

KING COUNTY

**PERSONNEL
GUIDELINES**

October 1, 2000

(Original title page, signed by County Executive Ron Sims and dated October 1, 2000, retained in the files of the Office of Human Resources Management)

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KING COUNTY PERSONNEL GUIDELINES

King County's personnel system is established by Chapters 3.12 and 3.15 of the King County Code, under the authority of Article 5, Section 530, of the King County Charter. Implementation of these Personnel Guidelines is authorized by Section 520 of the Charter and 3.12.350 of the Code.

Nothing in these guidelines forms a contract. These are general guidelines that do not constitute promises of specific treatment in specific situations. King County retains the right to modify the policies in these guidelines from time to time with or without notice.

1. GENERAL INFORMATION

1.1. Employees Covered by these Guidelines

- A. These guidelines apply to career service employees and, where indicated, exempt employees in the executive branch. These guidelines do not apply to employees in the judicial or legislative branches or to employees in the office of the prosecuting attorney. *[K.C.C. 3.12.360]*
- B. If a collective bargaining agreement establishes a condition of employment, benefit, or procedure that conflicts with a condition, benefit, or procedure established by these guidelines or by an ordinance, then the collective bargaining agreement will take precedence for employees covered by the agreement, so long as both of the following conditions are met:
 - The condition of employment, benefit, or procedure created by the agreement is lawful.
 - The agreement has been adopted by the Council by ordinance. Adoption of the agreement by ordinance will be considered to be an amendment to these guidelines with respect to the affected employees and subject condition, benefit or procedure.
- C. The County Executive, as the chief executive officer of the County, has all executive powers that are not vested in other elective officers by the County Charter. The County Executive, department directors, division managers, agency administrators and other persons having lawful authority to appoint or remove employees from county service may delegate those duties which may be legally delegated.

1.2. Effect of Collective Bargaining Agreements

Where not explicitly stated otherwise in a collective bargaining agreement, the principles set forth in these guidelines are generally applicable to represented employees, as determined by the Director. *[K.C.C. 3.12.360]*

1.3. Constitutionality

If, for any reason, any part of these guidelines is held to be invalid, unconstitutional, or inconsistent with statute, that finding will not affect the validity of any other part of the guidelines.

2. EQUALITY OF COUNTY EMPLOYMENT

2.1. Equal Employment Opportunity

As an equal opportunity employer, King County prohibits discrimination in employment on the basis of race, color, creed, religion, national origin, age, sex, sexual orientation, marital status, or the presence of a sensory, mental or physical disability. *[K.C.C. 3.12.180]*

2.2. Affirmative Action Plans

Each department and agency will establish and maintain an affirmative action plan. This plan will promote nondiscrimination, equal employment opportunity, affirmative action, and civil rights objectives that are set forth in applicable federal and state laws and the King County Code. *[K.C.C. 3.12.180]*

3. CAREER SERVICE ADMINISTRATION

The Executive is responsible for administering the county personnel system. The Director, as the Executive's designee, is responsible for administering the system and directly related affairs, including collective bargaining. *[K.C.C. 3.12.330]*

4. TENURE OF EMPLOYEES AND POSITIONS

The tenure of each employee shall be subject to the rendering of efficient service.

Career service employees may be separated from employment only for cause, including termination for poor performance, unless they are laid off due to lack of work, lack of funds, reorganization or considerations of efficiency. Exempt, probationary, provisional, part-time and temporary employees are “at will” and serve at the pleasure of the appointing authority.
[K.C.C. 3.12.310]

5. CLASSIFICATION

5.1. Classification Plan

The Director will develop and maintain a classification plan for all career service positions. The intent of the plan is to provide for the following:

- All positions that are sufficiently similar are included in the same classification.
- Similar means of recruitment and appropriate examination methods are used in filling positions in a classification.
- Each classification will have a written specification. The specification will contain the following information: title, definition, distinguishing characteristics, representative samples of work, knowledge and skills, and special job-related requirements that are necessary for satisfactory performance in the classification.
- The Director will periodically review the classification plan and may add, combine, abolish, or revise the specifications or establish new classifications. *[K.C.C. 3.12.070]*

5.2. Position Classification Review

At the request of an employee or a department director or division manager, the Director will determine if a review of a career service position is justified. The following criteria will apply:

- There has been a gradual accretion of or significant change in duties and responsibilities over a period of at least one year.
- The position has been restructured because of a reorganization or because the department has assumed new duties and responsibilities.

5.3. Status of an Employee Whose Position Is Reclassified

An employee whose position is reclassified upward due to an accretion of duties will be promoted to the higher classification. The employee must then serve a probationary period of not less than six months (Section 11.0). An employee whose position is reclassified due to a reorganization or because the department assumed new duties will be transferred, promoted, demoted, or laid off in accordance with applicable provisions of these guidelines. If the reclassification results in a demotion and if the employee remains in the reclassified position, then the employee will be considered to have taken a voluntary demotion and the employee will be eligible for reinstatement. The employee's reinstatement period starts on the date the employee is notified of the reclassification.

5.4. Appeal of a Classification Decision

An appeal of a classification decision is not subject to the grievance process (described in Section 17.0). Instead, an appeal of a classification decision occurs as follows: An appointing authority or an employee who is affected by a classification decision may, within 20 calendar days of notice of the decision, request in writing that the Director reconsider the decision. The request must state the reasons why the decision is incorrect and must include documentation that supports an alternate proposal. The Director will respond to the request within 14 calendar days. During that period, the original action will be held until the Director's final determination and notice to the employee. If the employee is not satisfied with the Director's final determination, the employee may, within 14 calendar days, file an appeal to the Personnel Board requesting the Board's consideration.

5.5. Position Descriptions and Notification of Change in Position Content

When there is any substantial change, addition, or deletion to the duties assigned to a position, the appointing authority will provide a completed position description questionnaire to the Director.

If a position is reclassified, then classification action will be effective on the first day of the pay period following the date that the appointing authority provides a completed position description questionnaire to the Director, or on a date determined most appropriate by the Director.

5.6. Series Progression

- A. The Director may designate a group of classifications as a series progression; each classification in the series will progress in the order of skill, work assignment, education, and experience. An employee's progression in the classification series will be subject to the following criteria:
 - Entry into the series is through an open competitive or countywide promotional examination.
 - Movement to the next designated level of the series requires that an employee meets the minimum criteria for skill, knowledge and work assignment, education, and experience as set forth in the series progression chart, and is authorized in writing by the appointing authority.
- B. Entry into a position in a classification series should normally be at the lowest classification in the series. Recruitment outside the series for a position that is above the lowest classification in the series is appropriate if there are no available candidates at a lower step in the series who meet the requirements of the classification or if a department director determines that the work to be performed is at other than the lowest classification in the series.

6. SALARY PLAN

6.1. Statement of Purpose

The purpose of the salary plan is to establish and maintain salary ranges that are sufficient to accomplish the following objectives:

- Attract and retain competent employees
- Provide equal pay for equal work in accordance with the Federal Equal Pay Act [*KCC 3.12.170*]
- Ensure comparability with the local labor market

6.2. Salary Ordinance

The Executive will prepare and submit a recommended salary ordinance to the Council for adoption. The ordinance will not include the following:

- Temporary employees (other than provisional employees and probationary employees)
- Part-time employees
- Administrative interns
- Elected officials

[*K.C.C. 3.12.130*]

6.3. Review of a Salary Range Assignment

The Director may reassign a salary range to a classification if there has been a significant change in the duties or level of responsibility assigned to positions within that classification or if the Director determines, based on a salary survey, that the salary range for the classification is not in accordance with market rates. Salary range assignments are not subject to review by or appeal to the Personnel Board.

6.4. Salary for New Employees

The general policy is to hire new employees at the first step of a salary range; however, it may occasionally be necessary to offer a higher salary step in order to attract an exceptionally qualified candidate. In the event that a department director determines it is necessary to hire above the first step, a copy of the appointment letter together with a statement of the reason for hiring above the first step will be provided to the director at the time of hire. The following are examples of situations in which a department director may determine that it is necessary to hire above the first step.

- The candidate's education and experience are significantly above the minimum requirements for the position.
- The candidate has an especially desirable skill, talent, knowledge, or ability.
- The candidate has a current salary that is above the first step of the salary range.

6.5. Salary on Completing Probation

An employee who is serving a probationary period due to recall, transfer, or demotion will not receive a step increase upon completing the probationary period. An employee who is serving a probationary period as a result of reinstatement will not receive a step increase upon completing probation, unless the employee was appointed at the first step of the classification. At that point, the employee's salary will increase to the second step. An employee who is serving a probationary period due to being a new hire or having been promoted, and who receives a satisfactory performance appraisal upon completing the probationary period will receive a step increase as follows:

- Will increase to the second, if the employee's salary during the probationary period was at the first step.
- May increase, at the discretion of the appointing authority, to the next higher step when the employee's salary in the probationary period was at the second step or higher.

[K.C.C. 3.15.020]

6.6. Salary Placement for Employees Changing Workweek Schedules

- A. If an employee in an FLSA overtime-exempt position is promoted, demoted, transferred, recalled or reinstated to another FLSA overtime-exempt position where the workweek schedule changes (or the full-time schedule of the employee’s current FLSA over-time exempt position changes, e.g., from a 35 hour week to a 40 hour per week position, or vice versa), the employee’s base monthly rate of pay in the current position will establish the base salary rate in the new position. For a promotion, the promotional salary increase as provided for in Section 6.9, will be applied to this base monthly salary rate in the new range. These guidelines will apply regardless of whether the respective positions have 35 or 40 hour per week schedules.
- B. If an employee in an FLSA overtime-exempt position is promoted, demoted, transferred, recalled or reinstated to an FLSA overtime-eligible position with a different workweek schedule, the employee’s base monthly rate of pay in the current position will establish the base salary rate in the new position. For a promotion, the promotional salary increase as provided for in Section 6.9, will be applied to this base monthly salary rate in the new range. This guideline will apply regardless of whether the respective positions have 35 or 40 hour per week schedules.
- C. If an employee in an FLSA overtime-eligible position is promoted, demoted, transferred, recalled or reinstated to another FLSA overtime-eligible position, the employee’s hourly rate of pay in the current position will establish the base pay rate in the new position. For a promotion, the promotional salary increase provided for in Section 6.9 will be applied to this base hourly pay rate in the new range.
- D. If the schedule of an FLSA overtime-eligible position changes (e.g., from a 35 hour week to a 40 hour per week position, or vice versa), the incumbent employee’s hourly rate of pay will establish the base pay rate for the position with the revised workweek schedule.

6.7. Salary on Recall from Layoff

If	Then
An employee is recalled to the same classification or to a classification with an identical salary range.	The employee’s salary will be at the same step in effect at the time of lay off.
An employee is recalled to a lower classification.	The employee’s salary will be at the same salary in effect at the time of layoff plus any applicable cost-of-living allowances. However, the salary cannot exceed the maximum step for the lower salary range.

An employee is recalled to the same classification after having been recalled to a lower classification or after having been demoted in lieu of being laid off.	The employee's salary will be at the same step in effect at the time of layoff or demotion.
An employee is serving a probationary period as a result of having been recalled.	The employee will not receive a step increase upon completing probation.

6.8. Salary on Reinstatement

If	Then
An employee is reinstated to the same classification or to a lower classification in the same series.	The employee's salary may be at the same salary in effect at the time of resignation plus any applicable cost-of-living allowances. However, the employee's salary cannot exceed the maximum step of the salary range.
An employee is reinstated to a different classification series.	The employee's salary will be at the first step of the classification unless the Director determines a higher step is justified based on the criteria set forth in Section 6.4.
An employee is serving a probationary period as a result of reinstatement.	The employee will not receive a step increase upon completing probation, unless the employee was hired at the first step of the classification.

6.9. Salary on Promotion

An employee who is promoted will be placed either in the first step of the new salary range or at the step which is the equivalent of two steps (approximately five percent) more than the employee's former salary step, whichever is greater, but not to exceed the top step of the new range except as provided for below.

If the former salary step includes an above step-ten amount as a result of an incentive increase, the employee's new salary is based upon the above step-ten amount, provided that if such increase results in a salary that is above the top step of the new range (not to exceed 5% above the top step) the salary will be reduced to the top step at the end of the merit period unless the employee re-qualifies for an above-step-10 merit award.

When a promotion results from other than a reclassification, the appointing authority may place the promoted employee at any higher step in the salary range when the department director determines this action is warranted based on the criteria set forth in Section 6.4, provided funds are available in the agency.

