

CB117147
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Darwyn B. Anderson/Joan Matheson
PERS 1Q11 Employment ORD
April 5, 2011
Version #4

ORDINANCE

AN ORDINANCE relating to City employment commonly referred to as the First Quarter 2011 Employment Ordinance; establishing new titles and/or salaries; designating positions as exempt from Civil Service status; amending Section 4.20.320 of the Seattle Municipal Code; and ratifying and confirming prior acts; all by a 2/3 vote of the City Council.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Establishing New Titles and/or Salaries. As recommended by the Personnel Director, the following titles and/or salary rates are established as displayed below, effective as of the dates shown and pay is authorized back to the effective dates:

Department:	Seattle Police Department
New Title:	Police Communications Dispatcher Supervisor
Old Title:	Police Communications Dispatcher-Acting Supervisor
New Salary Range:	\$33.70 - \$35.04 - \$36.33 - \$37.74 - \$39.22
Old Salary Range:	\$33.70 - \$35.04 - \$36.33 - \$37.74 - \$39.22
Report:	#10-11655
Effective Date:	December 20, 2010

Department:	Personnel Department
Title:	Cooperative Intern
New Salary Range:	\$14.13
Old Salary Range:	\$17.83
Report:	#11-11740
Effective Date:	Upon passage of enabling legislation, except Cooperative Interns who work for the City at the time of passage of this legislation shall receive the same salary rate the intern received immediately before this salary adjustment is effective.



1	Department:	Personnel Department
2	Title:	Municipal Government Intern
3	New Salary Range:	\$17.31
4	Old Salary Range:	\$25.91
5	Report:	#11-11740
6	Effective Date:	Upon passage of enabling legislation, except Municipal Government Interns who work for the City at the time of 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

Section 2. Designating Two Positions as Exempt from Civil Service Status. As recommended by the Personnel Director in the Classification Determination specified, these positions are designated as exempt from Civil Service as noted below, pursuant to SMC

4.13.010(1):

- 1 position (#00017582) in the Department of Finance and Administrative Services; Senior Accountant designated to Strategic Advisor 2, Exempt (Report #10-11658).
- 1 position (#10003407) in Seattle City Light; IT Professional B designated to IT Professional A, Exempt (Report #10-11707).

Section 3. Seattle Municipal Code 4.20.320 is amended as follows:

4.20.320 Executive and Merit leave for eligible employees

A. Definitions

1. "Eligible employee" is any regular, salaried, professional, administrative, or executive employee who is exempt from or not covered by the overtime pay provisions of the Fair Labor Standards Act or the Washington Minimum Wage Act, and not otherwise excluded by this section. Eligible employees are those assigned to a classification or position which receives a top salary step equal to or greater than the top salary step of pay range 36.5, and those assigned to the Accountability Pay for Executives Program, Manager Compensation Program, or Strategic



1 Advisor Program, regardless of pay group or zone, and are not entitled to receive overtime
2 compensation or compensatory time for hours worked in excess of 40 in one workweek. In the
3 Executive Department, the Law Department, and the Legislative Branch an "eligible employee"
4 is any regular, salaried employee who is not entitled to receive overtime compensation or
5 compensatory time under state or federal law.

6 2. "Emergency response employee" shall be defined as an employee who occupies a position
7 with a title that is exempt from the provisions of the Fair Labor Standards Act, is assigned to a
8 classification which receives a top salary step that is equal to or greater than the top salary step of
9 pay range 36.5, and is uniformly subject to call back to work to respond to emergency situations
10 after completing the regular work shift. Only employees working in the position titles listed
11 below shall be designated as Emergency response employees:

12 Title

13 Electrical Construction and Maintenance Supervisor

14 Electrical Workload Supervisor

15 Generation Supervisor

16 Power Dispatcher Supervisor

17 Power Station Operations Supervisor

18 Power Supply Engineer

19 Power Supply Engineer, Assistant

20 Station Construction and Maintenance Supervisor I

21 Station Construction and Maintenance Supervisor II

22 Substation Operators Supervisor

23 Transmission/Distribution Services Supervisor

24 Water Maintenance Supervisor



1 Water Pipe District Supervisor

2 Water Quality Lab Supervisor

3 Water Transmission Supervisor

4 Water Treatment Supervisor

5 Water Supply Supervisor

6 3. "Executive leave" shall be defined as time off with pay and shall be in addition to earned
7 vacation benefits. Eligible employees may not receive cash in lieu of executive leave.

