

Ordinance No. 123166

Council Bill No. 116696

AN ORDINANCE relating to City employment; establishing a 2010 furlough program for certain employees not covered by collective bargaining agreements; extending the time employees laid off in 2009 and 2010 would be in Project Hire and on reinstatement lists from one year to two; and ratifying and confirming prior acts.

CF No. _____

Date Introduced:	<u>10-19-09</u>	
Date 1st Referred:		To: (committee) <u>Budget</u>
Date Re - Referred:		To: (committee)
Date Re - Referred:		To: (committee)
Date of Final Passage:	<u>11-23-09</u>	Full Council Vote: <u>9-0</u>
Date Presented to Mayor:	<u>11-23-09</u>	Date Approved: <u>12-1-09</u>
Date Returned to City Clerk:	<u>12-3-09</u>	Date Published: T.O. <input checked="" type="checkbox"/> F.T. <input 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: Jean Goldson
Councilmember

Committee Action:

11-10-09 Pass JG, SC, RC, BH, RM, TR

11-23-09 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

1 participating in 80 hours of unpaid furlough time shall receive a base salary increase. The
2 Executive Branch departments shall schedule furlough days for employees participating in either
3 a 56 or an 80 hour unpaid furlough on a department or work unit basis, according to each
4 department's operational need.

5 Section 2. The Seattle Municipal Court is authorized to implement a furlough program
6 for its employees not covered by a collective bargaining agreement. Scheduling of furlough days
7 for certain Seattle Municipal Court employees shall be determined by the Court on a department
8 or work unit basis, and will be according to operational need. Seattle Municipal Court
9 employees will be assigned furlough dates in 2010 to equal a total of 80 hours, prorated for part-
10 time employees. Employees on alternative schedules shall schedule furlough days in order to
11 equal a total of 80 hours (e.g., employees on 4/10s shall take eight furlough days of ten hours
12 each). Furlough days will generally be scheduled on "premium days," which are the work days
13 preceding and following City holidays, and on other available Fridays throughout 2010.
14 Employees will not be required to take more than one furlough day within two consecutive pay
15 periods.
16
17

18 Premium days for 2010 are identified as: January 4, January 15, January 19, February 12,
19 February 16, May 28, June 1, July 2, July 6, September 3, September 7, November 12,
20 November 24, November 29, December 23, December 27, and December 30. Other available
21 Friday furlough dates for 2010 include: January 8, January 22, January 29, February 5, February
22 19, February 26, March 5, March 12, March 19, March 26, April 2, April 9, April 16, April 23,
23 April 30, May 7, May 14, May 21, June 4, June 11, June 18, June 25, July 9, July 16, July 23,
24
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26



1 July 30, August 6, August 13, August 20, August 27, September 10, September 17, September
2 24, October 1, October 8, October 15, October 22, October 29, November 5, November 19,
3 December 3, December 10, and December 17.

4 Section 3. The Seattle City Attorney is authorized to implement a furlough program for
5 employees in the City Attorney's Office not covered by a collective bargaining agreement.

6 Some identified employees in the City Attorney's Office shall participate in 56 hours of unpaid
7 furlough time in 2010, prorated for part-time employees. Those employees identified as
8 participating in 56 hours of unpaid furlough time shall not receive a base salary increase in 2010.
9

10 Other identified employees in the City Attorney's Office shall participate in 80 hours of unpaid
11 furlough time in 2010, prorated for part-time employees. Those employees participating in 80
12 hours of unpaid furlough time shall receive a base salary increase. The City Attorney shall
13 schedule furlough days on a department or work unit basis, according to the City Attorney's
14 Office's operational need.
15

16 Section 4. The Legislative Department is authorized to implement a furlough program
17 for its employees. The City Council shall schedule furlough days on a department or work unit
18 basis, according to the Legislative Department's operational needs.
19

20 Section 5. Unpaid furlough time will accrue sick leave and vacation time.

21 Section 6. Unpaid furlough time will not affect employee holiday pay or holiday
22 benefits.

23 Section 7. Unpaid furlough time will count towards the hours threshold used to
24 determine the number of personal holidays received.
25



1 Section 8. Employees whose pay is less than \$18.00 an hour in 2010 may opt to use paid
2 vacation, personal holidays, or compensatory time during their absence for a furlough day.

