

**CITY OF SEATTLE**

**ORDINANCE** \_\_\_\_\_

COUNCIL BILL 117810

AN ORDINANCE relating to City employment commonly referred to as the First Quarter 2013 Employment Ordinance; designating positions as exempt from Civil Service status, amending Seattle Municipal Code Section 4.13.010, authorizing the Mayor to execute a Memorandum of Agreement between the City of Seattle and the Public Service and Industrial Employees Local 1239, 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. Designating Eight 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 (#00012257) in the Seattle City Light Department; Executive Assistant, Senior designated to Assistant to the Superintendent (Report #12-12836).
- 1 position (#00010891) in the Department of Finance and Administrative Services; Strategic Advisor 2, CSPI&P designated to Strategic Advisor 2, Exempt (Report #12-12840).
- 1 position (#00011215) in the Department of Finance and Administrative Services; Rates Management Analyst, Senior designated to Strategic Advisor 2, Exempt (Report #13-13074).
- 1 position (#00025469) in the Seattle Public Utilities Department; Strategic Advisor 1, Gen Govt designated to Strategic Advisor 1, Exempt (Report #12-12842).

- 1 -- 1 position (#10004844) in the Seattle City Light Department; Manager 3,  
2 Engrng and Plans Rev designated to Manager 3, Exempt (Report #12-12867).
- 3 -- 1 position (#10004976) in the Seattle City Light Department; Manager 2,  
4 Fin,Bud,&Actg designated to Strategic Advisor 1, Exempt (Report #13-13032).
- 5 -- 1 position (#00024503) in the Seattle Public Utilities Department; Strategic  
6 Advisor 3, Utils designated to Executive 1 (Report #13-13092).
- 7 -- 1 position (#10004357) in the Seattle Retirement System; Manager 3,  
8 Fin,Bud,&Actg designated to Manager 3, Exempt (Report #13-13098).

9  
10 Section 2. Amending Seattle Municipal Code Section 4.13.010. Seattle Municipal Code  
11 Section 4.13.010, last amended by Ordinance 124092, is amended as follows:

12 \* \* \*

13 **Employment Unit**

14 **Titles of Exempt Positions**

15 \* \* \*

- 16 7. Executive Planning and Development Specialist, Senior (~~Administrative Staff~~  
17 ~~Analyst~~) (OSE) (PosNo. 10004696)  
18 All directors of offices in the Executive Department  
19 All positions in the Office of the Mayor  
20 Executive Assistant (OED) (PosNo. 00025562)

21 Section 3. As requested by the Personnel Director and recommended by the Mayor, the  
22 Mayor is authorized on behalf of the City of Seattle to execute a Memorandum of Agreement  
23 between the City of Seattle and the Public Service and Industrial Employees Local 1239,  
24 substantially in the form attached to this ordinance as Attachment 1 and identified as  
25 "Memorandum of Agreement by and between The City of Seattle and Public Service and  
26 Industrial Employees Local 1239".

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

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

6 Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2013, and  
7 signed by me in open session in authentication of its passage this  
8 \_\_\_\_ day of \_\_\_\_\_, 2013.

9  
10 \_\_\_\_\_  
11 President \_\_\_\_\_ of the City Council

12  
13 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2013.

14  
15 \_\_\_\_\_  
16 Michael McGinn, Mayor

17  
18 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2013.

19  
20 \_\_\_\_\_  
21 Monica Martinez Simmons, City Clerk

22 (Seal)

23  
24 Attachment1: Memorandum of Agreement by and between The City of Seattle and Public  
25 Service and Industrial Employees Local 1239

MEMORANDUM OF AGREEMENT

BY AND BETWEEN

THE CITY OF SEATTLE

AND

PUBLIC SERVICE AND INDUSTRIAL EMPLOYEES LOCAL 1239

This Memorandum of Agreement (MOU) is supplemental to the Collective Bargaining Agreement by and between the City of Seattle (City) and the Public Service and Industrial Employees Local 1239 (Union) regarding the Recreation Leaders, Recreation Attendants, and Lifeguards in the Seattle Parks and Recreation Department. The City and the Union have agreed to add the pay title of Parks Rental Attendant as provided below effective April 1, 2013.

