourly rate of pay for each hour served on standby duty.

B. An eligible employee assigned to standby duty to perform the duties of another position title shall be paid ten percent (10%) of the regular straight-time hourly rate of pay of the salary step for each hour served on standby duty as follows:

1. If the employee's actual rate of pay is within the salary range of the applicable position

title, standby pay shall be computed on his or her actual rate of pay.

2. If the employee's actual rate of pay is higher than that top step of the salary range of the applicable position title, standby pay shall be computed using the top step of the salary range of the applicable position title.

3. If the employee's actual rate of pay is lower than the first step of the salary range of the applicable position title, standby pay shall be computed using the first step of the salary range of the applicable position title.

(Ord. 117321 § 1(part), 1994; Ord. 112666 § 1(part), 1986.)

#### 4.21.050 Standby pay not concurrent with regular or overtime pay.

When an eligible employee on standby duty responds to an emergency or other problem, standby pay shall be discontinued when regular or overtime pay commences.

(Ord. 117321 § 1(part), 1994; Ord. 112666 § 1(part), 1986.)

#### 4.21.060 Standby duty schedules.

The appointing authority shall maintain standby duty schedules so that the affected employees have adequate advance notice as to when they are scheduled for assignment to standby duty. Eligible employees may volunteer for assignment to standby duty, and the schedules may consist of a mix of voluntary and nonvoluntary standby duty assignments.

(Ord. 117321 § 1(part), 1994; Ord. 112666 § 1(part), 1986.)

#### 4.21.070 Resolution of conflict with collective bargaining agreements.

In the event of any conflict between this chapter and the terms of any collective bargaining agreement entered into by the City, the terms of the collective bargaining agreement shall prevail for those employees covered by the collective bargaining agreement.

(Ord. 117321 § 1(part), 1994; Ord. 112666 § 1(part), 1986.)

**4.21.080 Reporting of standby pay.**

The appointing authority shall report as directed to the Personnel Director all authorizations for standby pay and how each satisfied the criteria as stipulated in this chapter. The Personnel Director shall provide a summary report of this information to the City Council on an annual basis. (Ord. 117321 § 1(part), 1994.)

**Chapter 4.24  
SICK LEAVE**

**Sections:****Subchapter I General Provisions****4.24.005 Definitions.****4.24.010 Computation of sick leave—Exemptions.****4.24.030 Change in position or department.****4.24.035 Paid sick leave—Use.****4.24.040 Sick leave reporting—Payment.****4.24.050 Temporary employees.****4.24.060 Refusal of approval by department head—Review by Personnel Director.****4.24.070 Designation of beneficiary.****4.24.080 Authority to make rules—Recordkeeping.****4.24.090 Report on denial of paid sick leave.****4.24.100 Sick leave transfer program.****Subchapter II Retirement Accounts****4.24.200 Establishment of account.****4.24.210 Payment in lieu of account.****4.24.220 Notification of unused sick leave and rates of pay.****4.24.230 Administration.****Subchapter I General Provisions****4.24.005 Definitions.**

Terms used in this chapter shall have the meaning indicated therefor in the Personnel Ordinance (Seattle Municipal Code Chapter 4.04) unless another meaning is clearly indicated below or from the context:

A. “Basic living expenses” means the cost of basic food, shelter and any other expenses of a domestic partner which are paid at least in part by a program or benefit for which the partner qualified because of the domestic partnership. The

individuals need not contribute equally or jointly to the cost of these expenses as long as they agree that both are responsible for the cost.

B. “Dependent child” means a child under the age of eighteen (18) who is:

1. The natural offspring of;
2. An adopted or step child of;
3. Under the legal guardianship, legal custody or foster care of;
4. Financially dependent on; or
5. A resident in the dwelling unit of; an officer or employee or an officer's or employee's spouse or domestic partner.

C. “Domestic partner” means an individual designated as such by an officer or employee in an Affidavit of Domestic Partnership or otherwise as provided by Seattle Municipal Code Section 4.30.010.

D. “Health care professional” means a person whose services are of a type for which compensation is paid under any City health care plan.

E. “Parent” means and includes one's natural or adoptive father or mother, stepfather or stepmother or foster father or foster mother.

(Ord. 114648 § 1, 1989; Ord. 112088 § 1, 1984.)

**4.24.010 Computation of sick leave—Exemptions.**

Cumulative sick leave with pay computed at the rate of .046 hours for each hour on regular pay status as shown on the payroll, but not to exceed forty (40) hours a week, and all benefits of this subchapter shall be granted to all City officers and employees over whom the legislative authority has jurisdiction in this respect: provided, that members of the Police and Fire Departments who were members of the Washington State Law Enforcement and Fire Fighters Retirement System (the “LEOFF” System) as of or before September 30, 1977, and those employees specifically excluded by provisions of salary ordinances shall not be included; provided further, that persons who became members of the LEOFF System on or after October 1, 1977 and who are represented by the Fire Fighters' Union, the Police Officers' Guild, or an equivalent labor organization for labor negotiation purposes, shall receive whatever benefits of the City's sick leave program as are established in the labor contract between the City and such organization. Officers and employees shall accumulate sick leave credits from the date of entering City service and shall be entitled to sick leave with pay after thirty (30) calendar days of employment.

#### 4.24.010 PERSONNEL

(Ord. 107905 § 2, 1978; Ord. 101861 § 1, 1973; Ord. 101720 § 1, 1972; Ord. 100879 § 1, 1972; Ord. 99422 § 1, 1970; Ord. 96867 § 1, 1968; Ord. 93066 § 1, 1964; Ord. 89939 § 1, 1961; Ord. 88522 § 1, 1959.)

#### 4.24.030 Change in position or department.

Change in position or transfer to another City department included in the sick leave plan shall not result in a loss of sick leave accumulated under this subchapter or as a Seattle Public Library employee. An officer or employee reinstated or re-employed in the same or another department included in this plan after termination of service, except after dismissal for cause, resignation or quitting, shall be credited with all unused sick leave accumulated prior to such termination. (Ord. 93257 § 1, 1964; Ord. 88522 § 3, 1959.)

#### 4.24.035 Paid sick leave—Use.

A. An officer's or employee's request for paid sick leave may be granted when the officer or employee is required to be absent from work because of:

1. A personal illness, injury or medical disability incapacitating the officer or employee for the performance of duty, or personal medical or dental appointments; or

2. An illness, injury, or medical or dental appointment of an officer's or employee's spouse, domestic partner, or the parent or dependent child of such officer or employee or his or her spouse or domestic partner when the officer or employee has established his or her eligibility for a non-personal sick leave use as contemplated by SMC Chapter 4.30 and the absence of the officer or employee from work is required, or when such absence is recommended by a health care professional.

B. An officer or employee may participate in City-sponsored blood drives as a non-compensated donor without deduction of pay or paid leave balances. Such participation will include the time required to travel from the work site to the blood drive location and return to the work site, and a reasonable recuperation period, but may not exceed three (3) hours per occurrence.

