

Ordinance No. 121884

Council Bill No. 115330

AN ORDINANCE amending Seattle Municipal Code Section 4.24.005, Definitions, to expand the definition of eligible family member for purposes of sick leave use; and Seattle Municipal Code Section 4.24.035 (Subsection A), Paid sick leave—Use, to provide that employees may be compensated for sick leave use for any health care appointment.

CF No. _____

Date Introduced:	AUG - 1 2005	
Date 1st Referred:	AUG - 1 2005	To: (committee) Government Affairs & Labor
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage:	Full Council Vote:	
8-8-05	9-0	
Date Presented to Mayor:	Date Approved:	
8-9-05	8/16/05	
Date Returned to City Clerk:	Date Published:	T.O. / F.T.
8/17/05	3pp	<input checked="" type="checkbox"/>
Date Vetoed by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: Jan Prigo
Councilmember

Committee Action:

Do Pass 3-0 JC, Rm, JC

8-8-05 Passed 9-0

This file is complete and ready for presentation to Full Council. Committee: _____ (initial/date)

Law Department

Law Dept. Review

OMP Review

City Clerk Review

Electronic Copy Loaded

Indexed

ORDINANCE

121884

AN ORDINANCE amending Seattle Municipal Code Section 4.24.005, Definitions, to expand the definition of eligible family member for purposes of sick leave use; and Seattle Municipal Code Section 4.24.035 (Subsection A), Paid sick leave—Use, to provide that employees may be compensated for sick leave use for any health care appointment.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Seattle Municipal Code Section 4.24.005, Definitions, Ordinance 112088 as amended, is hereby further amended as follows:

SMC 4.24.005 Definitions.

Terms used in this chapter shall have the meaning indicated therefore in the Personnel Ordinance (Seattle Municipal Code Chapter 4.04) unless another meaning is clearly indicated below or from the context:

A. "Eligible family member" for purposes of sick leave usage means:

1. The employee's ~~((dependent))~~ child, regardless of age (i.e., the biological, adopted, foster or step child of an employee or his or her spouse/domestic partner, or a legal ward or a child for whom the employee or his or her spouse/domestic partner stands in loco parentis ~~((who is (a) under eighteen (18) years of age; or (b) eighteen (18) years of age or older and incapable of self care because of a mental or physical disability)))~~).

2. The employee's domestic partner designated as such by the employee in an Affidavit of Domestic Partnership or otherwise as provided by Seattle Municipal Code Section 4.30.010.



1 3. The grandparent of an employee or his or her spouse/domestic partner (i.e., the parent
2 of an employee's birth, adoptive, foster or step parent; or the parent of an employee's
3 spouse's or domestic partner's birth, adoptive, foster or step parent).

4 4. The employee's birth, adoptive, foster or step parent or an individual who stood in loco
5 parentis to the employee when the employee was a child; or a birth, adoptive, foster or
6 step parent or individual who stood in loco parentis to the employee's spouse or domestic
7 partner when the spouse or domestic partner was a child.

8 5. The employee's legally recognized spouse.

9 6. The employee's sibling or the sibling of the employee's spouse or domestic partner.

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12 B. "Health care professional" means a person whose services are of a type for which
13 compensation is paid under any City health care plan.

14 Section 2. Seattle Municipal Code Section 4.24.035 Subsection A, Paid sick leave—
15 Use, Ordinance 112088 as amended, is hereby further amended as follows:

16 **SMC 4.24.035 Paid sick leave -- Use.**

17
18 A. An officer's or employee's request for paid sick leave may be granted by the appointing
19 authority or a designated management representative when the officer or employee is required to
20 be absent from work because of:

21 1. A personal illness, injury or medical disability incapacitating the officer or employee
22 for the performance of duty, or personal (~~medical or dental~~)health care appointments; or