HOURLY RATES OF PAY

Parks                \$17.00  
Rental  
Attendant

All temporary employees assigned to staff rental events at Parks facilities shall be compensated at the Parks Rental Attendant pay rate. Regular employees assigned outside of their base work schedule to staff rental events at Parks facilities shall be compensated at the Parks Rental Attendant pay rate. The Parks Rental Attendant rate is inclusive of all premium and shift differential pay adjustments and up to four (4) hours of custodial duties per event. Regular employees who staff rental events as a part of their regular classified work duties during a normally scheduled work shift shall be compensated at their current rate in their classification.

It is further understood and agreed that "Parks Rental Attendant" is a pay title specific to a body of work within the Recreation Attendant classification and is not a classification of work in and of itself. While assigned to staff a rental event as a Parks Rental Attendant, employees will perform the general duties of the Recreation Attendant classification, be required to provide exemplary customer service and additional duties during a rental event such as:

- Arrives between 30 -120 minutes prior to scheduled event to perform light custodial duties and prepare location for arrival of renters.
- Greeting the customer and reviewing contract/permit parameters.
- Providing assistance in set up and take down of tables and chairs, emptying trash and cleaning spills, and maintaining clean restrooms.
- Monitors building and ensures customer is complying with Parks Rules and procedures
- Assists in light custodial duties at the conclusion of the rental to ensure the building can be used for upcoming events.

For the Union:

Ian Gordon      4/8/13  
Ian Gordon, President      /Date

For the City of Seattle:

Michael South      4/8/13  
Michael South, Labor Negotiator      Date

**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Personnel Department	Joan Matheson / 386-9081	Forrest Longman / 684-0331

**Legislation Title:**

AN ORDINANCE relating to City employment commonly referred to as the First Quarter 2013 Employment Ordinance; designating positions as exempt from Civil Service status, amending Seattle Municipal Code Section 4.13.010, authorizing the Mayor to execute a Memorandum of Agreement between the City of Seattle and the Public Service and Industrial Employees Local 1239, 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 eight positions as exempt from Civil Service status, 2) amend Section 4.13.010 of the Seattle Municipal Code, and 3) authorize the implementation of a Memorandum of Agreement (“MOA”) between the City of Seattle and the Public Service and Industrial Employees Local 1239; all by a 2/3 vote of the City Council.

**Background:**

1. This ordinance seeks to establish eight positions as exempt from Civil Service status. The nature of the work to be performed by the positions is consistent with Personnel Rule 2.2. These position changes do not create a cost increase for the affected departments.
2. This legislation authorizes amending Section 4.13.010 of the Seattle Municipal Code, Exemptions from the Civil Service and Public Safety Civil Service Systems.
3. This legislation authorizes the Mayor to implement a Memorandum of Agreement between the City of Seattle and the Public Service and Industrial Employees Local 1239. This Memorandum of Agreement (MOA) is supplemental to the Collective Bargaining Agreement by and between the City of Seattle (City) and the Public Service and Industrial Employees Local 1239 (Union) regarding the Recreation Leaders, Recreation Attendants, and Lifeguards in the Seattle Parks and Recreation Department. The City and the Union have agreed to add the pay title of Parks Rental Attendant as provided effective April 1, 2013.

