

Ordinance No. 123198

Council Bill No. 116745

AN ORDINANCE relating to City employment commonly referred to as the Fourth Quarter 2009 Employment Ordinance; establishing new titles and/or salaries; designating positions as exempt from Civil Service status; authorizing the Mayor to execute a memorandum of agreement between the City of Seattle and the International Federation of Professional and Technical Engineers, Local 17; providing no salary increase for Municipal Court Magistrates for 2010; and ratifying and confirming prior acts; all by a 2/3 vote of the City Council.

# The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Jean Goldson  
Councilmember

## Committee Action:

Do Pass - JG, SC

12-2-09 Passed 9-0

CF No. \_\_\_\_\_

Date Introduced:	<u>11.23.09</u>	
Date 1st Referred:		To: (committee) <u>Finance &amp; Budget</u>
Date Re - Referred:		To: (committee)
Date Re - Referred:		To: (committee)
Date of Final Passage:	<u>12-2-09</u>	Full Council Vote: <u>9-0</u>
Date Presented to Mayor:	<u>12-8-09</u>	Date Approved: <u>12-11-09</u>
Date Returned to City Clerk:	<u>12-15-09</u>	Date Published: _____ T.O. _____ F.T. _____
Date Vetoed by Mayor:		Date Veto Published: _____
Date Passed Over Veto:		Veto Sustained: _____

This file is complete and ready for presentation to Full Council. Committee: \_\_\_\_\_ (initial/date)

*Law Department*

Law Dept. Review

OMP Review

City Clerk Review

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Indexed

ORDINANCE 123198

AN ORDINANCE relating to City employment commonly referred to as the Fourth Quarter 2009 Employment Ordinance; establishing new titles and/or salaries; designating positions as exempt from Civil Service status; authorizing the Mayor to execute a memorandum of agreement between the City of Seattle and the International Federation of Professional and Technical Engineers, Local 17; providing no salary increase for Municipal Court Magistrates for 2010; and ratifying and confirming prior acts; all by a 2/3 vote of the City Council.

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

**Section 1. Establishing New Titles and/or Salaries.** As recommended by the Personnel Director, the following titles and/or salary rates are established as displayed below, effective as of the dates shown and pay is authorized back to the effective dates:

Department: Department of Executive Administration  
New Title: Contract Analyst  
New Salary Range: \$25.62 - \$26.59 - \$27.58 - \$28.69 - \$29.77  
Report: #07-10091  
Effective: October 18, 2008

Department: Department of Executive Administration  
New Title: Contract Analyst  
New Salary Range: \$26.77 - \$27.79 - \$28.82 - \$29.98 - \$31.11  
Report: #07-10091  
Effective: January 7, 2009

Department: Department of Executive Administration  
New Title: Senior Contract Analyst  
New Salary Range: \$27.63 - \$28.74 - \$29.88 - \$30.98 - \$32.19 (Range 330)  
Report: #07-10091  
Effective: October 18, 2008



1  
2 Department: Department of Executive Administration  
3 New Title: Senior Contract Analyst  
4 New Salary Range: \$28.87 - \$30.03 - \$31.22 - \$32.37 - \$33.64 (Range 330)  
5 Report: #07-10091  
6 Effective: January 7, 2009

7 Department: Department of Executive Administration  
8 New Title: Supervising Contract Analyst  
9 New Salary Range: \$29.88 - \$30.98 - \$32.19 - \$33.44 - \$34.77 (Range 350)  
10 Report: #07-10091  
11 Effective: October 18, 2008

12 Department: Department of Executive Administration  
13 New Title: Supervising Contract Analyst  
14 New Salary Range: \$31.22 - \$32.37 - \$33.64 - \$34.94 - \$36.33 (Range 350)  
15 Report: #07-10091  
16 Effective: January 7, 2009

17 **Section 2. Designating Two Positions as Exempt from Civil Service Status.** As

18 recommended by the Personnel Director in the Classification Determination specified, these  
19 positions are designated as exempt from Civil Service as noted below, pursuant to SMC

20 4.13.010(1):

21 -- 1 position (#00008318) in the Seattle Department of Transportation; IT Professional  
22 B designated to IT Professional A, Exempt (Report #09-10923).