6.10. Salary on Demotion

If	Then
A nonprobationary employee is involuntarily demoted.	The employee's salary will be reduced to the same step in the lower salary range.
A nonprobationary employee accepts a voluntary demotion.	The employee will receive the highest step in the new salary range which does not exceed the salary step that the employee received before the demotion. If the employee is receiving above step 10 merit pay, such pay may be considered when determining the new salary and the new salary may exceed step 10 by no more than 5%, provided that any pay above step 10 of the new range will continue only as long as the above-step-10 merit pay would have remained in effect.
A probationary employee is involuntarily demoted to a position in a classification not previously occupied by the employee.	The employee's salary will be placed at the first step of the lower classification.
An employee serving a probationary period due to promotion is involuntarily demoted to a classification the employee formerly occupied.	The employee's salary will be placed at the same step that the employee would have been at if the employee had remained in the lower classification throughout the period of service in the higher classification.
A nonprobationary employee who has been promoted later requests voluntary demotion to the classification from which the employee was promoted and if the employee has been in the higher classification for less than 24 months.	The employee's salary will be placed at the same step in the lower salary range in effect at the time of promotion plus any step increases earned in the higher classification.

6.11. Salary on Transfer

If an employee is transferred, the employee will receive the step of the new salary range which is closest to but not less than the salary step that the employee received before the transfer. However, this step may not exceed the maximum of the new salary range except where the employee was receiving above-step-10 merit pay in their former position, in which case such pay may exceed the top step of the new range by no more than five percent and will continue for as long as the merit pay would have remained in effect. An employee who is serving a probationary period due to a transfer will not receive a salary step increase upon completing probation.

6.12. Salary on Worker's Compensation/Assignment to Rehabilitative Training

If an employee is injured on the job and requires immediate medical treatment, the employee will be compensated in full for the rest of the workday without being required to use sick leave or vacation leave. The employee can use accrued sick leave if the injury requires the employee to miss any scheduled workdays in the first three calendar days after the injury. Worker Compensation Payments begin on the fourth day after the injury and continue during the period of disability. If the employee's disability period extends beyond 14 calendar days, then accrued leave taken will be reimbursed as determined by the Safety and Claims Management Division. Sick leave pay may be used to supplement industrial insurance benefits in an amount that is necessary to maintain the employee's regular net pay (Section 14.3). Any earned vacation leave may be used in a like manner after sick leave is exhausted.

An employee who is assigned to rehabilitative training will be compensated as determined by the Safety and Workers' Compensation Administrator.

6.13. Salary for a Special Duty Assignment

An employee who is assigned to special duty (Section 12.4) will receive an increase of at least five percent within his/her current salary range or, if the special duty involves work more appropriately assigned to a higher job classification, to, at a minimum, the first step of the salary range of the higher level job classification or a salary step in the higher level classification which provides at least the equivalent of two steps (approximately five percent) increase over the employee's current rate of pay, whichever is greater. Additional compensation will not exceed the maximum of the salary range for the classification except in the case of a lead worker assignment where compensation may exceed the maximum of the pay range by no more than five percent, or where the employee was receiving above-step-10 merit pay prior to the assignment and a five percent increase would exceed the new salary range by no more than five percent; provided, that additional compensation resulting from said above-step-10 merit pay will continue only as long as the merit pay would have remained in effect. When the special duty assignment is completed, the employee's salary will revert to the salary rate that the employee would have been at if the employee had not been assigned to special duty.

6.14. Salary on Salary Range Reassignments

The salary of an employee who is in a position whose classification is reassigned to a different salary range will be determined as follows:

- If the classification is reassigned to a higher salary range, the employee's salary will increase to the same step in the new range.
- If the classification is reassigned a lower salary range, the employee's salary is determined as follows:
- If the salary is the same or less than the top step of the new range, the employee's salary will not change.
- If the salary is greater than the top step of the new range, it will be reduced to the top step of that range.

[KCC 3.15.030]

6.15. Salary on Position Reclassification

The salary of an employee who is in a position that has been reclassified will be determined in accordance with the guidelines for transfer, promotion, or demotion, depending on the reclassification.

6.16. Effective Date of Salary Changes

The effective date of all salary changes, except for those that are due to a reclassification, will be the first working day of a pay period unless otherwise approved by the Director. The effective date for a salary change due to a reclassification will be on the first day of the pay period following the date a revised position description questionnaire is received by the Director, or as otherwise determined appropriate by the Director.

6.17. Classification and Compensation Study

The County is currently conducting a classification and compensation study to properly classify and allocate positions. Upon completion of the classification portion of the study, the County will conduct compensation studies to determine the appropriate salary levels for the new classifications. The establishment of new classifications, new salary levels, and the effective date of those changes will be made by the Executive and King County Council. The classification or reclassification rules, new pay rules, and effective date of those changes may be different for changes made pursuant to the classification and compensation project. Nothing in these Guidelines should be construed to usurp the Executive's or Council's role in establishing the classifications, salary levels, or the effective date of those changes.

7. RECRUITMENT AND APPLICATIONS

7.1. EEO and Affirmative Action

The principles of equal employment opportunity and affirmative action established by Section 2.0 of these guidelines will be applied in all recruitment and hiring activities. *[K.C.C. 3.12.090]*

7.2. Method of Recruitment

The Director is responsible for establishing recruiting procedures and techniques, in consultation with operating departments, that will result in a successful recruitment. Recruiting efforts may be conducted whenever the Director determines that a need to do so exists.

7.3. Announcement of Examination

Public announcement of all examinations will be posted in the Office of Human Resource Management and elsewhere as determined by the Director for at least five working days before the recruitment closing date.

7.4. Notice of Action on Application

Each person who files an application for an announced examination will be notified of any significant change in application status.

7.5. Disqualification of Applicants

The Director may refuse to examine an applicant, disqualify an eligible candidate after examination, or remove the eligible candidate's name from an employment list for cause.

8. EXAMINATIONS

8.1. Establishing an Examination Procedure

The Director, after consulting with the appointing authority, is responsible for determining the appropriate type of examination procedures for a position. All examinations are competitive. *[K.C.C. 3.12.090]*

8.2. Right to Challenge Written Examination Questions

An applicant who wishes to challenge a question or item on a written examination must call it to the attention of the test monitor in writing on forms provided for that purpose. The applicant must do this before leaving the examination. The test monitor will notify the Director, who will determine the validity of the challenge.

8.3. Veteran's Preference

The Director, in accordance with the provisions of RCW 41.04.010, will determine if a veteran's preference percentage will be added to an applicant's score.

8.4. Notice of Examination Results

After an examination has been rated or scored and the eligible list established, the Director will notify each applicant by mail of the results. Notification to applicants who passed may include examination score and their relative standing on the eligible list. Where qualifications are rated by banding, applicants will be notified of their band placement.

8.5. Review of Examinations

Applicants may, within ten calendar days after the date upon which the notice of the results were mailed, review their examination score.

The application and examination records of applicants are confidential, and may only be reviewed with the applicant, a person authorized in writing by the applicant, or a person authorized by the Director.

8.6. Retake of Examination

An applicant who fails a written examination may retake the examination again after 90 days have elapsed if the examination is offered at that time, except for transit operator examinations, which have a waiting period of 180 days.

The Director may allow an applicant to retake an examination if the applicant can reasonably show that problems outside the scope of the examination did not allow a fair assessment.

8.7. Time Off for Examinations and Interviews

Employees eligible for leave benefits (Section 14.1) will be entitled to necessary time off with pay in order to take county qualifying or promotional examinations. This will include time required to complete any required interviews, scheduled during the employee's working hours. This does not include time required to complete a questionnaire. *[K.C.C. 3.12.200]*

9. EMPLOYMENT LISTS

9.1. Duration of an Employment List

An employment list will remain in effect for one year or until abolished by the Director.

9.2. Removal of an Eligible Candidate From an Employment List

Unless otherwise approved by the Director, an applicant will be removed from an employment list after being referred from the same employment list five times without being appointed.

9.3. Supplemental Examinations

The Director may conduct a supplemental examination in order to add the names of eligible candidates to an existing employment list. The same qualifications, tests, and passing scores used in the original examination will be used for the supplemental examination. The Director will determine the scope of the applicant pool.

10. REFERRAL AND APPOINTMENT

10.1. Referral Process

- A. When an appointing authority requests that a vacant position be filled, the Director will refer names of candidates from the appropriate employment list to the appointing authority for hiring consideration. The referral must include at least the five most competitive candidates, and may include up to ten additional candidates, if requested by the appointing authority. In the event that the source of names is a banded list, all of the most competitive group of candidates will be referred. Additional names from the competitive group will be referred if the most competitive group is not large enough to satisfy hiring needs and all have been interviewed and found unsuitable. If there are fewer than five candidates on the employment list, all candidates on the list will be referred. If some of the candidates are determined to be equally competitive, then additional candidates will be included on the referral. The number referred may also increase as part of the selective certification or job accommodation process.
- B. Except for recall and ADA (Americans with Disabilities Act) referrals, candidates who have been referred and interviewed twice by the same appointing authority will not be referred to the same appointing authority again unless specifically requested by the appointing authority.
- C. At least three referred candidates (if available) must be interviewed by the appointing authority before an offer of employment can be made. The appointing authority must conduct job-related interviews and be prepared to justify all candidate ratings.
- D. The appointing authority may use selective certification procedures as set forth in the Affirmative Action Plan.
- E. Names of employees who have been authorized for transfer or reinstatement may also be included on a referral list in addition to the other candidates.
- F. When a decentralized recruitment process has been used by a department, the department, rather than the Office of Human Resources Management, determines the referral and hiring process and shall be responsible for adherence to these Guidelines.

10.2. Referral from an Alternate Employment List

When an employment list does not exist for a classification or an existing list cannot be used for affirmative action purposes, the Director, after consulting with the appointing authority, may refer candidates from an employment list that was created for another classification of the same or higher level in the same or in a related classification series. If a candidate is selected for a position in a lower classification, his or her name will not be removed from any employment list for a higher classification that the employee's name is already on.

10.3. Referral Resulting from a Reorganization

When the organization of the executive branch is changed by ordinance, resulting in an exempt position becoming a career service position, the Director may, at the request of an appointing authority, determine if the employee in the exempt position is eligible for appointment to the same position as a career service employee. In order to be considered eligible for the career service position, the employee must have performed satisfactorily in the exempt position for at least six months.

10.4. Provisional Appointment Procedures

- A. The Director will consider a request for provisional appointment from an appointing authority if all of the following conditions are met:
 - The request is submitted in writing before the appointment is made.
 - A current list of eligible candidates does not exist.
 - A “requisition for personnel” form to begin work to recruit for eligible candidates is in progress or is submitted with the request.
 - The person to be appointed possesses the qualifications and meets the minimum and any special requirements of the position.
- B. A provisional appointment will terminate 30 days after referral of eligible candidates from the employment list or six months from the date of the provisional appointment, whichever occurs first. To achieve career service status in the position, the provisional appointee must be sufficiently competitive, as determined by the Director, to be referred to and selected by the appointing authority.

10.5. Transfers

- A. An employee may submit a written request for transfer to the Director. The Director determines if the employee is qualified. The Director will authorize the request for transfer if, in the Director’s opinion, the employee is qualified and the transfer benefits both the county and the employee. An authorized request for transfer will be valid for one year from its authorization date, after which it will become void without notification unless the employee has requested an extension in writing.
- B. The name of an employee who has been authorized for transfer will be added, unranked, to the employment list(s) for the employee’s classification, and may be referred to an appointing authority for hiring consideration in addition to regular referrals or names may be forwarded at the time a decentralized recruitment process is authorized. The appointing authority is under no obligation to interview or hire a transfer applicant.

10.6. Voluntary Demotion

- A. A voluntary demotion is normally approved if, in the judgment of the appointing authority, the following conditions exist:
- The demotion will benefit both the county and employee.
 - The employee meets the minimum qualifications for the lower level position.
 - The employee has previous experience performing the work of the lower level position or, in the judgment of the appointing authority, would be able to perform the lower level duties.
- B. The procedure for carrying out a voluntary demotion is as follows:
- The employee submits a written request to the employee's appointing authority, setting forth the reasons for the request.
 - The appointing authority reviews and approves or denies the request.

