

ORDINANCE No. 111768

COUNCIL BILL No. 104323

AN ORDINANCE relating to compensation for meals purchased contemporaneously with overtime work; adding a new section to the Seattle Municipal Code and repealing SMC 4.20.320.

Law Department

WP

The City of Seattle--Legislative Department

6/25/84 Hold 1 week.

REPORT OF COMMITTEE

Honorable President:

Your Committee on

City Operations

to which was referred the within Council Bill No. 104323, report that we have considered the same and respectfully recommend that

Do Pass

COMPTROLLER FILE No.

Produced: JUN 4 1984	By: EXECUTIVE REQUEST
Referred: JUN 4 1984	To: <i>City Operations</i>
Referred: <i>6-25-84</i>	To: <i>Full Council</i>
Referred:	To:
Reported: JUL 2 1984	Second Reading: JUL 2 1984
Read Reading: JUL 2 1984	Signed: JUL 2 1984
Presented to Mayor: JUL 3 1984	Approved: JUL 11 1984
Forwarded to City Clerk: JUL 11 1984	Published:
Forwarded by Mayor:	Veto Published:
Forwarded over Veto:	Veto Sustained: <i>(OK)</i>

Herbert Williams

Committee Chair

Leg. Department

The City of Seattle--Legislative Department

6/23/84 Hold 1 week

Date Reported
and Adopted

REPORT OF COMMITTEE

Honorable President:

Your Committee on

City Operations

to which was referred the within Council Bill No. *104323*
report that we have considered the same and respectfully recommend that the same:

Do Pass

Lucinto Williams

Committee Chair

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LAW WCC

ORDINANCE 111768

AN ORDINANCE relating to compensation for meals purchased contemporaneously with overtime work; adding a new section to the Seattle Municipal Code and repealing SMC 4.20.320.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. There is added to the Seattle Municipal Code a new section 4.20.325, as follows:

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 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 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/her designee, has certified in writing, to the City Comptroller, 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

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3 actual cost of the meal(s), but not more than the average cost for such
4 meal(s) as reflected in a national comparative cost index such as the
5 Runzheimer Meal-Lodging Cost Index; but if such receipt (s) are not pro-
6 vided as specified herein, then such worker shall be eligible only for
7 meal compensation in the sum of Five Dollars (\$5.00) per meal for which
8 compensation has been authorized as provided herein.

9 Section 2. The City Comptroller, after consultation with the
10 Personnel Director, is authorized to adopt rules and regulations
11 establishing reimbursement and payment procedures and otherwise imple-
12 menting the provisions of this ordinance.

13 Section 3. Section 51C of Ordinance 97330, at last amended by
14 Section 1 of Ordinance 110449 and SMC 4.20.320 are each hereby repealed.

15 Section 4. The provisions of this ordinance shall not apply to any
16 employee whose compensation is set by the collective bargaining agreement
17 unless the labor organization representing such employee agrees to be
18 bound solely by the provisions of this ordinance with respect to the
19 subject matter hereof.

20 Section 5. Any act consistent with the authority but prior to the
21 effective date of this ordinance is hereby ratified and confirmed.
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Section 6..... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 2nd day of July, 1984,
and signed by me in open session in authentication of its passage this 2nd day of
July, 1984 Norman B. Reis
President..... of the City Council.

Approved by me this 11th day of July, 1984 Charles Royce
Mayor.

Filed by me this 11th day of July, 1984

Attest: Trina Hill
City Comptroller and City Clerk.

(SEAL)

Published.....

By Ernest Dele
Deputy Clerk.

**Your
Seattle
Personnel Department**

Susan B. Pavlou, Personnel Director
Charles Royer, Mayor

REC'D OMB MAY 9 1984



826463

May 9, 1984

MEMORANDUM

TO: City Council
City of Seattle

VIA: Mayor Charles Royer

ATTN: Gary Zarker, Director
Office of Management and Budget

FROM: Susan B. Pavlou *S. Pavlou*
Personnel Director

SUBJECT: PROPOSED ORDINANCE

The attached proposed ordinance amends SMC 4.20.320 (the section of the Salary Ordinance entitled "Meals necessitated by overtime work") by clarifying that employees are entitled to meal reimbursement when they have worked two or more consecutive hours immediately before or after their normal full-time working hours or when they have worked two or more consecutive hours beyond a continuous period of overtime which is equal to the length of a normal work shift. This amendment provides an appointing authority or designee with the authority to approve reimbursement for additional meals during emergency circumstances in accordance with rules and guidelines to be provided by the Personnel Director. The amendment will remove any implied requirement in the Salary Ordinance for an employee to eat a meal on station at the work site for it to be reimbursable and it will allow an employee to be given a maximum allowance of five dollars (\$5.00) in lieu of meal reimbursement when the employee does not have the opportunity to purchase a meal while working overtime during emergency circumstances.