3 Section 9. The City and employees will not make contributions to the City's Retirement
4 System for unpaid furlough time, and employees will not receive service credit for retirement
5 purposes for unpaid furlough time.

6 An employee who is identified as subject to furloughs who plans to retire by December
7 31, 2012, shall be permitted to use vacation or compensatory time in lieu of furlough days,
8 provided he or she submits a written notice of intent to retire to his or her Human Resources unit
9 and consents to a payroll or leave deduction no later than December 31, 2010. Should such
10 employee not retire by December 31, 2012, the employee shall return payment for the leave used
11 on furlough days to the City either by pay or deduction of equivalent vacation or compensatory
12 hours.
13

14 Section 10. Medical, dental, vision and any other insured benefits coverage shall not be
15 impacted by the furloughs.
16

17 Section 11. Unpaid furlough time will not count as a break in service and shall not
18 impact seniority, step placement, probationary periods or trial service periods.
19

20 Section 12. Temporary employees and volunteers shall not be assigned to perform work
21 to cover the time loss associated with furloughs.

22 Section 13. The length of time an employee may participate in "Project Hire" and remain
23 on the reinstatement list for a position from which he or she was laid off in 2009 or 2010 shall
24 increase from one year to two years.
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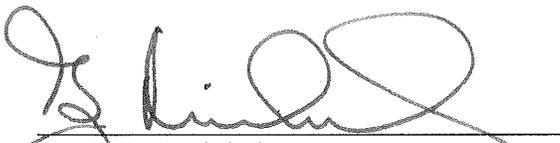
1 Section 14. Any act consistent with the authority and prior to the effective date of this
2 ordinance is hereby ratified and confirmed.

3
4 Section 15. This ordinance shall take effect and be in force thirty (30) days from and
5 after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10)
6 days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

7
8 Passed by the City Council the 23rd day of November, 2009, and
9 signed by me in open session in authentication of its passage this
10 23rd day of November, 2009.

11
12
13 
President _____ of the City Council

14
15 Approved by me this 1st day of December, 2009.

16
17 
18 Gregory J. Nickels, Mayor

19
20 Filed by me this 3rd day of December, 2009.

21
22 
23 Carol Shenk
City Clerk

24 (Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Personnel	David Bracilano/47874 Sarah Butler/47929	Amy Williams/32651

Legislation Title:

AN ORDINANCE relating to City employment; establishing a 2010 furlough program for certain employees not covered by collective bargaining agreements; extending the time employees laid off in 2009 and 2010 would be in Project Hire and on reinstatement lists from one year to two; and ratifying and confirming prior acts.

• **Summary of the Legislation:**

This legislation establishes a furlough program for non-represented City employees for 2010.

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

As a result of the national economic crisis, the City has been experiencing revenue shortfalls and is facing large cuts to its 2010 operating budget. The City has identified unpaid employee furloughs in 2010 as one approach to reducing operating costs while mitigating the number of layoffs required. According to estimates provided by Labor Relations, this legislation authorizes the Mayor, Municipal Court, City Attorney, and the Legislative Department to implement a furlough program in 2010 for approximately 2,500 non-represented employees.

The furlough program shall generally consist of 80 hours of unpaid time per employee in 2010, pro-rated for part-time employees. Certain employees in the Executive Department, the Department of Finance, and the City Attorney's Office will take only 56 hours of unpaid furlough leave, but will forfeit base pay adjustments that had been anticipated in the 2010 Endorsed Budget. In most cases, furlough dates will be scheduled so that departments will remain open for business. Certain employees, such as those making less than \$18.00 per hour or those planning on retiring by the end of 2012, may opt to use appropriate paid leave on furlough days. Employees will receive most benefits and working conditions on furlough days that they would receive while taking paid leave, including accrual of sick and vacation leave, retention of holiday pay and benefits, and continuation of personnel processes (furloughs will not count as a break in service and will not affect seniority, step placement, or length of trial service or probationary periods). Neither the City nor its employees will make contributions to the Retirement System for furlough time, nor will employees receive retirement service credit for unpaid furlough time. This legislation also extends the period of time from one year to two years that an employee may participate in the job placement program "Project Hire" and remain on the reinstatement list for a position from which he or she was laid off in 2009 or 2010.



