

ORDINANCE No. 116825

COUNCIL BILL No. 109803

1 NQ
Law Department

~~ENGROSSED~~ 2

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Honorable President:

Your Committee on: FINANCE, BUDGET, MANAGEMENT & PERSONNEL

to which was referred the within Council Bill No. 109803
report that we have considered the same and respectfully recommend that the

AMEND 4-0 (TW, MC, JN, LL)

PASS AS AMENDED 4-0

Full Council vote 8-0

COMPTROLLER FILE No.

Introduced: <u>8-2-93</u>	By: <u>Weeks</u>
Referred: <u>8-2-93</u>	To: <u>Finance, Budget</u>
Referred:	To:
Referred:	To:
Reported: AUG 23 '93	Second Reading: AUG 23 '93
Third Reading: AUG 23 '93	Signed: AUG 23 '93
Presented to Mayor: AUG 24 '93	Approved: AUG 30 '93
Returned to City Clerk: AUG 31 '93	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

10

Tom Mark

Committee Chair

1 N16
Law Department

~~ENGROSSED~~ 2

The City of Seattle--Legislative Department

Date Reported
and Adopted

REPORT OF COMMITTEE

Honorable President:

Your Committee on FINANCE, BUDGET, MANAGEMENT & PERSONNEL

to which was referred the within Council Bill No. 109203
report that we have considered the same and respectfully recommend that the same:

AMENDS 4-0 (TW, MC, JN, CC)

PASS AS AMENDED 4-0

Full Council vote 8-0

Tom Mark

Committee Chair

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4
5 ORDINANCE 116825

6
7 AN ORDINANCE amending ordinance 116714 which suspended operation
8 of S.M.C. 4.20.315 and 4.20.320, which relates to
9 compensation for eligible administrative, professional, and
10 executive employees until September 3, 1993; and further
11 suspends application of S.M.C. 4.20.315 and 4.20.320 and the
12 accrual of executive leave and overtime thereunder during the
13 interim; and providing for a possible retroactive
14 reinstatement of executive leave benefits.

15 WHEREAS, certain employees have requested an opportunity to
16 propose amendments to the S.M.C. 4.20.315 and 4.20.320 which
17 provide for overtime pay for certain professional,
18 administrative, and executive employees; and executive leave
19 time off to certain employees are otherwise exempt from the
20 FLSA who work extraordinary hours;

21 WHEREAS, it is the intent of the City Council that the City have
22 the flexibility to respond thereto, but that if no amendments
23 are made, Sections 4.20.315 and 4.20.320, as enacted by
24 Ordinance 116643, apply as if this suspension had not been
25 enacted but without allowing duplicative compensation; Now,
26 Therefore,

27 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

28 Section 1. Ordinance 116714 is amended to read as follows:

29 Seattle Municipal Code Sections 4.20.315 and 4.20.320

30 (Ordinance 116643, Section 2) are hereby suspended and shall be of
31 no force or effect until ~~November 30~~ ^{October 31} ~~((September 8))~~ 1993.

32 During such interim period, no City professional, administrative,
33 or executive officer or employee may accrue overtime or accrue
credit for "extraordinary hours" worked toward "executive leave,"
each as defined in Section 2 of Ordinance 116643.

34 Section 2. Department heads are authorized to maintain
35 records of hours worked by professional, administrative, or
36 executive officers or employees during the period from the
37 effective date of this ordinance through ~~November 29~~ ^{October 30} ~~((September~~

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE
IT IS DUE TO THE QUALITY OF THE DOCUMENT.

1
2 7)) 1993. Nothing in this ordinance nor in the maintenance of
3 such records constitutes a promise or represents in any way that
4 the City intends to or will grant credit for overtime or
5 extraordinary hours worked during the period through this or any
6 subsequent legislation, or that such credit, if granted, will be
7 equal or similar to any previous grant of credit authorized by
8 ordinance.

9
10 Section 3. If Ordinance 116643 is neither repealed nor
11 further amended effective on or before ~~November 30~~^{October 31} (September
12 8)) 1993, then the suspension imposed by this ordinance shall be
13 of no force or effect, Sections 4.20.315 and 4.20.320 shall be
14 effective on ~~November 30~~^{October 31} (September 8)) 1993, and the terms and
15 conditions of those sections shall relate back to May 13, 1993,
16 and it shall be as though, for all purposes, Ordinance 116643 had
17 been in effect from and after May 13, 1993, without interruption,
18 except that if an employee earned extra pay or received credit
19 towards compensatory time off for hours worked during the
20 suspension of Sections 4.20.315 and 4.20.320, no additional pay
21 shall be awarded under 4.20.315 for those hours nor shall those
22 hours count towards accrual of "extraordinary hours" under Section
23 4.20.320.