The amendment also provides that where the provisions described in this ordinance relating to meal reimbursement for overtime work are spelled out differently by a collective bargaining agreement, the terms of the collective bargaining agreement shall prevail except where the labor organization party to such a collective bargaining agreement has subsequently negotiated a written agreement with the Personnel Director to be bound by the exclusive provisions of this ordinance.

We are proposing this revision to ensure that the City's past practice regarding meal reimbursement is maintained. For example, an employee who normally works 8:00 a.m. to 5:00 p.m. but who is required to come in at 6:00 a.m. or earlier on overtime, would be allowed either meal reimbursement or a meal allowance. Simi-

City Council
February 24, 1984
Page 2

larly, an employee who normally works 8:00 a.m. to 5:00 p.m., but who is required to stay until 7:00 p.m. or later on overtime would be allowed either meal reimbursement or a meal allowance. Also, an employee who normally works 8:00 a.m. to 5:00 p.m., Monday through Friday, would be expected to provide his or her own lunch if the employee worked discretionary overtime on Saturday. However, if the employee worked 10 hours of overtime on that Saturday, the City would reimburse the employee for dinner just as it does now when the employee works 10 hours in a normal work day. The provisions of this ordinance would allow appointing authorities to approve reimbursement for additional meals during emergency circumstances such as the recent mudslide on Queen Anne Hill where the affected employees were called out to respond to an emergency immediately without the chance to plan and take normal meal breaks. It would also allow employees, such as those in the Water Department who worked during the sustained freeze conditions over the holidays, to be given a maximum meal allowance of five dollars when the circumstances of the emergency did not allow them to purchase a meal. This change will make the treatment of non-represented supervisors more consistent with the represented employees whom they supervise.

Your approval of this proposed ordinance is respectfully requested.

SBP:jbm1

City of Seattle

Executive Department-Office of Management and Budget

Gary Zarker, Director
Charles Royer, Mayor



May 11, 1984

The Honorable Douglas Jewett
City Attorney
City of Seattle

Campbell

6318
Okay
AS

Dear Mr. Jewett:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING
DEPARTMENT: Personnel

SUBJECT: Meal reimbursement

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation directly to your office for review and drafting.

After reviewing this request and drafting appropriate legislation:

- (X) File the legislation with the City Clerk for formal introduction to the City Council as an Executive Request.
- () Do not file with City Council but return the proposed legislation to OMB for our review. Return to _____.

Sincerely,

Charles Royer
Mayor

By

Gerraine W. Cunningham

GARY ZARKER
Budget Director

GZ/ac/lcb

Enclosure

cc: Director, Personnel

Your City, Seattle



Memorandum

Date July 12, 1984

To Tim Hill

From Virginia Miller

Subject Ordinance No. 111768

Attached herewith is a copy of Ordinance No. 111768 relating to compensation for meals purchased contemporaneously with overtime work; adding a new section to the Seattle Municipal Code and repealing SMC 4.20.320.

Please note that Section 2 directs the City Comptroller to adopt rules and regulations establishing reimbursement and payment procedures and otherwise implementing the provisions of this ordinance.

City of Seattle

ORDINANCE 111768

AN ORDINANCE relating to compensation for meals purchased contemporaneously with overtime work; adding a new section to the Seattle Municipal Code and repealing SMC 4.20.320.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

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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 (\$5.00) per meal for which compensation has been authorized as provided herein.

Section 2. The City Comptroller, after consultation with the Personnel Director, is authorized to adopt rules and regulations establishing reimbursement and payment procedures and otherwise implementing the provisions of this ordinance.

Section 3. Section 51C of Ordinance 97330, at last amended by Section 1 of Ordinance 110449 and SMC 4.20.320 are each hereby repealed.

Section 4. The provisions of this ordinance shall not apply to any employee whose compensation is set by the collective bargaining agreement unless the labor organization representing such employee agrees to be bound solely by the provisions of this ordinance with respect to the subject matter hereof.

Section 5. Any act consistent with the authority but prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 6. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 2nd day of July, 1984, and signed by me in open session in authentication of its passage this 2nd day of July, 1984.

Approved by me this 11th day of July, 1984.

Filed by me this 11th day of July, 1984.

Attest: Tim Hill
City Comptroller and City Clerk.

(SEAL)

By: Brent Dele
Deputy Clerk.

Publication ordered by TIM HILL, Comptroller and City Clerk.
Date of official publication in Daily Journal of Commerce, Seattle, July 16, 1984. (C-567)

C-567

Affidavit of Publication

STATE OF WASHINGTON
KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a
Ordinance No. 111768

was published on July 16, 1984

B. Blau
Subscribed and sworn to before me on

July 16, 1984

J. Mahalyo
Notary Public for the State of Washington,
residing in Seattle.