

ORDINANCE No. 117961

COUNCIL BILL No. 111040

Law Department

The City

INDEXED

OK

AN ORDINANCE amending Section 4.20.300 of the Seattle Municipal Code, related to payment for performance of duties of a higher-paid position.

Honorable President:

Your Committee on Finance Budget

to which was referred the within Council report that we have considered the

12/12/95 PASS 2-0 (TW, Jn)

Full Com

Jm

COMPTROLLER FILE No. _____

Introduced: <u>NOV 17 1995</u>	By: <u>WEEKS</u>
Referred: <u>NOV 27 1995</u>	To: <u>FINANCE, BUDGET MANAGEMENT & PERSONAL COMMITTEE</u>
Referred:	To:
Referred:	To:
Reported: <u>DEC 14 1995</u>	Second Reading: <u>DEC 14 1995</u>
Third Reading:	Signed: <u>DEC 14 1995</u>
Presented to Mayor: <u>DEC 19 1995</u>	Approved: <u>12-21-95</u>
Returned to City Clerk: <u>12-22-95</u>	Published: <u>F.T.</u>
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

Disk

Department

The City of Seattle--Legislative Department

Date Reported
and Adopted

REPORT OF COMMITTEE

able President:

Committee on FINANCE BUDGET MANAGEMENT & PERSONNEL

was referred the within Council Bill No. 111040

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

S PASS 2-0 (TW, JH)

Full Council Vote 7-0

Committee Chair

ORDINANCE 117961

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AN ORDINANCE amending Section 4.20.300 of the Seattle Municipal Code, related to payment for performance of duties of a higher-paid position.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS

Section 1. Seattle Municipal Code Section 4.20.300 (Ordinance 97330 §51A, as last amended by Ordinance 116867) is further amended as follows:

4.20.300 ~~((Performance of duties of higher position rate of pay))~~

Payment for performance of out-of-class duties

A. Except as otherwise provided in collective bargaining agreements, qualified employees ((except eligible employees)) assigned by proper authority to perform ((substantially the full)) the ongoing duties and accept the responsibilities of a higher-paid classification ((for a period of four (4) consecutive hours or longer)) in order to avoid a significant interruption of work or services, shall be paid at the rate established for such higher-paid classification as in promotion while performing such duties. Each out-of-class assignment is limited to six (6) months unless an extension is authorized by the appointing authority. Appropriate reasons for considering the assignment of out-of-class duties include:

1. Absence of a position incumbent;
2. Peak workload periods;
3. Position vacancy; or
4. Completion of a special project.

B. ~~((Eligible employees assigned by proper authority to perform substantially the full duties of a higher paid classification for a period of two (2) weeks or more as determined in accordance with policy and procedure promulgated by the Budget Director shall be paid at the rate established for such higher-paid position.))~~ An employee whose primary job title is eligible for overtime pay shall perform the ongoing duties of a higher-paid classification for a minimum of four (4) consecutive hours to be eligible for the higher pay rate.

1 An employee whose primary job title is not eligible for overtime shall perform
2 such duties for a minimum of two (2) consecutive weeks to be eligible for the
3 higher pay rate.

4 1. Hours worked in an out-of-class assignment will be credited
5 toward salary step placement in the event the employee who was so assigned is
6 promoted, or his or her position reclassified, to the same class as the out-of-
7 class assignment, within twelve (12) months of the end of such out-of-class
8 assignment.

9 2. When an employee is assigned to perform the same out-of-
10 class duties on a full-time, continuous basis for twelve (12) months or longer, he
11 or she will receive a step increment in the higher salary range; provided, that he
12 or she has not already received an increment because of increases to the
13 primary pay rate; provided further, that such increment does not exceed the top
14 step of the higher salary range.

15 C. ~~((In the case of the highest ranking unsubordinated officer or~~
16 ~~employee of a department or office serving as acting head during a vacancy in~~
17 ~~the position of head of the department or office, in consideration of the~~
18 ~~additional work to be performed by the acting department or office head, the~~
19 ~~compensation shall be such person's regular salary plus, as a premium the~~
20 ~~difference between such salary and the lowest salary step for the department or~~
21 ~~office head position, commencing with the person's service as acting head.~~

22 ~~—— In the case of a person designated by the Mayor to serve, in lieu of the~~
23 ~~highest ranking officer or employee of such department or office, as acting head~~
24 ~~of such department or office, the compensation shall be an amount equal to the~~
25 ~~lowest salary fixed for the position of department or office head, commencing~~
26 ~~with such person's service as acting head. In the case of an employee~~
27 ~~appointed as acting head of a newly created office or department, the~~
28 ~~compensation shall be equal to the lowest salary fixed for that position,~~

1 ~~commencing the date such office or department is established. Compensation~~
2 ~~for service as acting head of a department or office shall be paid for up to six~~
3 ~~(6) months after the occurrence of such vacancy, and, in the event the Mayor~~
4 ~~does not submit to the City Council within such six (6) month period a~~
5 ~~nomination to fill such vacancy on a permanent basis, for such additional time~~
6 ~~as the City Council authorizes, by ordinance. Such compensation shall continue~~
7 ~~throughout the City Council's confirmation process, and for up to ninety (90)~~
8 ~~days after any City Council rejection of a nomination to fill the same, and shall~~
9 ~~terminate when such vacancy is filled on a permanent basis.))~~

10 When an employee or officer serves as acting head of a department or office,
11 payment for the performance of such higher duties shall be as follows:

12 1. If the employee or officer is the highest-ranking
13 unsubordinated employee, he or she shall receive his or her regular salary, plus,
14 for all hours worked as acting head, the difference between his or her regular
15 salary and the lowest salary step of the higher position.

