

(Covering Motions through 14559)

(King County 02-01-16)

MISSION STATEMENT

The mission of the metropolitan King County council is to earn public trust, enhance quality of life, and protect public health and safety. (Motion 12914, § 1, 2009).

OR CHAPTER 1 CHAIR AND VICE-CHAIRS

OR 1-010	Election of the chair and vice-chairs
OR 1-020	Powers and duties of the chair
OR 1-030	Powers and duties of the vice-chairs
OR 1-040	Chair and vice-chair elected

OR 1-010. Election of the chair and vice-chairs.

A. The council shall elect a chair and vice-chairs, who shall serve at the pleasure of the council for a term of one year, unless decided otherwise by the council and until successors are elected.

B. There shall be two vice-chairs: the vice-chair of policy development and review and the vice-chair of regional coordination. For the purposes of implementing K.C.C. chapter 1.24, "vice-chair" means the vice-chair of policy development and review. In the absence of the vice-chair of policy and development review, "vice-chair" means the vice-chair of regional coordination.

C. In the event the chair is unable to serve the remainder of a term, the vice-chair shall become chair, consistent with the order in subsection B. of this section. In the event the vice-chair is unable to serve the remainder of a term, a new vice-chair shall be elected. (Motion 13805, § I, 2013; Motion 13129, § I, 2010; Motion 12906, § I, 2009; Motion 12662, § I, 2007; Motion 12429, § I, 2006; Motion 12238, § I, 2006; Motion 10651, § II, 1999).

OR 1-020. Powers and duties of the chair.

A. The chair, with their consent, shall appoint councilmembers to regional committees, standing committees, administrative committees, special committees and outside committees as required or as deemed necessary to efficiently conduct the business of the council. The council recognizes that its committee structure, membership and chairs and vice-chairs reflect the council's will. Any changes thereto shall be made only by formal legislative motion adopted by a majority of the members at a council meeting.

B. The chair shall have the responsibility and general direction for the council's resources, budget, operation and organizational structure. The chair shall allocate an equal amount of funding and FTE positions to each councilmember's district support and constituent services account from within the council administration account. The chair shall be responsible for the general oversight of legislative branch employees, except personal and district support and constituent services staff of councilmembers. Each councilmember shall be responsible for making employment decisions for his or her personal and district support and constituent services staff.

C. The chair of the council shall not enter into a consultant contract for more than twenty-five thousand dollars without first being authorized to do so by council motion. All consultants shall comply with the King County code of ethics.

D. The chair shall regularly consult in the exercise of her or his duties with the vice-chair. The chair, in consultation with committee chairs, shall direct the necessary coordination of staff, except for personal and district support and constituent services staff. The council's chief of staff and policy staff director shall report to the chair and are

accountable to and responsive to all councilmembers. The chair may exercise any power conferred upon the chief of staff or policy staff director.

E. The chair shall be a member of the employment and administration committee. (Motion 14189, § I, 2014; Motion 13985, § I, 2013; Motion 13575, § I, 2011; Motion 13408, § I, 2011; Motion 13378, § II, 2010; Motion 13129, § II, 2010; Motion 12920, § I, 2009; Motion 12914, § II, 2009; Motion 12680, § I, 2008; Motion 12671, § I, 2008; Motion 12429, § II, 2006; Motion 12238, § II, 2006; Motion 11372, § II, 2002; Motion 11348, § II, 2002; Motion 10651, § III, 1999).

OR 1-030. Powers and duties of the vice-chairs.

The vice-chairs shall exercise the duties, powers and prerogatives of the council chair in the event of the chair's absence, consistent with the order in OR 1-010.B. (Motion 14502, § I, 2016; Motion 14069, § I, 2014; Motion 13805, § II, 2013; Motion 13637, § I, 2012; Motion 13408, § II, 2011; Motion 13378, § II, 2010; Motion 13129, § III, 2010; Motion 12906, § II, 2009; Motion 12680, § II, 2008; Motion 12671, § II, 2008; Motion 12662, § II, 2007; Motion 12492, § I, 2007; Motion 12429, § III, 2006; Motion 12238, § III, 2006; Motion 10651, § IV, 1999).

OR 1-040. Chair and vice-chair elected. For the year 2016 and until a successor is elected, the council elects Councilmember Joe McDermott as council chair, Councilmember Rod Dembowski as council vice-chair of policy development and review and Councilmember Reagan Dunn as council vice-chair of regional coordination. (Motion 14502, § II, 2016; Motion 14324, § I, 2015; Motion 14069, § II, 2014; Motion 14018, § I, 2013; Motion 13805, § III, 2013; Motion 13636, § I, 2012; Motion 13401, § I, 2011; Motion 13129, § IV, 2010; Motion 12906, § III, 2009; Motion 12662, § III, 2007; Motion

12429, § IV, 2006; Motion 12238, § IV, 2006; Motion 11849, § I, 2003; Motion 11348, § I, 2002; Motion 11105 (part), 2001).

OR CHAPTER 2 COMMITTEES

OR 2-010	Committee of the whole - functions
OR 2-020	Standing committees - functions
OR 2-030	Employment and administration committee
OR 2-040	Chairs and vice-chairs
OR 2-050	Memberships
OR 2-100	Chair of committee meeting in absence of chair and vice-chair
OR 2-110	Consideration of previously introduced legislation
OR 2-120	Interim staff assignments

OR 2-010. Committee of the whole - functions. The council may go into committee of the whole at any time. The committee of the whole shall consider: issues of interest to the entire council, including appointments to the state legislature and as department directors and key subordinate units in the executive branch; the annual legislative program; legislation before the federal, state and local governments that affect King County; the King County Strategic Plan; oversight of the Harborview Medical Center management agreement; local government; and other program and policy matters. The committee of the whole shall conduct regular town hall meetings on issues of significance. (Motion 14502, § III, 2016; Motion 14324, § II, 2015; Motion 13411, § I, 2011; Motion 13129, § V, 2010; Motion 12914, § III, 2009; Motion 12671, § III, 2008; Motion 12492, § II, 2007; Motion 12429, § V, 2006; Motion 11373, § I, 2002; Motion 11348, § IV, 2002; Motion 11122, § B, 2001).

