



SEATTLE CITY COUNCIL

Legislative Summary

CB 118356

Record No.: CB 118356

Type: Ordinance (Ord)

Status: Attested by City Clerk

124753

Version: 2

In Control: City Clerk

File Created: 03/17/2015

Final Action: 04/17/2015

Title: An ORDINANCE relating to City employment; adding a new Chapter 4.27 to the Seattle Municipal Code to provide a Paid Parental Leave Benefit to eligible city employees; amending Seattle Municipal Code Subsection 4.20.055 to provide the Paid Parental Leave benefit to eligible temporary workers; and establishing other conditions of implementing the new benefit.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Godden

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: patrick.wigren@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Clerk	03/17/2015	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review to the Council President's Office Notes:						
1	Council President's Office	03/19/2015	sent for review	Parks, Seattle Center, Libraries, and Gender Pay Equity Committee			
	Action Text: The Council Bill (CB) was sent for review to the Parks, Seattle Center, Libraries, and Gender Pay Equity Committee Notes:						

- 1 Full Council 03/30/2015 referred Parks, Seattle Center, Libraries, and Gender Pay Equity Committee
- Action Text: The Council Bill (CB) was referred. to the Parks, Seattle Center, Libraries, and Gender Pay Equity Committee
- Notes:
- 1 Parks, Seattle Center, Libraries, and Gender Pay Equity Committee 04/07/2015 pass as amended Pass
- Action Text: The Committee recommends that Full Council pass as amended the Council Bill (CB).
- In Favor: 2 Chair Godden, Vice Chair Harrell
- Opposed: 0
- 2 Full Council 04/13/2015 passed Pass
- Action Text: The Council Bill (CB) was passed by the following vote and the President signed the Bill:
- In Favor: 7 Councilmember Bagshaw, Council President Burgess, Councilmember Godden, Councilmember Harrell, Councilmember O'Brien, Councilmember Rasmussen, Councilmember Sawant
- Opposed: 0
- 2 City Clerk 04/14/2015 submitted for Mayor's signature Mayor
- Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor
- Notes:
- 2 Mayor 04/17/2015 Signed
- Action Text: The Council Bill (CB) was Signed.
- Notes:
- 2 Mayor 04/17/2015 Mayor's leg transmitted to Council City Clerk
- Action Text: The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk
- Notes:
- 2 City Clerk 04/17/2015 attested by City Clerk
- Action Text: The Ordinance (Ord) was attested by City Clerk.
- Notes:
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CITY OF SEATTLE
ORDINANCE 124753
COUNCIL BILL 118356

An ORDINANCE relating to City employment; adding a new Chapter 4.27 to the Seattle Municipal Code to provide a Paid Parental Leave Benefit to eligible city employees; amending Seattle Municipal Code Subsection 4.20.055 to provide the Paid Parental Leave benefit to eligible temporary workers; and establishing other conditions of implementing the new benefit.

WHEREAS, the United States is the only developed nation in the world without paid parental leave; and

WHEREAS, the City of Seattle stands to become the first municipality in the region to offer paid parental leave and serve as a model to other employers in the region; and

WHEREAS, in 2014, the City Council and Mayor confirmed their commitment to promote gender equity in Resolution 31523 including a study on Paid Parental Leave; and

WHEREAS, the City hired the consultant firm of Towers Watson to review Paid Parental Leave programs in other jurisdictions and to evaluate the current access to paid time off City employees had at the time of birth or adoption of a newborn child; and

WHEREAS, the Towers Watson report indicates that other cities, such as San Francisco, Austin, Chicago and Washington D.C. provide a Paid Parental Leave benefit ranging from 2 to 12 weeks; and

WHEREAS, Towers Watson reviewed City employees' utilization of accrued sick leave and accrued vacation to care for newborn children; and

WHEREAS, the Towers Watson report indicates that approximately 230 City employees a year add newborn children to their families either through birth or adoption; the average tenure of these employees at the City is six years; women take more than twice as much

1 total time off as men (18 weeks for women as compared to 7 weeks for men); and men
2 take only paid time off, whereas women take both paid and unpaid time off and take an
3 average of eight weeks of unpaid time off; and

4 WHEREAS, while the City's Family Medical Leave policy provides eligible City employees up
5 to 90 calendar days of unpaid leave and city employees may use accrued paid time off for
6 the care of a new child, there is no guarantee that all employees, particularly new
7 employees, will have accrued paid time off to bond with a new child; and

8 WHEREAS, the City has determined that providing paid time off for working parents to care for
9 a new child allows time to create and strengthen bonds between the child and parents and
10 foster stronger families; and

11 WHEREAS, the City has determined that providing parents paid time off to bond with a new
12 child can help the City retain and recruit talent, help employees to balance their
13 responsibilities between work and home allowing them to become more productive and
14 effective at their work; and

15 WHEREAS, increasing employee engagement and morale reduces costly employee turnover and
16 helps ensure a diverse and inclusive workforce; and

17 WHEREAS, when men and women are equally incentivized to take parental leave, the
18 perception of women as the sole family caregiver is diminished, minimizing bias against
19 mothers and women in the workplace.