(Ord. 117958 § 1, 1995; Ord. 114648 § 2, 1989; Ord. 112088 § 2, 1984.)

#### 4.24.040 Sick leave reporting—Payment.

Compensation for absence of an officer or

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employee from duty for any reason contemplated in Section 4.24.035 shall be paid upon approval of such absentee's appointing authority or that authority's designee. In order to receive compensation for such absence, an officer or employee shall make himself or herself available for such investigation, medical or otherwise, as such appointing authority or the Personnel Director deems appropriate. Either such appointing authority or the Personnel Director may require a supporting report of a health care professional from the officer or employee. Compensation for absences beyond four (4) days shall be paid only after approval by such absentee's appointing authority or that authority's designee, of a request from the officer or employee supported by a report of the health care professional treating the officer or employee or an individual identified in SMC Section 4.24.035 A2, or by a health care professional selected by the Personnel Director. (Ord. 114648 § 3, 1989; Ord. 112088 § 3, 1984; Ord. 107905 § 3, 1978; Ord. 885 § 4, 1959.)

#### **4.24.050 Temporary employees.**

Employees on a temporary basis and not otherwise excluded who work on a definite and predetermined schedule over an extended period may receive sick leave compensation for scheduled work periods only, on the same basis as regular City employees. Determination as to an employee's eligibility under this provision shall be made by the Personnel Director. (Ord. 107905 § 4, 1978; Ord. 88522 § 5, 1959.)

#### **4.24.060 Refusal of approval by department head—Review by Personnel Director.**

At the request of the employee concerned the Personnel Director shall review the refusal of a department head to approve a request for sick leave and the decision of the Personnel Director shall be final. (Ord. 107905 § 5, 1978; Ord. 88522 § 6, 1959.)

#### **4.24.070 Designation of beneficiary.**

Any City officer or employee eligible for sick leave benefits under this subchapter may designate a beneficiary to receive a cash payment in an amount equal to twenty-five (25) percent of such officer's or employee's accumulated and unused sick leave, which designation shall be in writing and filed with the Personnel Director and in the

event of the death of such officer or employee while employed by the City, such payment shall be made to the designated beneficiary at the rate of pay of such officer or employee in effect on the day prior to his death; provided, that the provisions of this section shall not apply to officers and employees of the Police and Fire Departments who are members of the Washington Law Enforcement Officers' and Fire Fighters' Retirement System.

(Ord. 107905 § 6, 1978; Ord. 105991 § 1, 1976; Ord. 105005 § 1, 1975; Ord. 88522 § 6.1, 1959.)

#### **4.24.080 Authority to make rules—Recordkeeping.**

The Personnel Director is authorized to make the necessary rules and regulations to enforce and administer the provisions of this subchapter, to furnish the necessary forms and to keep the necessary records, provided that the City Finance Director shall maintain all records of accumulated sick leave of active officers and employees. (Ord. 116368 § 94, 1992; Ord. 107905 § 7, 1978; Ord. 88522 § 7, 1959.)

#### **4.24.090 Report on denial of paid sick leave.**

The heads of departments shall report as to the final disposition of all cases when an employee has been included on the payroll for paid sick leave which subsequently is denied and shall make such other reports and keep such records as the Personnel Director and the City Finance Director shall require. (Ord. 116368 § 95, 1992; Ord. 107905 § 8, 1978; Ord. 88522 § 8, 1959.)

#### **4.24.100 Sick leave transfer program.**

A. The Personnel Director shall implement by rule a sick leave transfer program allowing for the transfer of accumulated sick leave hours from the account of any officer or employee who desires to participate in such program to the accumulated sick leave hours account of another officer or employee designated by the donor-officer or -employee. Such sick leave transfer program shall include at least the following elements:

1. The sick leave being transferred shall be translated into a dollar figure based upon the donor-officer's or -employee's straight-time rate of pay.

2. An officer or employee may receive sick leave from a donor-officer or -employee if the

#### 4.24.100 PERSONNEL

appointing authority of the receiving officer or employee finds that:

a. The receiving officer or employee presently suffers from an illness, injury, impairment, or physical or mental condition, and it has caused, or is likely to cause, the receiving officer or employee to:

- (1) Go on leave without pay, or
- (2) Leave City employment;

b. The receiving officer's or employee's absence and the use of contributed leave are justified;

c. Depletion of the receiving officer's or employee's available accumulated sick leave has occurred or is imminent;

d. The receiving officer or employee has diligently attempted to accrue sick leave reserves; and

e. The receiving officer or employee is not eligible for benefits under SMC Chapter 4.44 or under the State Industrial Insurance and Medical Aid Acts.

3. The Personnel Director shall establish, by rule, limits for:

a. The maximum number of hours of sick leave a receiving officer or employee may personally have accrued before such officer or employee may receive sick leave hours from another officer or employee;

b. The minimum number of sick leave hours a donor-officer or -employee must have accrued and must retain if allowed to transfer additional accrued sick leave hours to another officer or employee;

c. The maximum number of accrued sick leave hours that a donor-officer or -employee may transfer to another officer or employee; and

d. The maximum number of sick leave hours, as equated to the receiving officer's or employee's straight-time rate of pay, that a receiving officer or employee may receive, which number, in no event, shall exceed five hundred sixty (560) hours.

4. The donor-officer or -employee and the receiving officer or employee shall each file with the appointing authority for their respective employing units their affidavit or declaration, in a form provided by the Personnel Director, acknowledging that such sick leave transfer is intended to be a gift and has been or will be accomplished for no, or without the exchange of any, compensation or consideration whatsoever.

5. Hours of donated sick leave shall no longer be used by the receiving officer or employee once the medical or mental condition upon the basis of which donated sick leave was received ceases to exist. Unused donated sick leave remained in the receiving officer's or employee's account shall be returned to the donor-officer(s) or -employee(s) in accordance with rules established by the Personnel Director.

B. The appointing authority of an officer or employee who requests to receive donated sick leave shall report in a manner to be prescribed by the Personnel Director, the approval for and receipt of any such sick leave and/or the denial of any such request to receive donated sick leave. (Ord. 115851 § 1, 1991: Ord. 114648 § 4, 1989.)

### Subchapter II Retirement Accounts

#### 4.24.200 Establishment of account.

Upon the retirement of any member of the City Employees' Retirement System or any Health Department employee who has retained membership in the State Retirement System under Ordinance 83017, or upon the award of a retirement allowance in accordance with Section 13(c) of Ordinance 78444<sup>1</sup> to a member whose employment with the City has been terminated by layoff, or, at the election of a member of such system, upon retirement after transfer of such member to another governmental entity under any agreement for merger or consolidation of governmental services between the City and such other governmental entity, the Board of Administration of the City Employees' Retirement System shall establish for such member an account to which it shall credit an amount equal to twenty-five (25) percent of such employee's unused and accumulated sick leave, while employed by the City, at the rate of pay of such member in effect on the day prior to his retirement or layoff, as the case may be.

