

ORDINANCE No. 118322

COUNCIL BILL No. 111471

*Law Department*

The City of Seattle--

INDEXED

AN ORDINANCE reducing the hours of certain positions in the Department of Housing and Community Development, retitling certain positions, establishing certain pay programs, and establishing the administration of the program.

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REPORT OF COM

Honorable President:

Your Committee on Labor & Pe

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

COMPTROLLER FILE No.

Introduced: <u>SEP 30 1995</u>	By: <u>KRAABEL</u>
Referred: <u>SFA 30 1995</u>	To: <u>Personnel &amp; Labor Policy Committee</u>
Referred:	To:
Referred:	To:
Reported: <u>OCT 14 1995</u>	Second Reading: <u>OCT 14 1995</u>
Third Reading: <u>OCT 14 1995</u>	Signed: <u>OCT 14 1995</u>
Presented to Mayor: <u>OCT 15 1995</u>	Approved: <u>OCT 21 1995</u>
Returned to City Clerk: <u>OCT 23 1995</u>	Published: <u>File</u> <u>4pp.</u>
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

Oct 4, 1996

PK

Full Council vote 9-0

*Paul ...*

Committee

ME

Department

# The City of Seattle--Legislative Department

## REPORT OF COMMITTEE

Date Reported  
and Adopted

able President:

Committee on

*Labor + Personnel*

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

*Oct 4, 1996      3-0      Do Pass*

*PK, JD + JM*

*Full Council vote 9-0*

Committee Chair

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

ORDINANCE 118322

1  
2  
3 A. **ORDINANCE** reducing the hours of work for certain positions in the Department of Housing and  
4 Human Services, retitling such positions, establishing a voluntary deferred pay program therefor,  
and establishing rules for administration of the deferred pay program.

5 **WHEREAS** funding for the Head Start/Early Childhood Education Assistance program has been  
6 reduced, requiring a reduction in staff, a reduction in pay, or a reduction in work hours; and

7 **WHEREAS** the Department of Housing and Human Services wishes to continue to provide full  
8 staffing and support services to the Head Start/Early Childhood Education Assistance Program, and  
must therefore suspend non-critical operations; therefore

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

10 **Section 1.** The Department of Housing and Human Services (DHHS) is authorized to reduce the  
11 hours of work for full-time employees in the positions identified in Section 3 of this ordinance from two  
12 thousand eighty-eight (2,088) hours per calendar year to one thousand seven hundred seventy-five  
13 (1,775) hours per calendar year, effective October 1, 1996. DHHS is further authorized to schedule  
14 those hours of work over a ten (10) month period referred to hereinafter as the "active work year."

15 **Section 2.** A. In order to retain the skilled and qualified program employees now on staff, a  
16 voluntary deferred pay program is hereby established in which Head Start/Early Childhood Education  
17 Assistance employees will continue to receive pay over a twelve (12) month period. Full-time deferred  
18 pay program participants (program participants) will be compensated at the rate of eighty-five percent  
19 (85%) of the regular rate of pay for salary range 30.5A for all regular hours, up to forty (40) hours per  
20 week, during the active work year. The remaining fifteen percent (15%) of compensation for regular pay  
21 hours will be considered an employee authorized deduction or withholding and will be put into a  
22 deferred pay account. The balance in the deferred pay account will be paid to program participants in  
23  
24

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1 biweekly pay warrants during the approximately two (2) month inactive period. During this inactive  
2 period, program participants will be compensated at the rate of 85% of the regular rate of pay for salary  
3 range 30.5A for eighty (80) hours per biweekly pay warrant until such time as his/her deferred pay  
4 account is exhausted.

5 B. Participation in the deferred pay program is voluntary. At the beginning of each active  
6 work year, the employees in each of the positions identified in Section 3 will have the option of  
7 choosing whether or not to participate in the deferred pay program. Employees in Section 3 who choose  
8 not to participate in the deferred pay program will receive the full rate of pay for salary range 30.5A  
9 during the active work year, and will be subject to layoff at the end thereof.

10 C. As long as program participants have not exhausted their deferred pay accounts, they will  
11 receive benefits consistent with full time pay status, and will continue to accrue sick leave and vacation  
12 during the inactive period.