20 NOW, THEREFORE;

21
22 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

23 **Section 1.** A new Chapter 4.27 is added to the Seattle Municipal Code as follows:

24 Seattle Municipal Code Chapter 4.27 –Paid Parental Leave

25 4.27.010. Definitions.

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

27 "City" means the City of Seattle.

1 "Eligible employee" means an individual who has completed 6 months of City
2 employment as an employee, as defined in the Seattle Municipal Code Subsection
3 4.04.030, or as a temporary worker eligible for benefits under Seattle Municipal Code
4 Subsection 4.20.055(C).

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

7 "Single 12-month period" shall mean a 12-month period measured forward from the date
8 of birth of a child, or placement of a child for adoption or foster care.

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

- 11 1. Under 18 years of age; or
- 12 2. 18 years of age or older and incapable of self-care because of a mental or physical
13 disability.

14 "Week" shall mean 40 hours, pro-rated for part-time employees.

15 4.27.020. Leave Provisions.

16 A. Eligible employees are entitled to up to four weeks of paid leave in addition to any
17 paid and unpaid leave to which they may otherwise be entitled during any single 12
18 month period for one or more of the following:

- 19 1. The birth of a son or daughter of the employee and in order to care for such son or
20 daughter.
- 21 2. The placement of a son or daughter with the employee for adoption or foster care.

22 Expiration of entitlement. The entitlement to paid leave under subsections A(1) and A(2)
23 for birth or placement of a son or daughter shall expire at the end of the 12 month period
24 beginning on the date of such birth or placement.

25 4.27.030 Notice.

26 A. In any case in which the necessity for paid leave under Section 4.27.020 A(1) or A(2)
27 is foreseeable based on an expected birth or placement, the employee shall provide

1 the City with at least 30 days' notice, before the date of leave is to begin, of the
2 employee's intention to take leave, except that if the date of birth or placement
3 requires the leave to begin in less than 30 days, the employee shall provide such
4 notice as is practicable.

5 4.27.040 Leave taken intermittently or on a reduced schedule.

6 A. Leave under Section 4.27.020 A(1) or A(2) shall not be taken by an employee
7 intermittently or on a reduced schedule unless the employee and City agree.

8 4.27.050 Exhaustion of Other Paid Leave Not Required.

9 An employee need not exhaust his or her accrued sick leave, compensatory time and/or
10 vacation leave prior to requesting and taking the Paid Parental Leave provided in this
11 chapter.

12 4.27.060 Employment and benefit protection.

13 Eligible employees who have been granted leave under this chapter shall be entitled to
14 the same employment and benefit protections consistent with the protections of the City's
15 family and medical leave benefit in Seattle Municipal Code Section 4.26.050 and the
16 rules promulgated pursuant thereto.

17 4.27.070 Certification Requirement.

18 A. The City may require employees to submit documentation to certify their eligibility
19 for the Paid Parental Leave benefit. The Seattle Human Resources Director shall
20 promulgate rules for the administration of such certification process.

21 4.27.080 Failure to Return to Work.

22 A. The City may recover the value of the Paid Parental Leave from the employee if the
23 employee fails to return to work following his or her leave of absence.

24 4.27.090 Rulemaking.

25 The Seattle Human Resources Director is authorized and directed to promulgate rules
26 consistent with this chapter.

27 4.27.100 Data Collection and Reporting.

1 City departments, via the City's payroll system, shall track data related to employees who
2 utilize the Paid Parental Leave provided in this ordinance. The data should include
3 employee gender, tenure with the city, hours of Paid Parental Leave used, job title, and
4 employing City department at the time the leave was used. In addition, information on
5 the approximate backfill cost to the City, by department, should be identified.

6
7 An annual report containing the above information shall be submitted to the Mayor and
8 City Council. The first report is due on July 1, 2016, and shall be submitted every year
9 thereafter unless the Mayor and Chair of the City Council's Parks, Seattle Center,
10 Libraries and Gender Pay Equity committee, or its successor, agree an annual report is no
11 longer necessary. Such agreement shall be in writing and filed with the City Clerk.