OR 2-020. Standing committees - functions. In addition to any committee otherwise established by law, the committees of the metropolitan King County council and their respective functions are established as follows:

A. **Budget and fiscal management committee** shall consider and make recommendations on: the county revenue and expenditure fiscal structural gap; capital

and operating budget appropriations; the sale and lease of real property to or by the county; debt and investment proposals; bond issues; the office of economic and financial analysis; and financial policies. The committee shall also consider the implementation of appropriate labor agreements.

1. The committee shall develop recommendations on policy direction for the biennial budget, based on the recommendations of other council committees and taking into account the estimated fiscal impacts of state and federal legislation.

2. In respect to consideration of the county's proposed biennial budget, all members of the council not assigned to the budget and fiscal management committee shall be considered ex officio voting members of the committee.

B. Government accountability and oversight committee.

1. The committee shall consider and make recommendations on:
 - a. improving the efficiency, cost effectiveness and performance of all branches of county government (legislative, executive and judicial);
 - b. enhancing oversight, accountability and transparency in King County government, the office of law enforcement oversight, the annual county audit program and federal, state or county audit reports, the administration of the Public Records Act, civil rights and compliance, capital projects oversight, strategic planning, performance measurement and performance management, management organizational structure and technology management; and
 - c. general government oversight, including customer service, worker safety, the department of assessments; elections; records and licensing; animal control; cable communications; the county fair; King County international airport; risk management;

veterans, and executive services such as telecommunications, facilities management, purchasing and real property management.

2. In the areas within the committee's purview, the committee shall track state and federal legislative action and develop recommendations on policy direction for the biennial budget.

C. Health, housing and human services committee.

1. The committee shall consider and make recommendations on policies relating to:

a. public health programs, including those related to the protection, promotion and provision functions of the department of public health, including the structure of the public health centers;

b. affordable housing, including therapeutic and low-income housing ; and

c. human services programs, including review of human services-related levies, and civil rights and social justice. The committee shall also consider the implementation of appropriate labor agreements.

2. In the areas within the committee's purview, the committee shall track state and federal legislative action and develop recommendations on policy direction for the biennial budget.

D. Law and justice committee.

1. The committee shall consider and make recommendations on policies relating to law, safety, criminal justice and emergency management programs including those related to: public safety; adult detention; juvenile justice and youth services; superior and district courts; judicial administration; prosecuting attorney; public defense;

implementation of a pretrial risk assessment tool; emergency medical services; emergency management, including disaster response, emergency preparedness and emergency planning and the Puget Sound emergency radio network project.

2. In the areas within the committee's purview, the committee shall track state and federal legislative action and develop recommendations on policy direction for the biennial budget.

E. Transportation, economy and environment committee.

1. The committee shall consider and make recommendations on policies relating to:

a. growth management, including land use development and regulation, comprehensive planning, including implementation of its affordable housing elements, economic development, including pay equity and income disparity, and annexations;

b. the environment, including: salmon recovery; resource lands; energy; surface water management and water supply; wastewater treatment; solid waste; unincorporated and rural areas, including agriculture and rural services; and parks, recreation and cultural resources; and

c. transportation, including roads, passenger ferries and public transportation.

The committee shall also consider the implementation of appropriate labor agreements.

2. In the areas within the committee's purview, the committee shall track state and federal legislative action and develop recommendations on policy direction for the biennial budget. (Motion 14502, § IV, 2016; Motion 14324, § III, 2015; Motion 14069, § III, 2014; Motion 13845, § I, 2013; Motion 13648, § I, 2012; Motion 13637, § II, 2012; Motion 13411, § II, 2011; Motion 13129, § VI, 2010; Motion 12920, § II, 2009; Motion

12914, § IV, 2009; Motion 12710, § I, 2008; Motion 12680, § III, 2008; Motion 12492, § III, 2007; Motion 12429, § VI, 2006; Motion 12238, § V, 2006; Motion 11858, § I, 2004; Motion 11373, § II, 2002; Motion 11348, § V, 2002; Motion 11122, § D, 2001).

OR 2-030. Employment and administration committee.

A. Membership requirements. The employment and administration committee shall consist of four members. The chair of the employment and administration committee shall issue, upon recommendation of the employment and administration committee and with the approval of a majority of the council, all employment decisions for legislative branch employees except interns and the councilmembers' personal and district support and constituent services staff, other than employment decisions that are made by the chair of the employment and administration committee as provided in this section.

B. Duties and process.

1. Administrative committee. The employment and administration committee is an administrative committee of the council. The employment and administration committee shall consult with councilmembers, the chief of staff and policy staff director on a continuing basis in order to review council operations under the staffing structure defined in this motion.

2. Personnel decisions. The employment and administration committee shall make recommendations to the council concerning decisions for legislative branch employees, except for interns and councilmembers' personal and district support and constituent services staff, and except for minor personnel decisions, which may be made by the chair of the employment and administration committee in accordance with subsection B.6. of this section. Personnel decisions include decisions to hire, to fill

vacancies, to make staffing adjustments, to designate staff employment assignments, except assignments of policy staff to specific issues and legislation which shall be made by the policy staff director under OR 3-040.D.2, to adjust staff pay, to analyze future hiring needs and to make other necessary employment decisions. Personnel decisions do not include termination or disciplinary decisions, which follow the process stated in subsection B.3. of this section, or minor personnel decisions, which follow the process stated in subsection B.6. of this section. Where applicable, employment and administration committee recommendations on personnel decisions shall be developed in consultation with appropriate committee chairs and, where applicable, the chief of staff and policy staff director.

3. Personnel decisions shall be contained in a written recommendation report and may be voted out of committee upon: a. the receipt of the signature of three committee members during a meeting of the committee; or b. subject to signature by a quorum of the committee members in accordance with K.C.C. 1.24.055.C (Rule 6.C). Once the necessary signatures are obtained, recommendation reports from the committee shall be forwarded to the council for consideration on an employment and administration committee consent agenda. The chair of the employment and administration committee shall issue, upon recommendation of the employment and administration committee and with the approval of a majority of the council, all employment decisions for legislative branch employees except interns and the councilmembers' personal and district support and constituent services staffs.

