

Ordinance No. 119030

Council Bill No. 112170

AN ORDINANCE relating to Family and Medical Leave, amending Seattle Municipal Code Section 4.26.005 to eliminate the exclusion of temporary employees from eligibility for Family and Medical Leave.

OK

CF No. _____

Date introduced:	<u>MAY 18 1998</u>	
Date 1st Referred:	To: (committee)	<u>Finance & Budget Committee</u>
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote:	
Date Presented to Mayor:	Date Approved: <u>6-16-98</u>	
Date Returned to City Clerk:	Date Published:	T.O. <input type="checkbox"/> F.T. <input checked="" type="checkbox"/> <u>purpose?</u>
Date Vetoes by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

The City of Seattle Council Bill/Ordinance

passed 4-0 11/11/98

6-8-98 Full Council

This file is complete and ready for

Law Department

Law Dept. Review

OM
Rev

ORDINANCE

119030

AN ORDINANCE relating to Family and Medical Leave, amending Seattle Municipal Code Section 4.26.005 to eliminate the exclusion of temporary employees from eligibility for Family and Medical Leave.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Seattle Municipal Code Section 4.26.005 Definitions, Ordinance 116761, is hereby amended as follows:

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 ~~((employee, as defined by subsection E of this section,))~~ individual who has completed six (6) months of City employment.

~~((E. "Employee" means a person employed in a permanent position on a full time or part time basis. The term "employee" shall not include part time workers employed less than twenty (20) hours per week, intermittent, seasonal, or temporary workers.))~~

~~((F.))~~ 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.

~~((G.))~~ E. "Health care provider" means any provider included within Seattle Municipal Code Section 4.24.005 D.

~~((H.))~~ 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.

~~((I.))~~ 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.

IT IS DUE TO THE QUALITY OF THE DOCUMENT.

Norma McKinney, Kathy Steinmeyer
426005.dot
4/22/98
V #1

1 ((J)) L "Reduced leave schedule" means a leave schedule that reduces the
2 usual number of hours per workweek, or hours per workday, of an employee.

3 ((K)) L "Serious health condition" means an illness, injury, impairment, or
4 physical or mental condition that involves:

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

7 2. Continuing treatment by a health care provider.

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

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

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

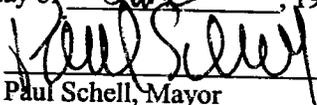
13 ((M)) L "Spouse" means a husband or wife.

14 Section 2. This ordinance shall take effect and be in force thirty (30) days from and after its
15 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
16 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

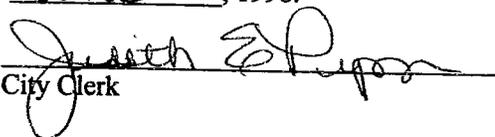
17
18 Passed by the City Council the 8th day of June, 1998, and signed by
19 me in open session in authentication of its passage this 8th day of June,
20 1998.

21 
22 President of the City Council

23
24 Approved by me this 16th day of June, 1998.

25 
26 Paul Schell, Mayor

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28
29 Filed by me this 17 day of June, 1998.

30 
31 City Clerk
32
33

(SEAL)

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



City of Seattle

Paul Schell, Mayor

Executive Services Department
Dwight D. Dively, Director

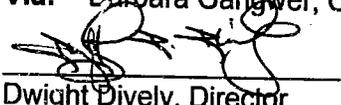
May 6, 1998

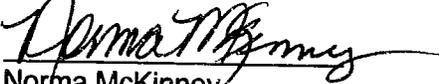
MEMORANDUM

TO: The Honorable Sue Donaldson, President
Seattle City Council

Via: Barbara Gangwer, City Budget Office

FROM:


Dwight Dively, Director
Executive Services Department


Norma McKinney
Acting Personnel Director

SUBJECT: Proposed Legislation To Amend Seattle Municipal Code 4.26.005

The attached council bill proposes an amendment to Seattle Municipal Code Section 4.26.005 to include temporary employees under the Family and Medical Leave ordinance. The current ordinance, which is based in large part on the Family and Medical Leave Act of 1993, currently excludes temporary employees from eligibility. The Act intended that temporary workers be covered when other federal eligibility requirements are met.