11. PROBATIONARY PERIODS

11.1. Application of Probationary Period

- A. New, recalled, and reinstated career service employees serve a probationary period from the date of their appointment. During this period, the employee is evaluated as a part of the final selection process; appointment to a career service position is not considered final unless the employee successfully completes a probationary period. Career service employees who are promoted, transferred, or demoted serve a probationary period from the date of their change in status. If the change in status is due to a reclassification, and if the reclassification results in the employee being promoted to a higher classification, then the appointing authority may allow the time spent performing work of the higher classification to satisfy the probationary requirement on a month-for-month basis. Further, if an employee hired into a higher classification performed the work as a special duty assignment, the appointing authority may allow the time spent performing the work to satisfy the probationary requirement on a month-for-month basis.
- B. A temporary employee who accepts a career service position may, at the discretion of the appointing authority, count all continuous employment in the same position or performing the same work toward satisfying the probationary period requirement.

(See Section 15.1 for information on performance evaluations for probationary employees.)

[K.C.C. 3.12.100]

11.2. Duration of a Probationary Period

The probationary period will not be less than six months of service. The period may be longer, with the approval of the appointing authority in whose organization the individual is employed, but cannot exceed 12 months of actual service. If a probationary period is to be extended, written notice of the extension must be given to the employee before the employee completes the initial six-month probationary period. A copy of the notice of extension will be forwarded to the Director. The following are examples of when a probationary period may be extended:

- The employee has had a leave of absence without pay that exceeds 15 calendar days.
- The employee's performance is not satisfactory but the appointing authority believes that with more time and supervision the employee will succeed. In such cases, the appointing authority should develop a documented plan of action for improvement.
- Supervisor continuity is interrupted by unforeseen circumstances.

- Work is cyclical and a six-month period does not provide an opportunity to adequately evaluate all aspects of an employee's performance. *[K.C.C. 3.12.100A]*

11.3. Appeal and Restoration During a Probationary Period

As a temporary employee, a probationary employee may be discharged at any time during the probationary period without right of appeal to the personnel board. An employee who does not successfully complete the probationary period in a position to which the employee had been promoted or transferred may be restored to the employee's former position, former salary, and all other benefits to which the employee would have been entitled if the promotion or transfer had not occurred. However, restoration is at the discretion of the former appointing authority. *[K.C.C. 3.12.100]*

12. WORKING CONDITIONS

12.1. Workday

Lunch periods are unpaid and are not considered to be part of the workday. Each employee may take one fifteen-minute break for each four hour shift. The workday of FLSA-exempt employees will be that required to perform the duties of their positions. Where the nature of the work allows employees to take intermittent rest periods equivalent to 15 minutes for each half-shift not to exceed four hours worked, scheduled rest periods are not required. The length of the workday will be determined by the Director. *[K.C.C. 3.12.120B]*

12.2. Workweek

The workweek will generally consist of five working days or as determined otherwise by the Director. An appointing authority may require any of his or her employees to temporarily perform service in excess of five days per week or in excess of the regular workday when necessary. County officers, department directors, and division managers may stagger, rearrange, and adjust the work hours of their employees in such a manner as to enable them to keep their offices open at all times required. *[K.C.C. 3.12.120C]*

12.3. Accrual of Overtime and Compensatory Time

A. Overtime Eligibility and Authorization

- Employees shall be eligible for overtime compensation in accordance with applicable state and federal laws and regulations.
 - Pay for work beyond an employee’s regularly scheduled workday or workweek will be at the straight time hourly pay rate until the employee has actually worked forty (40) hours in a workweek.
 - Paid time off, such as vacation leave and sick leave, will not be included when calculating the 40-hour eligibility threshold for overtime pay or compensatory time.
- Overtime work may be authorized by the department director where necessary to maintain or perform vital county services.
 - All overtime work must be authorized by the department director or division manager.
 - Approval of a request to work overtime or to accrue compensatory time in lieu of overtime pay is at the discretion of the employee’s department director.
 - Managers and supervisors should take steps to ensure that employees do not work outside their regularly scheduled work hours (for example, lunch period, before or after shift, etc.) without authorization and/or compensation for the additional time worked.

B. Accrual of Compensatory Time

- An employee may submit a written request in advance of the overtime work to accrue compensatory time in lieu of receiving pay for overtime work.
- An employee is not required to accept compensatory time in lieu of overtime pay unless the employee agrees to this arrangement before the employee performs the overtime work.
- Compensatory time will accrue at the rate of straight time up to 40 hours of work in a work week, or time and one-half for all hours worked beyond 40 in a week.
- An employee's accrued compensatory time balance must not exceed 80 hours at any time. However, department directors may establish more stringent limitations or may elect to pay employees for all overtime work.

C. Use of Accrued Compensatory Time

- Compensatory time may not be used before it is accrued.
- An employee must submit a written request in advance to use compensatory time.
- Requests to use compensatory time will be approved unless the employee's absence during the period requested will unduly disrupt operations.
- Compensatory time must be used during the calendar year in which it is accrued unless this is not feasible due to work demands. The employee may then request, and the department director may approve, the carryover of a maximum of 40 hours of accrued compensatory time. Alternatively, with the approval of the Director, a different 12-month period can be adopted for the use, carryover, and payoff of compensatory time.
- Compensatory hours that have been carried over must be used within the first quarter of the new calendar year or alternative 12-month period.

D. Payment for Accrued Compensatory Time

- Employees will be paid on the second paycheck in December (or last paycheck in the alternative 12-month period) for all accrued compensatory time not carried over into the following year.
- If an employee separates from employment or is transferred, promoted, or demoted to a position in another department/division, the employee will be paid for all hours of accrued compensatory time.

- Except at separation from employment, all pay for accrued compensatory time will be at the employee's regular hourly pay rate in effect at the time of payment. Upon separation from employment, pay for accrued compensatory time will be either at the employee's regular hourly pay rate in effect at the time of payment or it will be the average regular hourly pay rate during the last three years of employment, whichever is greater.

E. FLSA-Exempt Employees

- FLSA-exempt employees are not eligible to accrue compensatory time nor can they receive overtime pay.
- FLSA-exempt employees may receive up to ten days of executive leave each calendar year at the discretion of their department director. Unused executive leave cannot be carried over or cashed out—it must be used in the calendar year that it is granted or forfeited.

(Executive Policy PER 8-1-1 AEP)

[K.C.C. 3.12.120H]

12.4. Assignment to Special Duty

A. An appointing authority may assign an employee to special duty for as long as the reason for the assignment exists. The assignment may involve any of the following:

- Assigning the work of a higher level classification to the employee. This work must comprise the majority of the work being performed.
- Designating the employee as a lead worker, provided that both of the following conditions exist:
 - There is a need for limited supervisory authority to perform certain duties, for example, to assign and distribute work or to maintain a balanced workload among employees who are in the same classification or a classification that has the same salary range. Such assignment does not preclude lower level positions from being in the work group being led; nor does it preclude employees in lower level job classifications from serving as the lead for a work group in which there are employees in higher level positions.
 - The above duties do not justify reclassifying the position.

B. Special duty assignments that extend beyond 12 months must be reviewed and reauthorized by the appointing authority. A special duty assignment must be made in writing to the employee. The written notice must list the specific duties that the employee will perform and the duration of the assignment. It must also include a statement that the assignment will not confer on an employee any privilege, right of appeal, or right of position, transfer, demotion, promotion, or reinstatement. A special duty assignment may be revoked at any time at the discretion of the appointing authority.

12.5. Limited Duty Assignment Due to Pregnancy

- A. A regular female employee who, upon the advice of her physician, cannot safely perform all of the normal duties of her position due to pregnancy and who wants to continue working before taking sick or maternity leave, will, with approval of the Director, be considered for a temporary limited duty assignment. This assignment is limited to the period of temporary incapacity caused by pregnancy both before childbirth and upon the employee's return to work, before the employee is released by her physician to return to work without restrictions. In no instance will a limited duty assignment extend more than three months after the conclusion of the pregnancy. The Director is responsible for considering and coordinating limited duty assignments. The following are the three alternatives for limited duty assignments, listed in preferential order:
- Temporary assignment within the employee's classification.
 - Temporary assignment to a position in a similar classification with equal pay for which the employee is qualified.
 - Temporary assignment to a position in a lower classification for which the employee is qualified. If this alternative is chosen, the employee's salary will be assigned to the salary step that is closest to her regular salary.
- B. A limited duty assignment will be made within an employee's department where possible. The Executive will determine and facilitate any necessary interfund transfers if it is necessary to assign the employee temporarily to another department.
- C. Because of the separate and unique retirement system for police, only the first two alternatives listed above can be considered as options for limited duty reassignments of LEOFF I members. All three alternatives can apply to LEOFF II members.
- D. A female employee will continue to accrue and may take accrued vacation and sick leave and leave of absence without pay while on a limited duty assignment.

[K.C.C. 3.12.247]

12.6. Employment in Two or More Positions (Dual Employment)

- A. No employee, excluding commissioned personnel of the Department of Public Safety, will be hired to simultaneously fill more than one position. An employee who held more than one position before August 11, 1995 may continue to hold only those positions. If the employee separates from one of the positions, the employee may not be rehired into more than one position in the future.

- B. Any overtime pay liability that results from dual employment will be shared equally by the departments unless the departments agree in writing to some other methodology. A different methodology must ensure that employees in a dual employment situation are compensated for overtime work in accordance with state and federal laws. (Hours of work in all positions must be combined to determine if the total hours worked in the workweek exceeds 40 hours.)

12.7. Nepotism

The employment of members of the same family or other close relatives will not be limited unless it is required by business or job-related necessity. For purposes of this section, “business or job-related necessity” includes those circumstances where such limitations are based upon a compelling and essential need to avoid business or job-related conflicts of interest, or to avoid the reality or appearance of improper influence or favor. For purposes of this section, an employee’s “same family or other close relatives” is defined as the following:

- Mother
- Father
- Children
- Sister
- Brother
- Spouse
- Spouse’s children
- Aunt
- Uncle
- Niece
- Nephew
- Grandparent
- Grandchild
- In-laws
- Domestic partner
- Children of a domestic partner
- Relatives of a domestic partner (to the same extent such relatives would be included in this paragraph if the employee and the domestic partner were married)

[K.C.C. 3.12.020]

13. HEALTH BENEFITS

13.1. Benefit Eligibility

Full-time regular, part-time regular, provisional, probationary and term limited temporary employees, their spouses, domestic partners, dependent children, and dependent children of an employee's spouse or domestic partner are eligible for medical, dental, life and disability insurance, and vision benefits. *[K.C.C. 3.12.040]*

13.2. Affidavit of Marriage/Domestic Partnership

- A. Employees who receive medical, dental, life and disability insurance, and vision benefits will designate their spouse, domestic partner, dependent children, and the dependent children of their spouse or domestic partner in an affidavit of marriage/domestic partnership in order for those individuals to receive the benefits for which they are eligible. In the affidavit, the employee will attest to the following:
- If married, that he or she is currently married to the individual identified by name on the affidavit.
 - If participating in a domestic partnership, that the following conditions are true:
 - He or she is currently in a domestic partnership with the individual identified by name on the affidavit.
 - He or she meets all the qualifications of a domestic partnership as defined.
 - Any prior domestic partnership in which he or she or his or her domestic partner participated with a third party was terminated. If the prior domestic partnership was acknowledged by the Director, then notice of its termination should have been provided to the Director at least 90 days before the date of the current affidavit.
- B. The employee will also agree to notify the county if there is a change of the circumstances attested to in the affidavit and will affirm, under penalty of law, that the assertions in the affidavit are true.

[K.C.C. 3.12.044]

13.3. Termination of Marriage/Domestic Partnership

Employees who have filed an affidavit of marriage/domestic partnership will provide the Director with a notice of termination within 30 days of termination of the marriage or domestic partnership. A marriage will be deemed terminated as provided under state law. A domestic partnership will be deemed terminated if either of the following conditions exists:

- The domestic partners no longer meet one or more of the qualifications of a domestic partnership as set forth in 13.2 above
- Upon the death of a domestic partner

[K.C.C. 3.12.044]

13.4. Confidentiality

Information contained in the affidavits of marriage/domestic partnership and notices of termination of marriage/domestic partnership are confidential. *[K.C.C. 3.12.044]*

13.5. Dependent Care Assistance Benefit

Employees who are eligible to receive medical benefits will be given the opportunity to participate in a dependent care assistance program. The Director will incorporate the dependent care assistance program in its employee flexible benefit program.

[K.C.C. 3.12.042]

13.6. Employee Assistance Program

The Employee Assistance Program (EAP) is a free, confidential service to all employees and their families. Assessments, brief counseling, and referrals for personal concerns such as family issues, relationship problems, alcohol and drug problems, emotional problems affecting work life, and a wide variety of other problems are all part of the services. Additionally, the EAP coordinators provide consultation and training to managers and supervisors whose employees are experiencing behavior, attendance, or work performance problems that appear to be associated with personal concerns.

