

Ordinance No. 121527

Council Bill No. 114924

The City of Seattle Council Bill/Ordinance

AN ORDINANCE amending Seattle
Municipal Code Section 4.20.300,
Payment for performance of out-of-
class duties, to revise language related
to credit for salary step increments.

AD Pass 3-0

7-12-04 Pass

CF No. _____

Date Introduced: JUN 14 2004		
Date 1st Referred: JUN 14 2004	To: (committee) Government Affairs & Labor	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage: <u>7-12-04</u>	Full Council Vote: <u>8-0</u>	
Date Presented to Mayor: <u>7-13-04</u>	Date Approved: <u>7-10-04</u>	
Date Returned to City Clerk: <u>7-10-04</u>	Date Published: <u>4</u>	T.O. <input type="checkbox"/> P.T. <input checked="" type="checkbox"/>
Date Vetoes by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

This file is complete and ready

Law Department

Law Dept. Review

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: _____

Jan Hoops
Councilmember

Committee Action:

Pass 3-0 JD, JC, JB

7-12-04 Passed 8-0 (Absent: Sternbrun)

This file is complete and ready for presentation to Full Council.

Committee: _____

(initial/date)

is Department

Law Dept. Review

OMP
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City Clerk
Review

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ORDINANCE 121527

AN ORDINANCE amending Seattle Municipal Code Section 4.20.300, Payment for performance of out-of-class duties, to revise language related to credit for salary step increments.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Seattle Municipal Code Section 4.20.300, **Payment for performance of out-of-class duties**, Ordinance 98316 as amended, is hereby further amended as follows:

A. Definitions.

~~((1.) "Continuous out of class assignment" means a regularly scheduled part time or full time ongoing out of class assignment to perform and receive compensation for the duties of the same higher paying title.~~

2.) 1. "Discretionary pay program" means a compensation program in which the appointing authority, in accordance with guidelines and procedures established by the Personnel Director, is granted discretion to set pay within the pay zone.

~~((3))~~ 2. "Hourly employee" means an employee who is compensated on an hourly basis for each hour of work performed, including time in excess of forty (40) hours per workweek.

~~((4))~~ 3. "Out-of-class assignment" means the temporary assignment of one (1) or more employees to perform the normal ongoing duties and responsibilities associated with a higher-paying title.

~~((5))~~ 4. "Proper authority" means the appointing authority or his or her designated management representative.

~~((6))~~ 5. "Salaried employee" means an employee who is not eligible for overtime and who each pay period regularly receives a predetermined amount constituting all or part of his or her compensation.



1 the particular program. Within such out-of-class pay structure, the appointing authority or
2 designated management representative shall have discretion for placement.

3 3. Cumulative hours worked in an out-of-class (~~assignment~~)title will be credited
4 toward salary step placement in the event the employee (~~who was so assigned~~) is
5 appointed, or his or her position reclassified, to the same title as the out-of-class
6 assignment, within twelve (12) months of the end of such out-of-class assignment; except
7 that hours worked in an out-of-class assignment to a title in a discretionary pay program
8 shall not be counted toward salary placement in the event of appointment or
9 reclassification to a title in a discretionary pay program.

10 4. An employee with an an (~~continuous~~) out-of-class assignment to a title that is not
11 associated with a discretionary pay program will receive a step increment each two
12 thousand and eighty-eight (2088) straight-time hours of actual service while so assigned;
13 provided, that he or she has not already received an increment in the out-of-class title
14 because of increases to the primary pay rate; provided further, that such increment does
15 not exceed the top step of the higher salary range.

16 D. An employee who is regularly appointed to a position with a title included in a
17 discretionary pay program may be assigned by proper authority to perform the duties associated
18 with another position in the same pay zone and his or her salary temporarily adjusted in
19 accordance with the base salary-setting rules associated with that program.

20 E. An employee whose position is assigned to a discretionary pay program may be
21 assigned by proper authority to perform the duties associated with another pay zone in the same
22 program or with another title in a different compensation program, and compensated as provided
23 in subsections C1 or C2 or this section.

24 F. The threshold for compensation for out-of-class assignments shall be four (4) hours for
25 hourly employees and ten (10) days for salaried employees. The threshold must be satisfied for
26 each out-of-class assignment.

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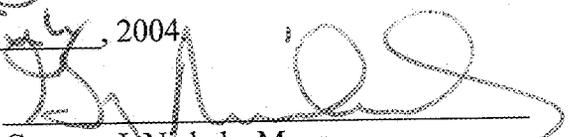
Section 2. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 12th day of July, 2004, and signed by me in open session in authentication of its passage this 12th day of July, 2004.



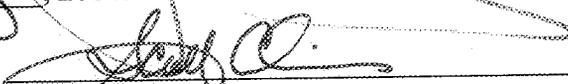
President _____ of the City Council

Approved by me this 16 day of July, 2004.



Gregory J. Nickels, Mayor

Filed by me this 16 day of July, 2004.



City Clerk

(Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Personnel	Kathy Steinmeyer/4-7921	Ellen Schroer/3-9841

Legislation Title:

An ordinance amending Seattle Municipal Code Section 4.20.300, Payment for performance of out-of-class duties, to revise language related to credit for salary step increments.