24
25 Section 4. Any action pursuant to the authority and prior to
26 the effective date of this ordinance is hereby ratified and
27 confirmed.

28
29 Section 5. This ordinance shall take effect and be in force
30 thirty days from and after its passage and approval, if approved
31 by the Mayor; otherwise it shall take effect at the time it shall
32 become a law under the provisions of the City Charter.

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Passed by the City Council the 23rd day of August,
1993, and signed by me in open session in authentication of its
passage this 23rd day of August, 1993.

Geo. Benson
President of the City Council

Approved by me this 30th day of August, 1993.

Norman B. Rice
Norman B. Rice, Mayor

Filed this 31st day of August, 1993.

Margaret Carter
Deputy Clerk

(SEAL)

Published _____

TIME AND DATE STAMP

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

Tom Thibault

_____	_____
_____	_____
_____	_____
_____	_____

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE

City of Seattle
ORDINANCE 116825

AN ORDINANCE amending ordinance 116714 which suspension of S.M.C. 4.20.315 and 4.20.320, which relates to compensation for eligible administrative, professional, and executive employees until September 8, 1993; and further suspends application of S.M.C. 4.20.315 and 4.20.320 and the accrual of executive leave and overtime thereunder during the interim; and providing for a possible retroactive reinstatement of executive leave benefits.

WHEREAS, certain employees have requested an opportunity to propose amendments to the S.M.C. 4.20.315 and 4.20.320 which provide for overtime pay for certain professional, administrative, and executive employees; and executive leave time off to certain employees are otherwise exempt from the FLSA who work extraordinary hours;

WHEREAS, it is the intent of the City Council that the City have the flexibility to respond thereto, but that if no amendments are made, Sections 4.20.315 and 4.20.320, as enacted by Ordinance 116643, apply as if this suspension had not been enacted but without allowing duplicative compensation; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Ordinance 116714 is amended to read as follows:

Seattle Municipal Code Sections 4.20.315 and 4.20.320 (Ordinance 116643, Section 2) are hereby suspended and shall be of no force or effect until ~~November 22~~ ^{October 31} ~~1993~~ ¹⁹⁹³. During such interim period, no City professional, administrative, or executive officer or employee may accrue overtime or accrue credit for "extraordinary hours" worked toward "executive leave," each as defined in Section 2 of Ordinance 116643.

Section 2. Department heads are authorized to maintain records of hours worked by professional, administrative, or executive officers or employees during the period from the effective date of this ordinance through ~~November 22~~ ^{October 31} ~~1993~~ ¹⁹⁹³. Nothing in this ordinance nor in the maintenance of such records constitutes a promise or represents in any way that the City intends to or will grant credit for overtime or extraordinary hours worked during the period through this or any subsequent legislation, or that such credit, if granted, will be equal or similar to any previous grant of credit authorized by ordinance.

Section 3. If Ordinance 116643 is neither repealed nor further amended effective on or before ~~November 22~~ ^{October 31} ~~1993~~ ¹⁹⁹³, then the suspension imposed by this ordinance shall be of no force or effect, Sections 4.20.315 and 4.20.320 shall be effective on ~~November 22~~ ^{October 31} ~~1993~~ ¹⁹⁹³, and the terms and conditions of these sections shall relate back to May 13, 1993, and it shall be as though, for all purposes, Ordinance 116643 had been in effect from and after May 13, 1993, without interruption, except that if an employee earned extra pay or received credit towards compensatory time off for hours worked during the suspension of Sections 4.20.315 and 4.20.320, no additional pay shall be awarded under 4.20.315 for those hours nor shall those hours count towards accrual of "extraordinary hours" under Section 4.20.320.

Section 4. Any action pursuant to the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 5. 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 23rd day of August, 1993, and signed by me in open session in authentication of its passage this 23rd day of August, 1993.

GEORGE E. BENSON,
President of the City Council.
Approved by me this 30th day of August, 1993.
NORMAN B. RICE,
Mayor.

Filed this 31st day of August, 1993.
(Seal) By: MARGARET CARTER,
Deputy Clerk.

Publication ordered by JUDITH PIPPIN, City Clerk.
Date of official publication in Daily Journal of Commerce, Seattle, September 13, 1993.
9/13,34703

WASHINGTON - KING COUNTY

--SS.

No.

Affidavit of Publication

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, Wash. 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

ORD: 116825

was published on

09/13/93

The amount of the fee charged for the foregoing publication is the sum of \$ which amount has been paid in full.

[Handwritten Signature]

Subscribed and sworn to before me on

09/15/93

[Handwritten Signature]

Notary Public for the State of Washington,
residing in Seattle