Such account shall be used only to pay health care benefit premiums of such member and spouse at the time of retirement or award of such

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retirement allowance, to such carrier or carriers as shall be designated by such member. The Board of Administration shall pay such health care benefit premiums from the Health Care Fund, charge the respective members' accounts in the amount thereof, and cease payments on behalf of any such member when the balance in his or her account has been exhausted, or upon the deaths of such member and spouse, whichever shall occur first. The Board of Administration shall periodically notify the departments from which members are retired or laid off and for whom such health care premiums have been paid, of the amount of premiums so paid and the Health Care Fund shall be reimbursed for such premium payments from the proper funds. Upon written request of a participating member at any time after retirement, the remaining balance of such member's account may be paid to said member and the Board of Administration shall cease payment of health care benefit premiums for said member. In the event of the member's death, his or her designated beneficiary may request and receive a refund of any remaining account balance.

(Ord. 118826 § 1, 1997: Ord. 104100 § 1, 1974: Ord. 102366 § 1, 1973: Ord. 101720 § 2, 1972: Ord. 100879 § 2, 1972: Ord. 93631 § 1, 1965: Ord. 93065 § 1, 1964: Ord. 90789 § 1, 1961.)

1.Editor's Note: Section 13(c) of Ord. 78444 is codified in Section 4.36.200 C of this Code.

#### **4.24.210 Payment in lieu of account.**

In lieu of the establishment of the account and the crediting thereto of the amount provided in Section 4.24.200, any such member of the City Employees' Retirement System or Health Department employee who has retained membership in the State Retirement System under Ordinance 87017,<sup>1</sup> upon retirement, award of retirement allowance, or upon retirement after transfer of such member to another governmental entity under any agreement for merger or consolidation of governmental services between the City and such other governmental entity, as the case may be, may by written request to the head of the City department in which such person is employed elect to receive a cash payment of an amount equal to the amount provided in Section 4.24.200; provided, that, in the event such member is transferred under any agreement for merger or

consolidation of governmental services between the City and another governmental entity, such written request shall be directed to the Executive Secretary of the retirement system. Upon receipt of such written request, the head of the department in which such person was employed, or the Executive Secretary of the retirement system, as the case may be, is authorized to pay such amount to such person and for such purpose to use unexpended and unencumbered budget salary funds accumulating in the budget of such department, or such other funds as may be appropriated therefor.

(Ord. 104100 § 2, 1974: Ord. 102965 § 1, 1974: Ord. 102366 § 2, 1973: Ord. 101720 § 3, 1972: Ord. 100879 § 3, 1972: Ord. 99754 § 1, 1971: Ord. 98848 § 1, 1970: Ord. 90789 § 1.1, 1961.)

1.Editor's Note: Ordinance 87017 is on file in the City Clerk's office.

#### **4.24.220 Notification of unused sick leave and rates of pay.**

The Personnel Director of the City, or other responsible boards or commissions shall notify the Board of Administration of the City Employees' Retirement System in writing of the unused and accumulated sick leave and the applicable hourly rate of pay of retiring members of the retirement system.

(Ord. 107905 § 10, 1978: Ord. 90789 § 2, 1961.)

#### **4.24.230 Administration.**

The Board of Administration of the City Employees' Retirement System shall administer the provisions of this subchapter and may make necessary rules to effectuate the same.

(Ord. 90789 § 3, 1961.)

### **Chapter 4.26**

## **FAMILY AND MEDICAL LEAVE**

### **Sections:**

**4.26.005 Definitions.**

**4.26.010 Leave provisions.**

**4.26.020 Notice.**

**4.26.030 Leave taken intermittently or on a reduced leave schedule.**

**4.26.040 Medical certification requirement.**

**4.26.050 Employment and benefit protection.**

**4.26.060 Failure to return to work.**

4.26.005 PERSONNEL

**4.26.070 Paid leave.**

**4.26.080 Rulemaking.**

**4.26.005 Definitions.**

Unless another meaning is clearly indicated from the context, as used in this chapter:

A. "City" means The City of Seattle.

B. "Days" means calendar days.

C. "Domestic partner" means an individual designated by a City officer or employee in an affidavit filed pursuant to Seattle Municipal Code Section 4.30.020 and qualified under Section 4.30.010.

D. "Eligible employee" means an individual who has completed six (6) months of City employment.

E. "Group health plan" means health insurance coverage for medical and dental care provided as an incident of employment and on existing terms and conditions as provided to employees similarly situated.

F. "Health care provider" means any provider included within Seattle Municipal Code Section 4.24.005 D.

G. "Medical leave" means leave requested to recuperate, recover or treat a serious health condition for the son, daughter, spouse/domestic partner, parent, or employee.

H. "Parent" means the parent of an employee or the parent of an employee's spouse/domestic partner, or an individual who stood in loco parentis to an employee or the employee's spouse/domestic partner when the employee or the employee's spouse/domestic partner was a son or daughter.

I. "Reduced leave schedule" means a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.

J. "Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:

1. Inpatient care in a hospital, hospice, or residential, medical care facility; or

2. Continuing treatment by a health care provider.

K. "Son or daughter" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is:

1. Under eighteen (18) years of age; or

2. Eighteen (18) years of age or older and incapable of self-care because of a mental or physical disability.

L. "Spouse" means a husband or wife. (Ord. 119030 § 1, 1998; Ord. 116761 § 1(part), 1993.)

**4.26.010 Leave provisions.**

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Eligible employees are entitled to up to ninety (90) calendar days of unpaid leave in addition to any paid leave to which they may otherwise be entitled during any twelve (12) month period for one or more of the following:

A. The birth of a son or daughter of the employee and in order to care for such son or daughter.

B. The placement of a son or daughter with the employee for adoption or foster care.

C. To care for the spouse/domestic partner, or a son or daughter, or parent, of the employee or spouse/domestic partner, if such spouse/domestic partner, son, daughter, or parent has a serious health condition.

D. A serious health condition that makes the employee unable to perform the functions of the position of such employee.

Expiration of entitlement. The entitlement to leave under subsections A and B above for birth or placement of a son or daughter shall expire at the end of the twelve (12) month period beginning on the date of such birth or placement.

(Ord. 116761 § 1(part), 1993.)

#### **4.26.020 Notice.**

A. In any case in which the necessity for leave under subsection A or B of Section 4.26.010 is foreseeable based on an expected birth or placement, the employee shall provide the City with at least thirty (30) days' notice, before the date of leave is to begin, of the employee's intention to take leave, except that if the date of birth or placement requires leave to begin in less than thirty (30) days, the employee shall provide such notice as is practicable.