14. LEAVE BENEFITS

14.1. Eligibility

Full-time regular, part-time regular, provisional, probationary and term-limited temporary employees shall receive the leave benefits provided in this chapter.

14.2. Holiday Leave

- A. To receive holiday pay, an eligible employee (Section 14.1) must be in a pay status on the day before and the day after a holiday. However, an employee who has successfully completed at least five years of service and who retires at the end of the month in which the last regularly scheduled workday is a holiday will be eligible for holiday pay if the employee is in a pay status the day before the day observed as the holiday. Table 1 lists the King County holidays.

Event	Date
New Year's Day	<i>January 1</i>
Martin Luther King, Jr.'s Birthday	<i>Third Monday in January</i>
Presidents' Day	<i>Third Monday in February</i>
Memorial Day	<i>Last Monday in May</i>
Independence Day	<i>July 4</i>
Labor Day	<i>First Monday in September</i>
Veterans' Day	<i>November 11</i>
Thanksgiving and the day after	<i>Fourth Thursday and Friday in November</i>
Christmas Day	<i>December 25</i>
Personal holidays*	<i>Varies</i>
* Regular employees, provisional employees, probationary employees, and term limited temporary are granted two personal holidays each year. The hours granted to less than full-time employees will be prorated to reflect their normally scheduled work day. One day is credited to the employee's vacation leave balance on the first of October; the second holiday is credited on the first of November.	

- B. In addition, the following may be designated as holidays:
- Special or limited holidays as declared by the president or governor, and as approved by the Council.
 - Such other days in lieu of holidays as the Council may determine.
- C. If a holiday falls on a Saturday, the Friday before will be a paid holiday. If a holiday falls on a Sunday, the Monday following will be a paid holiday.

- D. A part-time regular employee will receive only those paid holidays that fall on the employee's regularly scheduled workdays, except that part-time Summer Youth Work Training Program employees will be paid for the 4th of July if they are employed both the day before and the day after the holiday. The paid holiday will consist of the employee's regularly scheduled hours not to exceed 8.0 hours in a 40-hour work unit or 7.0 hours in a 35-hour work unit.
- E. If a holiday falls on a day on which an employee who is eligible for holiday pay is scheduled to work but is otherwise unable to work due to an illness or injury, then the employee will receive holiday pay in lieu of all sick pay or time loss for that day. (The holiday pay should not exceed 8.0 hours in a 40 hour work unit or 7.0 hours in a 35-hour work unit.)
- F. An employee who works an alternative work schedule will receive holiday paid time off that is equal to that provided for in the standard workweek in the employee's work unit.
- G. An employee who is required to work on a holiday may take holiday leave at another time that is agreed to by the supervisor and the employee. However, holiday leave must be used in the calendar year it is earned. *[K.C.C. 3.12.230]*

14.3. Vacation Leave

- A. Accrual
 - Employees eligible for leave benefits (Section 14.1) will accrue vacation leave benefits as follows. If an employee resigns from county employment in good standing or is laid off, and then returns to county employment within two years, the employee's prior service will be counted in determining the employee's vacation leave accrual rate, except where the prior service was as a term limited temporary employee.

TABLE 2. Vacation Leave Schedule for Full-Time Regular Employees	
Length of Service	Annual Leave in Days
Upon hire through end of year 5	12
Upon beginning of year 6	15
Upon beginning of year 9	16
Upon beginning of year 11	20
Upon beginning of year 17	21
Upon beginning of year 18	22
Upon beginning of year 19	23
Upon beginning of year 20	24
Upon beginning of year 21	25
Upon beginning of year 22	26
Upon beginning of year 23	27
Upon beginning of year 24	28
Upon beginning of year 25	29
Upon beginning of year 26 and beyond	30

- Notwithstanding the schedule shown in Table 2, full-time regular employees, excluding employees in the former Department of Metropolitan Services (employees hired by Metro prior to January 1, 1996), will accrue vacation leave as follows:
 - An employee who, by December 31, 1995 had completed at least three but less than five full years of service will begin to accrue fifteen days of vacation leave per year effective January 1, 1996.
 - An employee who was employed on or before December 31, 1995 and after that date completed three full years of service will begin to accrue fifteen days of vacation leave per year effective on the first day of their fourth full year of service.
 - Beginning on the first day of their sixth full year of service, employees will accrue vacation leave shown in Table 2.
- A part-time regular employee will accrue vacation leave in accordance with the schedule shown in Table 2. The employee's accrual rate will be prorated to reflect the employee's normally scheduled workweek.
- Employees who are eligible for vacation leave will accrue vacation leave from their date of hire.

- Employees who are eligible for leave benefits may accrue up to 60 days of vacation leave. The calculation of 60 days is pro-rated for part-time regular employees. If an employee's vacation leave balance exceeds 60 days on December 31 of each year, then the balance will be reduced to 60 days and the employee will forfeit any vacation that exceeds 60 days. However, the employee's appointing authority may approve a carryover of excess vacation leave for reasons such as cyclical work loads or work assignments. The employee must submit a request for excess vacation carryover to the employee's appointing authority before November 30th of each year. An approved request will be processed by the employee's department.

B. Use of Vacation

- An employee will not use or be paid for vacation leave until it has been accrued. An employee who is FLSA-overtime eligible, may use vacation leave in one-half hour increments, at the discretion of the employee's appointing authority.
- An employee must request the use of vacation leave in accordance with the employee's department or division policy.

C. Vacation Pay and Cashout

- Exempt employees in regular positions may take and upon leaving county employment be paid for accrued vacation leave as approved by their appointing authorities.
- Newly hired employees other than exempt employees in regular positions shall not be eligible to take or be paid for vacation leave until they have successfully completed their first six months of county service, and if they leave county employment prior to successfully completing their first six months of county service, shall forfeit and not be paid for accrued vacation leave. An employee reinstated within two years of having left county employment in a regular full-time or regular part-time position in which he or she had worked more than six months may have prior service counted towards satisfaction of the six month requirement.
- Full-time regular employees, part-time regular employees, and term limited temporary employees shall be paid for accrued vacation leave to their date of separation up to the maximum accrual amount (60 days) if they have successfully completed their first six months of county service and are in good standing; provided that, except with the written approval of the executive, the position, if vacated by a non-represented employee, shall not be filled until salary savings for such position are accumulated in an amount sufficient to pay the cost of the cashout. Payment shall be the accrued vacation leave multiplied by the employee's rate of pay in effect upon the date of leaving county employment less mandatory withholdings.
- In cases of separation from county employment by death of an employee with accrued vacation leave and who has successfully

completed his/her first six months of county service, payment of unused vacation leave up to the maximum accrual amount (60 days) shall be made to the employee's estate, or, in applicable cases, as provided for by state law, RCW Title 11; provided that, except with the written approval of the executive, the position, if vacated by a non-represented employee, shall not be filled until salary savings for such position are accumulated in an amount sufficient to pay the cost of the cashout.

[K.C.C. 3.12.190]

14.4. Leave for Employee Illness and Family Reasons

14.4.1 Department management is responsible for the proper administration of the sick leave, federal Family and Medical Leave Act (FMLA), and King County Family and Medical Leave (KCFML) benefits. Verification from a licensed health care provider may be required to substantiate the health condition of the employee or family member for leave requests.

The following guidelines and procedures are intended to encompass the county provided sick leave, the family and medical leave entitlement guaranteed by federal law under the Family and Medical Leave Act of 1993 (FMLA), and King County Family and Medical Leave (KCFML) benefits. There are certain recording and notification requirements that are specific to the FMLA, and that apply regardless if the employee is using accrued sick leave, vacation leave, KCFML leave, leave without pay, on light duty with loss of earning power (LEP) pay, or is receiving workers' compensation time loss benefits. These reporting and notification procedures are addressed by Subsection 14.4.4.

14.4.2 Sick Leave Accrual and Cashout:

- A. Except for uniformed employees covered by the LEOFF 1 retirement system, employees eligible for leave benefits shall accrue sick leave benefits at the rate of 0.04616 hours for each hour in pay status exclusive of overtime up to a maximum of eight hours per month; except that sick leave shall not begin to accrue until the first of the month following the month in which the employee commenced employment. The employee is not entitled to use sick leave if not previously earned.
- B. There shall be no limit to the hours of sick leave benefits accrued by an eligible employee.
- C. Separation from or termination of county employment except by reason of retirement or layoff due to lack of work, funds, efficiency reasons or separation for nondisciplinary medical reasons, shall cancel all sick leave accrued to the employee as of the date of separation or termination. Should the employee resign in good standing, be separated for nondisciplinary medical reason or be laid off, and return to county employment within two years, accrued sick

leave shall be restored, but the restoration shall not apply where the former employment was in a term-limited temporary position.

- D. Employees eligible to accrue sick leave who have successfully completed at least five years of county service and who retire as a result of length of service or who terminate by reason of death shall be paid, or their estates paid or as provided for by Title 11 RCW, as applicable, an amount equal to thirty-five percent of their unused, accumulated sick leave multiplied by the employee's rate of pay in effect upon the date of leaving county employment less mandatory withholdings. This provision is predicated on the requirement that, except with the written approval of the executive, the position, if vacated by a nonrepresented employee, shall not be filled until salary savings for such position are accumulated in an amount sufficient to pay the cost of the cashout.

14.4.3 Sick Leave Use:

- A. For employees covered by the overtime requirements of the Fair Labor Standards Act, sick leave may be used in one-half hour increments, at the discretion of the appointing authority.
- B. During the first six months of service, employees eligible to accrue vacation leave may, at the appointing authority's discretion, use any accrued days of vacation leave as an extension of sick leave. If an employee does not work a full six months, any vacation leave used for sick leave must be reimbursed to the county upon termination.
- C. An employee may not collect sick leave payments for physical incapacity due to any injury or occupational illness which is directly traceable to employment other than with King County.
- D. If the injury or illness is compensable under King County's workers' compensation program, then the employee has the option to supplement or not supplement time loss payments with the use of accrued sick leave.
 - 1. An employee injured on the job may not simultaneously collect sick leave and workers' compensation payments in a total amount greater than the net regular pay of the employee. An employee who does not supplement his or her workers' compensation time loss benefit through the use of sick leave shall be deemed on unpaid leave/inactive status.
 - 2. An employee who does not choose to supplement workers' compensation payments with the use of accrued sick leave shall notify the safety and workers' compensation program office in writing at the beginning of the leave. Absent such notification, sick leave will automatically be used to supplement such payments except where prohibited by the preceding paragraph.

- E. An employee eligible to use sick leave must use all of his or her accrued sick leave for his or her own health reasons before going to a non-pay status. For a leave for family reasons, the employee shall choose at the start of the leave whether the leave will be paid through the use of accrued sick leave; but when an employee chooses to take paid leave for family reasons he or she may set aside a reserve of up to eighty (80) hours of accrued sick leave. An employee who has exhausted all of his or her sick leave may use accrued vacation leave before going on leave of absence without pay, if approved by his or her appointing authority.
- F. Sick leave shall be used for the following reasons:
1. The employee's bona fide illness or incapacitating injury,
 2. The employee's exposure to contagious diseases and resulting quarantine;
 3. A female employee's temporary disability caused by or contributed to by pregnancy and childbirth;
 4. The employee's medical or dental appointments, provided that the employee's appointing authority has approved the use of sick leave for such appointments; or
 5. To care for the employee's child as defined in Section 20 if the child has an illness or health condition which requires treatment or supervision by the employee; or
 6. To care for family members, if:
 - a. the employee has been employed by the county for twelve months or more and has actually worked a minimum of 910 hours (35 employee) or 1040 hours (40 hour employee) in the preceding twelve months (paid leaves such as holiday, vacation and sick leave are not considered hours worked);
 - b. the family member is the employee's spouse or domestic partner, the employee's son or daughter, a son or daughter of the employee's spouse or domestic partner, the parent of the employee, employee's spouse or domestic partner or an individual who stands or stood in loco parentis to the employee, the employee's spouse or domestic partner; and
 - c. the reason for the leave is one of the following:
 - the birth of a son or daughter and care of the newborn child, or placement with the employee of a son or daughter for adoption or foster care, if the leave is taken within twelve months of the birth, adoption or placement;
 - care of a family member who has a serious health condition.