• **Summary of the Legislation:**

This council bill substitutes 2088 hours of *actual* service for 2088 hours of *continuous* service as the trigger for a salary step increment for persons assigned out-of-class.

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

Based on the recommendations of a Service Delivery Efficiencies Taskforce in 1994, the City revised its pay practices relative to out-of-class assignments. One revision was to permit employees in long-term out-of-class assignments to advance through the associated salary range, instead of having their out-of-class pay rate calculated based on their primary pay rate. The criterion for this advancement was "continuous service", which has been far more complicated to administer in practice than the Taskforce foresaw. Departments established their own practices (and sometimes several practices within the same department) relative to continuity of assignment—for example, whether or not authorized paid or unpaid leave constituted an interruption, whether an employee assigned out-of-class on a part-time basis was eligible for advancement based on continuous service, etc. The proposed remedy makes step advancement in the out-of-class title consistent with step advancement in the primary job.

• *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.)





City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

May 25, 2004

Honorable Jan Drago
President
Seattle City Council
City Hall, 2nd Floor

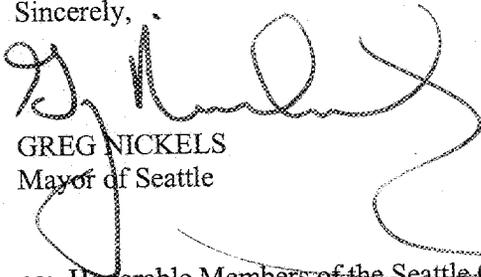
Dear Council President Drago:

The attached Council Bill proposes revisions to Seattle Municipal Code Section 4.20.300 to remedy inconsistent provisions that establish wage progression criteria resulting from Memoranda of Understanding negotiated between the City and seven of its unions in 1994. A separate Council Bill which is being transmitted simultaneously with this legislation seeks authorization to execute amendments consistent with this legislation with those Memoranda of Understanding.

The Seattle Municipal Code Section 4.20.300, which was based on the 1994 agreements, relate to payment for performance of out-of-class duties. This language and subsequent changes has created the potential for administering the provisions of this section inconsistently among similarly situated employees. This legislation would rectify this situation.

The proposed language is intended to be unambiguous and has the added advantage of establishing a pay practice that can be administered through the City's HRIS system with reduced reliance on manual calculations. Thank you for your consideration of this legislation. Should you have questions, please contact Kathy Steinmeyer at 684-7921.

Sincerely,



GREG NICKELS
Mayor of Seattle

cc: Honorable Members of the Seattle City Council



STATE OF WASHINGTON – KING COUNTY

--SS.

174840
CITY OF SEATTLE, CLERKS OFFICE

No. ORDINANCE IN FULL

Affidavit of Publication

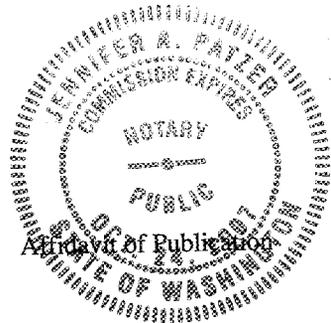
The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published 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:121527 ORD IN FULL

was published on

7/21/2004



Melinda

Subscribed and sworn to before me on

7/21/2004

Jennifer A. Patzer

Notary public for the State of Washington,
residing in Seattle

State of Washington

City of Seattle

ORDINANCE 1146050
AN ORDINANCE
Municipal Code
for performance
revise language
step increment

BE IT ORDAINED
SEATTLE ASSESSORS

Section 1.8
4.20.800. Pay
out-of-class
amended, is b
lows:

A. Definition

(1) "Contingent"
means a regular
full-time employee
to perform a
series of the

(2) "Contingent"
means a contract
employee who
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of the duties of
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basis.

Approved by me this 18th day of July, 2004.
President of the City Council
Jan Drago
of July, 2004.
July, 2004, and signed by me in open session
Passed by the City Council the 6th day of
104.020
Effect as provided by Municipal Code Section

Section 5. This ordinance shall take
effect and be in force thirty (30) days from
approved and returned by the Mayor within
ten (10) days after presentation, it shall take
effect as provided by Municipal Code Section
104.020.
Passed by the City Council the 6th day of
July, 2004, and signed by me in open session
in authentication of its passage this 6th day
of July, 2004.
Jan Drago
President of the City Council
Approved by me this 18th day of July,

11.46.050 Responsibility.
No person shall do any act forbidden
by this chapter or fail to perform any act
required in this chapter. The parent or any
child and the guardian of any ward shall
not authorize or knowingly permit any such
child or ward to violate any of the provisions
of this chapter.

Section 4. The provisions of this ordi-
nance are declared to be separate and sever-
able. The invalidity of any particular provi-
sion shall not affect the validity of any other
provision.

Section 3. The provisions of this ordi-
nance shall not affect the validity of any other
provision.

Section 2. The provisions of this ordi-
nance shall not affect the validity of any other
provision.

Section 1. Implementation and
evaluation plan (the "Plan") approved by
ordinance. The Plan may be amended by

The Plan will set forth the criteria, mea-
surable outcomes and methodology by which
outcomes funded by Proceeds will be select-
ed and evaluated. The evaluation method-
ology will measure both individual programs
and overall effects of the Educational and
Developmental Services. The achievement fac-
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