13 1. Assuming their deferred pay accounts have not been exhausted, program  
14 participants will continue to receive biweekly deferred pay payroll warrants in accordance with SMC  
15 4.20.200 if called to jury duty during the inactive period, and in accordance with State and Federal laws  
16 if called to active military duty during the inactive period.

17 2. Program participants who work more than forty (40) hours per week during the  
18 active work year will be eligible for overtime compensation in accordance with SMC 4.20.250 and  
19 Personnel Rules, Chapter 3, Section 5. Overtime will be calculated on the full rate of pay associated  
20 with salary range 30.5A. Program participants will receive 100% of the overtime compensation, and  
21 none of the overtime compensation will be credited to the deferred pay account.

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1           3.     DHHS shall cash out any deferred pay account balance to a program participant  
2 who transfers to another position in the department or the City, or who separates from City service for  
3 any reason.

4           4.     Program participants who do not return after the inactive period as scheduled will  
5 be considered to have voluntarily quit their employment with the City.

6 **Section 3.**    The following positions are subject to the reduction in hours identified in Section 1 of  
7 this ordinance and are eligible to participate in the deferred pay program.

8           Position #023207, Senior Grants and Contracts Specialist

9           Position #024622, Senior Grants and Contracts Specialist

10          Position #023470, Senior Grants and Contracts Specialist

11          Position #020321, Senior Grants and Contracts Specialist

12          Position #025067, Senior Grants and Contracts Specialist

13          Position #024341, Nutritionist

14 **Section 4.**    DHHS may return any deferred pay program participant to a regular compensation and  
15 leave schedule with a minimum of thirty (30) days notice to the program participant and to the Personnel  
16 Department, Classification/Compensation Unit

17 **Section 5.**    The Head Start/Early Childhood Education Assistance Program relies on grant funding  
18 for its operations and is subject to unique personnel requirements pursuant to federal law. Because of  
19 such unique personnel requirements, the positions listed in Section 3 of this ordinance are hereby  
20 exempted from layoff provisions of SMC 4.04.220. In the event of a layoff, employees in Section 3 may  
21 not displace any employees not included in Section 3, nor may employees not included in Section 3  
22 displace any employees in Section 3, even if such employees have the same classification.

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1 **Section 6.** Any acts made consistent with the authority and prior to the effective date of this  
2 ordinance are hereby ratified and confirmed.

3 **Section 7.** This ordinance shall take effect and be in force thirty (30) days from and after its passage  
4 and approval, if approved by the Mayor; but if not approved by the Mayor within ten (10) days after  
5 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

6 PASSED by the City Council of the City of Seattle this 14 day of October, 1996,  
7 and signed by me in open session in authentication of its passage this 14 day of October,  
8 1996.

9  
10 James D. ...  
President \_\_\_\_\_ of the City Council

11 Approved by me this 21 day of October, 1996.

12 William B. Rice  
13 \_\_\_\_\_ Mayor

14 Filed by me this 23 day of October, 1996.

15 Jessie E. Papp  
16 \_\_\_\_\_ City Clerk

17 (Seal)  
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City of Seattle Personnel Department

Norman B. Rice, Mayor Sarah Welch, Personnel Director



September 13, 1996

TO: The Seattle City Council

ATTN: Paul Kraabel, Chair  
Labor and Personnel Committee

VIA: Norman B. Rice, Mayor

ATTN: Tom Tierney, OMP Director

FROM: Sarah Welch, Personnel Director *[Signature]*

SUBJECT: Proposed Legislation To Adopt a Deferred Pay Program

The attached council bill proposes a reduction in hours for certain employees in the Head Start and Early Childhood Education Assistance Program in the Department of Housing and Human Services (DHHS) as well as a new pay program. The Head Start and Early Childhood Education Assistance Program faces significant funding cuts, and DHHS is eager to find ways to absorb these cuts while mitigating the effects thereof on the program's staff.

Accordingly, in addition to proposing a reduction in hours for certain DHHS employees, we have designed a voluntary deferred pay program that will in most cases allow the employees to continue to receive pay warrants year-round. The employees who voluntarily elect to participate in the deferred pay program will work full-time during the approximately 10 months that constitute the school year (the active work period), and will authorize a 15% reduction in the pay received during that active work period in order to defer it for payment during the two-month period that they are not working. Those employees who choose not to participate will work full-time during the active work period, will receive all pay associated with that work at the time it is performed, and will be subject to layoff at the end of the active work period.