14.4.4 Federal FMLA (Federal Family and Medical Leave Act):

- A. An employee who has been employed by the county for twelve months or more and has worked a minimum of 1,250 in the preceding twelve months (paid leaves such as holiday, vacation and sick leave are not considered hours worked), may be eligible for leave under the FMLA.
- B. The following are qualifying reasons for federal FMLA leave:
 - 1. the birth or adoption of the employee's child, or placement of the employee's foster child;
 - 2. the employee's serious health condition;
 - 3. the employee's spouse's, parent's, son's or daughter's serious health condition;
- C. An employee is entitled to up to twelve weeks of FMLA leave in a rolling twelve month period.
 - 1. If the leave is taken for birth or adoption of a child, or placement of a foster child, and both parents are employed by King County, the aggregate total leave taken by both employees shall be twelve weeks.
 - 2. For purposes of this subsection, a rolling twelve-month period is measured backward from the date an employee uses any FMLA leave. For instance, each time an employee takes family or medical leave, the remaining leave entitlement would be any balance of the twelve weeks which have not been used during the immediately preceding twelve months. For example, if an employee has taken eight weeks of leave during the past twelve months, an additional four weeks could be taken. If an employee used four weeks beginning February 1, 1999, four weeks beginning June 1, 1999, and four weeks beginning December 1, 2000, the employee would not be entitled to any additional leave until February 1, 2000. However, beginning on February 1, 1999, the employee would be entitled to four weeks of leave, on June 1, the employee would be entitled to an additional four weeks, etc
 - 3. When leave is taken after the birth or placement of a child for adoption or foster care, an employee may take leave intermittently or on a reduced leave schedule only if authorized by the employee's appointing authority;
 - 4. An employee may take leave intermittently or on a reduced schedule when medically necessary due to a serious health condition of the employee or a family member of the employee; and
 - 5. If an employee requests intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical

treatment, the appointing authority may require the employee to transfer temporarily to an available alternative position for which the employee is qualified and that has equivalent pay and benefits and that better accommodates recurring periods of leave than the regular position of the employee.

- D. Leave taken for any of the qualifying reasons must be recorded as FMLA leave, whether or not requested by the employee.
- E. FMLA qualified leave shall run concurrent with use of sick leave, vacation leave, KCFML leave, donated leave, light duty assignment due to a disabling injury or illness, and/or workers' compensation time loss benefits.
- F. An employee who has exhausted his or her sick leave may use accrued vacation leave during an FMLA qualified leave. Such use is at the employee's option and is not subject to approval by the appointing authority.
- G. An employee who returns from FMLA leave within the time provided in this section is entitled, subject to bona fide layoff provisions, to:
 - 1. The same position he or she held when the leave commenced; or
 - 2. A position with equivalent benefits, pay and other terms and conditions of employment; and
 - 3. The same seniority accrued before the date on which the leave commenced.
- H. In order for the leave to be qualified and counted toward the employee's FMLA entitlement, the request/provisional designation may be initiated by the employee, the employee's supervisor, personnel officer, division manager, or department director.
- I. Employee responsibilities include:
 - 1. Submit FMLA leave request form (can be provided by supervisor, personnel officer or payroll clerk) 30 days in advance of the leave, if possible, or as soon as the need for the leave is known, or no later than 2 business days following the employee's return to work;
 - 2. Submit a medical certification form (provided by supervisor or payroll clerk) completed by his or her healthcare provider within 15 business days of a request from his or her supervisor or personnel officer.

14.4.5 King County Family and Medical Leave (KCFML):

- A. KCFML may be taken for an employee's own serious health condition; to care for a family member (defined as the employee's

spouse or domestic partner, the employee's son or daughter, a son or daughter of the employee's spouse or domestic partner, the parent of the employee, employee's spouse or domestic partner or an individual who stands or stood in loco parentis to the employee, the employee's spouse or domestic partner) who has a serious health condition; or for the birth and care of a newborn or newly adopted child or placement of a foster child.

- B. To be eligible for KCFML to care for a family member other than the employee's child (refer to Section 20, Definitions), an employee must have been employed by the county for twelve months at any time or more and worked a minimum of 910 hours (35 employee) or 1040 hours (40 hour employee) in the preceding twelve months (paid leaves such as holiday, vacation and sick leave are not considered hours worked).
- C. An employee may take a total of up to eighteen work weeks unpaid leave for his or her own serious health condition and for family medical reasons, combined, within a rolling twelve-month period. The leave may be continuous, which is consecutive days or weeks, or intermittent, which is taken in whole or partial days as needed.
 - 1. For purposes of this benefit, a rolling twelve-month period is measured backward from the date an employee uses any of his or her eighteen week KCFML entitlement. For instance, each time an employee takes family and medical leave the remaining leave entitlement would be any balance of the eighteen weeks which have not been used during the immediately preceding twelve months. For example, if an employee has taken eight weeks of leave during the past twelve months, an additional ten weeks could be taken. If an employee used four weeks beginning February 1, 1999, six weeks beginning June 1, 1999, and eight weeks beginning December 1, 1999, the employee would not be entitled to any additional leave until February 1, 2000. However, beginning on February 1, 2000, the employee would be entitled to four weeks of leave, on June 1, the employee would be entitled to an additional six weeks, etc.
 - 2. If the leave is taken for birth or adoption of a child, or placement of a foster child, and both parents are employed by King County, the aggregate total taken by both employees shall be eighteen weeks.
- D. Intermittent leave is subject to the following conditions:
 - 1. When leave is taken after the birth or placement of a child for adoption or foster care, an employee may take leave intermittently or on a reduced leave schedule only if authorized by the employee's appointing authority;
 - 2. An employee may take leave intermittently or on a reduced schedule when medically necessary due to a serious health

condition of the employee or a family member of the employee;
and

3. If an employee requests intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment, the appointing authority may require the employee to transfer temporarily to an available alternative position for which the employee is qualified and that has equivalent pay and benefits and that better accommodates recurring periods of leave than the regular position of the employee.
- E. Prior to using family or medical leave, any accrued compensatory time must be exhausted. The employee may choose to either use it as time off or receive a lump sum cashout.
 - F. Use of accrued leave in conjunction with a family or medical leave shall be as provided in 14.4.3 (D an E).
 - G. For purposes of this section, donated leave shall be considered unpaid leave and shall run after the use of accrued sick leave, and concurrently with the eighteen work week family and medical leave entitlement. To the extent possible donated leave must be used prior to going to a non-pay status. Further, use of donated leave after the eighteen week entitlement has been exhausted will not extend the job protection rights described below.
 - H. The county shall continue its contribution toward health care benefits (medical, dental, vision) during any unpaid leave taken as KCFML. An employee may elect to self pay for other insured benefits.
 - I. An employee who returns from KCFML within the time provided in this section is entitled, subject to bona fide layoff provisions, to:
 1. The same position he or she held when the leave commenced; or
 2. A position with equivalent status, benefits, pay and other terms and conditions of employment; and
 3. The same seniority accrued before the date on which the leave commenced.
 - J. Failure to return to work by the expiration date of a leave of absence may be cause for removal and result in termination of the employee from county service.

14.4.6 School Volunteer Leave:

An employee may use up to three days of sick leave per year for volunteering at the employee's children's school. The employee must obtain approval in advance from the employee's appointing authority

14.5. Donating Vacation Leave and Sick Leave Hours

- A. An employee may donate vacation leave hours as follows:
1. An employee who accrues vacation leave may donate a portion of accrued vacation leave to another employee who accrues vacation leave. The donation will occur upon written request to and approval of the donating and receiving employees' department director(s). A request for donation in order to supplement an employee's sick leave will not be denied unless the receiving department director determines otherwise.
 2. The donation cannot cause the receiving employee to exceed the maximum vacation accrual (60 days).
 3. Donated vacation leave hours must be used within 90 calendar days of the date of donation. Donated hours that are not used within 90 days will revert to the donor. Donated vacation leave is excluded from vacation leave payoff provisions. For purposes of this section, the first hours used by an employee will be accrued vacation leave.
- B. An employee may donate sick leave hours as follows:
1. An employee who accrues sick leave may donate a portion of accrued sick leave to another employee who accrues sick leave, upon written notice to the donating and receiving employees' department director(s).
 2. The donation will not be permitted if it will reduce the donating employee's sick leave accrual balance to less than 100 hours. An employee may not donate more than 25 hours of sick leave in a calendar year.
 3. Donated sick leave must be used within 90 calendar days of the date of donation. Donated hours that are not used within 90 days will revert to the donating employee. Donated sick leave is excluded from sick leave payoff provisions. For purposes of this section, the first hours used by an employee will be accrued sick leave.
- C. Vacation and sick leave hour donations are voluntary. Employees are prohibited from soliciting, offering, or receiving monetary or any other compensation or benefits in exchange for donating vacation or sick leave hours.
- D. Donated vacation and sick leave hours will be converted to a dollar value based on the donating employee's regular hourly rate at the time of donation. This amount will then be divided by the receiving employee's hourly rate to determine the actual number of hours received. Unused donated vacation and sick leave will be reconverted based on the donating employee's regular hourly rate at the time of the reconversion.

[K.C.C. 3.12.223]

14.6. Adjustment of Vacation and Sick Leave Balances—Change in Workweek

If an employee's regular position experiences an increase in the workweek, the employee's sick leave and vacation leave balances will be adjusted upward by the same percentage as that by which the hours are increased to ensure that the sick leave and vacation leave balances reflect the hours in the new workweek. For example, if the workweek of a position is increased from 35 to 40 hours, and if, at the time of the change, the employee in the position had accrued seven hours of sick leave, then the sick leave balance of that employee would be adjusted upward to eight hours. *[K.C.C. 3.12.125]*

14.7. Bereavement Leave

A. All employees eligible for leave benefits are entitled to three paid days per year of bereavement leave due to the death of an immediate family member. For purposes of this section, "immediate family" is defined as follows:

- Children
- Children of spouse or domestic partner
- Parents
- Parents of spouse or domestic partner
- Siblings
- Siblings of spouse or domestic partner
- Grandchildren
- Grandchildren of spouse or domestic partner
- Grandparents
- Grandparents of spouse or domestic partner
- Spouse or domestic partner

B. An employee who has exhausted his or her bereavement leave may use up to three days of sick leave for each instance when death occurs to an immediate family member. If no sick leave benefit is authorized or exists for the employee, then the appointing authority may approve leave without pay. Holidays or regular days off falling within the prescribed period of absence will not be charged against bereavement pay entitlement.

[K.C.C. 3.12.210]

14.8. Leave of Absence Without Pay

If a leave of absence is taken in conjunction with a workers' compensation claim, no authorization for the leave is required. All other leaves of absence without pay are administered as follows:

A. An employee eligible for leave benefits may take a leave of absence without pay for less than 30 days if authorized in writing by the employee's appointing authority. Leaves of absence without pay taken for medical or family reasons are also governed by Sections 14.4.4 and 14.4.5 of these guidelines.

- B. An employee eligible for leave benefits may take a leave of absence without pay for more than 30 calendar days if authorized in writing by the employee's appointing authority and the Director. Leaves of absence without pay taken for medical or family reasons are also governed by Sections 14.4.4 and 14.4.5 of these guidelines.
- C. Leaves of absence without pay will be for periods not to exceed one year. However, the appointing authority may, in special circumstances, grant an extension beyond one year.
- D. An employee who is on a leave of absence without pay will not accrue vacation or sick leave. An employee who is on a leave of absence without pay in excess of 30 days will not accrue seniority while on leave. In addition, leaves of absence in excess of 30 days, except for family or medical leave (Section 14.4), or military leave (see 14.9) will result in the loss of paid health and other insured benefits.
- E. If a leave of absence without pay was granted to an employee for the purpose of recovering health, the appointing authority will require the employee to submit a physician's statement concerning the employee's ability to resume duties before allowing the employee to return to work.
- F. An employee who is on a leave of absence without pay may return from the leave before its expiration date if the employee provides the appointing authority with a written request to that effect at least 15 days before resuming duties.
- G. Failure to return to work by the expiration date of a leave of absence without pay will result in the employee's automatic termination from county employment.
- H. A leave of absence without pay may be revoked by the appointing authority if the appointing authority learns that the leave of absence was requested and granted under false pretenses, or that the need for such leave of absence has ceased to exist.
- I. When a leave of absence without pay is used in conjunction with paid leave time, the paid leave time must be used first.
- J. Employees who wish to complete educational programs may request a leave of absence without pay for this purpose.

[K.C.C. 3.12.250]

14.9. Military Leave of Absence

Military leave will be administered in accordance with the following:

- The appointing authority will grant, for a period not exceeding 15 workdays during each calendar year, leaves of absence with pay to employees eligible for leave benefits (Section 14.1) for the purpose of taking part in active military training duty. The employee must submit a written request for military leave to the employee's appointing authority and must attach a validated copy of the military documents that order the active training duty.