4. Terminations and disciplinary decisions. The employment and administration committee makes decisions on discipline and termination, including layoffs, except for

councilmembers' personal and district support and constituent services staff. If three committee members vote for a termination or disciplinary action the decision is final, except when an employee exercises the right of an appeal to the full council. An employee who has been either suspended without pay of two weeks or more or terminated may appeal the decision of the employment and administration committee to the council. The appeal must be filed within ten calendar days of written notice of the suspension or termination being sent to the employee. An appeal is accomplished by delivering a notice of appeal to the clerk of the council. Nondisciplinary terminations are subject to appeal in the same manner as disciplinary terminations.

5. Performance evaluations of chief of staff and policy staff director. Valuing broad-spectrum review of key staff within the legislative branch, performance appraisals of the chief of staff and policy staff director shall be drafted by the chair of the council with input from all councilmembers. Performance evaluation drafts shall then be forwarded to the committee for review and consideration before review with the individual being reviewed and rated.

6. Minor personnel decisions.

a. Except for interns and councilmembers' personal and district support and constituent services staff, the chair of the employment and administration committee shall make all minor personnel decisions as set forth in this subsection B.6. Minor personnel actions are:

- (1) authorizing recruiting for a vacated or newly created position;
- (2) increasing or reducing the hours assigned to a current position up to the total budgeted hours for the position, as reflected in the Staff and Salary Detail Report

maintained by the chief of staff or his or her designee;

(3) reassigning an employee employed within a legislative branch agency of the county auditor, board of appeals/equalization, hearing examiner, office of law enforcement oversight, ombudsman/tax advisor or civic television to another position in the same agency and pay range;

(4) hiring a temporary or a term-limited temporary employee to perform clerical or technical functions, up to a total of the maximum period allowed by ordinance or two years, whichever is less;

(5) extending the employment period of a temporary or a term-limited temporary employee hired to perform clerical or technical functions, up to a total of the maximum period allowed by ordinance or two years, whichever is less; and

(6) approving a carryover of excess vacation leave under K.C.C. 3.12.190 because of cyclical workloads, work assignments or other reasons as may be in the best interests of the county.

b. Requests for minor personnel decisions shall be made in writing to the employment and administration committee chair via the chief of staff or policy staff director. Requests may be made only by councilmembers, legislative branch agency managers, the chief of staff, the policy staff director or a staff member who is supervised directly by the chair of the council. The chief of staff or policy staff director shall promptly provide the employment and administration committee chair with a copy of the request and the chief of staff's or policy staff director's recommendation for approval, disapproval or modification of the request.

c. Action on a requested minor personnel decision shall be in writing, signed

by the chair of the employment and administration committee. The chief of staff shall file the original of the decision action with the clerk of the council, and shall provide copies of the decision action to the agency manager or supervisor, affected employee and members of the employment and administration committee.

7. Nothing in this process is to be construed to alter the at-will status of legislative branch employees. This process is designed to facilitate the will of the majority of the council. If there are specific provisions of a collective bargaining agreement that are contrary to this process, the collective bargaining agreement controls.

C. Recommendations to the council chair. The employment and administration committee may consider and make recommendations to the council chair regarding management organization structure and legislative branch customer service. The committee may monitor and make recommendations on the legislative branch budget.

D. Removal of recommendations from consent agenda. Upon the request of any member present before the council, any specific recommendation from the employment and administration committee shall be removed from the consent agenda and considered separately by the council prior to adoption of the employment and administration committee consent agenda. The council may then by a majority vote make whatever orderly disposition of the matter it deems appropriate.

E. Motions for censure. The employment and administration committee shall consider and make recommendations on motions for censure related to alleged violations of any antiharassment policy by a councilmember.

F. Personnel records as confidential. To the extent permitted by law, personnel

records which would be exempt from public disclosure shall continue to be treated as confidential and records or portions thereof which are exempt shall be conspicuously identified as such and separated from nonexempt records. (Motion 14329, § I, 2015; Motion 14324, § IV, 2015; Motion 14189, § II, 2014; Motion 13985, § II, 2013; Motion 13637, § III, 2012; Motion 13575, § II, 2011; Motion 13408, § III, 2011; Motion 13378, § III, 2010; Motion 13129, § VII, 2010; Motion 12920, § III, 2009; Motion 12914, § V, 2009; Motion 12906, § IV, 2009; Motion 12680, § IV, 2008; Motion 12671, § IV, 2008; Motion 12492, § IV, 2007; Motion 12429, § VII, 2006; Motion 11373, § III, 2002; Motion 11372, § III, 2002; Motion 11348, § VI, 2002; Motion 11331, § II, 2001; Motion 10651, § V, 1999).

OR 2-040. Chairs and vice-chairs. The council designates the following councilmembers as chairs and vice-chairs of the standing committees created in this motion and the regional committees established in the King County Charter.

Committee of the whole:

Chair: Kathy Lambert.

Vice-chair: Rod Dembowski.

Budget and fiscal management committee:

Chair: Dave upthegrove.

Vice-chair: Kathy Lambert

Employment and administration committee:

Chair: Joe McDermott.

Vice-chair: Larry Gossett.

Government accountability and oversight committee:

Chair: Pete von Reichbauer.

Vice-chair: Jeanne Kohl-Welles.

Health, housing and human services committee:

Chair: Jeanne Kohl-Welles.

Vic-chair: Kathy Lambert.

Law and justice committee:

Chair: Larry Gossett.

Vice-chair: Kathy Lambert.

Transportation, economy and environment committee:

Chair: Rod Dembowski.

Vice-chair: Claudia Balducci.

Regional policy committee:

Chair: Pete von Reichbauer.

Regional transit committee:

Chair: Claudia Balducci.

Regional water quality committee:

Chair: Jeanne Kohl-Welles.