12
13 **Section 2.** Seattle Municipal Code Subsection 4.20.055 (D) is amended as follows:

14 D. Temporary workers in assignments identified in Subsection C as eligible for benefits
15 shall receive the following benefits and wage progression at the same level and under
16 the same conditions as regularly appointed employees as well as any other benefits
17 that the City agrees to provide to temporary workers pursuant to an authorized
18 collective bargaining agreement:

- 19 1. Participation in the City's medical, dental, vision, basic long-term disability and
20 basic group term life insurance coverage;
- 21 2. Accrual and accumulation of paid sick leave as provided at Seattle Municipal
22 Code Chapter 4.24
- 23 3. Accrual and accumulation of paid vacation as provided at Seattle Municipal
24 Code Chapter 4.34
- 25 4. Paid funeral leave as provided at Seattle Municipal Code Chapter 4.28


5. Paid holidays as provided at Seattle Municipal Code Section 4.20.190
6. Time off for jury duty or witness testimony without loss of pay or paid leave as provided at Seattle Municipal Code Section 4.20.220
7. Wage progression as provided at Seattle Municipal Code Section 4.20.040 for assignments to job titles that correspond to regular titles associated with the Step Progression Pay Program; and, for assignments to job titles that correspond to regular titles associated with any of the City's discretionary pay programs, such pay adjustments or consideration for pay adjustments as may be provided for in the employing unit's internal policies and procedures, if any.
8. Paid Parental Leave as provided in Seattle Municipal Code Chapter 4.27.

Section 3. This ordinance shall apply to all eligible employees not represented by a union. Subject to collective bargaining, this ordinance shall also apply to those eligible employees who are represented by a union that agree with the provisions as expressed herein. This ordinance applies to Seattle Public Library (SPL) employees, subject to the approval of the SPL Board of Trustees and the conditions and administration of SPL's personnel system.

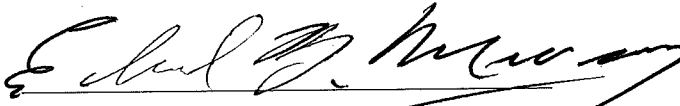
Section 4. The employee benefits described in this ordinance shall apply to the qualifying event of a birth, or placement for adoption or foster care that occurs on or after the effective date of this legislation.

Section 5. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.


1 Passed by the City Council the 13th day of April, 2015, and
2 signed by me in open session in authentication of its passage this
3 13th day of April, 2015.

4
5 
6 President _____ of the City Council

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8
9 Approved by me this 17 day of April, 2015.

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11 
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13 Edward B. Murray, Mayor

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15 Filed by me this 17th day of April, 2015.

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17 
18
19 Monica Martinez Simmons, City Clerk

20
21
22
23 (Seal)

BILL SUMMARY & FISCAL NOTE

Department:	Contact Person/Phone:	Executive Contact/Phone:
Legislative	Patricia Lee 386-0078	Sarah Butler 684-7929 Katie Ewing 684-5935

1. BILL SUMMARY

Legislation Title: ..title An ORDINANCE relating to City employment; adding a new Chapter 4.27 to the Seattle Municipal Code to provide a Paid Parental Leave Benefit to eligible city employees; amending Seattle Municipal Code Subsection 4.20.055 to provide the Paid Parental Leave benefit to eligible temporary workers; and establishing other conditions of implementing the new benefit.

Summary and background of the Legislation: City employees, who have been employed at least six months, are entitled to four weeks of Paid Parental Leave, upon the birth or placement of a child for adoption or foster care. Paid Parental Leave must be taken within 12 months of the child's birth or placement, and employees may only use this benefit once per 12 month period. An employee need not exhaust his or her paid or unpaid leave prior to requesting and taking Paid Parental Leave, and may take the leave on a reduced schedule or intermittent basis upon agreement with the City. Employees may be required to submit documentation to certify the leave, and the City retains the right to recover the value of the leave should the employee not return to work. Employees who use this benefit will have the same benefit and job protections as provided to employees who take family medical leave. The benefit will be pro-rated for part-time employees and will be available to benefits eligible temporary employees.

This legislation applies to eligible non-represented employees, and employees represented by a union who agree to the provisions of this legislation. This ordinance applies to Seattle Public Library (SPL) employees, subject to the approval of the SPL Board of Trustees and the conditions and administration of SPL's personnel system.

City departments, via the City's payroll system, shall track data related to employees who utilize the Paid Parental Leave provided in this ordinance. The data should include employee gender, tenure with the city, hours of Paid Parental Leave used, job title, and employing City department at the time the leave was used. In addition, information on the approximate backfill cost to the City, by department, should be identified.