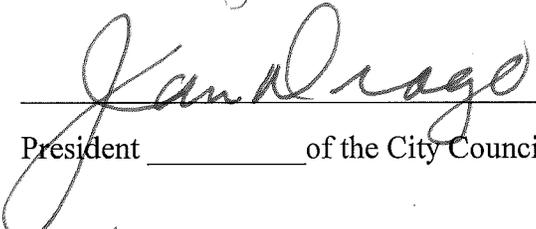
23 2. An illness, injury, or (~~medical or dental~~)health care appointment of an officer's or
24 employee's eligible family member as defined by SMC Section 4.24.005A, requiring the absence
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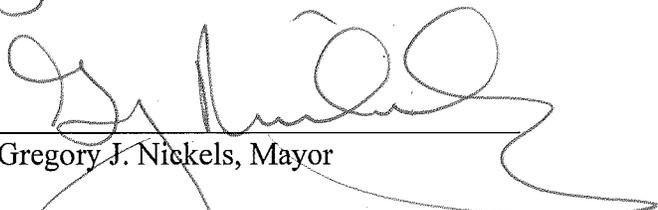
1 of the officer or employee from work, or when such absence is recommended by a health care
2 professional.

3 Section 3. This ordinance shall take effect and be in force thirty (30) days from and after
4 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
5 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.
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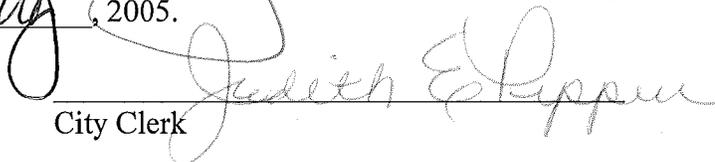
7 Passed by the City Council the 8th day of August, 2005, and signed by me in open
8 session in authentication of its passage this 8th day of August, 2005.
9

10 
11 _____
12 President _____ of the City Council

13 Approved by me this 16th day of August, 2005.
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15 
16 _____
17 Gregory J. Nickels, Mayor

18 Filed by me this 17th day of Aug, 2005.
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20 
21 _____
22 City Clerk

23 (Seal)
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City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

July 21, 2005

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

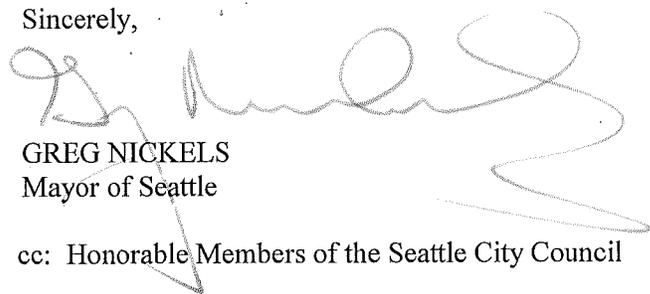
Dear Council President Drago:

I am pleased to transmit the attached proposed Council Bill that amends Seattle Municipal Code (SMC) Sections 4.24.005 and 4.24.035, relating to City employees' use of sick leave.

Ordinance 112088, which was passed in 1984, allowed employees to use their accumulated sick leave balances, without qualification, to care for children under the age of 18, their spouses or domestic partners, their parents and grandparents, and the parents and grandparents of their spouses or domestic partners. The old legislation included the qualifying condition that, in order for an employee to use sick leave for an adult child, that child needed to be incapable of self-care. The attached proposed Council Bill eliminates that qualification, and further amends the SMC to allow employees to use sick leave in order to care for siblings. Finally, this Council Bill amends SMC Section 4.24.035 by clarifying that all health care appointments including, but not limited to, traditional and non-traditional medical, dental, and mental health care treatments are covered by the City's sick leave program.

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

600 Fourth Avenue, 7th Floor, P.O. Box 94749, Seattle, WA 98124-4749

Tel: (206) 684-4000, TDD: (206) 684-8811 Fax: (206) 684-5360, E:mail: mayors.office@seattle.gov

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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 4.24.005, Definitions, to expand the definition of eligible family member for purposes of sick leave use; and Seattle Municipal Code Section 4.24.035 (Subsection A), Paid sick leave—Use, to provide that employees may be compensated for sick leave use for any health care appointment.