- For purposes of this section, “15 workdays” refers to the employee’s working days and does not require an employee to take military leave for days that the employee is not scheduled to work even though the employee may be required to be engaged in active training.
- The appointing authority and the Director will abide by applicable state or federal law in granting any military leave of absence for a period of more than 15 workdays.
- An employee who, upon demand by the United States Government, vacates his or her regular position with the county either to determine the employee’s physical fitness to enter, or to actually enter upon active duty or training in the Washington National Guard, United States Armed Services, or United States Public Health Service will receive medical, dental and life benefits for the time period that commences with the beginning of an employee’s military leave of absence and continues until active duty has been completed. The employee will continue to receive the medical, dental, and life benefits that the employee received before separating from employment.

[K.C.C. 3.12.260 and 262]

14.10. Jury Duty

If an employee eligible for leave benefits (Section 14.1) is called for jury duty, then the employee will be entitled to regular pay for all workdays that the employee misses due to jury duty. The employee should deposit his or her jury duty fees, excluding mileage, with the Department of Finance. Employees must contact their supervisor when dismissed from jury duty during regularly scheduled working hours and may be required to report back to work. *[K.C.C. 3.12.240]*

14.11. Authorized Leave Due to Inclement Weather or Safety Concerns

- A. Administrative offices and operations of the county will remain open during inclement weather unless directed otherwise by the Executive or respective department director. Department directors should make every reasonable effort to contact the Executive or Deputy County Executive prior to closing a department, facility or office.
- B. Where a department director officially closes operations in his/her department because of adverse weather conditions, or orders employees to leave the premises because of safety concerns, all non-essential employees who are scheduled to work will be paid for the normally scheduled work day. This applies to affected overtime exempt as well as hourly employees. Only hours actually worked will be used to determine overtime eligibility for the week.
 - Employees who previously request and have been approved for time off (e.g., vacation or sick leave, compensatory time-off, leaves of absence) will have hours deducted from their accruals as approved.
 - Temporary (other than provisional, probationary, and term limited temporary) and part-time employees will be paid for hours actually worked

- Essential employees who are scheduled to work but do not because of adverse weather conditions may use accrued vacation or comp time (hourly employees) or accrued vacation or executive leave (FLSA exempt employees), or the time will be charged as leave-without-pay for the scheduled work day. A department director or his or her designee shall make the determination as to which employees are essential and, consequently, which employees are required to report for work despite emergency conditions.
- C. Where a department, office or facility remains open but weather conditions prevent an employee from reporting to work, the following will apply:
- The employee will notify his or her supervisor as soon as possible.
 - The employee may request, and the supervisor may approve, the use of compensatory time, vacation time, or leave without pay to cover absences due to inclement weather. Sick leave may not be used to cover absences due to inclement weather.

14.12. Pay in Lieu of Benefits for Temporary and Part-Time Employees

Pay in lieu of benefits for a temporary employee will be administered as follows:

- Part-time and temporary employees, other than probationary, provisional and term-limited employees, who exceed the calendar year working hours threshold defined in this chapter shall receive compensation in lieu of leave benefits at the rate of 15% of gross pay for all hours worked, paid retroactive to the first hour of employment in the calendar year and for each hour worked thereafter.
- The employee will also receive a one-time only payment in an amount equal to the direct cost of three months of insured benefits, as determined by the director, and, in lieu of insured benefits, an amount prorated to an hourly equivalent based on the employee's normal work week for each hour worked thereafter.
- Such additional compensation shall continue until termination of employment or hire into a full-time regular, part-time regular or term-limited position.
- Employees receiving pay in lieu of insured benefits may elect to receive the medical component of the insured benefit plan, with the cost to be deducted from their gross pay; provided, that an employee who so elects shall remain in the selected plan until termination of employment, hire into a full-time regular, part-time regular, or term-limited position, or service of an appropriate notice of change or cancellation during the employee benefits annual open-enrollment.-

- Part-time and temporary employees, other than probationary, provisional and term-limited temporary employees, who exceed the applicable threshold will also be eligible for cash in lieu of the bus pass benefit provided to regular employees. The value will be determined based on the average annual cost as determined in the adopted budget, prorated to an hourly equivalent based on the employee's normal work week, and will be paid retroactive to the first hour worked in the calendar year and for each hour worked thereafter until termination of employment or hire into a full-time regular, part-time regular, or term limited position.-

14.13. Organ Donor Leave

The appointing authority will allow an employee who is eligible for leave benefits to take five days paid leave to participate as a donor in a life-giving or life-saving procedure (for example, bone marrow transplants, kidney transplants, and blood transfusions). The paid leave will not be charged to family leave, sick leave, vacation leave or leave of absence without pay. There must be reasonable expectation that the employee's failure to participate may result in serious illness, injury, pain, or the eventual death of the identified recipient. The employee must take the following steps:

- Give the appointing authority reasonable advance notice of the need to take time off.
- Provide written proof from an accredited medical institution, organization, or individual as to the need for the employee to donate or to participate in any other medical procedure where the participation of the donor is unique or critical to a successful outcome.

Time off from work that exceeds five working days is subject to other existing leave policies.

[K.C.C. 3.12.215]

15. PERFORMANCE APPRAISAL

15.1. Probationary Employee Performance Evaluation

Probationary performance appraisals will be conducted as follows:

- A probationary employee's performance will be evaluated by his/her appointing authority and a "Probationary Employee Performance Evaluation" form must be completed at three month intervals during the probationary period. Additional appraisals may be made at the discretion of the appointing authority.
- The completed forms must be included with appropriate payroll documents in order to change the status of an employee from a probationary to a regular employee.
- If the employee does not successfully complete the probationary period, the completed forms must be included with a request to discharge the employee.
- Probationary employee performance evaluations and discharge for failure to successfully complete the probationary period cannot be appealed.

15.2. Regular Employee Performance Evaluation

- A. Following completion of probation, employee performance evaluations are conducted at least annually. Performance evaluations will be based upon individualized, position-specific performance elements. Evaluation standards should be developed in conjunction with employees and understood by supervisors and employees.
- B. Completed appraisals are to be filed in the employee's department with a copy sent to the Director. A completed appraisal is required in order for an employee to be eligible for a step increase. The appraisals must meet the following criteria:
 - They must be written.
 - They must indicate clearly whether overall performance is satisfactory or unsatisfactory.
 - They must provide for employee feedback.

[K.C.C. 3.12.020]

15.3. Appeal of a Regular Employee Performance Evaluation

- A. Within five working days after a copy of the performance evaluation is given to the employee, the employee may request additional evaluation and consideration. With the approval of the department director, the appointing authority may designate an alternate five-working day period for this purpose. The employee should prepare a written request as follows to the division manager:
- Identify the evaluation by its date, the name of the rater, and the date the evaluation was received.
 - Specify the ratings or comments which the employee believes are incorrect.
 - State the ratings or comments the employee believes should be made on the evaluation.
 - Give facts substantiating each change requested.
 - Keep a copy of the written request and send the original to the division manager.
- B. Upon receiving the request, the division manager will have 15 calendar days to meet with the employee and either sustain or change the performance evaluation and notify the employee of the decision in writing. In case of a change to the evaluation, a copy of the revised evaluation is to be included with the decision. In the event that the issue is not resolved by the division manager, the employee may, within 15 calendar days of the meeting with the division manager, meet with the department director who will notify the employee of the decision in writing. The department director's decision to sustain or change the performance evaluation will be final.

16. DISCIPLINE

16.1. Disciplinary Action

- A. The primary objective of any disciplinary action is to improve the performance, increase the efficiency, or correct the behavior of an employee. Disciplinary action is primarily the responsibility of the appointing authority. It may include, but is not limited to, a verbal or written reprimand, a reduction in rank or pay, suspension without pay, and/or a discharge of the employee.
- B. The appointing authority shall consult with the Director prior to the discharge of any career service or exempt employee in a regular position.
- C. In all discipline other than discharge, the appointing authority is encouraged to consult with the Director who will be given an opportunity (one to two working days except in cases where extraordinary circumstances dictate to the contrary) to review the proposed action and advise as to its appropriateness. Written approval from the Director is not required. See Section 16.5.

[K.C.C. 3.12.270]

16.2. Types of Discipline

The type and level of disciplinary action will be determined by the nature and severity of the behavior and/or performance deficiency that led to the disciplinary action. FLSA exempt personnel are not subject to unpaid disciplinary suspensions except in increments of full work weeks unless the infraction leading to the suspension is for a violation of a safety rule of major significance. *[K.C.C. 3.12.270]*

16.3. Pre-Disciplinary Procedure

- A. In all cases involving the potential for suspension without pay, discharge, or demotion or salary reduction for disciplinary reasons, the appointing authority will provide the affected employee written notice and an opportunity to respond.
- B. Verbal or written reprimands may be issued by the supervisor. In these cases, the supervisor should give verbal notice to the employee of the behavior or performance deficiency in question and give the employee an opportunity to respond before issuing a verbal or written reprimand.
- C. If the appointing authority determines that the nature of the cause for disciplinary action warrants it, language advising the employee of the availability of the Employee Assistance Program may be included in written notice of proposed disciplinary procedure.

[K.C.C. 3.12.270]

16.4. Cause for Disciplinary Action

A career service employee may be disciplined by the appointing authority for any of the following causes, or for any other justifiable cause:

- Dishonesty, including but not limited to dishonesty in securing appointment
- Incompetence
- Inefficiency
- Unauthorized absence, including patterns of continual tardiness
- Neglect of duty
- Insubordination
- Consumption of or being under the influence of alcohol or other drugs while on duty
- Conviction of a crime
- Disorderly conduct while on duty
- Negligent, reckless or knowing damage to or waste of public property
- Violation of any of the provisions of applicable federal or state law relating to political activities
- Negligent, reckless or knowing violation of any of the provisions of the personnel guidelines
- Violation of any lawful order, directive, or policy of a superior, including but not limited to the Executive, department directors and division managers, or a violation of the Employee Code of Ethics.

[K.C.C. 3.12.270]

16.5. Written Notice

A. In any disciplinary action against a career service employee, pertinent information will be reduced to written form by the appointing authority and a copy provided to the employee and to the Director. The written notice will include the following information:

- The reason for discipline
- The facts supporting the discipline
- The form of discipline to be imposed
- The effective date of the discipline
- Unless otherwise provided in an applicable collective bargaining agreement, the right of the employee to appeal any disciplinary action to appropriate authorities through the initiation of grievance procedures as authorized by or approved under this chapter. In addition, unless otherwise provided in an applicable collective

bargaining agreement, the employee can appeal the following disciplinary actions to the Personnel Board:

- Suspension of more than 60 days
- Reduction in rank or pay
- Discharge

- B. Written notice of the discipline will be delivered to the career service employee or mailed to the employee's last known address by certified mail, return receipt requested. An employee will be deemed notified of the disciplinary action on the date the notice was delivered to the employee or the date on the return receipt, as applicable.

[KCC 3.12.270]

16.6. Administrative Leave with Pay Pending Investigation

An employee eligible for leave and insured benefits may be placed on administrative leave with pay and benefits during an investigation for disciplinary action if the department director determines that circumstances exist that make the immediate removal of the employee in the best interests of the county. Such leave is not a disciplinary action and is not subject to appeal.

17. GRIEVANCE PROCEDURE

17.1. Grievance Policy

The county recognizes the importance and desirability of settling grievances promptly and fairly, in the interest of continued good employee relations and morale. Therefore, every effort will be made to settle grievances at the lowest possible level of supervision. Employees will be unimpeded and free from restraint, interference, coercion, discrimination, or reprisal in seeking adjudication of their grievances. *[K.C.C. 3.12.280]*

17.2. Mutual Exclusivity

An employee who is covered by a collective bargaining agreement has access to either the grievance procedure described in these guidelines or to the grievance procedure contained in the employee's collective bargaining agreement. Except where otherwise provided in a collective bargaining agreement, selection of one process will preclude access to the other to resolve the grievance. A represented employee must choose the avenue of appeal upon completion of Step 1; the employee's choice is final.

17.3. Filing a Grievance

If a decision is not returned to the employee within the time limits specified in each step below, the employee may, after the time limit has passed, present the grievance to the county representative specified in the next step of this grievance procedure.

In addition, any of the steps of the grievance procedure and/or the time frames involved may be waived and /or extended by the parties. Grievances related to verbal or written reprimands may not be pursued beyond Step 2.

Step 1—Supervisor/Division Manager

The employee must present, in writing, a grievance to the employee's supervisor within 20 calendar days of the occurrence of the action being grieved. The written grievance must include the following information: nature of the grievance, identification of which provision of these guidelines has been violated, and the remedy sought.

