ORDINANCE No. 111756

COUNCIL BILL No. 104324

Law Department

UP

The City of Seattle--Legislative Dep

AN ORDINANCE relating to disability compensation, amending SMC 4.44.020 to generally restrict benefits to other than temporary or interim employees.

REPORT OF COMMITTEE

Honorable President:

Your Committe on City Operations

to which was referred the within Council Bill No. 104324 report that we have considered the same and respectfully recommend that

Do Pass

Jeanette Williams

Committee Chair

COMPTROLLER FILE No.

Introduced: JUN 4 1984	By: EXECUTIVE REQUEST
Referred: JUN 4 1984	To: City Operations
Referred:	To:
Referred:	To:
Reported: JUN 25 1984	Second Reading: JUN 25 1984
Third Reading: JUN 25 1984	Signed: JUN 25 1984
Presented to Mayor: JUN 26 1984	Approved: JUL 2 1984
Returned to City Clerk: JUL 3 1984	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

OK

(UNIVERSAL 3-21943)

The City of Seattle--Legislative Department

Date Reported and Adopted

REPORT OF COMMITTEE

Honorable President:

Your Committe on City Operations

to which was referred the within Council Bill No. 104324

report that we have considered the same and respectfully recommend that the same:

Do Pass

Jeanette Williams

Committee Chair

(UNIVERSAL 3-21-943)

111756

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ENG PARKS
DCLU L & CA
DCD DPW
✓ LAW Water
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12/5/83
I-ORD10.1

ORDINANCE 111756

AN ORDINANCE relating to disability compensation, amending SMC 4.44.020 to generally restrict benefits to other than temporary or interim employees.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Seattle Municipal Code § 4.44.020 (§1 of Ordinance 90881 as last amended by Ordinance 104878) is further amended as follows:

4.44.020 City compensation additional to State Industrial Insurance and Medical Aid.

Any city officer or employee otherwise entitled to sick leave ((~~or~~)) and vacation benefits and for whom State Industrial Insurance and Medical Aid is provided, who shall be disabled in the discharge of his or her duties, and whose disablement results in absence from his or her regular duties, shall receive compensation from the city in the amount his or her normal pay exceeds any state disability compensation for the first five regularly scheduled work days of such absence; additional absence shall be compensated for in the amount that eighty percent of normal pay exceeds any state disability compensation for not to exceed two hundred ((~~and~~)) fifty-five additional regularly scheduled work days; provided, the disability sustained must qualify the employee for benefits under State Industrial Insurance and Medical Aid Acts. Such compensation shall be authorized by the Personnel Director, or his or her designee, with the advice of such employee's department head, on request from the employee supported by satisfactory evidence of medical treatment of the illness or injury giving rise to such employee's claim for compensation

CS 19.2

under this chapter. Such employee shall continue to receive compensation at the rate provided for herein until such employee returns to full time active duty or such employee exhausts his or her benefits hereunder, whichever occurs first. Such employee's department head may recommend to the Personnel Director denial of the employee's claim for benefits under the State Industrial Insurance and Medical Aid Acts and under this chapter, and the Personnel Director shall evaluate such recommendation and, if the Director concurs in such recommendation, request denial by the State Department of Labor and Industries of the employee's claim under said state acts. If the Personnel Director requests such denial, the employee shall be continued on the payroll of his or her department receiving continuous pay at a rate to be determined by the Personnel Director pursuant to applicable state law and city ordinances, until the State Department of Labor and Industries has reviewed and denied such claim.

Section 2. Any act consistent with the authority and prior to the effective date of this ordinance is ratified and confirmed.

(To be used for all Ordinances except Emergency.)

Section 3. 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 25th day of June, 1984, and signed by me in open session in authentication of its passage this 25th day of June, 1984.

President of the City Council.

Approved by me this 2nd day of July, 1984

Mayor.

Filed by me this 2nd day of July, 1984

Attest: City Comptroller and City Clerk.

(SEAL)

Published

By Deputy Clerk.

CS 8.1.9

REC'D GMB MAY 29 1984

826583

Your
Seattle
Personnel Department

Susan B. Pavlou, Personnel Director
Charles Royer, Mayor

May 17, 1984

TO: City Council
City of Seattle

VIA: Mayor Charles Royer

ATTN: Gary Zarker, Director
Office of Management & Budget

FROM: Susan B. Pavlou
Personnel Director

SUBJECT: Proposed Amendment to Disability Compensation Ordinance (SMC Chapter 4.44)

Attached for your consideration is a proposed amendment to the Disability Compensation Ordinance. The purpose of this amendment is to retain the City's policy of limiting Disability Compensation Ordinance benefits to permanent full-time and permanent part-time employees.

On May 7, 1962 the City Council adopted Ord. No. 91144 which amended the Disability Compensation Ordinance then in existence by limiting eligibility for benefits provided by the ordinance to those employees ". . .otherwise entitled to sick leave or vacation benefits . . . " The purpose of the amendment was to ". . . exclude incumbents of certain temporary and intermittent positions" from the benefits provided by the ordinance. This policy has continued to the present. However, in July 1982, the Washington Supreme Court ruled that the City must grant vacation benefits to its temporary workers in accordance with City Charter Article XVII, Section 2. However, by granting vacation benefits to temporary workers, the City will also automatically grant to temporary workers the benefits provided by the Disability Compensation Ordinance unless the Disability Compensation Ordinance is amended to retain and reflect present City policy. The proposed amendment which we present to you here will permit continuation of the present City policy of limiting disability compensation benefits to the City's permanent workforce. Temporary workers will continue to be eligible for beneftis provided by the State Industrial Insurance and Medical Aid Program.

Please let me know if you need any further information. I will be available to assist you with any questions you may have.

SBP:rth
Enclosure

City of Seattle

Executive Department-Office of Management and Budget
Gary Zarker, Director
Charles Royer, Mayor

May 25, 1985

6329

Honorable Douglas Jewett
City Attorney
City of Seattle

Campbell

Dear Mr. Jewett:

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

REQUESTING DEPARTMENT: Personnel

SUBJECT: An ordinance relating to disability compensation, amending SMC to restrict benefits to other than temporary or interim employees.

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

GARY ZARKER
Budget Director

GZ/gwc/dba

Enclosure

cc: Susan B. Pavlou, Personnel Director

City of Seattle

ORDINANCE 111756

AN ORDINANCE relating to disability compensation, amending SMC 4.44.020 to generally restrict benefits to other than temporary or interim employees.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

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Passed by the City Council the 25th day of June, 1984, and signed by me in open session in authentication of its passage this 25th day of June, 1984.

President of the City Council.

Approved by me this 2nd day of July, 1984.

Charles Royer
Mayor.

Filed by me this 2nd day of July, 1984.

Attest: Tim Hill
City Comptroller and City Clerk.

(SEAL)

By Pat Dell
Deputy Clerk.

Publication ordered by TIM HILL, Comptroller and City Clerk.
Date of official publication in Daily Journal of Commerce, Seattle, July 3, 1984. (C-557)

C-557

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 refered 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. 111756

was published on July 3, 1984

S. Blair

Subscribed and sworn to before me on

July 3, 1984

Yvonne Summers

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