- 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.)

 X **This legislation has financial implications.** (Please complete all relevant sections that follow.)

Spending/Cash Flow: This table should be completed only in those cases where part or all of the funds authorized by this legislation will be spent in a different year than when they were appropriated (e.g., as in the case of certain grants and capital projects). Details surrounding spending that will occur in future years should be provided in the Notes section below the table.

Fund Name & #	Department	Budget Control Level*	2009 Expenditures	2010 Anticipated Expenditures
				See Below
TOTAL				See Below

* See budget book to obtain the appropriate Budget Control Level for your department.

Notes:

This action, coupled with the furlough program for participating represented employees, will result in an estimated General Fund savings of \$6.5 million and non-General Fund savings of \$11.6 million. This dollar amount does not include savings lost due to permitting employees making less than \$18.00 per hour in 2010 to use paid leave on furlough days, or for exempting certain employees from taking furloughs altogether. Additionally, savings may further be eroded by permitting employees who state their intent to retire by the end of 2012 to use paid leave on furlough days. Labor Relations was not able to estimate the amount of savings lost to employees not participating in furloughs.

- **What is the financial cost of not implementing the legislation?** (Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs if the legislation is not implemented.)

If this legislation is not implemented, the City would need to make additional budget reductions in other areas, including employee layoffs, to make up for unrealized savings from non-represented employee furloughs.

- **Does this legislation affect any departments besides the originating department?** • If so, please list the affected department(s), the nature of the impact (financial, operational, etc).



and indicate which staff members in the other department(s) are aware of this Bill.

This legislation affects all departments in the City with non-represented employees. Departments participating in furlough programs will be impacted both financially and operationally. The City will realize an approximate 3.8% in salary savings from employees participating in the 2010 furlough program. Departments will need to plan for the operational impacts of reduced staffing on scheduled furlough days. City Personnel has provided details surrounding the furlough program to department management and City employees.

- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** *(Include any potential alternatives to the proposed legislation, such as reducing fee-supported activities, identifying outside funding sources for fee-supported activities, etc.)*

None.

- **Is the legislation subject to public hearing requirements:** *(If yes, what public hearings have been held to date, and/or what plans are in place to hold a public hearing(s) in the future.)*

No.

- **Other Issues** *(including long-term implications of the legislation):*

None

- **List attachments to the fiscal note below:** *(Please include headers with version numbers on all attachments, as well footers with the document's name (e.g., DOF Property Tax Fisc Att A)*

None.





City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

September 25, 2009

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Conlin:

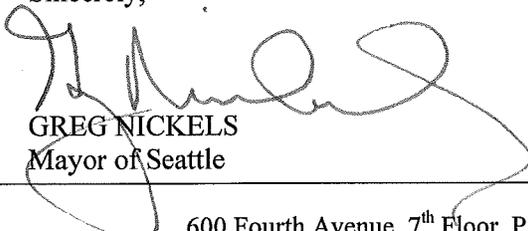
I am transmitting the attached proposed Council Bill for consideration with the 2010 Proposed Budget. This legislation establishes a furlough program for non-represented City employees for 2010.

In response to the extraordinary financial challenges Seattle is facing as a direct result of the national economic crisis, my 2010 Proposed Budget identifies significant budget cuts throughout City government. Last month, the majority of City Unions voted to implement an employee furlough program to help address the budget shortfall and avoid widespread layoffs. The attached Ordinance authorizes a similar furlough program for approximately 2,500 of the City's non-represented employees. This action, coupled with the furlough program for participating represented employees, will result in an estimated General Fund savings of \$6.5 million and non-General Fund savings of \$11.6 million.