23 -- 1 position (#00024230) in the Department of Executive Administration; Manager 2,  
24 General Government designated to Manager 3, Exempt (Report #09-11240).

25  
26  
27 **Section 3.** As requested by the Personnel Director and recommended by the Mayor, the  
28 Mayor is authorized on behalf of the City of Seattle to execute a memorandum of agreement



1 between the City of Seattle and the International Federation of Professional and Technical  
2 Engineers, Local 17, substantially in the form attached to this ordinance as Attachment 1 and  
3 identified as "Memorandum of Agreement by and between The City of Seattle/Office of  
4 Housing and the International Federation of Professional and Technical Engineers, Local 17,  
5 AFL-CIO."

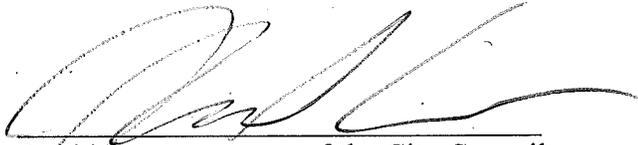
6 **Section 4.** The salary range for Municipal Court Magistrates will not increase in  
7  
8 2010 as authorized in Ordinance No. 122569.

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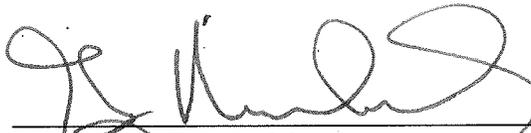


1           **Section 6.** This ordinance shall take effect and be in force thirty (30) days from and  
2 after its approval by the Mayor, but if not approved and returned by the Mayor within ten  
3 (10) days after presentation, it shall take effect as provided by Municipal Code Section  
4 1.04.020.

5           Passed by a two-thirds (2/3) vote of all the members of the City Council the 7<sup>th</sup> day of  
6 December, 2009, and signed by me in open session in authentication of its passage this  
7 7<sup>th</sup> day of December, 2009.

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9   
10 President \_\_\_\_\_ of the City Council

11 Approved by me this 11<sup>th</sup> day of December, 2009.

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13   
14 Gregory J. Nickels, Mayor

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16 Filed by me this 15<sup>th</sup> day of December, 2009.

17   
18 City Clerk

19  
20 (Seal)

21  
22 Attachments:

23 Attachment 1: Memorandum of Agreement by and between The City of Seattle/Office of  
24 Housing and the International Federation of Professional and Technical Engineers, Local 17,  
25 AFL-CIO  
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**Memorandum of Agreement**

**by and between**

**The City of Seattle/Office of Housing**

**and the**

**International Federation of Professional and Technical Engineers,**

**Local 17, AFL-CIO**

This Memorandum of Agreement is between the Seattle Office of Housing and International Federation of Professional and Technical Engineers, Local 17, AFL-CIO (collectively "Parties").

Effective October 1, 2008, the state required that no weatherization work performed on dwellings may be reported to the Department of Community, Trade & Economic Development as completed until the local agency has done a final quality inspection, performed by certified individuals. On June 3, 2008, Local 17 submitted a letter demanding to bargain the impacts of a change in working conditions to the job titles Property Rehabilitation Specialist and Property Rehabilitation Supervisor as a result of the certification requirement. Beginning on July 15, 2008, the parties agreed to meet and negotiate.

This Agreement outlines the terms and conditions for employees assigned to the Property Rehabilitation Specialist classification series. The Office of Housing and I.F.P.T.E., Local 17 agree that employees in the job titles Property Rehabilitation Specialist and Property Rehabilitation Supervisor shall receive the following:

- 1) The original cost of the certification and the re-certification fee will be paid for by the Office of Housing.
- 2) Employees will be compensated at their regular straight-time rate of pay for all time spent while taking the examination applicable to the certification during a normal workday.
- 3) Legally mandated training will be paid for by the Office of Housing.



In addition, effective January 16, 2009 the City agrees to adjust the wages for the two titles by 5%. The effective rates are listed below.