B. In any case in which the necessity for leave under subsection C or D of Section 4.26.010 is foreseeable based on planned medical treatment, the employee shall:

1. Make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the City, subject to the approval of the health care provider of the employee or the health care provider of the son, daughter,

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**July, 2000 code update file**  
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July, 2000 code update  
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spouse/domestic partner, or parent, as appropriate; and

2. Provide the City with not less than thirty (30) days' notice, before the date the leave is to begin, of the employee's intention to take leave under such subsection, except that if the date of the treatment requires leave to begin in less than thirty (30) days, the employee shall provide such notice as is practicable.

C. Failure to provide notice as prescribed in this section shall be grounds to deny leave. (Ord. 116761 § 1(part), 1993.)

**4.26.030 Leave taken intermittently or on a reduced leave schedule.**

A. Leave under subsection A or B of Section 4.26.010 shall not be taken by an employee intermittently or on a reduced schedule unless the employee and City agree otherwise.

Leave under subsection C or D of Section 4.26.010 may be taken intermittently or on a reduced leave schedule when medically necessary. Medical necessity shall be determined and certified by a health care provider as provided in subsection F or G or Section 4.26.040.

B. If an employee requests intermittent leave, or leave on a reduced leave schedule, under subsection C or D of Section 4.26.010, that is foreseeable based on planned medical treatment, the City may require such employee to transfer temporarily to an available alternative position offered by the City for which the employee is qualified and that:

1. Has equivalent base pay and benefits; and

2. Better accommodates recurring periods of leave than the regular employment position of the employee.

(Ord. 116761 § 1(part), 1993.)

**4.26.040 Medical certification requirement.**

Medical certification is required for medical leave under subsection C or D of Section 4.26.010. The medical certification must be issued by the health care provider of the eligible employee or of the son, daughter, spouse/domestic partner, or parent, as appropriate, of the employee. Certification should include:

A. The date on which the serious health condition commenced;

B. The probable duration of the condition;

C. The appropriate medical facts within the knowledge of the health care provider regarding the condition;

D. A statement that the eligible employee is needed to care for the son, daughter, spouse/domestic partner, or parent, or a statement that the

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employee is unable to perform the functions of the position of the employee;

E. In the case of certification for intermittent leave, or leave on a reduced leave schedule, for planned medical treatment, the dates on which such treatment is expected to be given and the duration of such treatment;

F. In the case of certification for intermittent leave, or leave on a reduced leave schedule, under Section 4.26.010 D, a statement of the medical necessity for the intermittent leave or leave on a reduced leave schedule, and the expected duration of the intermittent leave or reduced leave schedule; and

G. In the case of certification for intermittent leave, or leave on a reduced leave schedule, under Section 4.26.010 C, a statement that the employee's intermittent leave on a reduced leave schedule is necessary for the care of the son, daughter, parent, or spouse/domestic partner who has a serious health condition, or will assist in their recovery, and the expected duration and schedule of the intermittent leave or reduced leave schedule.

The City may require, at the expense of the City, that the eligible employee obtain the opinion of a second health care provider designated or approved by the City concerning any information certified as provided above.

When the second opinion differs from the opinion in the original certification, the City may require, at the expense of the City, that the employee obtain the opinion of a third care provider designated or approved jointly by the City and the employee.

The opinion of the third health care provider concerning the information certified above shall be considered to be final and shall be binding on the City and the employee.

The City may require that the eligible employee obtain subsequent recertifications on a reasonable basis.

(Ord. 116761 § 1(part), 1993.)

**4.26.050 Employment and benefit protection.**

(Seattle 3-97)

FAMILY AND MEDICAL LEAVE 4.26.040

Eligible employees who have been granted leave under this chapter shall be entitled, on return from such leave, to be restored by the City to the position of employment held by the employee when the leave commenced if that position is vacant. If that position is not vacant, the employee shall be restored to an equivalent position with equivalent employment benefits, base pay, and other terms and conditions of employment in effect at the time the leave commenced.

Taking family leave shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced.

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4.26.050 PERSONNEL

The City shall maintain coverage under any group health plan for the duration of an approved leave at the level, and under the conditions that coverage would have been provided if the employee had continued in employment continuously for the duration of such leave.

(Ord. 116761 § 1(part), 1993.)

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(Seattle 3-97)

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**Seattle Municipal Code**

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FAMILY AND MEDICAL LEAVE 4.26.040

**4.26.060 Failure to return to work.**

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4-46.53

4.26.050 PERSONNEL

The City may recover the premium that the City paid for maintaining coverage for the employee under a group health plan during any period of unpaid leave under this chapter if the employee fails to return from the leave, after the period of leave to which the employee is entitled has expired, for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond the control of the employee. (Ord. 116761 § 1(part), 1993.)

(Seattle 3-97)

4-46.54

**Seattle Municipal Code**

FAMILY AND MEDICAL LEAVE 4.26.040

4.26.070 Paid leave.

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4-46.55

4.26.050 PERSONNEL

Notwithstanding Seattle Municipal Code Section 4.20.360,<sup>1</sup> an employee need not exhaust his or her accrued sick leave, compensatory time and/or vacation leave prior to requesting or taking family or medical leave under this chapter. (Ord. 116761 § 1(part), 1993.)

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(Seattle 3-97)

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FAMILY AND MEDICAL LEAVE 4.26.040

1.Editor's Note: Section 4.20.360 was repealed in 1996 by Ord. 118265.

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4-46.57

(Seattle 3-97)

**Seattle Municipal Code**

4.26.050 PERSONNEL

**July, 2000 code update file**

4.26.080 Rulemaking.

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(Seattle 3-97)

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4-46.58

# Seattle Municipal Code

FAMILY AND MEDICAL LEAVE 4.26.040

The Personnel Director is authorized to promulgate such rules as are necessary to apply or interpret this chapter.

(Ord. 116761 § 1(part), 1993.)

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4-46.59

(Seattle 3-97)

4.26.050 PERSONNEL

Chapter 4.28

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(Seattle 3-97)

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4-46.60



**Seattle Municipal Code**

FAMILY AND MEDICAL LEAVE 4.26.040

FUNERAL LEAVE

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4-46.61

(Seattle 3-97)

**Seattle Municipal Code**  
**July, 2000 code update file**  
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4.26.050 PERSONNEL

Sections:

4.28.010 Granting of funeral leave.

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(Seattle 3-97)

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the Office of the City Clerk**

4-46.62

**Seattle Municipal Code**

FAMILY AND MEDICAL LEAVE 4.26.040

**4.28.020 Definitions.**

**4.28.030 Certification to Finance Director.**

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4-46.63

(Seattle 3-97)

4.26.050 PERSONNEL

4.28.010 Granting of funeral leave.

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(Seattle 3-97)

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4-46.64

All City officers and employees over whom the legislative authority has jurisdiction in this respect, except employees in temporary positions specified by provisions of salary ordinances as not entitled to vacations, holidays, sick leave or health care, and except employees covered by that certain collective bargaining agreement entered into between the City and Seattle Police Officers' Guild shall be allowed one (1) day off without salary reduction for the purpose of attendance at the funeral of any close relative of such officer or employee; provided, that where such attendance requires total travel time of two hundred (200) miles or more, one (1) additional day with pay shall be allowed; provided further, that department heads may when circumstances require and upon application stating the reasons therefor authorize for such purpose not to exceed an additional four (4) days chargeable to the sick leave account of any such officer or employee, but no combination of paid absence under this section shall exceed five (5) days for any one (1) period of absence. In like circumstances and upon like application department heads may authorize for the purpose of attending the funeral of a relative other than a close relative, not to exceed five (5) days chargeable to the sick leave account of any such officer or employee.