(Motion 14502, § V, 2016; Motion 14496, § I, 2016; Motion 14324, § V, 2015; Motion 14069, § IV, 2014; Motion 13845, § II, 2013; Motion 13805, § IV, 2013; Motion 13648, § II, 2012; Motion 13637, § IV, 2012; Motion 13411, § III, 2011; Motion 13408, § IV, 2011; Motion 13370, § I, 2010; Motion 13129, § VIII, 2010; Motion 12914, § VI, 2009; Motion 12888, § I, 2008; Motion 12671, § V, 2008; Motion 12662, § IV, 2007; Motion 12429, § VIII, 2006; Motion 12238, § VI, 2006; Motion 12078, § I, 2005; Motion 11858,

§ II, 2004; Motion 11849, § II, 2003; Motion 11740, § I, 2003; Motion 11373, § IV, 2002; Motion 11348, § VII, 2002; Motion 11153, § I, 2001; Motion 11122, § G, 2001).

OR 2-050. Memberships. The council designates the following councilmembers, in addition to the chairs and vice-chairs, as members of the standing committees created in this motion and the regional committees established in the King County Charter.

Budget and fiscal management committee:

Members: Claudia Balducci, Rod Dembowski, Larry Gossett, Joe McDermott.

Committee of the whole:

Members: All councilmembers.

Employment and administration committee:

Members: Reagan Dunn, Kathy Lambert.

Government accountability and oversight committee:

Members: Rod Dembowski.

Health, housing and human services committee:

Members: Larry Gossett, Dave Upthegrove.

Law and justice committee:

Members: Claudia Balducci, Rod Dembowski, Reagan Dunn, Jeanne Kohl-Welles.

Transportation, economy and environment committee:

Members: Jeanne Kohl-Welles, Kathy Lambert, Joe McDermott, Dave Upthegrove, Pete von Reichbauer.

Regional policy committee:

Members: Claudia Balducci, Larry Gossett.

Alternate: Jeanne Kohl-Welles.

Regional transit committee:

Members: Reagan Dunn, Dave Upthegrove.

Alternate: Joe McDermott.

Regional water quality committee:

Members: Rod Dembowski, Reagan Dunn.

Alternate: Kathy Lambert.

(Motion 14502, § VI, 2016; Motion 14496, § II, 2016; Motion 14329, § II, 2015; Motion 14324, § VI, 2015; Motion 14069, § V, 2014; Motion 13851, § I, 2013; Motion 13845, § III, 2013; Motion 13648, § III, 2012; Motion 13637, § V, 2012; Motion 13411, § IV, 2011; Motion 13408, § V, 2011; Motion 13370, § II, 2010; Motion 13129, § IX, 2010; Motion 12914, § VII, 2009; Motion 12888, § II, 2008; Motion 12671, § VI, 2008; Motion 12434, § I, 2007; Motion 12249, § I, 2006; Motion 12078, § II, 2005; Motion 11858, § III, 2004; Motion 11733, § I, 2003; Motion 11373, § V, 2002; Motion 11348, § VIII, 2002; Motion 11153, § II, 2001; Motion 11122, § H, 2001).

OR 2-080 through OR 2-090. (RESERVED)

OR 2-100. Chair of committee meeting in absence of chair and vice-chair. In the absences of the chair and vice-chair of a committee, a committee member, designated by the committee chair, may serve as chair of the meeting. (Motion 11122, § C, 2001).

OR 2-110. Consideration of previously introduced legislation. Each committee shall consider legislation referred to it by the council chair. When the council

by motion reassigns some or all of the subject area duties of certain committees to different committees, or renames committees, all legislation in the subject area assigned to a committee that was previously assigned to a different committee is thereby relieved from the committee it was previously referred to and rereferred to the new committee. (Motion 11122, § E, 2001).

OR 2-120. Interim staff assignments. Pending consideration by the employment and administration committee and action by the council on general staffing adjustments necessary as a result of committee reorganization, the council chair, in consultation with the employment and administration committee chair, the affected committee chairs, the policy staff director and the chief of staff, is hereby authorized to temporarily designate staff employment assignments in order to accomplish the work of the council. Such assignments shall give due consideration to existing areas of expertise, workload and priorities of committee chairs. (Motion 14189, § III, 2014; Motion 13129, § XI, 2010; Motion 12914, § VIII, 2009; Motion 12429, § IX, 2006; Motion 11348, § IX, 2002; Motion 11122, § F, 2001).

OR CHAPTER 3

POLICIES

OR 3-010	Use of councilmembers' district accounts
OR 3-020	Reimbursement for use of privately owned vehicles
OR 3-030	Legislative branch organization - organization chart – chief of staff – policy staff director
OR 3-040	Staff guidelines
OR 3-101	Hiring
OR 3-110	Policies and procedures against sexual harassment and discrimination – policy statement

OR 3-010. Use of councilmembers' district accounts and district support and constituent services accounts.

A.1. All salaries and benefits for a councilmember and a councilmember's personal staff shall be paid out of the councilmember's district account, and all salaries and benefits for a councilmember's district support and constituent services staff shall be paid out of the councilmember's district support and constituent services account.

2.a. The council prohibits councilmembers from hiring as personal or district support and constituent services staff persons who have been employed within the prior twelve months:

(1) as a council policy or administrative central staff member classified at range 23 or above in the Legislative Branch Classification Plan; or

(2) persons who have been employed as a personal or district support and constituent services staff member of another currently serving councilmember, except with the consent of that councilmember.

b. District account and district support and constituent services account moneys cannot be used to pay the salary or benefits of persons prohibited from being hired as set forth subsection A.2.a. of this section.

c. This subsection A.2. shall not apply to any employee hired as a personal staff member before October 13, 2008.

3. The central council account, a district account or a district support and constituent services account may not be used to fund benefits for employees whose employment as personal and district support and constituent services staff is prohibited by subsection A.2. of this section.

B.1. All expenditures for mail originating from an individual councilmember's office shall be paid for out of that councilmember's district account or district support and constituent services account, except for mailings of ten items or less, which may be paid for out of the council administration budget, and for postage that may be funded from the council administration budget subject to the approval of the chair of the council.