<u>Classifications</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>
Property Rehabilitation Specialist	\$28.05	\$29.10	\$30.23	\$31.47	\$32.75
Property Rehabilitation Supervisor	\$32.78	\$33.99	\$35.32		

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

For The City of Seattle

For the International Federation  
of Professional and Technical  
Engineers, Local 17

\_\_\_\_\_  
Adrienne Quinn  
Director, Office of Housing

\_\_\_\_\_  
Don Briscoe  
Union Representative

\_\_\_\_\_  
Lenee Jones  
Labor Negotiator



**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>DOF Analyst/Phone:</b>
Personnel Department	Joan Matheson / 386-9081	Amy Williams / 233-2651

**Legislation Title:**

AN ORDINANCE relating to City employment commonly referred to as the Fourth Quarter 2009 Employment Ordinance; establishing new titles and/or salaries; designating positions as exempt from Civil Service status; authorizing the Mayor to execute a memorandum of agreement between the City of Seattle and the International Federation of Professional and Technical Engineers, Local 17; providing no salary increase for Municipal Court Magistrates for 2010; and ratifying and confirming prior acts; all by a 2/3 vote of the City Council.

• **Summary of the Legislation:**

This legislation seeks to 1) establish three new salaries, and 2) establish two positions as exempt from Civil Service status 3) authorize the implementation of a memorandum of agreement (“MOA”) between the City and the International Federation of Professional and Technical Engineers, Local 17 (“Local 17”) 4) and authorize a wage freeze in 2010 for the job title of magistrate; all by a 2/3 vote of the City Council.

• **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):*

1. Establish new titles and/or salaries:

New salaries:

- Contract Analyst
- Senior Contract Analyst
- Supervising Contract Analyst

The titles within the Civil Rights Analyst series are utilized in both the Seattle Office for Civil Rights (SOCR) and the Department of Executive Administration (DEA). As an outcome of a classification and compensation study on the Civil Rights Analyst series, Personnel is recommending new titles for this area of work in DEA including Contract Analyst, Senior Contract Analyst and Supervising Contract Analyst. These new titles replace the respective Civil Rights Analyst titles. The associated salary ranges for the new titles are the same as the ranges in place for the Civil Rights Analyst series. Therefore, these changes do not result in any new costs associated with the establishment of the titles for the Contract Analyst series.

2. This ordinance also seeks to establish two positions as exempt from Civil Service status, due to nature of the work to be performed by the positions, consistent with Personnel Rule 2.2. This



position change creates a minor cost increase for the affected Department, which will be funded within existing budget authority.

3. This legislation authorizes the Mayor to implement an MOA between the City and Local 17. Effective October 1, 2008, the Washington Department of Community, Trade, & Economic Development ("CTED") requires that employees performing weatherization work must be certified. In June of 2008, Local 17 sent a letter to the City demanding to bargain the impacts of the new CTED requirements as they related to a changes in employees' working conditions (the City's affected job titles are Property Rehabilitation Specialist and Property Rehabilitation Supervisor, all within the Office of Housing). As a result, the City and Local 17 bargained over the issue and reached agreement that the City would pay for certain costs associated with certification, and would increase the Property Rehabilitation Specialist and Property Rehabilitation Supervisor hourly rate of pay by 5%, retroactive to January 16, 2009. The budget impacts of this pay rate change will be absorbed within the Office of Housing's existing budget.

4. This legislation authorizes a wage freeze in 2010 for the job title of Magistrate. The Seattle Municipal Court has exempted Magistrates from the 2010 furlough program and seeks to freeze their wages in 2010 as a commensurate budget reduction.

- *Please check one of the following:*

**This legislation does not have any financial implications.** *(Stop here and delete the remainder of this document prior to saving and printing.)*

**This legislation has financial implications.** *(Please complete all relevant sections that follow.)*

**Notes:**

The estimated costs associated with this legislation are summarized in Fiscal Note Attachment 1 and will be absorbed in departments' budgets.

- **What is the financial cost of not implementing the legislation:** *(Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs if the legislation is not implemented):*

N/A

- **Does this legislation affect any departments besides the originating department?** • *If so, please list the affected department(s), the nature of the impact (financial, operational, etc)., and indicate which staff members in the other department(s) are aware of this Bill.*

This legislation will affect the Department of Executive Administration (DEA), Seattle



Department of Transportation (SDOT), the Office of Housing (OH), and the Seattle Municipal Court (SMC). Please see Fiscal Note Attachment 1.