(Ord. 107905 § 11, 1978; Ord. 100916 § 1, 1972; Ord. 99963 § 1, 1971; Ord. 99753 § 1, 1971.)

4.26.050 PERSONNEL

4.28.020 Definitions.

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4-46.66

A. For the purpose of this chapter, the term “close relative” means the spouse or domestic partner, child, mother, father, brother, sister, grandchild, grandfather or grandmother of an officer or employee or of the spouse or domestic partner of such officer or employee. “Relative other than close relative” means the uncle, aunt, cousin, niece, or nephew of such officer or employee; or the spouse or domestic partner of the brother, sister, child or grandchild of such officer

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or employee; or the uncle, aunt, cousin, niece, nephew, spouse or domestic partner of the brother or sister of the spouse or domestic partner of such officer or employee.

B. For the purpose of this chapter, the term “domestic partner,” when used in reference to a person other than the domestic partner of an officer or employee, means a person identified by the officer or employee as the relative's domestic partner in an affidavit or declaration of domestic partnership in form prescribed therefor by the Personnel Director.

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4.30.010 PERSONNEL

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(Ord. 114648 § 5, 1989: Ord. 111620 § 1, 1984:

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**Seattle Municipal Code**

ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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Ord. 107905 § 12, 1978: Ord. 100916 § 2, 1972:

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4.30.010 PERSONNEL

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Ord. 99963 § 3, 1971: Ord. 99753 § 3, 1971.)

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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4.30.010 PERSONNEL

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**4.28.030 Certification to Finance Director.**

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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Upon certification by the appropriate depart-

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4.30.010 PERSONNEL

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ment head that sick leave was allowed to an

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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officer or employee for the purpose of attendance

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4.30.010 PERSONNEL

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at a funeral in accordance with this chapter, the

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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Finance Director shall correspondingly reduce

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4.30.010 PERSONNEL

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such officer's or employee's sick leave balance on

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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the payroll record.

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4.30.010 PERSONNEL

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(Ord. 116368 § 96, 1992: Ord. 99753 § 4, 1971.)

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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4.30.010 PERSONNEL

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# Seattle Municipal Code

ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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## Chapter 4.30

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4.30.010 PERSONNEL

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**DOCUMENTATION OF ELIGIBILITY**

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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**FOR CERTAIN USES OF SICK LEAVE**

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4.30.010 PERSONNEL

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**AND FUNERAL LEAVE**

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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4.30.010 PERSONNEL

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**Sections:**

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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**4.30.010 Establishment of eligibility for**

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4.30.010 PERSONNEL

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**certain funeral leave and**

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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**nonpersonal sick leave uses.**

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4.30.010 PERSONNEL

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**4.30.020 Affidavit of marriage/domestic**

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# Seattle Municipal Code

ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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partnership.

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4.30.010 PERSONNEL

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**4.30.030 Notice of termination of domestic**

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# Seattle Municipal Code

ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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partnership.

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4.30.010 PERSONNEL

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# Seattle Municipal Code

ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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**4.30.010** Establishment of eligibility for certain

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4.30.010 PERSONNEL

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**funeral leave and nonpersonal**

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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**sick leave uses.**

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4.30.010 PERSONNEL

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A. Any officer or employee who, on or after

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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the effective date of the ordinance codified in this

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4.30.010 PERSONNEL

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chapter:<sup>1</sup>

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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1. Commences service for the City; or

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4.30.010 PERSONNEL

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2. Recommences City service following

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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a break in such service; or

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4.30.010 PERSONNEL

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3. Becomes another person's spouse or

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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domestic partner;

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4.30.010 PERSONNEL

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may use sick leave under SMC Chapter 4.24 for

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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the care of his or her spouse, domestic partner,

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4.30.010 PERSONNEL

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parent, or the parent or child of his or her spouse

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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or domestic partner, and funeral leave under SMC

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4.30.010 PERSONNEL

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Chapter 4.28 in connection with the death of his

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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or her spouse or domestic partner or any other

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4.30.010 PERSONNEL

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person added by this chapter, or family and

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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medical leave under the terms and conditions of

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4.30.010 PERSONNEL

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Chapter 4.26 by filing with the appointing au-

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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thority for his or her employing unit, within a

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4.30.010 PERSONNEL

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period specified in subsection C of this section, an

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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affidavit as contemplated in SMC Section

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4.30.010 PERSONNEL

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4.30.020.

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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B. The Personnel Director shall specify, by

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4.30.010 PERSONNEL

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(Seattle 9-98)

rule, what documentation, if any, that a person

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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who is a City officer or employee<sup>1</sup> and who is (1)

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4.30.010 PERSONNEL

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married, or (2) participating in a domestic partner-

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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ship, must provide to the appointing authority of

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4.30.010 PERSONNEL

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such officer's or employee's employing unit to

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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establish City knowledge of such officer's or

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4.30.010 PERSONNEL

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employee's participation in a marriage or domestic

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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partnership and the eligibility of that officer or

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4.30.010 PERSONNEL

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employee to use sick leave under SMC Chapter

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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4.24 for the care of his or her spouse, domestic

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4.30.010 PERSONNEL

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partner, or the parent or child of his or her spouse

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or domestic partner, and funeral leave under SMC

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4.30.010 PERSONNEL

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Chapter 4.28 in connection with the death of a

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4.30.010

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spouse or domestic partner or any other person

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4.30.010 PERSONNEL

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added by this chapter, or family and medical leave

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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under the terms and conditions of Chapter 4.26.

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4.30.010 PERSONNEL

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C. An officer or employee may file the docu-

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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mentation required under subsections A or B of

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4.30.010 PERSONNEL

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this section only:

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# Seattle Municipal Code

ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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(Seattle 9-98)

1. Within the first thirty (30) days after

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4.30.010 PERSONNEL

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the commencement date of his or her marriage or

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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domestic partnership;

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2. Within the first thirty (30) days after

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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the commencement or recommencement of such

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4.30.010 PERSONNEL

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officer's or employee's service; and

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# Seattle Municipal Code

ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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3. During an open enrollment period of

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4.30.010 PERSONNEL

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ninety (90) days as specified by the Personnel Di-

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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rector following the effective date of the ordi-

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4.30.010 PERSONNEL

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nance codified herein<sup>1</sup> and, thereafter, during a

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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regular annual open enrollment period as speci-

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4.30.010 PERSONNEL

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fied by the Personnel Director.

