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COUNTY COUNCIL  
Snohomish County, Washington

W.T. \_\_\_\_\_ J.C. \_\_\_\_\_  
G.H. \_\_\_\_\_ J.D. \_\_\_\_\_  
S.R. \_\_\_\_\_ D.J. \_\_\_\_\_

ORDINANCE NO. 81-004  
RELATING TO GRIEVANCES OF CLASSIFIED  
COUNTY EMPLOYEES; AMENDING  
SECTIONS 3A.11.010, 3A.11.030  
AND ADDING SECTION 3A.11.040  
TO THE SNOHOMISH COUNTY CODE

BE IT RESOLVED

Section 1. That sections 3a.11.020 and 3a.11.030  
adopted by resolution dated October 17, 1979, are amended as  
follows:

3A.11.020 Grievance Procedures. The following  
procedures govern the conduct of the grievance process for  
all classified employees, unless the employee is appointed  
by an Elected Official other than the (~~Board~~) council.

An elected official may choose to follow the procedures  
set forth in this Rule, or may institute formally written  
and published grievance and hearing procedures completely  
independent of this Rule. Where these procedural steps are  
adopted by an Elected Official, appeals under Step IV, Rule  
3A.11.020, shall be made to the Elected Official. A hearing  
examiner may be appointed by agreement between the Elected  
Official and the employee aggrieved.

If an employee does not receive a response within the  
number of working days outlined in the steps below, the next  
step in the grievance process shall apply.

Step I. The employee shall verbally present  
his/her grievance to his/her immediate supervisor  
within (~~three-(3)~~) five (5) working days of the  
occurrence of the grievance, and the supervisor  
will respond verbally within (~~three-(3)~~) five (5)  
working days.

Step II. If the employee is dissatisfied with the supervisor's response, the employee shall, within five (5) working days of the supervisor's response, submit a written grievance to the Employing Official. The Employing Official will review the grievance and will respond in writing within (~~five (5)~~) ten (10) working days of receipt of written grievance.

Step III. In the event the grievance is not settled satisfactorily at Step II, the employee shall submit a written grievance to the Director within five (5) working days of receipt of the Employing Official's written response. The written grievance shall specify with particularity the subject matter of the grievance and the investigation and all further actions shall be limited to matters raised in the written grievance. The Director shall conduct an investigation into the circumstances leading up to the grievance, and then shall submit his/her recommendations in writing to the aggrieved employee, a copy of which is sent to the Employing Official. Such recommendation shall be made within (~~fifteen (15)~~) twenty (20) calendar days of receipt of such request.

Step IV. If the aggrieved employee disagrees with the director's recommendation (~~(7-he/she-may-submit-in-writing-to-the-board-a-written-request-for-a-further-hearing-before-the-board.--Such-request-must-be-submitted-within-fifteen-(15)-calendar-days-from-the-date-of-the-director's-recommendation.)~~) and desires a hearing on the grievance, he/she shall submit a written request for hearing to the director within fifteen (15) calendar days from the date of the director's recommendation. The director shall forward copies of all documents in his file relating to the grievance to each member of the personnel board.

(a) Hearings. The personnel board will conduct a hearing within thirty five (35) (~~(30)~~) calendar days of (~~written-request-for-hearing-before-the-board~~) mailing of documents relating to a grievance by the director. Grievance hearings before the

board shall be open to the public, except for cases in which the board determines there is substantial reason for not having an open hearing, or in cases where the employee so requests, and shall be informal with technical rules of evidence not applying to the proceedings except the rules of privilege recognized by law. Both the employee and his/her employing official shall be notified reasonably in advance of the hearing and may select representative of their choosing, present and cross-examine witnesses and give evidence before the board.

~~((The board may appoint a hearing examiner to conduct the hearing. The hearing examiner shall be a person who is fair and impartial; he/she shall not have any prior participation of any kind in the matter, and shall not discuss or consult with any person on any issue outside the hearing. The hearing examiner shall be appointed by agreement between the board and the aggrieved employee, and the record shall reflect the employee's consent to the person selected. A tape recording, or similar permanent record, shall be made of all proceedings. The determination of the ((hearing examiner)) personnel board shall conform to the requirements of Rule 3A.11.020(b), and shall be final ((unless appealed to the board within ten (10) days. Review by the board shall be limited to the transcript, and any evidence of record.)) No new evidence will be admitted or considered after the close of the hearing before the ((hearing examiner)) personnel board.~~

(b) Findings. Within thirty (30) calendar days after the conclusion of the hearing the board shall make and fully record in its permanent records findings of facts, conclusions of law when the construction of a rule, regulation or statute is in question, reasons for the action taken and its order based thereon, and at the same time sending a copy of the findings, conclusions and order by certified mail to the grievant at his/her

address as given at the hearing or to a representative designated by him/her to receive the same. The conclusions, findings and recommendations of the board will be final and binding on all parties. The board will also send a copy of its recommendations to the employing official and the director. All requests for hearings filed before the effective date of this section shall be controlled by and subject to the provisions contained in section 3A.11.020 Step IV prior to its amendment approved herein.

3A.11.030 Reinstatement after hearing. Any classified employee, who has been suspended, demoted or terminated, if fully reinstated after a hearing before (~~the-hearing examiner-or~~) the personnel board, shall be guaranteed all employee rights and benefits, including backpay, sick leave, vacation accrual, retirement and OASDI credits, which would otherwise have accrued to the employee..

Section 2. A new section to the Snohomish County Code is adopted as follows:

3A.11.040 Personnel board. There shall be a personnel board of five members, who shall be appointed by the council upon the recommendation of the executive. A personnel board member shall serve a term of four years with initial terms staggered in length so that terms, insofar as possible, shall not expire on the same year. Appointees shall be required to have not less than five years experience in work requiring some form of personnel administration. Not more than one member at anytime shall be a county official or employee.

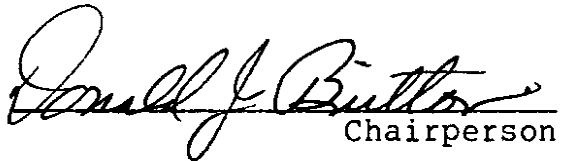
The personnel board shall hear grievances as provided in this chapter, and shall report at least once a year to the council concerning the operation of the personnel system with any recommendations it may have for its improvement. The board shall adopt its own rules of procedure. A majority of the board shall constitute a quorum. The director or his designee shall serve as the clerk of the board.

Section 3. The effective date of this ordinance shall be March 1, 1981.

PASSED this 4th day of February, 1981.

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

ATTEST:

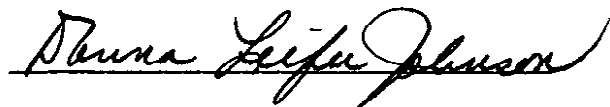
  
Chairperson

  
Clerk of Council

- (  ) APPROVED  
(     ) VETOED  
(     ) EMERGENCY

ATTEST:

DATE: 2-6-81



  
County Executive

PUBLISHED January 17, 1981 and February 13, 1981