The 2010 furlough program shall generally consist of 80 hours of unpaid time per employee, pro-rated for part-time employees. Certain other non-represented employees will take only 56 hours of unpaid furlough leave, but will forfeit base pay adjustments that were anticipated in the 2010 Endorsed Budget. In most cases, furlough dates will be scheduled so that departments will remain open for business. Certain employees, such as those making less than \$18.00 per hour or those planning on retiring by the end of 2012, may opt to use appropriate paid leave on furlough days. Employees will receive most benefits and working conditions on furlough days that they would receive while taking paid leave. Neither the City nor its employees will make contributions to the Retirement System for furlough time, nor will employees receive retirement service credit for unpaid furlough time. This legislation also extends the period of time from one year to two years that an employee may participate in the job placement program "Project Hire" and remain on the reinstatement list for a position from which he or she was laid off in 2009 or 2010.

I know you join me in expressing appreciation to the many City employees and their families who, through the 2010 furlough program, are doing their part to help address current financial realities, and participate in the creation of a sound and sustainable budget to help see Seattle through these difficult economic times.

Sincerely,



GREG NICKELS
Mayor of Seattle

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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STATE OF WASHINGTON – KING COUNTY

--SS.

248065
CITY OF SEATTLE, CLERKS OFFICE

No. 73-75,77,79-80,85

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.

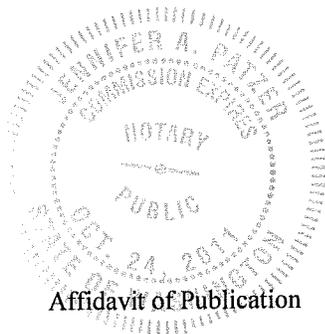
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:123156-59,63-66,68-69

was published on

12/10/09

The amount of the fee charged for the foregoing publication is the sum of \$ 254.70, which amount has been paid in full.



[Signature]

Subscribed and sworn to before me on
12/10/09 *[Signature]*

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County

City of Seattle

TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on November 23, 2009, and published here by title only, will be mailed upon request, or can be accessed at <http://clerk.ci.seattle.wa.us>. For further information, contact the Seattle City Clerk at 684-8344.

ORDINANCE NO. 123156

AN ORDINANCE relating to contracting indebtedness; authorizing and providing for the issuance and sale of limited tax general obligation bonds to pay all or part of the cost of financing elements of the City's capital improvement program, issuing and selling the bonds; and other City purposes approved by ordinance; providing for terms and sale of the bonds; creating a project fund; amending Ordinance 122848; and ratifying and confirming certain prior acts.

ORDINANCE NO. 123157

AN ORDINANCE related to funding from non-City sources; authorizing City Department Heads and certain Directors governed by SMC Chapter 3.14 to accept certain grants in amounts not to exceed Fifteen Thousand Dollars, to negotiate and execute contracts and agreements in order to receive funding under those grants and make associated expenditures in accordance with the terms of the applicable grants; and creating a new chapter 5.33 in the Seattle Municipal Code.

ORDINANCE NO. 123158

AN ORDINANCE relating to jail services; authorizing the Mayor to execute with the City of Bellevue a proceeds distribution and hold harmless agreement for Seattle's share of real property sale proceeds to be used to facilitate the reduction of Seattle's jail population housed by King County; and ratifying and confirming certain prior acts.

ORDINANCE NO. 123159

AN ORDINANCE relating to the Department of Parks and Recreation; establishing the 2010 fee schedule for the use of park properties and other park and recreation facilities and services; superseding previous park and recreation fee schedules; and amending Section 18.28.010 of the Seattle Municipal Code.

ORDINANCE NO. 123163

AN ORDINANCE relating to the Seattle Department of Transportation's financing of certain capital activities for street paving purposes; and amending Ordinance 122641 to extend the term of an interfund loan.

ORDINANCE NO. 123164

AN ORDINANCE relating to the financing of the South Lake Union Streetcar project; amending Ordinance 122603 to extend the term of an interfund loan.