2. A councilmember shall not send any mass mailing that is deposited in the mail between the date the councilmember has filed a declaration and affidavit of candidacy with the department of elections and election day in any year in which an election is to be held to fill the councilmember's office. However, mailings may be made after the last day for filing for office if the councilmember has not filed for the office. For the purposes of this subsection B.2, "mass mailing" means any mailing of more than two hundred pieces that contains essentially identical messages and that is prepared or sent by or on behalf of an individual councilmember at council expense.

C. All expenditures for rent, office equipment and furniture, utilities and telephones to support a councilmember's outside district office shall be paid out of the councilmember's district support and constituent services account.

D. All travel expenditures incurred by a councilmember or the councilmember's or personal staff or the councilmember's district support and constituent services staff shall be paid for out of the councilmember's district support and constituent services account or from the councilmember's district support and constituent services account, or from the council administration budget with the approval of the chair of the council.

E. All other expenditures for community meetings, training, publications, newspaper advertising, nonnewspaper advertising, cellular phones, cellular phone services or other related activities as determined by the councilmember shall be paid out of the councilmember's district account or from the councilmember's district support and constituent services account, or from the council administration budget with the approval of the chair of the council.

F. Whenever questions about expenditures may arise, a councilmember shall consult with the chief of staff, legal counsel or the chief of staff's designee as necessary in considering whether a specific expenditure is authorized by this section OR 3-010. (Motion 14559, § I, 2016; Motion 13408, § VI, 2011; Motion 13378, § IV, 2010; Motion 13129, § XII, 2010; Motion 12914, § IX, 2009; Motion 12860, § I, 2008; Motion 12492, § VII, 2007; Motion 12429, § X, 2006; Motion 11417, § I, 2002; Motion 10651, § VI, 1999).

OR 3-020. Reimbursement for use of privately owned vehicles. Reimbursement for the use of privately owned vehicles in connection with county business shall be allowed at the current rate per mile prescribed by county ordinance. In lieu of such reimbursement, King County councilmembers who would otherwise be eligible to be permanently assigned to a county vehicle may, at their individual option, be compensated on a monthly basis for the use of privately owned vehicles used in connection with county business. To implement

this alternative, the chief of staff or his or her designee shall periodically, and no less than annually, ascertain the average monthly costs to the motor pool for the maintenance and operation of equivalent vehicles within the fleet. Ninety percent of that figure shall be the maximum allowable compensation. (Motion 13129, § XIII, 2010; Motion 5586, § D, 1982).

OR 3-030. Legislative branch organization - organization chart – chief of staff – policy staff director.

A. **Organizational chart.** The legislative branch shall be organized in accordance with the organization chart, Attachment A* to Motion 14189. The chief of staff shall prepare and file with the clerk of the council a revised organization chart to replace Attachment A* to Motion 14189 when the organization of the legislative branch is changed by any ordinance, motion, or personnel decision adopted by the council.

B. **Chief of staff.** There shall be a council chief of staff who reports to the chair, and shall be accountable and responsive to all councilmembers. The chief of staff is responsible for the efficient overall management and administration of the following staff of the legislative branch and their subordinates: the administrative services supervisor; the clerk; the director of communications; the director of strategic policy initiatives; and the director of government relations. The chief of staff is also responsible for monitoring the independent agencies of the council. The chief of staff shall be a resource for personal and committee staff. In addition, the chief of staff, at the direction of the council and in consultation with appropriate committee chairs, may coordinate with the policy staff director the work of committee staff, legal counsel and others as needed on significant issues.

C. **Policy staff director.** There shall be a policy staff director who reports to the chair, and shall be accountable and responsive to all councilmembers. The policy staff director is responsible for the efficient overall management and administration of the committee staff, which includes committee assistants and represented legislative analysts. Committee chairs and members are responsible for providing policy direction to committee staff by, among other things, setting priorities and directing the work of committee staff. In addition, the policy staff director, at the direction of the council chair and in consultation with appropriate committee chairs, may coordinate with the chief of staff the work of committee, legal counsel and others as needed on significant issues. (Motion 14189, § IV, 2014; Motion 13985, § III, 2013; Motion 13575, § III, 2011; Motion 13378, § V, 2010; Motion 13129, § XIV, 2010; Motion 12920, § IV, 2009; Motion 12914, § X, 2009; Motion 11372, § IV, 2002; Motion 10651, § VII, 1999).

****Reviser's note:** The organization chart is Attachment A to Motion 14189, which is attached to this compilation as Attachment A to Motion 14189 and is also available in the clerk of the council's office.*

OR 3-040. Staff guidelines.

A. For the purposes of this section, unless the context clearly requires otherwise:

1. "Administrative staff" means the council chief of staff and staff who report directly or indirectly to the council chief of staff; and
2. "Policy staff" means the council staff who report directly or indirectly to the policy staff director, including, but not limited to, staff assigned to a standing or regional committee or the board of health, and who are assigned to provide policy, fiscal or program analysis for all councilmembers.

B. Ethical considerations.

In common with all county employees and officials, legislative branch employees and elected officials shall comply with the King County code of ethics, K.C.C. chapter 3.04. Employees shall familiarize themselves with the content of the code of ethics and in the event they identify any issue of possible concern they shall promptly seek advice from their supervisor, the policy staff director, the council chief of staff or the legal counsel or shall seek an advisory opinion from the board of ethics.

C. Lobbying restriction on administrative and policy staff and on the legal counsel to the council.

1. Administrative or policy staff or the legal counsel to the council shall not in any way seek to influence the passage or rejection of any matter under consideration by the council or any committee of the council, except where an employee within the scope of his or her duties is required to make a recommendation or is specifically asked by a councilmember to give a recommendation on the particular matter. This restriction does not apply to the policy staff director, the director of government relations or the chief of staff to the council pursuant to previously adopted council action.

2. With respect to contacts involving the news media related to the political or policy aspects of county business, administrative and policy staff and the legal counsel of the council are encouraged first to refer such matters to the committee chair or councilmember with jurisdiction over the subject matter.