The original ordinance excluded temporary employees with the understanding that such exclusion would have no practical effect in terms of the benefits offered. In some situations, however, it is possible that a temporary employee could be required to resign if they are otherwise unavailable for work, even if the absence stems from a family and medical leave qualifying condition. The resignation would constitute a break in service, which could adversely impact their compensation level when they return to work.

Your favorable consideration of this council bill will be appreciated. Please direct any questions to Merle Overland, Policy and Management Director, at 684-7983, or Kathy Steinmeyer, Senior Personnel Analyst, at 684-7921.

NM/ks
Attachment

C: The Honorable Martha Choe, Chair
Finance and Budget Committee
M. Overland, Policy and Management Director
Civil Service Commission

98-107

City of Seattle
Executive Services Department
City Budget Office

COPY RECEIVED
98 MAY -1, AM 11: 24
SEATTLE CITY ATTORNEY



Approved as
to form
JK May

Anne Fiske Zuniga, Budget Director
Dwight Dively, Director, Executive Services
Paul Schell, Mayor

May 1, 1998

The Honorable Mark Sidran
City Attorney

Dear Mr. Sidran:

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

REQUESTING
DEPARTMENT: Executive Services Department

SUBJECT: AN ORDINANCE relating to Family and Medical Leave, amending Seattle
Municipal Code Section 4.26.005 to eliminate the exclusion of temporary
employees from eligibility for the Family and Medical Leave.

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

After reviewing this request and any necessary redrafting of the enclosed legislation, return the
legislation to the City Budget Office. Any specific questions regarding the legislation can be directed to
Barbara Gangwer at 615-0768.

Sincerely,

Paul Schell
Mayor

by
Barbara Gangwer for
ANNE FISKE-ZUNIGA
Budget Director

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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:

Martina Chase

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE



City of Seattle

ORDINANCE 119030

AN ORDINANCE relating to Family and Medical Leave, amending Seattle Municipal Code Section 4.30.005 to eliminate the exclusion of temporary employees from eligibility for Family and Medical Leave.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

SECTION 1: Seattle Municipal Code Section 4.30.005, DEFINITIONS, Ordinance 116781, is hereby amended as follows:

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 as 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 employee, as defined by subsection E of this section, individual who has completed 25 (6) months of City employment.

(E) "Employee" means a person employed in a government position on a full time or part time basis. The term "employee" shall not include part-time seasonal employees; less than twenty (20) hours per week; intermittent, seasonal, or temporary workers.)

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

(G) "Health care provider" means any provider licensed within Seattle Municipal Code Section 4.24.005 D.

(H) "Medical leave" means leave requested to recuperate, recover, or treat a serious health condition for the employee, spouse, domestic partner, parent, or employee.

(I) "Parent" means the parent of an employee or the parent of an employee's spouse/domestic partner, or an individual who filed in law pursuant to an affidavit of the employee's spouse/domestic partner when the employee or the employee's spouse/domestic partner was a son or daughter.

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

(K) "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.

(L) "Son or daughter" means a biological, adopted, or foster child, a step-child, 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.

(M) "Spouse" means a husband or wife.

SECTION 2: This ordinance shall take effect and be in force thirty (30) days after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.030.

Passed by the City Council this 8th day of June, 1998 and signed by me in open session in authentication of its passage this 8th day of June, 1998.

SUE DONALDSON,
President of the City Council
Approved by me this 10th day of June, 1998.

PAUL SCHELL,
Mayor
Filed by me this 17th day of June, 1998.
(Seal) JUDITH E. PIPPIN,
City Clerk.

Publication ordered by JUDITH PIPPIN,
City Clerk.

Date of official publication in Daily Journal of Commerce, Seattle, June 26, 1998.
(679)(94780)

WASHINGTON - KING COUNTY

—SS.

No. ORDINANCE IN

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, 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

CT:ORD 119030

was published on

06/26/98

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

Subscribed and sworn to before me on

06/26/98

Notary Public for the State of Washington
residing in Seattle