8 4. "Merit leave" shall be defined as leave which may be awarded to an eligible employee for
9 outstanding, meritorious and/or extraordinary work performance, which is in addition to
10 executive leave.

11 B. Policy

12 1. Executive leave: Unless specifically excluded in subsection C of this Section 4.20.320 all
13 eligible employees with the exception of the classification of Magistrate, shall receive four days
14 of executive leave at the beginning of each calendar year. Executive leave must be used in the
15 calendar year for which it is given.

16 2. Eligible employees are expected to fulfill their professional responsibilities with no receipt of
17 overtime or compensatory time off in lieu of overtime, regardless of the actual time it takes to
18 perform assigned tasks. Eligible employees should be allowed discretion in structuring their
19 workday to ensure that assigned tasks are completed. Eligible employees are not required to use
20 paid vacation or sick leave to cover occasional absences of less than four hours during any one
21 workday, and shall be paid their regular salary despite such absences. Eligible employees are
22 expected to notify supervisors in advance of such absences and are expected to schedule such
23 absences in a manner which will cause the least impact on work within their work unit.
24



1 3. Merit leave: An Appointing Authority may, at his or her discretion, award to eligible
2 employees up to six days of merit leave during the month of December of each year. Eligible
3 employees must use any awarded merit leave in the subsequent calendar year and may not
4 receive cash in lieu of merit leave.

5 4. Out-of-class assignment: Employees who are otherwise eligible for overtime compensation
6 who work out-of-class in an executive leave eligible position shall be eligible for executive and
7 merit leave according to a minimum hour threshold and formula established and published by the
8 Personnel Director and shall not receive overtime compensation when so assigned. This
9 provision may apply to represented employees provided their bargaining agent has concurred in
10 its application. Subsection B.2 of this Section 4.20.320 becomes applicable to employees who
11 work out-of-class in an executive leave eligible position after a specified threshold is reached as
12 defined by the Personnel Director.

13 C. Exclusions

14 1. Department Directors who receive vacation allowance pursuant to Section 4.34.030 shall be
15 excluded from Section 4.20.315 and this Section 4.20.320. (~~Officers and employees of the~~
16 ~~Seattle Municipal Court who are exempt from, or not otherwise covered by the Fair Labor~~
17 ~~Standards Act; and e)) Employees who are working pursuant to a collective bargaining
18 agreement shall also be excluded from Section 4.20.315 and this Section 4.20.320 except as
19 provided for in subsection B.4 of this Section 4.20.320. All employees employed by the Seattle
20 Public Library are specifically excluded from all provisions of Section 4.20.315 and this Section
21 4.20.320.~~

22 2. Emergency Response Employees. In order to ensure continued effective response to public
23 emergencies, all emergency response employees who work in position titles designated in
24 subsection A.2. of this Section 4.20.320 shall be eligible for overtime or compensatory time at
25 the rate of time-and-one-half for all hours worked in excess of 40 during one workweek.
26 Emergency response employees shall not receive executive or merit leave benefits.



1 3. Class Series Exception. If at least one position title in a class series is below the 36.5 salary
2 range, then all position titles in the class series up through and including the "senior" level will
3 be eligible for overtime and shall not receive executive or merit leave benefits. This Section does
4 not apply to eligible employees in the Executive Department, the Law Department and the
5 Legislative Branch.

6 Section 4. Any act consistent with the authority of this ordinance taken after its passage
7 and prior to its effective date is hereby ratified and confirmed.



1 Section 5. This ordinance shall take effect and be in force 30 days from and after its
2 approval by the Mayor, but if not approved and returned by the Mayor within ten days after
3 presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by a 2/3 vote of all the members of the City Council the ____ day of
5 _____, 2011, and signed by me in open session in authentication of its
6 passage this
7 ____ day of _____, 2011.

8
9 _____
10 President _____ of the City Council

11
12 Approved by me this ____ day of _____, 2011.

13
14 _____
15 Michael McGinn, Mayor

16
17 Filed by me this ____ day of _____, 2011.

18
19 _____
20 City Clerk

21 (Seal)



FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Personnel Department	Joan Matheson / 386-9081	Greg Shiring / 386-4085

Legislation Title:

AN ORDINANCE relating to City employment commonly referred to as the First Quarter 2011 Employment Ordinance; establishing new titles and/or salaries; designating positions as exempt from Civil Service status; amending Section 4.20.320 of the Seattle Municipal Code; and ratifying and confirming prior acts; all by a 2/3 vote of the City Council.