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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(Ord. 116761 § 2, 1993; Ord. 114648 § 6(part),

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4.30.010 PERSONNEL

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1989.)

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.010

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1.Editor's Note: Ordinance 114648 was passed by the Council on August

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14, 1989.

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4.30.010

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4.30.020 PERSONNEL

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**4.30.020 Affidavit of marriage/domestic**

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partnership.

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4.30.020 PERSONNEL

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The documentation sufficient to qualify an

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officer or employee to use sick leave or funeral

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4.30.020 PERSONNEL

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leave or family and medical leave as contemplated

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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in subsection A of SMC Section 4.30.010 shall

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4.30.020 PERSONNEL

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consist of an affidavit in a form prescribed and

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furnished by the Personnel Director, on which

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such officer or employee dates and signs his or her

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name and:

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A. Attests:

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1. If married, that he or she is currently

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4.30.020 PERSONNEL

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married to the individual identified by name on

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said form; or

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2. If participating in a domestic partner-

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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ship, that:

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4.30.020 PERSONNEL

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- a. He or she and his or her domestic

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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partner (who shall be identified, by name, on such

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4.30.020 PERSONNEL

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form) share the same regular and permanent resi-

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# Seattle Municipal Code

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dence, have a close personal relationship, and

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4.30.020 PERSONNEL

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have agreed to be jointly responsible for basic

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living expenses incurred during the domestic

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partnership,

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- b. They are not married to anyone,

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- c. They are eighteen (18) years of

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age or older,

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d. They are not related by blood

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(Seattle 9-98)

closer than would bar marriage in the State of

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4.30.020 PERSONNEL

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Washington;

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.020

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- e. They were mentally competent to

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4.30.020 PERSONNEL

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consent to contract when their domestic partner-

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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ship began,

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- f. They are each other's sole domes-

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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tic partner and are responsible for each other's

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4.30.020 PERSONNEL

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common welfare; and

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- g. Any prior domestic partnership in

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which he or his or her domestic partner partici-

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pated with a third party was terminated not less

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than ninety (90) days prior to the date of such

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.020

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affidavit, or by the death of that third party,

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whichever was earlier, and, if such earlier do-

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mestic partnership had been acknowledged pursu-

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4.30.020 PERSONNEL

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ant to subsection A or B of SMC Section

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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4.30.010, that notice of the termination of such

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4.30.020 PERSONNEL

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earlier domestic partnership was provided to the

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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City pursuant to SMC Section 4.30.030 not less

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4.30.020 PERSONNEL

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than ninety (90) days prior to the date of such

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# Seattle Municipal Code

ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.020

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affidavit;

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4.30.020 PERSONNEL

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B. Agrees to notify the City if there is a

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# Seattle Municipal Code

ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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change of the circumstances attested to in the

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4.30.020 PERSONNEL

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affidavit; and

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**Seattle Municipal Code**

ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.020

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C. Affirms, under penalty of law, that the

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4.30.020 PERSONNEL

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assertions in the affidavit are true.

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.020

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(Ord. 116761 § 3, 1993; Ord. 114648 § 6(part),

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4.30.020 PERSONNEL

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1989.)

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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4.30.020 PERSONNEL

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**4.30.030**Notice of termination of domestic

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# Seattle Municipal Code

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4.30.020

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partnership.

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(Seattle 9-98)

For the purposes of this chapter, a domestic

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.020

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partnership that has been acknowledged as con-

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4.30.020 PERSONNEL

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templated in subsection A or B of SMC Section

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.020

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4.30.010 shall be effectively terminated upon the

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4.30.020 PERSONNEL

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death of a domestic partner or on the ninetieth day

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.020

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after notice of the termination thereof was

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4.30.020 PERSONNEL

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(Seattle 9-98)

provided to the City in the form prescribed there-

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.020

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for by the Personnel Director, whichever is earlier.

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4.30.020 PERSONNEL

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(Ord. 114648 § 6(part), 1989.)

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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4.30.020 PERSONNEL

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# Seattle Municipal Code

ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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## Chapter 4.33

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4.30.020 PERSONNEL

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## **SABBATICAL LEAVE PROGRAM**

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.020

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4.30.020 PERSONNEL

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**Sections:**

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# Seattle Municipal Code

ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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## 4.33.010 Sabbatical Leave Program

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4.30.020 PERSONNEL

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**established.**

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**Seattle Municipal Code**

ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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**4.33.020 Sabbatical leave—Conditions and**

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4.30.020 PERSONNEL

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**benefits.**

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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**4.33.010 Sabbatical Leave Program**

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**established.**

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The Personnel Director is authorized to modify

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or promulgate personnel rules to establish and

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administer a Citywide Sabbatical Leave Program

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consistent with the following provisions:

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A. Any employee who has been regularly

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appointed, either to a position in the classified

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service or to an exempt position, and who has

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completed the equivalent of seven (7) continuous

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years of full-time City service is eligible to apply

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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for a sabbatical leave (as defined in Seattle Mu-

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4.30.020 PERSONNEL

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municipal Code Section 4.04.030), not to exceed

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4.30.020

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twelve (12) months duration; provided, that the

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provisions of this section shall not apply to any

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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employee whose compensation is set by a collec-

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tive bargaining agreement unless the labor organi-

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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zation representing such employee has agreed to

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4.30.020 PERSONNEL

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be bound by provisions of this section with respect

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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to the subject matter thereof.

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B. Eligibility for application for each succes-

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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sive sabbatical leave shall be based upon com-

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4.30.020 PERSONNEL

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pletion of an additional seven (7) years of con-

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

4.30.020

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tinuous service from the date of return from the

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last such leave granted.

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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C. Nothing in this chapter nor any rule pro-

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mulgated pursuant to it shall create any right to a

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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sabbatical leave. The requesting employee's

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employing unit shall have sole discretion to grant

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ELIGIBILITY FOR SICK LEAVE, FUNERAL LEAVE

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or deny his or her request for a sabbatical leave.

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(Ord. 118958 § 1(part), 1998.)

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**4.33.020 Sabbatical leave—Conditions and**

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**benefits.**

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A. The City may, where consistent with ap-

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plicable law and agreements between the City and

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its health care providers or insurers, continue to

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pay the employer's portion of an employee's

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medical and dental benefits while such employee

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is on an approved sabbatical leave, not to exceed

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one (1) month of covered benefits for each com-

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pleted year of service. For purposes of calculating

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eligibility for covered benefits, each year of

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completed service will be counted only once.

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B. An employee who is on an approved sab-

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batical leave may elect to take as a lump sum cash

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out any or all of his or her accumulated and

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unused sick leave balance above two hundred

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forty (240) hours at the rate of one (1) hour of

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regular hourly pay for each four (4) hours of sick

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leave balance cashed.