ORDINANCE NO. 123165

AN ORDINANCE relating to City employment; authorizing the Mayor to sign and execute a memorandum of understanding between the City of Seattle and certain City unions, and a memorandum of understanding between the City of Seattle and the Seattle Municipal Court and certain City unions, both memoranda establishing a furlough program in 2010; and ratifying and confirming prior acts.

ORDINANCE NO. 123166

AN ORDINANCE relating to City employment; establishing a 2010 furlough program for certain employees not covered by collective bargaining agreements; extending the time employees laid off in 2009 and 2010 would be in Project Hire and on reinstatement lists from one year to two; and ratifying and confirming prior acts.

ORDINANCE NO. 123168

AN ORDINANCE relating to the municipal water system of The City of Seattle; adopting a system or plan of additions or betterments to or extensions of the existing municipal water system; authorizing the issuance and sale of water system revenue bonds, in one or more series, for the purposes of paying part of the cost of carrying out that system or plan, providing a bond reserve and paying the costs of issuing and selling the bonds; providing for the terms, conditions, covenants and manner of sale of those bonds; describing the lien of the bonds; creating certain accounts of the City relating to those bonds; and ratifying and confirming certain prior acts.

ORDINANCE NO. 123169

AN ORDINANCE relating to the electric system of The City of Seattle; authorizing the issuance and sale of municipal light and power revenue bonds for the purposes of providing funds for certain additions and betterments to and extensions of the existing municipal light and power plant and system of the City, capitalizing interest on and paying the costs of issuing and selling those bonds and providing for the reserve fund requirement; providing for the terms, conditions, covenants and manner of sale of those bonds; describing the lien of those bonds; and ratifying and confirming certain prior acts.

ORDINANCE NO. 123173

AN ORDINANCE relating to compensation for certain City officers and employees not covered by collective bargaining agreements; and providing salary increases effective January 5, 2011.

ORDINANCE NO. 123174

AN ORDINANCE relating to City employment; authorizing the Mayor to execute a memorandum of understanding between the City of Seattle and certain individual unions in the Coalition of City Unions, a memorandum of understanding between the City of Seattle and the Pacific Northwest Regional Council of Carpenters, and a memorandum of understanding between the City of Seattle and the International Association of Machinists and Aerospace Workers District Lodge 160, Local 289, all amending collective bargaining agreements expiring December 31, 2010.

ORDINANCE NO. 123175

AN ORDINANCE amending the 2009 Adopted Budget, including the 2009-2014 Capital Improvement Program (CIP); changing appropriations to various departments and budget control levels, and from various funds in the Budget; creating a new Budget Control Level; adding a new project and revising project allocations for certain projects in the 2009-2014 CIP; making cash transfers between funds; and ratifying and confirming certain prior acts, all by a three-fourths vote of the City Council.

ORDINANCE NO. 123177

AN ORDINANCE adopting a budget, including a capital improvement program and position modifications, for the City of Seattle for 2010; creating a barrier fund; creating positions exempt from civil service; and finding that 2010 General Fund contributions to the Park and Recreation Fund exceed the requirements set forth under Article XI, Section 3 of the City Charter; all by a two-thirds vote of the City Council.

ORDINANCE NO. 123179

AN ORDINANCE authorizing the levy of regular property taxes by the City of Seattle for collection in 2010, representing an increase above the regular property taxes levied for collection in 2009; and ratifying and confirming certain prior acts.

ORDINANCE NO. 123180

AN ORDINANCE relating to the levy of property taxes; fixing the rates and/or amounts of taxes to be levied, and levying the same upon all taxable property, both real and personal, in the City of Seattle, to finance the departments and activities of City government and to provide for the general obligation bond interest and redemption require-

ments for the year beginning on the first day of January 2010; ratifying and confirming certain prior acts; and by a vote of a majority plus one of the Seattle City Council, finding a substantial need to use, and providing for the use of, 101% as the regular property tax limit factor.

ORDINANCE NO. 123185

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Publication ordered by the City Clerk
Date of publication in the Seattle Daily Journal of Commerce, December 10, 2009.

12/10(248065)