We believe that this deferred pay program represents an innovative and positive way of dealing with budget cuts, and we are happy that DHHS recommended it for development and implementation. The Personnel Department's Policy Development Unit is currently evaluating the program for wider application.

Your consideration of this proposed legislation is appreciated. If you have any questions about the deferred pay program, please contact Kathy Steinmeyer, Policy Development Unit, 4-7921.

SW:kss  
Attachment

cc: Personnel Department Administrators, Lidia Santiesteban, Personnel Department, Beverly Yapp, DHHS

An equal employment opportunity affirmative action employer  
12th Floor Dexter Horton Building Telephone Device for the Deaf and  
710 Second Avenue the Hearing Impaired (TDD)  
Seattle, WA 98104-1790 684-7888  
Fax # 694-4157

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TIME / 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:

*Paul ...* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

**FOR CITY COUNCIL PRESIDENT USE ONLY**

COMMITTEE(S) REFERRED TO: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
PRESIDENT'S SIGNATURE

C.S. 20.28

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City of Seattle

NEWSPAPER PUBLICATION

1 of the following or-  
dered by the City of Seattle  
October 14, 1996, and published  
in the Daily Journal of Commerce  
upon request for two months  
upon publication. For further in-  
formation contact the Seattle City  
at 084-8944.

ORDINANCE NO. 118318

ORDINANCE authorizing execu-  
tion of a memorandum of Understand-  
ing between the City of Seattle and  
the International Brotherhood of  
Teamsters, Local Union 1017, effec-  
tive through December 31, 1996,  
and a collective bargaining agree-  
ment between the City of Seattle and  
the Association of Professional Fire-  
fighters of Seattle (APFS), effec-  
tive through December 31, 1996,  
providing payment therefor.

ORDINANCE NO. 118311

ORDINANCE authorizing execu-  
tion of a memorandum of Understand-  
ing between the City of Seattle and  
the International Brotherhood of  
Teamsters, Local Union 1017, effec-  
tive through December 31, 1996,  
and a collective bargaining agree-  
ment between the City of Seattle and  
the Association of Professional Fire-  
fighters of Seattle (APFS), effec-  
tive through December 31, 1996,  
providing payment therefor.

ORDINANCE NO. 118320

ORDINANCE authorizing execu-  
tion of an agreement with  
Kingston Waste Systems, Inc. for  
provision and disposal of waste.

ORDINANCE NO. 118322

ORDINANCE reducing the hours  
of work for certain positions in the De-  
partment of Housing and Human Ser-  
vices, including such positions, establi-  
shing a voluntary deferred pay program  
for certain positions in the Depart-  
ment of Housing and Human Services,  
and providing for the deferral of pay pro-  
gram.

ORDINANCE NO. 118323

ORDINANCE relating to active  
members of the City of Seattle  
benefits of the Employees Retirement  
System (ERS) and the Employees  
Health Care Plan (EHCAP), authorizing an execution of  
a collective bargaining agreement  
between the City of Seattle and  
the International Brotherhood of  
Teamsters, Local Union 1017, effec-  
tive through December 31, 1996,  
and a collective bargaining agree-  
ment between the City of Seattle and  
the Association of Professional Fire-  
fighters of Seattle (APFS), effec-  
tive through December 31, 1996,  
providing payment therefor.

STATE OF WASHINGTON - KING COUNTY

73732  
City of Seattle, City Clerk

--ss.

No. ORDINANCE TI

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

CTOT: 118318-20, 22, 23

was published on

11/01

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  
11/01/96

Notary Public for the State of Washington,  
residing in Seattle

# City of Seattle

Executive Department—Office of Management and Planning

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

September 16, 1996

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.

REQUESTING  
DEPARTMENT: Personnel Department

SUBJECT: AN ORDINANCE reducing the hours of work for certain positions in the Department of Housing and Human Services, retitling such positions, establishing a voluntary deferred pay program therefor, and establishing rules for administration of the deferred pay program.

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

h:\admin\legis\law\trs\john32

Enclosure

96-313  
Approved by  
Norman B. Rice  
9/23/96  
SEP 17 AM 10:13  
TIERNEY



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