

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



CO00023913

EMERGENCY ORDINANCE NO. 92 - 151

AMENDING SNOHOMISH COUNTY CODE CHAPTER 3A.05 AND 3A.06
RELATING TO PERSONNEL RULES

TO REVISE THE PERSONNEL RULES AND ADD NEW PROVISIONS
FOR HOLIDAY PAY, FLOATING HOLIDAY AND VACATION ACCRUAL

BE IT ORDAINED:

Section 1. Snohomish County Code Section 3A.05.020 adopted by Ordinance 84-129 on November 21, 1984, is amended to read as follows:

3A.05.020 Rates of pay. No employee shall be paid at a rate of pay less than the minimum nor more than the maximum established for his/her job as set forth in the pay plan unless otherwise provided for in these rules. All pay rates in the pay plan are based upon full-time employment at the normal working hours for the position. For purposes of pay administration, full-time employment is defined as work consisting of at least thirty-five but no more than forty hours per week.

(1) Starting rate upon initial employment. New employees shall be appointed at the minimum step of the pay range in effect for the particular classification or position to which the appointment is made unless the employing official has requested and received prior authorization from the director to fill the position at some other step in the pay range. In no event shall the starting rate of pay exceed the maximum rate of the pay range.

(2) Pay rate upon promotion. An employee who is promoted shall be paid at that step in the pay range for the classification to which he/she is promoted, which represents at least a one step pay increase over the rate of pay received immediately prior to the promotion or at the minimum step of the new pay range, whichever is greater: PROVIDED, That such increase does not exceed the maximum step of the new pay range. A greater pay rate may be permitted upon promotion to correct the situation where a supervisor would receive less than a subordinate through application of this rule.

(3) Pay rate upon demotion. An employee who is demoted to a lower classification for reasons other than misconduct may be paid at any rate in the pay range assigned to the lower classification which is appropriate to the circumstances surrounding the demotion, the affected employee's experience and training, and the availability of funds.

An employee who is demoted from trial service following promotion shall receive the same pay rate as he/she received prior to promotion.

An employee who accepts a voluntary demotion because of organizational changes or reduction in force or who requests a voluntary demotion for personal reasons shall be paid at that step in the lower pay range that results in at least a one step reduction in pay unless such reduction would result in the employee being paid

below the minimum step in the lower pay range.

(4) Pay rate upon transfer. An employee who transfers from one position to another within the same class, or from a position in one class to a position in a different class that is assigned to the same pay range, shall continue to receive the same rate of pay as before the transfer.

(5) Pay rate upon reinstatement or rehire. A person who is recalled from layoff, who returns from an unpaid leave of absence, or who is rehired following separation from county employment, and who is reemployed in the same classification as held before the break in service and who is reemployed within one year from the date of the break in service, shall receive the same step in the pay range as held prior to the break in service, subject to the availability of budgeted funds. If such person is reemployed in other than the original classification, the rate of pay shall be at the minimum step of the pay range for the new classification, unless otherwise approved by the director.

(6) Pay rate following reclassification. An employee occupying a position that is reclassified to another class with the same pay range shall receive the same rate of pay as before the reclassification. If the position is reclassified to a class with a higher pay range, the employee shall receive an increase in pay as provided for in cases of promotion. If a position is reclassified to a class with a lower pay range, the employee's rate of pay shall be reduced as provided in these rules for voluntary demotion, unless the director recommends and the council approves an incumbent pay rate.

(7) Pay rate following adjustment to the pay range. If a class is reassigned to a new pay range, with no change in duties or responsibilities, the employee shall be paid at that step in the new pay range that most closely corresponds to the employee's placement in the original pay range.

(8) Pay rate for temporary and part-time employment. Temporary and part-time employees shall be paid for actual hours worked at an hourly rate of pay equivalent to the rate paid regular full-time employees performing substantially the same type of work. Where no similar work is normally performed the director shall establish an appropriate pay rate after consulting with the employing official.

(9) Call back pay. When an employee has completed his/her regularly scheduled shift or work week and is "called back", the employee shall be paid at the rate of one and one-half times his/her regular rate of pay for actual hours worked: PROVIDED, That if the employee is called back and subsequently works less than two hours, he/she shall receive a minimum of two hours of pay at the regular rate of pay. Employees whose jobs normally require attendance at meetings outside of normal office hours or whose working conditions require regular call backs as a normal part of the job shall not be entitled to call back pay. When the total number of hours worked in one week exceeds forty hours, the call back provisions of this section shall cease to apply and the overtime provisions of subsection (10) of this section shall apply.