An annual report containing the above information shall be submitted to the Mayor and City Council. The first report is due on July 1, 2016, and shall be submitted every year thereafter unless the Mayor and Chair of the City Council's Parks, Seattle Center, Libraries and Gender

Pay Equity committee, or its successor, agree an annual report is no longer necessary. Such agreement shall be in writing and filed with the City Clerk.

2. SUMMARY OF FINANCIAL IMPLICATIONS

Please check one:

- ☐ This legislation has direct financial implications.
- ☒ This legislation does not have direct financial implications.

3. OTHER IMPLICATIONS

a) Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?

The City hired the consultant firm of Towers Watson to review Paid Parental Leave programs in other jurisdictions and to evaluate the current access to paid time off City employees had at the time of birth or adoption of a newborn child. The Towers Watson report indicates that approximately 230 City employees a year add newborn children to their family either through birth or adoption; the average tenure of these employees at the City is six years; women take more than twice as much total time off as men (18 weeks for women as compared to 7 weeks for men); and men take only paid time off, whereas women take both paid and unpaid time off and take an average of eight weeks of unpaid time off. If this two year sample is an accurate reflection of patterns at the City, Towers Watson estimated the annual cost of providing a four week Paid Parental Leave benefit to be approximately \$1.35 million.

The actual annual costs of the Paid Parental Leave benefit are unknown at this time and will vary from year to year. Towers Watson estimated the annual cost of \$1.35 million based on the need to backfill all positions for employees out on leave. Every department's situation will be different; not all positions will need to be backfilled and departments will vary in their ability to absorb costs.

There is \$250,000 appropriated in Finance General in the 2015 Adopted Budget and \$250,000 in the 2016 Endorsed Budget. CBO will administer this funding and will work with departments to appropriately fund the costs associated with this benefit. Should the \$250,000 not be sufficient to cover these additional costs, the Executive will put together a supplemental proposal to submit for City Council approval.

b) Is there financial cost or other impacts of not implementing the legislation?

Increasing employee engagement and morale reduces costly employee turnover and helps ensure a diverse and inclusive workforce.

c) Does this legislation affect any departments besides the originating department?

Yes, all city departments

d) Is a public hearing required for this legislation?

No

e) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No

f) Does this legislation affect a piece of property?

No

g) Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?

This legislation will help ensure city employees have at least four weeks of paid leave to bond with a new child. While the City Family Medical Leave policy provides up to 90 calendar days of unpaid leave and employees can use their accrued sick leave, compensation and vacation time, not all employees have accrued leave and not all employees can afford to take unpaid time off. A study by Towers Watson found that while both men and women took leave after the addition of a new child, women took over twice as much time off as men and took unpaid as well as paid time off averaging eight weeks of unpaid time off.

h) If this legislation includes a new initiative or a major programmatic expansion: What are the long-term and measurable goals of the program? Please describe how this legislation would help achieve the program's desired goals.

Providing time off for parents to bond with a new child strengthens families, helps women return to the workplace and supports other city initiatives such as the Seattle Preschool Program which seeks to strengthen early childhood experiences.

i) Other Issues:

List attachments below:

STATE OF WASHINGTON -- KING COUNTY

--SS.

323630

No. 124751,752,753,754

CITY OF SEATTLE, CLERKS OFFICE

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: TITLE ONLY ORDINANCES

was published on

05/04/15

The amount of the fee charged for the foregoing publication is the sum of \$71.46 which amount has been paid in full.



Affidavit of Publication

Subscribed and sworn to before me on

05/04/2015

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

Title Only Ordinances

The full text of the following legislation, passed by the City Council on April 13, 2015, and published below by title only, will be mailed upon request, or can be accessed at <http://clerk.seattle.gov>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Contact: Office of the City Clerk at (206) 684-8344.

ORDINANCE NO. 124751

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

ORDINANCE NO. 124752

AN ORDINANCE relating to the City Light Department; changing the operation of the Rate Stabilization Account, and amending Seattle Municipal Code 21.49.086.G.

ORDINANCE NO. 124753

An ORDINANCE relating to City employment; adding a new Chapter 4.27 to the Seattle Municipal Code to provide a Paid Parental Leave Benefit to eligible city employees; amending Seattle Municipal Code Subsection 4.20.055 to provide the Paid Parental Leave benefit to eligible temporary workers; and establishing other conditions of implementing the new benefit.

ORDINANCE NO. 124754

AN ORDINANCE relating to Seattle Public Utilities; declaring certain real property rights as being surplus to the City's municipal utility needs; granting an easement to Burlington Northern Railway Company, for limited purposes, over and across the City's Cedar River Pipeline #4 right of way (a.k.a. Bow Lake Pipeline), King County Assessor Parcel number 0005800017.

Date of publication in the Seattle Daily Journal of Commerce, May 4, 2015.

5/4(323630)