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C. An employee who has been granted a

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sabbatical leave shall be returned, at the end of the

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sabbatical leave period, to the position from which

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the leave was granted, if vacant, or to a position in

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the same employing unit that is substantially

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similar in level of duties, responsibilities, and

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compensation; provided, that the employee shall

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be subject to any changes in status or standing

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resulting from changes to his or her prior position

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as a result of budget action or reorganization.

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(Ord. 118958 § 1(part), 1998.)

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#### **Chapter 4.34**

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**Sections:**

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**4.34.005Definitions.**

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**4.34.010 Annual vacations provided—**

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**Exemptions.**

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**4.34.020** Vacation credit accrual rate.

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**4.34.030** Vacation allowance for department

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**heads.**

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**4.34.040 Fire Department employees'**

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**vacation allowance.**

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**4.34.045 Eligibility for use of accrued**

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**vacation credit.**

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**4.34.055 Use and scheduling of vacations.**

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**4.34.065 Payment in lieu of use of vacation**

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**credit.**

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**4.34.100 Accrual rate—Temporary**

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**employees acquiring**

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**permanent status.**

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**4.34.005Definitions.**

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As used in this chapter, the following terms

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shall have the meanings indicated unless another

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meaning is clearly indicated from the context:

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A. "Employee" means an individual who

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works for wages or a salary in the service of the

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City other than (1) a person elected or appointed

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to a term of office, or (2) a person who, individ-

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ually or with others, is the head of an employing

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unit. It includes full-time and part-time personnel,

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interim employees, and temporary workers.

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B. "Employing unit" means any department of

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the City, and within the Executive Department,

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the Division of Purchases and any office created

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by ordinance; and any City board or commission

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that is an appointing authority.

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C. "Interim employee" means an employee

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appointed to fill a permanent position for which

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no certification is available.

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D. "Regular pay status" means regular

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straight-time hours of work and includes paid time

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off such as vacation time, holiday time off and

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sick leave. It excludes hours of work outside

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regular straight-time hours for overtime pay.

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E. "Service year" means the period of time

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between an employee's date of hire and the one

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(1) year anniversary date of the employee's date of

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hire, and thereafter, the period of time between

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any two (2) consecutive anniversaries of the

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employee's date of hire.

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F. "Temporary worker" means an employee

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who is hired to fill a temporary, emergency or

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short-term need. It includes an employee who

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occupies a seasonal or intermittent position or

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who works less than an average of twenty (20)

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hours per week during a year.

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(Ord. 111757 § 1, 1984.)

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**4.34.010 Annual vacations**

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4.34.010 PERSONNEL

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**provided—Exemptions.**

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Annual vacations with pay or premium pay in

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lieu of paid vacation shall be provided to City em-

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ployees in accordance with the provisions of this

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chapter, except as otherwise provided in

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authorized collective bargaining agreements.

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(Ord. 111757 § 2, 1984; Ord. 110195 § 2(part),

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1981.)

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VACATIONS 4.34.010

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**4.34.020** Vacation credit accrual rate.

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A. Basic Structure. Except as provided in

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SMC 4.34.055 D and E, City employees shall

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accrue annual vacation credit at the rate and up to

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the maximum vacation balance shown in the

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“Accrual Rate and Maximum Accumulation

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Table” in SMC 4.34.020 B for each hour worked

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on regular pay status as shown on the payroll.

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B. Accrual Rate and Maximum Accumulation

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Table. The vacation accrual rate shall be deter-

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mined in accordance with rates set forth in Col-

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umn No. 1 of Table 4.34.020 B. Column No. 2

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depicts the corresponding equivalent annual vaca-

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tion creditable to a full-time employee. Column

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No. 3 depicts the normal maximum number of

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hours of vacation credit that can be accrued and

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accumulated at any time.

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C. Maximum Accrual. No employee may

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accrue credit for annual vacation time for more

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than eighty (80) hours per pay period except

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employees in the Health Department paid through

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the King County payroll system, who may accrue

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credit for annual vacation time up to eighty-seven

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(87) hours per pay period. Except as is provided in

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SMC 4.34.055 D and E, accrual and accumulation

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of vacation time shall cease at the time an

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employee's vacation credit balance reaches the

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normal maximum balance and shall not resume

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until the employee's vacation credit balance is

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below the normal maximum balance.

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(Ord. 111757 § 3, 1984: Ord. 111621 § 1, 1984:

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Ord. 110195 § 2(part), 1981.)

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VACATIONS 4.34.010

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(Seattle 9-98)

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4.34.010 PERSONNEL

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(Seattle 9-98)

**4.34.030** Vacation allowance for department

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VACATIONS 4.34.010

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**heads.**

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(Seattle 9-98)

For department heads, the annual vacation

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VACATIONS 4.34.010

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(Seattle 9-98)

allowance shall be thirty (30) days in each calen-

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dar year. Unused days may not be carried over

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VACATIONS 4.34.010

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(Seattle 9-98)

into subsequent years.

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4.34.010 PERSONNEL

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(Ord. 110195 § 2(part), 1981.)

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VACATIONS 4.34.010

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4.34.010 PERSONNEL

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(Seattle 9-98)

**4.34.040 Fire Department employees' vacation**

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VACATIONS 4.34.010

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**allowance.**

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4.34.010 PERSONNEL

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(Seattle 9-98)

For uniformed Fire Department employees,

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VACATIONS 4.34.010

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annual vacation allowances shall be as follows:

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4.34.010 PERSONNEL

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(Seattle 9-98)

**For current SMC, contact the Office of the City Clerk**



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4.34.040 PERSONNEL

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VACATIONS 4.34.040

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4.34.040 PERSONNEL

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| **Column No. 1** | **Column No. 2** | **Column No. 3** |

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**Accrual Rate**

**Equivalent Annual**

**Normal Maximum  
Vacation Balance\***

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(Seattle 12-97)

**Vacation Ac-  
crued Per  
Hour**

**Working  
Days Per  
Year**

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the Office of the City Clerk**



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VACATIONS 4.34.040

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(Seattle 12-97)

| Less than 08321      ...      .0460      0 through 4      12      (96)      192      |

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4.34.040 PERSONNEL

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(Seattle 12-97)

| 08321 through 18720 ... .0577 5 through 9 15 (120) 240 |

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VACATIONS 4.34.040

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| 18721 through 29120 ... .0615 10 through 14 16 (128) 256 |

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| 29121 through 39520 ... .0692 15 through 19 18 (144) 288 |

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VACATIONS 4.34.040

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| 39521 through 41600 ... .0769 20..... 20 (160) 320 |

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4.34.040 PERSONNEL

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| 41601 through 43680 ... .0807 21..... 21 (168) 336 |

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(Seattle 12-97)

| 43681 through 45760 ... .0846 22..... 22 (176) 352 |

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4.34.040 PERSONNEL

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| 45761 through 47840 ... .0885 23..... 23 (184) 368 |

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(Seattle 12-97)

| 47841 through 49920 ... .0923 24..... 24 (192) 384 |

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4.34.040 PERSONNEL

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(Seattle 12-97)

| 49921 through 52000 ... .0961 25..... 25 (200) 400 |

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(Seattle 12-97)

| 52001 through 54080 ... .1000 26..... 26 (208) 416 |

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(Seattle 12-97)

| 54081 through 56160 ... .1038 27..... 27 (216) 432 |

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(Seattle 12-97)

| 56161 through 58240 ... .1076 28..... 28 (224) 448 |

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4.34.040 PERSONNEL

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(Seattle 12-97)

| 58241 through 60320 ... .1115 29..... 29 (232) 464 |

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(Seattle 12-97)

| 60321 and over      ...      .1153      30.....      30      (240)      480      |

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4.34.040 PERSONNEL

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VACATIONS 4.34.040

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\* SMC Section 4.34.055 D and E authorize temporary exceptions to this maximum balance.