(10) Overtime compensation. In the case of employees who are working less than a forty hour work week, all hours worked in excess of the normally scheduled work week up to a maximum of forty hours per week, shall be compensated at the straight time rate of pay, unless the call back provisions of subsection (9) of this section are applicable. Overtime pay at the rate of one and one-half times the

employee's regular rate of pay shall be paid for any work authorized and performed in excess of forty hours per week for all employees except those employees for whom overtime pay is not required by law. Employees who do not receive overtime pay may receive compensatory time off for hours actually worked in excess of forty hours per week on an hour for hour basis with prior approval of the employing official. Employees who are eligible for overtime pay may receive compensatory time off equivalent to the number of overtime hours worked in lieu of overtime pay. Compensatory time off shall not be permitted to accrue beyond an eighty hour maximum for any employee. Compensatory time accrued shall be scheduled as time off within thirty days of the date it is earned. Any unused compensatory time shall lapse upon an employee's separation from county service. Department heads may approve the payment of overtime pay to employees not ordinarily receiving such pay where: (a) The employees are required to supervise directly subordinate employees in the performance of overtime work caused by an unplanned emergency; (b) The overtime is substantial; ~~((+d+))~~ (c) failure to grant such overtime pay would result in the pay of subordinates exceeding that of their supervisors; and ~~((+e+))~~ (d) budgeted funds are available to pay the overtime.

All work on holidays shall be paid at the regular rate of pay for all hours actually worked in addition to the regular holiday pay based on the normal workday. Compensatory time off in lieu of pay may be granted in an equivalent amount for hours actually worked on the holiday. All work on Thanksgiving Day and Christmas Day shall be paid at two (2) times the employee's regular straight time rate of pay, and shall be in addition to the employee's regular holiday pay.

(11) Special pay provisions. An employee who is temporarily assigned work in a higher classification and, in fact, performs substantially the full scope of the work of the higher classification for a period of three consecutive working days or more, shall be paid at the rate of pay assigned to the higher classification according to the provisions of these rules governing pay rate upon promotion for all hours actually worked in the higher classification.

Section 2. Snohomish County Code Section 3A.06.020 adopted by Ordinance 84-129 on November 21, 1984, is amended to read as follows:

3A.06.020 Holidays. A paid legal holiday is any day other than Sunday designated by RCW 1.16.050 as a legal holiday as that statute is constituted on the date of the occurrence of a holiday. The following days are currently recognized as holidays with pay for all eligible employees:

New Year's Day	Veteran's Day
Lincoln's Birthday	Thanksgiving Day
Washington's Birthday	The day after Thanksgiving
Memorial Day	Christmas Day
Independence Day	((Floating Holiday))
Labor Day	((Employee's Birthday))

~~((+1) Floating holiday. An employee shall be eligible for one floating holiday per year. The floating holiday shall be used by the last working day of the calendar year in which it is earned and shall be taken at a time approved by the employing official.~~

~~(2) Birthday leave. Each employee may take his/her birthday as paid leave. If an employee's birthday falls on a nonworking day the employee may take the working day either preceding or following his/her birthday as birthday leave. Should the employee or employer so request, an alternative day off may be approved upon written request. This leave is noncumulative and noncompensable upon termination.)~~

(1) Additional holidays. (This section effective through 12/31/92 only). Eligible employees shall receive one floating holiday and their birthday as paid holiday leave. Additional holidays must be used by the last working day of the calendar year in which they are awarded subject to supervisor's approval and must be scheduled in advance. Additional holidays are equal to an employee's regularly scheduled hours at the time the holiday is taken, not to exceed eight (8) hours. Employees must take their birthday leave any normally scheduled working day of the calendar month that their birthday occurs, unless unusual circumstances warrant otherwise as determined by the employee's immediate supervisor. Employees are eligible for one floating holiday at the date of hire and on January 1 of each year thereafter. Birthday leave and the floating holiday are noncompensable upon termination and are not carried forward from year to year.

(2) Floating holidays. (This section effective January 1, 1993). In addition to those holidays specified in this section, employees shall receive two (2) floating holidays (maximum of eight (8) hours each) during each calendar year. Each employee may select the dates on which the employee desires to take the additional holidays provided for herein subject to approval of the supervisor. These two (2) floating holidays shall be used in the calendar year earned and shall be noncumulative and noncompensable upon termination. New employees shall be eligible for floating holidays only upon completion of sixty (60) calendar days of continuous employment. Employees hired after June 30 shall be eligible for one floating holiday during that calendar year.