• **Summary of the Legislation:**

This legislation eliminates the requirement that an adult child be incapable of self-care because of a mental or physical disability in order for an employee to use his or her sick leave to care for them; adds “sibling” as an eligible family member for sick leave use; and clarifies that all health care appointments including, but not limited to, traditional and non-traditional medical, dental, and mental health care treatments, are covered through an employee’s sick leave balance.

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

SMC 4.24.005 was last amended in response to a change in State law that required that employees be permitted to use family leave (i.e., sick leave or other paid leave) to care for children over the age of 18, as long as the adult child had a disability. The same law mandated that employees could use family leave to care for parents and grandparents, but did not attach the qualifying condition of a disability. Many employees have adult children who are not disabled or siblings who have no one to care for them when they become ill. This legislation seeks to eliminate the inequity between adult children and siblings and the parents and grandparents of employees.

• *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.)*

NOTE: This legislation does not provide any additional appropriation authority. Employees will receive the same sick leave benefit, but the opportunities to use the leave time will be broadened. It is possible that the result will be an increase in the amount of sick leave used overall.



STATE OF WASHINGTON – KING COUNTY

--SS.

189242
CITY OF SEATTLE, CLERKS OFFICE

No.

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.

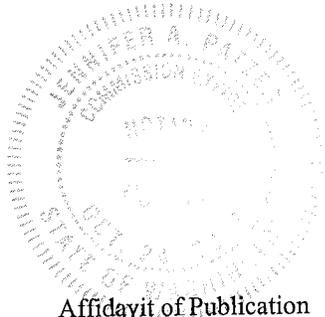
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:121884 ORDINANCE

was published on

08/19/05

The amount of the fee charged for the foregoing publication is the sum of \$ 145.75, which amount has been paid in full.



08/19/05

[Signature]
Subscribed and sworn to before me on

[Signature]
Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

ORDINANCE 121884

AN ORDINANCE amending Seattle Municipal Code Section 4.24.005, Definitions, to expand the definition of eligible family member for purposes of sick leave use; and Seattle Municipal Code Section 4.24.035 (Subsection A), Paid sick leave—Use, to provide that employees may be compensated for sick leave use for any health care appointment.

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2. The employee's domestic partner designated as such by the employee in an Affidavit of Domestic Partnership or otherwise as provided by Seattle Municipal Code Section 4.30.010.

3. The grandparent of an employee or his or her spouse/domestic partner (i.e., the parent of an employee's birth, adoptive, foster or step parent; or the parent of an employee's spouse's or domestic partner's birth, adoptive, foster or step parent).

4. The employee's birth, adoptive, foster or step parent or an individual who stood in loco parentis to the employee when the employee was a child; or a birth, adoptive, foster or step parent or individual who stood in loco parentis to the employee's spouse or domestic partner when the spouse or domestic partner was a child.

5. The employee's legally recognized spouse.

6. The employee's sibling or the sibling of the employee's spouse or domestic partner.

B. "Health care professional" means a person whose services are of a type for which compensation is paid under any City health care plan.

Section 2. Seattle Municipal Code Section 4.24.035 Subsection A, Paid sick leave—Use, Ordinance 112088 as amended, is hereby further amended as follows:

SMC 4.24.035 Paid sick leave -- Use.

A. An officer's or employee's request for paid sick leave may be granted by the appointing authority or a designated management representative when the officer or employee is required to be absent from work because of:

1. A personal illness, injury or medical disability incapacitating the officer or employee for the performance of duty, or personal ((medical or dental))health care appointments; or

2. An illness, injury, or ((medical or dental))health care appointment of an officer's or employee's eligible family member as defined by SMC Section 4.24.005A, requiring the absence of the officer or employee from work, or when such absence is recommended by a health care professional.

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 8th day of August, 2005, and signed by me in open session in authentication of its passage this 8th day of August, 2005.

Jan Drago

President of the City Council

Approved by me this 16th day of August, 2005.

Gregory J. Nickels, Mayor

Filed by me this 17th day of August, 2005.

(Seal) Judith Pippin

City Clerk

Publication ordered by JUDITH PIPPIN, City Clerk

Date of publication in the Seattle Daily Journal of Commerce, August 19, 2005.

8/19(159242)