The supervisor, in conjunction with the division manager if applicable, will gather all relevant information and data and will meet with the employee within 14 calendar days in an attempt to resolve the matter. The supervisor will then provide a written response to the employee within seven calendar days of the meeting.

If the employee does not pursue the grievance to Step 2 within 14 calendar days of receiving the supervisor's written response, it will be presumed to be resolved.

Step 2—Department Director

If the employee, after thorough evaluation, is not satisfied that the decision of the supervisor and division manager has resolved the grievance, then the employee may submit the written grievance notice to the department director.

The department director will, within 14 calendar days of receiving the grievance, give a written decision to the employee. If the employee does not pursue the grievance to Step 3 within 14 calendar days of receiving the written response, it will be presumed to be resolved. Grievances related to verbal or written reprimands may not be pursued beyond Step 2.

Step 3—Director

If the employee, after thorough evaluation, is not satisfied that the decision of the department director has resolved the grievance, then the employee may, within 14 calendar days of receiving the department director's decision, submit the written grievance notice, along with all letters, memoranda, and other written materials developed at Steps 1 and 2 to the Director, excluding grievances related to written reprimands.

If the Director determines that the issue meets the definition of grievance, the Director will, within 20 calendar days of receiving the notice, meet with the employee to give the employee an opportunity to present the factors that the employee considers to be relevant to the issue. The Director will evaluate all statements and materials and must render a decision within seven calendar days of the meeting. This decision will be final and binding, unless the grievance is related to one of the matters listed in Step 4. In this case, the employee may move to Step 4.

If a Step 3 grievance is filed by an employee of the Office of Human Resource Management, then the grievance will be filed with the Executive rather than the Director, who will then designate an individual other than the Director to hear the grievance. Otherwise, all Step 3 procedures apply to employees of the Office of Human Resource Management.

Step 4—Personnel Board

The board may only hear appeals that involve matters concerning examination, appointment or promotion, classification or reclassification, discharge, reduction in rank and/or pay, or suspension in excess of 60 calendar days. If the Personnel Board finds that the grievance is an appropriate subject for hearing, then further appeal will be in accordance with the rules of procedure established by the Personnel Board.

For appeals that involve disciplinary action, the employee will file a written notice of the appeal to the Personnel Board, in care of the Director, within 30 calendar days of the employee having been notified of the disciplinary action or within ten calendar days of having completed Step 3. The Director will forward the appeal to the chair of the Personnel Board within three days of receiving the appeal. For appeals that do not involve disciplinary action, the applicable period will be 14 calendar days from the action from which the appeal is taken, or 14 calendar days from the time the

employee should reasonably have known of the action, whichever is longer. The written notice of appeal will contain a statement of the following:

- The action or alleged action being challenged.
- Identification of the provision in the guidelines that has been violated.
- The remedy sought.

The appeal should also include all letters, memoranda, and other written materials submitted to county representatives in the previous steps outlined in this grievance procedure.

If the appealing employee and the Director both agree in writing, then any of the steps of the grievance procedure and/or the time frames involved may be waived and/or extended.

The Personnel Board will award an employee reasonable attorney's fees that are incurred in an appeal in which the employee is the prevailing party. The employee will be considered the prevailing party only in cases where the county has a written settlement offer in effect 30 calendar days before the hearing of the Personnel Board and the award obtained by the employee exceeds the terms of the settlement offer. Reasonable attorney's fees will not exceed the actual fees paid by the employee.

All decisions of the Personnel Board are final unless they are appealed to court within 14 calendar days.

[KCC 3.12.290]

17.4. Subpoena Power of the Personnel Board

The Personnel Board has the power to compel both the attendance of witnesses before the board and the production of documents that are relevant to any appeal within the jurisdiction of the board. Witnesses have the right to be represented by counsel. *[K.C.C. 3.08.100]*

18. LAYOFFS

In the event of a reduction in force due to lack of work, lack of funds, or considerations of efficiency, layoffs will be conducted at a department or division level. The order of layoff will be determined by classification on the basis of merit. Where two or more career service employees within a class are of equal merit, county seniority shall determine the order of layoff between those employees. In lieu of laying off a career service employee, the Director may reassign such employee to a comparable, vacant position when the Director determines such reassignment to be in the best interests of the county. *[K.C.C. 3.12.300*

19. RESTORATION TO EMPLOYMENT

19.1. Restoration to Career Service

A career service employee who accepts a transfer or promotion to a regular exempt position will have a right to re-enter career service in a position that is comparable in terms of responsibilities and salary, including normal cost of living increases, to the career service position formerly held by the employee, provided that all of the following conditions exist:

- The right to restoration is exercised within four calendar years from the effective date of the transfer or promotion and there has been no break in service.
- The former appointing authority, at his or her discretion, approves the restoration.
- A different appointing authority, at his or her discretion, approves the restoration.

[K.C.C. 3.12.120G]

19.2. Continuation of Career Service

If a career service employee accepts an appointment to a regular exempt position on or after January 1, 1996 and if the position and appointment resulted from the reorganization of the executive branch, then the employee will retain his or her career service status and rights while holding the exempt position. The employee will also be eligible for restoration as set forth in Section 19.1. This provision is not intended to provide the career service employee with a right to the exempt position. However, the employee, if selected for the exempt position, could be terminated from the position only for just cause. *[K.C.C. 3.12.120F]*

19.3. Reinstatement

A career service employee who resigns in good standing may be reinstated in the same classification or in a lower classification in the same classification series without written examination if the employee is reappointed within two years after resignation and if the employee meets the current minimum education, experience, and physical qualifications. The employee must serve a probationary period.

19.4. Recall

A career service employee who is laid off due to lack of work or funds may be reemployed in his or her former classification, in a similar classification for which he or she is qualified, in a lower classification within the same series, or in any other classification deemed appropriate by the Director. A laid-off employee's eligibility for recall will expire two years from the date of layoff. Should the person refuse referral to an employment interview or appointment to a position in his or her former classification or at a comparable rate of pay during the two-year period, then the

employee will forfeit eligibility for recall unless the Director determines there is good cause for the refusal.

19.5. Reemployment of Veterans

- A. A regular career service employee who has taken a military leave of absence will, upon honorable discharge or other proof of having satisfactorily completed military service, be reemployed without loss of seniority. The employee must apply for reemployment in writing to the Director within 90 days of the employee's honorable discharge; the employee must return to a position within six months of the honorable discharge, having served no longer than four years.
- B. If the employee is qualified to perform the duties of his or her former position, then the employee will be restored to that position or a position of like seniority, status, and salary. If, however, the employee is not qualified to perform the duties of his or her former position due to disability sustained during service, but is qualified to perform the duties of another position, the employee will then be offered employment in another position that will provide the employee with like seniority, status, and pay (not to exceed the top salary step of the range assigned to the position), or to the nearest approximation thereto, consistent with the circumstances of the case.
- C. In no event will the county be obligated to reemploy the employee if the county's circumstances have so changed as to make it impossible, unreasonable, or against the public interest to do so.

20. DEFINITIONS

A—B

Adjusted Service Date. The most recent date of hire into a regular position, as backdated for any prior eligible service that ended no more than two years before reemployment and is adjusted (postdated) for unpaid leaves of absence, including unpaid family leave, that exceed 30 calendar days. In this context, eligible service means employment in a regular position; however, if an employee moves from a term-limited temporary position into a regular position with no break in service, employment in the term-limited temporary position will be included when establishing the adjusted service date.

Administrative Intern. An employee who is also enrolled full-time during the regular school year in a program of education, internship or apprenticeship. All administrative internships shall be approved by the Director. Administrative interns are exempt from the career service under Section 550 of the charter

Affirmative Action. A temporary corrective program that is designed to ensure full representation of minorities, women, and persons of disability in the workplace.

Ailment. A serious health condition. In the case of permanent or long term ailments, examples include Alzheimer's, a severe stroke or the terminal stages of a disease and other conditions that cause a period of incapacity that is permanent or long term.

Alternative Work Schedule. Work schedules other than the standard work schedule established for a work unit. This may include a fixed flex or a compressed work week schedule.

Applicant. A person who has submitted a completed employment application for an advertised position within the publicized recruiting time period, and in the prescribed format.

Appointing Authority. The County Council, the Executive, chief officers of executive departments and administrative offices, or division managers having authority to appoint or to remove persons from positions in the county services.

Appointment. The placement of a qualified eligible candidate in a career service position.

Authorized Absence. Any absence of an employee from duty with authorization.

Banded List. A list which separates job applicants into three or four groups based upon their qualifications.

Banding. A process whereby applicants for employment are separated into three or four groups. identified as: (1) Most Competitive, (2) Competitive, (3) Qualified, (4) Not Qualified, based upon an evaluation of their knowledge, abilities and skills.

Board. See Personnel Board.

C

Call Back. The requirement for an employee to return to work on a day or portion thereof not normally scheduled as a part of that employee's workweek.

Career Service Position. All positions except for the following:

- All elected officers
- County auditor
- Clerk and all other employees of the County Council
- County administrative officer
- Chief officer of each executive department and administrative office, and for purposes of applying this provision, managers of divisions established by ordinance are considered chief officers of executive departments (KCC 2.16.100)
- Members of all boards and commissions
- Administrative assistants for the Executive
- One administrative assistant each for the county administrative officer, the county auditor, the county assessor, the chief officer of each executive department, division established by ordinance, and administrative office and for each board and commission
- Chief deputy for the county assessor
- One confidential secretary each for the Executive, the chief officer of each executive department, division established by ordinance, and administrative office, and for each administrative assistant specified herein
- All employees of those officers who are exempted from the provisions of the King County Charter by the state constitution
- Persons employed in a professional or scientific capacity to conduct a special inquiry, investigation or examination
- Part-time employees (exception: part-time employees employed at least half time or more, defined herein as "part-time regular," are considered to be career service employees)
- Temporary employees
- Administrative interns
- Election precinct officials
- All persons serving the county without compensation
- Physicians
- Surgeons
- Dentists

- Medical interns
- Student nurses and inmates employed by county hospitals, tuberculosis sanitariums and health departments of the county

Certification. See Referral.

Charter. The King County Charter, as amended.

Child. A biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis (in the place of a parent), who is either less than 18 years old or is more than 18 years old but is incapable of self-care due to mental or physical disability.

Civil Service Employee. A person who has been appointed to a civil service position following a competitive examination process and who has successfully completed a probationary period.

Civil Service Position. A position serving in the Department of Public Safety in accordance with RCW 41.14.

Classification. A position or group of positions that are sufficiently similar in their duties, responsibilities, and authority that the same descriptive title may be used to designate each position allocated to the class.

Classification Specification. A document that identifies a job classification by title and describes the characteristic responsibilities and work of positions within the classification.

Classify. The act of assigning a position to its proper classification in accordance with the duties performed, and the authority and responsibility exercised.

Classification Plan. The arrangement of positions into a classification together with specifications describing each classification.

Compensatory Time. Time off that is granted with pay in lieu of pay to FLSA-overtime eligible employees for work performed either on an authorized overtime basis or on a holiday that is normally scheduled as a day off. Such compensatory time is granted on the basis of time and one-half for all hours worked in excess of 40 in a workweek.

Competitive Examination. A job-related examination which evaluates applicants as to their relative qualifications.

Council. The Metropolitan King County Council.

County. The county of King and any other organization that is legally governed by the county with respect to personnel matters.

D

Demotion. The voluntary or involuntary movement of an employee from a position having a higher maximum salary step to a position having a lower maximum salary step.

Deputy County Executive. The King County administrative officer.

Director. The chief officer of the administrative Office of Human Resources Management. The Director is a designee of the Executive.

Disability Release. Separation from employment when an employee is no longer able to perform the essential functions of available positions for which he or she is qualified, with or without accommodation. Employees who are separated from their employment through this process will have grievance/appeal rights consistent with the code and these guidelines, or with employee's collective bargaining agreement, whichever is applicable.

Discharge. An involuntary termination for cause.

Disciplinary Demotion. An involuntary reduction in rank or pay initiated by an appointing authority for disciplinary purposes.

Discipline. Suspension, discharge, demotion, reduction in rank or pay for disciplinary purposes, or verbal or written reprimand, or other actions as determined to be appropriate by the Director.

Domestic Partners. Two people in a domestic partnership, one of whom is a county employee, who have attested to the relationship in an affidavit of domestic partnership filed with the County.

Domestic Partnership. A close personal relationship, attested to in an affidavit of domestic partnership provided to the County, in which two people are each other's sole domestic partner, are unmarried, share the same regular and permanent residence, are each 18 years of age or older, are not related by blood closer than would bar marriage in Washington State, and were mentally competent to consent to contract when the domestic partnership began. Domestic partners are responsible for each other's common welfare and are jointly responsible for basic living expenses such as the cost of basic food, shelter, and any other expenses of a domestic partner which are paid at least in part by a program or benefit for which the partner qualified because of the domestic partnership. The individuals need not contribute equally or jointly to the cost of these expenses as long as they agree that both are responsible for the cost.