(3) Holidays falling on Saturday, Sunday or other regularly scheduled days off. When a recognized holiday falls on a Saturday, the holiday will be observed on the preceding Friday. When the holiday falls on a Sunday, it will be observed on the following Monday. If the holiday falls on one of the employee's regularly scheduled days off, other than Saturday or Sunday, the employee may take an alternative day off by arrangement between the employee and employer.

(4) Holidays occurring while on paid leave status. Holidays that occur during vacation, sick leave or while on other paid leave status shall not be charged against such leave.

(5) Forfeiture of holiday pay. Any employee shall forfeit his/her right to payment for any recognized holiday if he/she is on leave without pay on the last regular working day preceding such holiday or on the next regular working day following such holiday.

Section 3. Snohomish County Code Section 3a.06.020(1) set forth above shall be repealed effective January 1, 1993.

Section 4. Snohomish County Code Section 3A.060.050 adopted by Ordinance 84-129 on November 21, 1984, last amended by Ordinance 90-012 on March 14, 1990, is amended to read as follows:

3A.06.050 Vacation Leave. Eligible employees as defined in SCC 3A.06.010 shall accrue vacation leave based on the number of hours actually worked or while on paid leave status in accordance with the schedule shown below. Vacation leave shall not accrue during period of leave without pay nor for hours worked in excess of forty hours per week.

(1) Vacation leave accrual. During each year of employment eligible employees shall accrue vacation leave up to and including the maximum amount shown in the schedule below. Employees who are on regular pay status for less than a full calendar month shall accrue vacation leave proportionately to the number of hours they are on regular pay status. For the purpose of calculating vacation leave accruals, the employee shall be credited with the appropriate hourly accrual for each hour on regular pay status in accordance with the schedule shown below, but not for more than forty hours per week. Vacation leave accrual shall be based upon the total time of continuous active employment with the county. Vacation leave accrued shall not be credited or used until the end of the month in which it is earned.

Period Covered	Hourly Accrual Rate per Hour Worked	EXAMPLE ONLY	
		Hourly Accrual/yr 7 hrs/8 hrs	Accrual per year (days)
Date of employment to 1st anniversary (1st year)	.0384	70.156/80.179	10.02
Date of 1st anniversary to 2nd anniversary date (2nd year)	.046	80.042/96.048	12.06
Date of 2nd anniversary to 5th anniversary date (3rd through 5th years)	.0575	105.0525/120.06	15.0075
Date of 5th anniversary to 9th anniversary date (6th through 9th years)	.069	126.063/144.072	18.009
Date of 9th anniversary to 11th anniversary date (10th through 11th year)	.0805	147.0735/168.084	21.0105
Date of 11th anniversary to 13th anniversary date (12th through 13th years)	.0843	154.0161/176.0184	22.0023
Date of 13th anniversary to 15th anniversary date (14th through 15th years)	.0882	161.1414/184.1616	23.0202
Date of 15th anniversary to 17th anniversary date (16th through 17th years)	.092	168.084/192.096	24.012
Date of 17th anniversary (date and thereafter)	.0958	175.0266/200.0304	25.0038

to 24th anniversary date
(18th through 24th years)

~~((Any employee who was hired prior to January 1, 1960, and who has been in continuous active service since that date shall accrue vacation leave in accordance with the above schedule with the following addition:~~

Date of 19th anniversary and thereafter	.115	210.105/240.12	30.015))
Date of 24th Anniversary and thereafter	.1073	196.037/224.042	28.005

(2) Vacation leave - maximum accrual. Vacation leave shall not be permitted to accrue in excess of thirty days.

(3) Vacation leave - cash payment upon termination. Upon termination from county employment, the employee shall be paid a lump sum payment for all accrued vacation leave up to a maximum of thirty days: PROVIDED, That such payment continues to be allowed under state law. Accrued vacation leave in excess of thirty days shall be forfeited.

Section 5. The county council finds as a fact that this ordinance is necessary to provide non-represented employees with the specific benefits contained herein that represented employees have through their bargaining unit agreements and for the preservation of employee morale and general well-being of the county. This ordinance is necessary for the support of county government and its existing institutions. Based on the foregoing, the county council declares that an emergency exists and this ordinance shall take effect immediately.

PASSED this 25th day of November, 1992.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Liz P. Rughale
Chairperson

Barbara Ditorst
Clerk of the Council, ASST.

APPROVED

EMERGENCY

VETOED

DATE: 12/1/92

[Signature]
County Executive

PUBLISHED: _____

ATTEST:

Approved as to form only:

Margery Hill 11/10/92
Deputy Prosecuting Attorney
ordrules

Marilyn B. Abel

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