16 2. If the Mayor designates someone other than the highest-
17 ranking unsubordinated employee to be acting department or office head, the
18 rate of compensation will be calculated as in promotion.

19 D. ((Eligible employees assigned to perform, in an "acting" capacity,
20 the duties and assume the full responsibilities of the principal staff assistant to
21 any multi-member City administrative board or commission such as, but not
22 limited to, the Board of Public Works, the Board of Administration of the City
23 Employees' Retirement System, pending the permanent appointment of the
24 principal staff assistant thereto, shall be paid at the rate established for such
25 higher paid position.)) Compensation for acting head assignments will be
26 paid for up to twelve (12) months after the occurrence of a vacancy. An acting
27 head assignment may continue for up to ninety (90) days of any City Council
28 rejection of a nomination to fill a department or office head vacancy and will

1 terminate when such vacancy is filled on a permanent basis.

2 E. An employee who is assigned to perform in an acting capacity the
3 duties, and to accept the responsibilities, of the principal staff assistant to any
4 multi-member City administrative board or commission, will be compensated as
5 in SMC 4.20.300A.

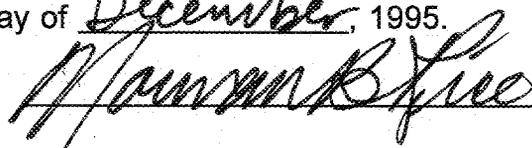
6 **Section 2.** Any acts taken prior to and consistent with this ordinance are
7 hereby confirmed and ratified.

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

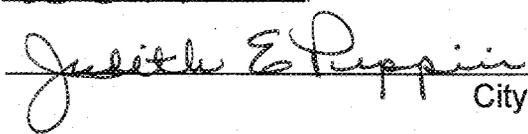
12 Passed by the City Council the 18 day of December, 1995,
13 and signed by me in open session in authentication of its passage this 18
day of December, 1995.

14 
President _____ of the City Council

15 Approved by me this 21 day of December, 1995.

16 
Mayor

17
18 Filed by me this 22 day of December, 1995.

19 
City Clerk

20 (Seal)

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City of Seattle Personnel Department

Norman B. Rice, Mayor Sarah Welch, Personnel Director



November 7, 1995

RECEIVED OMP

NOV 09 1995

TO: Seattle City Council
ATTN: Tom Weeks, Chair
Finance, Budget, Management, and Personnel Committee

VIA: Norm Rice, Mayor
ATTN: Tom Tierney, OMP Director

FROM: 
Sarah Welch, Personnel Director

SUBJECT: Amendment to SMC 4.20.300

The attached council bill amends SMC 4.20.300, *Performance of duties of higher position--rate of pay*. The primary change to this section is the provision of a purpose for making an out-of-class assignment: "to avoid a significant interruption of work or services." The provision of a defined purpose for the use of out-of-class lays the groundwork for the delegation of authority for out-of-class assignment approval to the employing unit. This proposed legislation and the guidelines which will be used to implement it is the work of an interdepartmental committee which met in the summer of 1994 to develop an out-of-class policy. Their proposal became the framework for discussions with the unions in the labor/management task force on out-of-class.

Although nobody expects immediate cost savings from the implementation of this ordinance and its attached guidelines, we do anticipate that it will eventually result in better management of out-of-class. As part of the implementation process, Class/Comp staff will provide an orientation to department human resources and other staff. The responsibility for approving out-of-class assignments will then be delegated to departments, with a semiannual audit conducted by the Personnel Department.

Your consideration of this council bill will be appreciated. Please direct any questions to Kathy Steinmeyer, Policy Development Unit, 4-7921.

Attachment

SW/kss

cc: Personnel Department Administrators
Class/Comp Unit
Records & Information Management Unit
Policy Development Unit

TIME AND DATE STAMP

SPONSORSHIP

Tom Thibault

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO:

PRESIDENT'S SIGNATURE

City of Seattle

Executive Department—Office of Management and Planning

Thomas M. Tierney, Director
Norman B. Rice, Mayor



*copy of letter
Norman B. Rice
95-457*

November 9, 1995

The Honorable Mark Sidran
City Attorney
City of Seattle

Dear Mr. Sidran:

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

COPY RECEIVED
95 NOV 14 AM 11:45
SEATTLE CITY ATTORNEY

REQUESTING
DEPARTMENT

Personnel

SUBJECT:

AN ORDINANCE amending Section 4.20.300 of the Seattle
Municipal Code, related to payment for performance of duties of a
higher-paid position.