Dual Employee. An individual who is employed in more than one county position.

E

Eligible Candidate. A person who has met the entrance requirements, has successfully passed the required examination for a classification, and whose name is placed on an employment list.

Employed at Least Half Time. An employee in a regular position who has an established (monthly) work schedule, which is determined by the Director, of not less than one-half the (monthly) number of hours of the full-time positions in the employee's work unit.

Employee. Any person who is employed in a career service position or exempt position.

Employment List. A list that contains the names of eligible candidates for a classification, arranged in descending order of qualifying score earned or in bands.

Established in the County Budget. A position that is identified in a budgetary unit's authorized full-time equivalent (FTE) level and set out by position description in the budgetary unit's organizational budget detail report, as amended in the adopted budget.

Examination. All tests that are applied to determine the eligibility of applicants for a position in a classification in the career service.

Executive. The King County Executive, as established by Article 3 of the charter.

Exempt Employee. An employee who is employed in a position that is not a career service position. Exempt employees serve at the pleasure of the appointing authority.

Exempt Position. Any position that is not a career service position. Exempt positions are positions to which appointments may be made directly. (NOTE: Some positions that are not career service positions are covered by other formal county personnel systems.)

F

Family. See the specific application. For example, family leave, bereavement leave, sick leave, etc.

FLSA Exempt Employee. An individual who is designated by the Director as being employed in a bona fide executive, administrative, or professional capacity as defined by the Fair Labor Standards Act (FLSA), and who is therefore exempt from FLSA overtime pay requirements.

Full-time Regular Employee. An employee who is employed in a full-time regular position and, for full-time career service positions, is not serving a probationary period.

Full-time Regular Position. A regular position which has an established work schedule of not less than 35 hours per week in those work units in which a 35 hour week is standard, or of not less than 40 hours per week in those work units in which a 40 hour week is standard.

G—K

Grievance. An issue that is raised by a career service employee relating to the interpretation of rights, benefits, or conditions of employment as contained in these guidelines. Employees who are covered by collective bargaining agreements may pursue grievances through the process contained therein to the extent provided by the applicable agreement.

Hourly Employee. An employee who occupies a position that is covered by the FLSA overtime pay requirements.

Immediate Family. The spouse, child, parent, son-in-law, daughter-in-law, grandparent, grandchild, sibling, domestic partner and the child, parent, sibling, grandparent or grandchild of the spouse or domestic partner.

King County Personnel Board. See Personnel Board.

L

Layoff. A reduction in force due to lack of work, lack of funds, or considerations of efficiency.

Leave Without Pay. Any absence of an employee from duty without compensation.

Life-Giving and Life-Saving Procedures. A medically supervised procedure that involves testing, sampling or donating blood, organs, fluids, tissues, or other human body components to a person for medically necessary treatment for which the donor is not compensated.

Loco Parentis (In). A person assuming the rights, duties, and responsibilities of a parent.

M—O

Marital Status. The presence or absence of a marital relationship, including the status of being married, separated, divorced, engaged, widowed, single, or cohabiting.

Merit (Basis of). The value, excellence, or superior quality of an individual's work performance as determined by a structured process comparing the employee's performance against defined standards and, where possible, the performance of other employees of the same or similar classifications.

Merit Increase. An increase to an employee's base salary within the assigned pay range, based on demonstrated performance.

Open Competitive Employment List. A list which may contain the names of all eligible candidates, both general public and county employees, who have passed an open competitive examination.

Open Competitive Examination. An examination in which both employees and the general public may compete, provided all competitors meet the announced requirements.

P

Part-time Employee. An employee who is employed in a part-time position. Under Section 550 of the charter, part-time employees are not members of the career service.

Part-time Position. A position that is not a regular position and in which a part-time employee is employed less than half time, that is less than nine hundred ten hours in a calendar year in a work unit in which a thirty-five hour work week is standard or less than one thousand forty hours in a calendar year in a work unit in which a forty-hour work week is standard, except as provided elsewhere in this chapter. Where the standard work week falls between thirty-five and forty hours, the director, in consultation with the department, is responsible for determining what hour threshold will apply. Part-time position excludes administrative intern.

Part-time Regular Employee. An employee who is employed in a part-time regular position and, for part-time career service positions, is not serving a probationary period. Under Section 550 of the charter, such part-time regular employees are members of the career service.

Part-time Regular Position. A regular position in which a part-time regular employee is employed for at least nine hundred ten hours but less than a full-time basis in a calendar year in a work unit in which a thirty-five hour work week is standard or for at least one thousand forty hours but less than a full-time basis in a calendar year in a work unit in which a forty-hour work week is standard. Where the standard work week falls between thirty-five and forty hours, the director, in consultation with the department, is responsible for determining what hour threshold will apply.

Pay Range. One or more pay rates representing the minimum, maximum, and intermediate steps assigned to a classification.

Personnel Board. A five-member board, four of whom are appointed by the Executive subject to confirmation by a majority of the Council, and one who is elected by secret ballot by career service employees.

Position Description Questionnaire. A form that is used to describe the duties of a specific position. It is filled out and submitted by the position incumbent or by departmental management as a part of a classification review process.

Position. A group of current duties and responsibilities that is assigned and requires the employment of one person.

Probationary Employee. An employee who is employed in a career service position and who is serving a probationary period. Probationary employees are temporary employees and excluded from career service under Section 550 of the charter

Probationary Period. A period of time constituting the final step in the competitive process for a career service position or for promotion, recall, reinstatement, demotion, or transfer from one career service position to another. An appointment to a career service position is not final unless the employee successfully completes this probationary period.

Promotional Employment List. A list containing the names of eligible candidates who are employees who have passed a promotional examination.

Promotion. The movement of an employee to a position having a higher maximum salary step.

Promotional Examination. An examination in which only full-time regular or part-time regular employees may compete, except that a full-time regular or part-time regular Career Service employee who has accepted a provisional appointment to a career service position may compete in a promotional examination.

Provisional Appointment. An appointment to a career service position made in the absence of a list of certified candidates, as qualified by the Director. Only the Director may authorize a provisional appointment. An appointment to this status is limited to six months.

Provisional Employee. An employee who is employed in a career service position under provisional appointment. Provisional employees are considered to be temporary employees and excluded from career service under Section 550 of the charter.

R

Recall List. A list containing the names of all career service employees who are laid off. The recall list is used in the referral process before other employment lists are used.

Reclassify. The act of reassigning or changing the classification of a position by raising it to a higher, reducing it to a lower, or moving it to another classification of the same level on the basis of significant changes in the kind or difficulty of the tasks, duties, and responsibilities in the position, or because of an amendment to the classification plan.

Recruiting Step. The first step of the salary range allocated to a classification.

Referral. The act of submitting eligible candidate names on an employment list to an appointing authority for the purpose of making an appointment.

Regular Employee. An employee employed in a regular position.

Regular Position. A position established in the county budget.

Resignation. The voluntary action of an employee which separates the employee from his or her position and which once accepted by an appointing authority may not be withdrawn without the concurrence of the appointing authority.

Retirement. Retirement from employment as administered in accordance with the provisions of RCW Chapter 41.40.

S

Salary or Pay Rate. An individual dollar amount which is paid to an employee based on the classification of the position occupied.

Selective Certification. The process by which eligible members of protected groups can be referred to employing officials for the filling of position vacancies in job classifications where it has been determined that underutilization exists. Selective certification is used to increase the pool of qualified candidates for interview and consideration to include those from protected groups who are underrepresented in King County's work force. Selective certification does not set aside positions or set numerical quotas for specific groups or individuals.

Separation. Termination of employment as a result of discharge, resignation, retirement, reduction in force, or death.

Series. Two or more classifications that have duties that are substantially similar in nature and character, but differ in their level of difficulty, responsibility, and supervision received.

Series Progression. Upward mobility within a series based on level of skill and responsibility, difficulty of workload assignment, relevant education, and experience.

Serious health condition. An illness or injury, impairment or physical or mental condition that involves one or more of the following:

- an acute episode that requires more than three consecutive calendar days of incapacity and either multiple treatments by a licensed health care provider or at least one treatment plus follow-up care such as a course of prescription medication; and any subsequent treatment or period of incapacity relating to the same condition;
- a chronic ailment continuing over an extended period of time that requires periodic visits for treatment by a health care provider and that has the ability to cause either continuous or intermittent episodes of incapacity;
- in-patient care in a hospital, hospice or residential medical care facility or related out-patient follow-up care;
- an ailment requiring multiple medical interventions or treatments by a health care provider that, if not provided, would likely result in a period of incapacity for more than three consecutive calendar days;
- a permanent or long-term ailment for which treatment might not be effective but that requires medical supervision by a health care provider; or
- any period of incapacity due to pregnancy or prenatal care.

Special Duty Assignment. A temporary assignment to perform work different from and at a higher level than that normally performed.

Suspension. An involuntary leave of absence without pay imposed by an appointing authority for disciplinary purposes.

Temporary Employee. An employee who is employed in a temporary position.

Temporary Position. A position which is not a regular position as defined in this section and excluding administrative intern. Temporary positions include both term-limited temporary positions as defined in this chapter and short-term (normally less than six months) temporary positions in which a temporary employee works less than nine hundred ten hours in a calendar year in a work unit in which a thirty-five hour work week is standard or less than one thousand forty hours in a calendar year in a work unit in which a forty hour work week is standard, except as provided elsewhere in this chapter. Where the standard work week falls between thirty-five and forty hours, the director, in consultation with the department, is responsible for determining what hour threshold will apply.

Term-Limited Temporary Employee. A temporary employee who is employed in a term-limited temporary position. Term-limited temporary employees are not members of the career service. Term-limited temporary employees may not be employed in term-limited temporary positions longer than three years beyond the date of hire, except that for grant-funded projects, capital improvement projects and information systems technology projects the maximum period may be extended up to five years upon approval of the director. The director shall maintain a current list of all term-limited temporary employees by department.

Term-Limited Temporary Position. A temporary position with work related to a specific grant, capital improvement project, information systems technology project or other non-routine, substantial body of work, for a period greater than six months. In determining whether a body of work is appropriate for a term-limited temporary position, the appointing authority will consider the following:

- Grant-funded projects: These positions will involve projects or activities that are funded by special grants for a specific time or activity. These grants are not regularly available to or their receipt predictable by the county;
- Information systems technology projects: These positions will be needed to plan and implement new information systems projects for the county. Term-limited temporary positions may not be used for on-going maintenance of systems that have been implemented;
- Capital improvement projects: These positions will involve the management of major capital improvement projects. Term-limited temporary positions may not be used for on-going management of buildings or facilities once they have been built;
- Miscellaneous projects: Other significant and substantial bodies of work may be appropriate for term-limited temporary positions. These bodies of work must be either non-routine projects for the department or related to the initiation or cessation of a county function, project or department;
- Seasonal positions: These are positions with work for more than six consecutive months, half-time or more, with total hours of at least nine hundred ten in a calendar year in a work unit in which a thirty-five hour work week is standard or at least one

thousand forty hours in a calendar year in a work unit in which a forty hour work week is standard, that due to the nature of the work have predictable periods of inactivity exceeding one month. Where the standard work week falls between thirty-five and forty hours, the director, in consultation with the department, is responsible for determining what hour threshold will apply; and

- Temporary placement in regular positions: These are positions used to back fill regular positions for six months or more due to a career service employee's absence such as extended leave or assignment on any of the foregoing time-limited projects.

All appointments to term-limited temporary positions will be made by the appointing authority in consultation with the director prior to the appointment of term-limited temporary employees.

Termination. A separation of employment as a result of discharge, resignation, retirement, reduction in force, or death.

Transfer. The movement of a career service employee from one position to another position which has the same or comparable job classification and salary.

Voluntary Demotion. An employee initiated change in an employee's assigned pay range to a pay range with a lower maximum hourly pay rate. A voluntary demotion is usually position-specific in that the position into which the employee wishes to demote to is identified in the request. An employee whose position is reclassified downward and who accepts the reclassification is considered to have been voluntarily demoted.

Written Reprimand. A written statement to an employee, specifying a deficiency in the employee's performance and corrective action that is necessary.

Unauthorized Absence. Any absence of an employee from duty without specific authorization received either before or after the absence.

Years of Service. The length of an employee's uninterrupted service, as determined by the adjusted service date.