D. Reporting relationships and assignments of policy staff.

1. Policy direction. Policy staff work for and are accessible to all councilmembers, and the policy staff director. Policy staff receive policy direction

regarding issues within the committee's jurisdiction from the committee chair, members of the committee, the policy staff director and team leaders.

2. Policy staff assignments. Policy staff assignments shall be made by the policy staff director with collaboration from team leaders. Notwithstanding an assignment to a standing or regional committee, policy staff may be assigned tasks to various committees by the policy staff director or his or her designee. All policy staff are subject to the administrative supervision of the policy staff director or his or her designee. Policy staff are responsible for conducting objective analysis on legislation and work items to which they are assigned.

3. Administrative supervision. In order to ensure maximum effectiveness of the resources of policy staff and ensure that the Charter-based needs of the council are met, administrative supervision includes: overall coordination of all policy staff work plans; developing and implementing an ongoing equitable performance evaluation system that provides accountability of staff work product; developing, conducting and overseeing training and development programs, plans and processes for policy staff that link assessment of policy staff work with staff's professional development and growth. The policy staff director or his or her designee shall have administrative supervision responsibility over policy staff consisting of represented legislative analysts and committee assistants. The chief of staff or his or her designee shall have administrative supervision responsibility over administration staff as shown in Attachment A* to Motion 14189.

4. Team leader. Team leader staff function as the supervisors for policy staff and committee assistants. A team leader is responsible for: consulting with committee

lead staff to ensure adequate staffing to meet the needs of the committee; mentoring and coaching staff; assigning work to committee analysts and support staff, in conjunction with committee lead staff; reviewing staff work against professional and technical standards; meeting on an ongoing basis with staff on the team leader's team to ensure that the work program goals are being met and necessary training provided as well as providing quarterly reviews and preparing performance evaluations. Subject to the confidentiality rules in subsection F. of this section, policy staff are expected to keep the policy staff director and team leader staff informed about their assignments and any issues that may arise.

5. Committee lead staff. The committee lead staff for a committee is responsible for working with policy staff director and team leader staff in ensuring adequate staff resourcing to meet the needs of the committee, managing the administrative work of the committee, including ensuring that committee agendas are prepared, approved by the committee chair and distributed in a timely manner.

E. Scope of work.

1. The first priority of policy staff is to support committee work responsibilities as established by the council and carried out under the direction of the committee chair. Their second priority is to support committee members' work requests. Their third priority is to support noncommittee members' work requests related to the work of the committee. Their fourth priority is to accomplish all other work requests from councilmembers. The committee chair shall make reasonable provisions for each priority.

2. If policy staff believe that a work request cannot be accomplished consistent with the above priorities, they should discuss the issue with the committee chair, the lead staff for the committee and with the policy staff director, subject to the limitations identified in subsection F. of this section concerning confidentiality.

F. Confidentiality.

1. Councilmembers may request an administrative staff or a policy staff member to perform work and keep the nature of the work confidential. However, administrative analytic staff may apprise the chief of staff, and policy staff may apprise the policy staff director as to the requested work and time required to perform it. The policy staff director and chief of staff shall maintain the confidential nature of the request.

2. Consistent with the reporting relationship and assignment rules in subsections B. through E. of this section, policy staff are expected to inform lead staff and the policy staff director about the amount of time required to perform the work.

3. Based upon staff assignment under OR 1-020.B, if administrative staff or policy staff believe that a work request by a councilmember is contrary to adopted council rules or violates the staff's professional ethics, the staff may consult with the policy staff director, the chief of staff or lead staff and for this purpose may disclose the information necessary to identify the problem. The policy staff director, the chief of staff and lead staff shall also maintain confidentiality.

G. Staff assistance. Based upon staff assignment under OR 1-020.B, administrative staff should seek the assistance of the chief of staff, and policy staff should seek the assistance of the policy staff director, to resolve any concerns regarding performance of their assigned duties. (Motion 14189, § V, 2014; Motion 13985, § IV,

2013; Motion 13747, § I, 2012; Motion 13575, § IV, 2011; Motion 13129, § XV, 2010; Motion 12920, § V, 2009; Motion 12914, § XI, 2009; Motion 12680, § V, 2008; Motion 12492, § IX, 2007; Motion 10651, § VIII, 1999).

****Reviser's note:** The organization chart is Attachment A to Motion 14189, which is attached to this compilation as Attachment A to Motion 14189 and is also available in the clerk of the council's office.*

OR 3-050 through OR 3-090. (RESERVED)

OR 3-101. Hiring. The council wishes to formalize its process for outreach, recruitment and hiring as described in this section.

A. Consistent with OR 3-101.A., a job announcement will be prepared by the administrative services supervisor or his or her designee and will be distributed by the county personnel department to the county's standard distribution list and will be posted on the Internet. The job announcement should include a job description, salary, minimum qualifications, the standard "EEO" notice encouraging women and minorities to apply, and application instructions. Appropriate employment resources to recruit persons from minority groups should be used in order to attract as many minority applicants as possible.

B. Positions will remain open for a reasonable period of time.

C. Applications will be screened according to written objective work-related criteria established from the job description. Oral interviews will be scheduled with an interview team selected by the chief of staff, or his or her designee, for administration staff, and by the policy staff director, or his or her designee, for committee staff. The oral interview has a twofold purpose: 1. to give the applicant a more detailed description of the job, the council and the staff; and 2. to examine in a structured fashion the experience

and qualifications of the applicant. The oral interview may be supplemented by additional tests of an applicant's abilities such as writing samples and analytical exercises.

D.1. The chief of staff or his or her designee will assess the results of the interview and testing process for administration staff and will recommend the top candidates to the employment and administration committee. The policy staff director or his or her designee will assess the results of the interview and testing process for policy staff and will recommend the top candidates to the employment and administration committee.

2. The employment and administration committee may choose to consider other candidates than those recommended by the policy staff director or chief of staff or his or her designee. The employment and administration committee will recommend a candidate to the council for final selection. After the employment and administration committee has made a recommendation, the council may choose to consider other candidates than those recommended by the employment and administration committee.