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 OMP. Any specific questions regarding the legislation can be directed to Sherry Johnson at 684-8084.

Sincerely,

Norman B. Rice
Mayor

by

Tom Tierney, Director

legis:john54

Enclosure

paid for up to twelve (12) months after the occurrence of a vacancy. An acting head assignment may continue for up to ninety (90) days of any City Council reelection of a nomination to fill a department or office head vacancy and will terminate when such vacancy is filled on a permanent basis.

E. An employee who is assigned to perform in an acting capacity the duties, and to accept the responsibilities, of the principal staff assistant to any multi-member City administrative board or commission, will be compensated as in SMC 4.20.300A.

Section 2. Any acts taken prior to and consistent with this ordinance are hereby confirmed and ratified.

Section 3. This ordinance shall take effect and be in force thirty (30) days from and 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 1.04.020.

Passed by the City Council the 18th day of December, 1996, and signed by me in open session in authentication of its passage this 18th day of December, 1996.

JIM STREET
President of the City Council
Approved by me this 21st day of December, 1996.
NORMAN R. RICE,
Mayor

Filed by me this 22nd day of December, 1996.
(Saw) JUDITH E. FIPPIN,
City Clerk

Publication ordered by JUDITH FIPPIN, City Clerk.
Date of official publication in Daily Journal of Commerce, Seattle, January 2, 1997.
1/2(89072)

AN ORDINANCE relating to the Department of Parks and Recreation; authorizing the acquisition of a portion of the southwest quarter of Section 18, Township 24 North, Range 4 East, and the northwest quarter of Section 19, Township 24 North, Range 4 East, in King County, Washington, commonly known as the former Seaboard Lumber site, located at 4540 West Marginal Way, for open space, park and recreation purposes; authorizing acceptance of the deed; and making an appropriation of funds from the Shoreline Park Improvement Fund for acquisition and related costs.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. As requested by the Superintendent of Parks and Recreation and recommended by the Mayor in attachments hereto, the Superintendent of Parks and Recreation is authorized to acquire, on behalf of The City of Seattle, for open space, park and recreation purposes, in accordance with the terms and provisions of the Real Estate Purchase and Sale Agreement attached hereto and incorporated herein by reference, the following described real property known as OPEN SPACE PARCELS 305 0020000:

That portion of the southwest quarter of Section 18, Township 24 North, Range 4 East, W.M., and the northwest quarter of Section 19, Township 24 North, Range 4 East, W.M., described as follows:

Beginning at the intersection of the north line of block 417 of Seattle Title Lands, as shown on that certain Record of Survey on file with said county in Volume 65 of Surveys, pages 278 and 278A, recorded under Recording Number 890539002, with the easterly margin of West Marginal Way Southwest as established by Ordinance No. 32205 of the City of Seattle;

thence south 130°10'31" east along said easterly margin as shown on said survey;

thence south 1°02'27" east 130.00 feet;

thence north 76°49'09" east 130.00 feet;

thence north 19°45'25" east 111.65 feet;

thence north 31°48'46" east 458.30 feet, more or less, to that certain boundary line described in Quit Claim Deeds recorded under Recording Numbers 9101041050 and 9101041051 records of King County;

thence south 54°12'04" east along said boundary line, 295.91 feet;

thence south 37°46'09" west 12.11 feet;

thence south 32°43'51" east 8.71 feet;

thence south 37°46'09" west 175.00 feet;

thence south 52°22'51" east 150.00 feet;

thence north 70°24'36" east 18.45 feet;

thence north 70°24'36" east 277.00 feet;

thence north 33°32'34" east 277.00 feet;

thence north 70°24'36" east 101.30 feet to the west boundary of the Duwamish Waterway (A/R/A Commercial Waterway District No. 1);

thence south 19°33'24" east, along said west boundary, 291.05 feet;

thence south 42°58'21" west 311.35 feet;

thence north 15°02'37" west 667.47 feet to the north line of that certain tract of land

NGTON - KING COUNTY

—ss.

No. ORD IN FULL

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months to the date of publication hereinafter referred to, published in English language continuously as a daily newspaper in Seattle, County, Washington, and it is now and during all of said time printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce on the 12th day of June, 1941, approved as a legal newspaper of the Superior Court of King County.

The notice in the exact form annexed, was published in regular form of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The attached notice, a

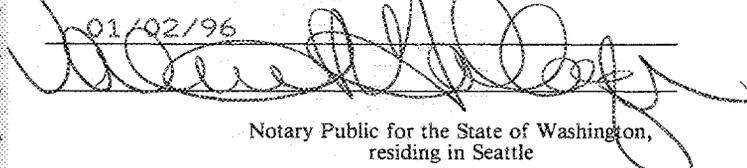
#: 117961

ublished on

1/02/96

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

Subscribed and sworn to before me on

01/02/96


Notary Public for the State of Washington, residing in Seattle