- **What are the possible alternatives to the legislation that could achieve the same or similar objectives** *(Include any potential alternatives to the proposed legislation, including using an existing facility to fulfill the uses envisioned by the proposed project, adding components to or subtracting components from the total proposed project, contracting with an outside organization to provide the services the proposed project would fill, or other alternatives):*

There are no other alternatives available at this time.

- **Is the legislation subject to public hearing requirements:** *(If yes, what public hearings have been held to date, and/or what plans are in place to hold a public hearing(s) in the future?)*

No.

- **Other Issues** *(including long-term implications of the legislation):*

None.

**Please list attachments to the fiscal note below:**

Attachment: PERS 4Q09 Employment FISC Attach 1



**PERs 4Q09 Employment FISC Attach 1**  
**(Implementation of the 4Q09 Employment Ordinance)**

Dept	Report	New Position Title	Potential Positions Impacted	2009*	2010**
<b><i>New Title and/or Salary Reviews</i></b>					
DEA	#07-10091	Contract Analyst <sup>1</sup>	2	\$0	\$0
DEA	#07-10091	Senior Contract Analyst <sup>1</sup>	1	\$0	\$0
DEA	#07-10091	Supervising Contract Analyst <sup>1</sup>	1	\$0	\$0
OOH	MOA	Property Rehab Specialist	6	\$22,608	\$23,060
OOH	MOA	Property Rehab Supervisor	0	\$0	\$0
SMC		Magistrate	4	\$0	(\$9,509)
			<b>Subtotal</b>	\$22,608	\$13,551

***Exempt Actions***

SDOT	#09-10923	IT Professional - A, Exempt <sup>2</sup>	1	\$14,251	\$14,536
DEA	#09-11240	Manager 3, Exempt <sup>2</sup>	1	\$3,277	\$10,027
			<b>Subtotal</b>	\$17,528	\$24,563
<b>Total<sup>3</sup></b>				\$40,136	\$38,114

Costing Assumptions:

\* 2009 costs include costs during the 2009 fiscal year and prior years based on effective date in Class Determination Report(s) and MOAs with statutory benefits projected at 15.68%.

\*\*2010 costs are projected at 2% and include statutory benefits projection of 15.68%.

<sup>1</sup>Positions in the step program are costed from top step to top step of the old and new title and/or rate.

<sup>2</sup>Positions in discretionary pay programs are costed from midpoint to midpoint of the old and new title and/or rate.

<sup>3</sup>The 2009/2010 costs will be absorbed in departments' current budgets.





# City of Seattle

Gregory J. Nickels, Mayor

## Office of the Mayor

November 17, 2009

Honorable Richard Conlin  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill related to City employment that establishes new salaries and establishes two positions as exempt from Civil Service status.

Specifically, this legislation establishes new salaries for the Contract Analyst Series; Contract Analyst, Senior Contract Analyst and Supervising Contract Analyst. These new titles replace respective Civil Rights Analyst titles in the Department of Executive Administration. This legislation authorizes a 2010 wage freeze for the job title of Magistrate. This legislation also authorizes the implementation of an MOA between the City and Local 17 for Property Rehabilitation Specialist and Property Rehabilitation Supervisor.

The Bill establishes the following positions as exempt from civil service: an Information Technology Professional – A position in the Seattle Department of Transportation and a Manager 3 position in the Department of Executive Administration. The two positions proposed for exempt status meet the exemption criteria of a particularly high degree of professional responsiveness and individual accountability, a confidential or fiduciary relationship with the appointing authority, or judicial positions requiring insulation as a third branch of government.

Thank you for your consideration of this legislation. Should you have any questions, please contact Joan Matheson at 386-9081 or John Pearson at 684-0840.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Nickels", written over a large, faint circular stamp.

GREG NICKELS  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

600 Fourth Avenue, 7<sup>th</sup> Floor, P.O. Box 94749, Seattle, WA 98124-4749

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