E. In cases where any new vacancy under his or her responsibility in the legislative branch occurs within six months of the recruitment process described in subsections A., B., C. and D.1. of this section, the chief of staff or the policy staff director or his or her designee may consider any applicants from a previous recruitment process to select top candidates for recommendation to the employment and administration committee to fill the vacant position.

F. The only exceptions to this procedure will be for internal promotions or reassignments of legislative branch employees and for the recruitment and hiring of the

chief of staff, the policy staff director, current county employees, interns, clerical employees, CTV operations specialists and temporary employees.

G. A preference shall be given to an applicant for any position who is presently on the staff of the legislative branch who has already demonstrated the capability to perform the duties of the position satisfactorily.

H. The authority for hiring temporary employees for sixty days or less is delegated to the chief of staff. For the purposes of this subsection, "sixty days" means sixty actual days of work or no more than four hundred twenty hours of work, whichever is less (Motion 14189, § VI, 2014; Motion 13985, § V, 2013; Motion 13575, § V, 2011; Motion 13429, § I, 2011; Motion 13129, § XVI, 2010; Motion 12680, § VI, 2008; Motion 12492, § X, 2007; Motion 12454, § I, 2007; Motion 12429, § XI, 2006; Motion 11327, § II, 2001)

OR 3-110. Policies and procedures against sexual harassment and discrimination - policy statement.

A. The metropolitan King County council promotes a respectful, nondiscriminatory work environment, free of behavior which is illegal and/or which contributes to interpersonal conflicts, poor performance or poor morale. Therefore, the metropolitan King County council prohibits:

1. Sexual harassment;
2. Discrimination or harassment of, or inappropriate conduct toward, any employee on the basis of his or her race, color, sex, marital status, sexual orientation, religion, ancestry, national origin, and/or the presence of any sensory, mental, or physical disability; and

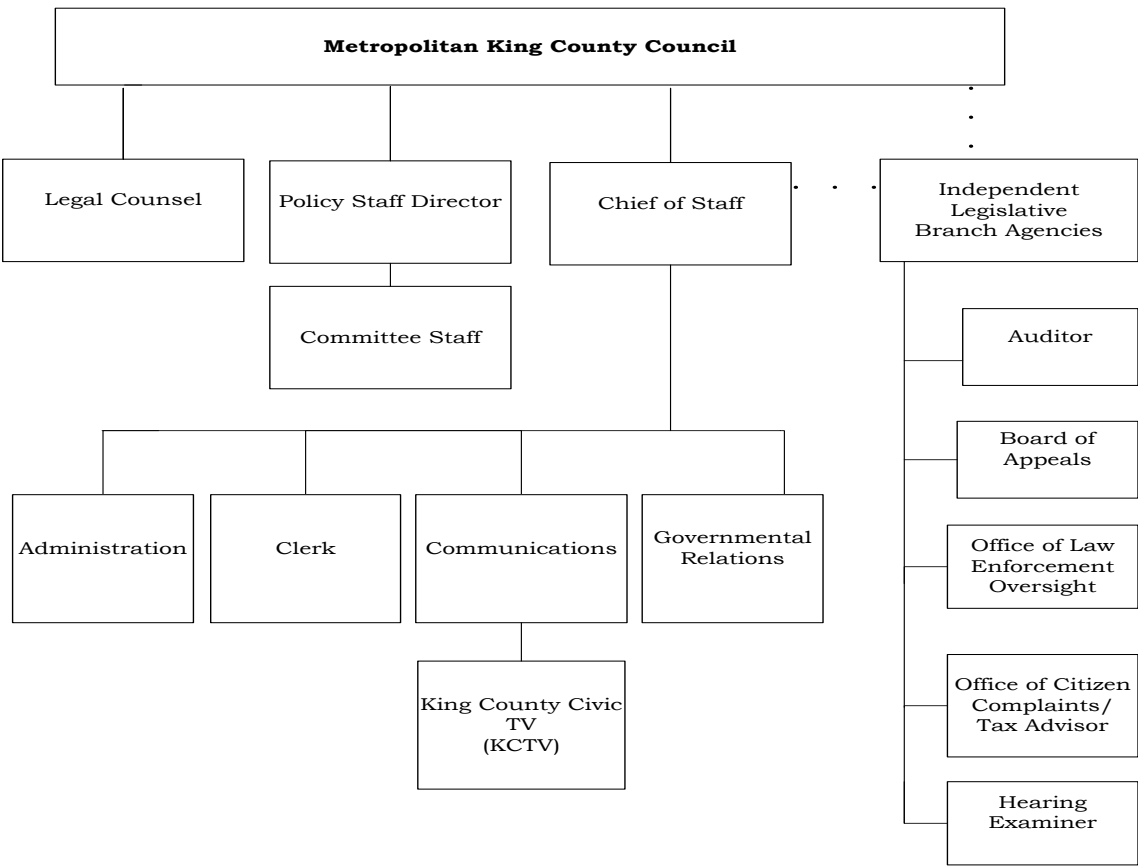
3. Retaliation.

B. This policy applies to members of the council, councilmembers' personal and district support and constituent services staff and all employees of the legislative branch. Violations of this policy may lead to censure or discipline, up to and including discharge.

C. This policy is supplemental to other procedures available under federal, state, and county laws, including but not limited to the Whistleblower Ordinance, K.C.C. chapter 3.42, the Ethics Code, K.C.C. chapter 3.04, and the Fair Employment Practices Code, K.C.C. chapter 12.18. Employees are encouraged to report pursuant to this policy, but shall continue to have the right to utilize other formal complaint procedures established by law.

The policies and procedures against sexual harassment and discrimination in the legislative branch in Attachment A* to Motion 13408 are hereby adopted. (Motion 13408, § VII, 2011; Motion 13378, § VI, 2010; Motion 13129, § XVII, 2010; Motion 12492, § XI, 2007; Motion 11331, § I, 2001; Motion 8868, §§ 1-2, 1992).