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4.34.040 PERSONNEL

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VACATIONS 4.34.040

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(Seattle 12-97)

A. Uniformed Fire Department employees

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4.34.040 PERSONNEL

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(Seattle 12-97)

who work an average workweek of 45.7 hours and

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VACATIONS 4.34.040

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are working on a twenty-four (24) hour shift

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(Seattle 12-97)

schedule shall accrue vacation allowances as

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follows:

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VACATIONS 4.34.040

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(Seattle 12-97)

1 through 6 years' service      5 shifts      (24-hour shifts)

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4.34.040 PERSONNEL

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(Seattle 12-97)

7 through 14 years' service      6 shifts      (24-hour shifts)

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(Seattle 12-97)

15 through 19 years' service    7 shifts    (24-hour shifts)

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4.34.040 PERSONNEL

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(Seattle 12-97)

19 through 20 years' service      8 shifts      (24-hour shifts)

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(Seattle 12-97)

21 through 24 years' service    9 shifts    (24-hour shifts)

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(Seattle 12-97)

25 years' service

10 shifts (24-hour shifts)

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26 or more years' service      11 shifts      (24-hour shifts)

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4.34.040 PERSONNEL

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VACATIONS 4.34.040

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(Seattle 12-97)

Uniformed Fire Department employees who work

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4.34.040 PERSONNEL

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(Seattle 12-97)

an average workweek of 45.7 hours and are

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VACATIONS 4.34.040

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working on a schedule of ten (10) hour day shifts

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4.34.040 PERSONNEL

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(Seattle 12-97)

and fourteen (14) hour night shifts, shall accrue

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VACATIONS 4.34.040

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vacation as follows:

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4.34.040 PERSONNEL

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VACATIONS 4.34.040

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(Seattle 12-97)

1 to 7 years' service

10 shifts (12 hours average shift)

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4.34.040 PERSONNEL

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(Seattle 12-97)

7 to 15 years' service      12 shifts      (12 hours average shift)

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(Seattle 12-97)

15 to 20 years' service

14 shifts (12 hours average shift)

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4.34.040 PERSONNEL

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(Seattle 12-97)

20 to 21 years' service      16 shifts      (12 hours average shift)

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(Seattle 12-97)

21 to 22 years' service      18 shifts      (12 hours average shift)

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4.34.040 PERSONNEL

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(Seattle 12-97)

22 to 23 years' service      18 shifts      (12 hours average shift)

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VACATIONS 4.34.040

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(Seattle 12-97)

23 to 24 years' service      18 shifts      (12 hours average shift)

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4.34.040 PERSONNEL

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(Seattle 12-97)

24 to 25 years' service      18 shifts      (12 hours average shift)

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VACATIONS 4.34.040

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(Seattle 12-97)

25 to 26 years' service

20 shifts (12 hours average shift)

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4.34.040 PERSONNEL

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(Seattle 12-97)

26 years and over

22 shifts (12 hours average shift)

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VACATIONS 4.34.040

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4.34.040 PERSONNEL

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(Seattle 12-97)

B. Uniformed Fire Department employees

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VACATIONS 4.34.040

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(Seattle 12-97)

who work an average workweek of less than 45.7

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4.34.040 PERSONNEL

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(Seattle 12-97)

hours shall receive vacation allowances based on

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(Seattle 12-97)

service in proportion to the equivalent hours of

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vacation allowance provided herein for uniformed

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fire personnel who work an average workweek of

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45.7 hours.

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(Seattle 12-97)

C. Uniformed Fire Department employees

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may, following one (1) full calendar year of

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employment, carry over and/or accumulate two

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(Seattle 12-97)

(2) shifts of vacation annually, provided, the

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number of vacation days carried over and/or

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accumulated shall not exceed the number of

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(Seattle 12-97)

annual vacation days for which such employee is

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(Seattle 12-97)

currently eligible.

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(Seattle 12-97)

D. Increased vacation allowance for uniformed

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Fire Department employees who have seven or

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(Seattle 12-97)

more years of service shall accrue on January 1st

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of the year in which the service requirement is

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(Seattle 12-97)

met.

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(Seattle 12-97)

(Ord. 110195 § 2(part), 1981.)

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(Seattle 12-97)

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(Seattle 12-97)

**4.34.045 Eligibility for use of accrued vacation**

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(Seattle 12-97)

**credit.**

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4.34.040 PERSONNEL

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A. Except as provided in SMC Section

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(Seattle 12-97)

4.34.065 B, upon attaining eligibility for the same,

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4.34.040 PERSONNEL

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(Seattle 12-97)

a City employee may use accrued vacation credit,

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(Seattle 12-97)

with approval of the head of the employing unit.

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4.34.040 PERSONNEL

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(Seattle 12-97)

An employee shall attain eligibility for the use of

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(Seattle 12-97)

vacation credit by completing more than one thou-

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sand forty (1040) hours of work or more than six

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(Seattle 12-97)

(6) months of continuous service, whichever is

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(Seattle 12-97)

earlier, each on regular pay status with the City.

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(Seattle 12-97)

B. The hours of work and continuous service

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requirements of SMC Section 4.34.045 A, shall be

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(Seattle 12-97)

measured from (1) the date of a regularly appoint-

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ed full-time or part-time employee's initial regular

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appointment unless a break in service occurs prior

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(Seattle 12-97)

to the attainment of eligibility, in which case such

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(Seattle 12-97)

measurement shall be from such employee's most

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(Seattle 12-97)

recent regular appointment; (2) the date of an

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(Seattle 12-97)

interim employee's most recent interim appoint-

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(Seattle 12-97)

ment; and (3) the date of a temporary worker's

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most recent temporary appointment. In measuring

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six (6) months of continuous service, no credit

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shall be given an employee for any single period

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(Seattle 12-97)

of fifteen (15) days or more during which he or

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she was excused from work by an unpaid leave of

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absence or was suspended from work for

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disciplinary purposes.

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(Seattle 12-97)

(Amended during 12-96 supplement; Ord. 111757)

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§ 4, 1984.)

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