Summary of the Legislation:

This legislation seeks to 1) establish new titles and/or salaries; 2) establish two positions as exempt from Civil Service status; and amend Section 4.20.320 of the Seattle Municipal Code; all by a 2/3 vote of the City Council.

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

1. Establish new titles and/or salaries:

New title:

- Police Communications Dispatcher Supervisor

The ordinance title change simply removes the word "Acting" from the title, reflecting the intention to civilianize the Supervisor body of work by establishing a regular supervisory level in the Police Communications Dispatcher class series, to which employees will be appointed. According to the Personnel Department's Labor Relations Division, there is agreement that the title of *Police Communications Dispatcher Supervisor* will be in the SPDG bargaining unit, as is the existing "Acting" title. The salary range will be the same as the range for the current title of *Police Communications Dispatcher-Acting Supervisor*.

New Salaries:

- Cooperative Intern
- Municipal Government Intern

The Personnel Department conducted a salary review of the Cooperative Intern and Municipal Government Intern classifications to determine if these salary rates are still appropriate. The data suggests that the City is significantly above the market and warrants making a salary adjustment down for both classifications. These adjustments will bring the City more in line with the local market and provide the ability to hire more interns. Any Cooperative or Municipal Government Interns who work for the City at the



time of passage of this legislation shall receive the same salary rate the intern received immediately before these salary adjustments are effective.

2. This ordinance also seeks to establish two positions as exempt from Civil Service status, due to nature of the work to be performed by the positions, consistent with Personnel Rule 2.2. These position changes create a minor cost increase for the affected Departments, which will be funded within existing budget authority.

3. This legislation authorizes amending Section 4.20.320 of the Seattle Municipal Code Executive and Merit leave for eligible employees at the Seattle Municipal Court.

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.)

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

Notes: The estimated costs associated with this legislation are summarized in Fiscal Note Attachment 1 and will be funded through departments' existing budgets.





PERS 1Q11 Employment FISC Attach 1
 (Implementation of the 1Q11 Employment Ordinance)

Dept	Report	New Position Title	Potential Positions Impacted	2010	2011
<i>New Title and/or Salary Reviews</i>					
POLICE	#10-11655	Police Communications Dispatcher Supervisor	3	\$0	\$0
PERS	#11-11740	Cooperative Intern ¹	1		
PERS	#11-11740	Municipal Government Intern ¹	1		
			<i>Subtotal</i>		
<i>Exempt Actions</i>					
FAS	#10-11658	Strategic Advisor 2, Exempt ²	1	\$4,267	\$25,120
CL	#10-11707	IT Professional - A, Exempt ²	1	\$2,423	\$13,937
			<i>Subtotal</i>	\$6,690	\$39,057
			<i>Total³</i>	\$6,690	\$39,057

Costing Assumptions:

¹For illustrative purposes only. The hourly rate for the Cooperative Intern will go from \$17.83 to \$14.13 per hour and the Municipal Government Intern from \$25.91 to \$17.31 per hour. Cost amounts are not included as it is not known how many positions may be affected.

²Positions in discretionary pay programs are costed from midpoint to midpoint of the old and new title and/or rate.

³The 2011 costs will be absorbed in departments' current budgets.



City of Seattle
Office of the Mayor

March 22, 2011

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

Dear Council President Conlin:

I am pleased to transmit the attached proposed Council Bill related to City employment that establishes new titles and/or salaries, establishes two positions as exempt from Civil Service status and amends Section 4.20.320 of the Seattle Municipal Code.

Specifically, this legislation will establish a new title of Police Communications Dispatcher Supervisor and new salaries for both Cooperative Intern and Municipal Government Intern classifications.

The proposed Council Bill will establish the following positions as exempt from civil service: a Strategic Advisor 2 position in the Department of Finance and Administrative Services; and an Information Technology Professional - a position in Seattle City Light. The two positions proposed for exempt status meet the exemption criteria of a particularly high degree of professional responsiveness and individual accountability, a confidential or fiduciary relationship with the appointing authority, or judicial positions requiring insulation as a third branch of government.

In addition, this legislation would amend Section 4.20.320 of the Seattle Municipal Code to provide for executive and merit leave for employees who serve in eligible positions at the Seattle Municipal Court.

Thank you for your consideration of this legislation. Should you have any questions, please contact Joan Matheson at 386-9081.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