Please check one of the following:

**This legislation has financial implications.**

**Other Implications:**

- a) **Does the legislation have indirect financial implications, or long-term implications?**  
The estimated costs associated with this legislation are summarized in Fiscal Note Attachment 1 and will be funded through departments' existing budgets.
- b) **What is the financial cost of not implementing the legislation?**  
NA
- c) **Does this legislation affect any departments besides the originating department?**  
This legislation will affect the Seattle City Light Department, the Seattle Department of Finance and Administrative Services, the Seattle Public Utilities Department, the Seattle Retirement System, and the Seattle Parks and Recreation Department.
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**  
There are no alternatives available at this time.
- e) **Is a public hearing required for this legislation?**  
No
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**  
No
- g) **Does this legislation affect a piece of property?**  
No
- h) **Other Issues:**

**List attachments to the fiscal note below:**

Attachment: PERS 1Q13 Employment FISC Attach 1

**PERS 1Q13 Employment FISC Attach 1**  
**(Implementation of the 1Q13 Employment Ordinance)**

Dept	Report	New Position Title	Potential Positions Impacted	2012	2013
<b>Exempt Actions</b>					
SCL	#12-12836	Assistant to the Superintendent <sup>1</sup>	1	\$1,019	\$4,203
FAS	#12-12840	Strategic Advisor 2, Exempt <sup>2</sup>	1	\$0	\$0
FAS	#13-13074	Strategic Advisor 2, Exempt <sup>1 2</sup>	1	\$0	\$4,084
SPU	#12-12842	Strategic Advisor 1, Exempt <sup>2</sup>	1	\$0	\$0
SCL	#12-12867	Manager 3, Exempt <sup>2</sup>	1	\$0	\$0
SCL	#13-13032	Strategic Advisor 1, Exempt <sup>2</sup>	1	\$0	-\$9,715
SPU	#13-13092	Executive 1 <sup>2</sup>	1	\$0	-\$3,926
RS	#13-13098	Manager 3, Exempt <sup>2</sup>	1	\$0	\$0
<b>Subtotal</b>				\$1,019	-\$5,354
<b>Total<sup>3</sup></b>				\$1,019	-\$5,354

Costing Assumptions:

- <sup>1</sup>Positions in the step program are costed from top step to top step of the old and new title and/or rate.
- <sup>2</sup>Positions in discretionary pay programs are costed from midpoint to midpoint of the old and new title and/or rate.
- <sup>3</sup>The 2012 and 2013 costs will be absorbed in departments' current budgets.



City of Seattle  
Office of the Mayor

May 7, 2013

Honorable Sally J. Clark  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Clark:

I am pleased to transmit the attached proposed Council Bill related to City employment that designates positions as exempt from Civil Service status, amends section 4.13.010 of the Seattle Municipal Code and authorizes the Mayor to execute a Memorandum of Agreement between the City of Seattle and the Public Service and Industrial Employees Local 1239.

Specifically, this legislation will establish the following positions as exempt from Civil Service: one (1) Assistant to the Superintendent position in the Seattle City Light Department, two (2) Strategic Advisor 2 position in the Finance and Administrative Services Department, one (1) Strategic Advisor 1 position in the Seattle Public Utilities Department, one (1) Manager 3 position in the Seattle City Light Department, (1) Strategic Advisor 1 position in the Seattle City Light Department, one (1) Executive 1 position in the Seattle Public Utilities Department, and one (1) Manager 3 position in the Seattle Retirement System. The eight (8) 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.

This legislation will amend Seattle Municipal Code Section 4.13.010 relating to exemptions from the civilian Civil Service. These positions have already been established by various ordinances as Civil Service exempt.

This legislation also authorizes the Mayor to execute a Memorandum of Agreement between the City of Seattle and the Public Service and Industrial Employees Local 1239 adding the pay title of Parks Rental Attendant.

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

Sincerely,

A handwritten signature in black ink, appearing to read "M. McGinn".

Michael McGinn  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor  
Office of the Mayor  
600 Fourth Avenue, 7<sup>th</sup> Floor  
PO Box 94749  
Seattle, WA 98124-4749

Tel (206) 684-4000  
Fax (206) 684-5360  
TDD (206) 615-0476  
mike.mcinn@seattle.gov