****Reviser's note:** The policies and procedures are Attachment A to Motion 13408, which is attached to this compilation as Attachment A to Motion 13408 and is also available in the clerk of the council's office.*



**METROPOLITAN KING COUNTY COUNCIL
Legislative Branch**

Policies and Procedures Against Unlawful Harassment and Discrimination

I. Policy Statement

The Metropolitan King County Council promotes a respectful, non-discriminatory work environment, free of behavior which is illegal and/or which contributes to interpersonal conflicts, poor performance, or poor morale. Therefore, the Metropolitan King County Council prohibits:

- sexual harassment;
- discrimination or harassment of, or inappropriate conduct toward, any employee on the basis of his or her race, color, sex, marital status, sexual orientation, religion, ancestry, national origin, and/or the presence of any sensory, mental, or physical disability; and
- retaliation.

This policy applies to members of the council, councilmembers' personal and district support and constituent services staff, and all employees of the legislative branch. Violations of this policy may lead to censure or discipline, up to and including discharge.

This policy is supplemental to other procedures available under federal, state, and county laws, including but not limited to the Whistleblower Ordinance (K.C.C. ch. 3.42), the Ethics Code (K.C.C. ch. 3.04), and the Fair Employment Practices Code (K.C.C. ch. 12.18). Employees are encouraged to report pursuant to this policy, but shall continue to have the right to utilize other formal complaint procedures established by law.

II. Definitions

A. “Discrimination” has the meaning set forth in KCC chapter 12.18, which prohibits any action or failure to act, the effect of which is to adversely affect or differentiate persons on the basis of race, color, age, sex, marital status, sexual orientation, religion, ancestry, national origin, or the presence of any sensory, mental or physical handicap, unless based upon a bona fide occupational qualification.

B. Harassment can take many forms and can include slurs, comments, jokes, innuendoes, unwelcome compliments, cartoons, pranks, and/or other verbal or physical conduct relating to an individual, on the basis of race, color, age, sex, marital status, sexual orientation, religion, ancestry, national origin or the presence of any disability. It is illegal when such harassment:

- (1) has the purpose or effect of creating an intimidating, hostile or offensive working environment;

- (2) has the purpose or affect of unreasonably interfering with an individual's work performance; or
- (3) otherwise unreasonably affects an individual's employment opportunities.

C. “Sexual harassment” is a type of harassment and a form of unlawful discrimination. It includes unwelcome sexual advances, requests for sexual favors, displays of sexually oriented materials, and other verbal or physical conduct of a sexual nature. It is illegal when:

- (1) submission to such conduct, either explicitly or implicitly, is made a term or condition of an individual's employment; or
- (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- (3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creates an intimidating, hostile, or offensive environment.

D. “Inappropriate conduct” is conduct that, while not amounting to unlawful harassment, has a sexual or racial component, or is otherwise based on status as set forth in II(a), and may reasonably have the effect of lowering morale and/or productivity. Inappropriate conduct does not include occasional compliments of a socially acceptable nature, nor conduct or actions that arise out of a personal or social relationship.

E. “Retaliation” means an adverse employment action against an individual because he/she has complained in good faith of discrimination, harassment, inappropriate conduct, and/or sexual harassment, inappropriate conduct of a sexual nature, or retaliation, or assisted or participated in an investigation of such allegations.

III. Issues and Complaint Resolution Procedure

A. Employees who experience, witness, or learn of what may be discrimination, harassment, inappropriate conduct, sexual harassment, and/or retaliation are strongly encouraged to come forward. The employee should tell the alleged harasser to stop the behavior, and/or report the behavior to any of the following individuals:

1. the employee's own supervisor;
2. any other supervisor;
3. the chief of staff or his or her designee; or
4. the council's legal counsel.

B. Supervisors who witness or learn of possible discrimination, harassment, sexual harassment, inappropriate conduct, and/or retaliation, or who receive a complaint or concern from an employee regarding such allegations, must report their observations or any complaints or concerns to the chief of staff or his or her designee. If the complaint or concern involves the chief of staff or his or her designee, the supervisor shall report to the

Council's legal counsel. Supervisors who fail to comply with this responsibility may be subject to censure or discipline, up to and including discharge.

C. The individual to whom any report of possible discrimination, harassment, sexual harassment, inappropriate conduct, and/or retaliation is made shall promptly inform the chief of staff or his or her designee of the report. The chief of staff or his or her designee shall respond promptly and appropriately, as follows:

1. Determine whether the complaint or concern (a) can be addressed without formal investigation or referral to the Employment and Administration Committee, or (b) requires formal investigation and referral to the Employment and Administration Committee. If (a), the chief of staff or his or her designee shall document (i) the complaint or concern; (ii) the determination that no formal investigation or referral to the Employment and Administration Committee was necessary; and (3); any steps taken in response. If (b), where further investigation and referral to the Employment and Administration Committee is necessary, the chief of staff or his or her designee shall proceed as follows:

2. Develop a response plan. The plan may include a proposed investigation outline, proposals to mediate the dispute, and, in cases of a more serious nature, should address whether the complainant and the accused should be separated pending completion of the investigation.

3. Advise the chair of the Employment and Administration Committee of the complaint or concern and the recommended response plan. If the complaint or concerns involve a personal or district support and constituent services staff member of a councilmember, the councilmember employing the staff member shall also be advised. If the complaint or concern involves the Chair of the Employment and Administration Committee, the chief of staff or his or her designee shall advise the Vice-Chair of the Committee.

4. Conduct a prompt and thorough investigation to determine whether a violation of this policy has occurred based on all facts and circumstances, the nature of the allegation, and context in which the alleged incidents occurred. Based on this determination, make a preliminary recommendation on what, if any, action should be taken.

5. Brief the Employment and Administration Committee on the results of the investigation and recommended disposition of the complaint or concern, and any corrective and/or preventive measures such as discipline, training and monitoring.

6. Implement the recommendations of the Employment and Administration Committee, including discipline, if any, and any corrective and/or preventive measures. If any discipline is appealed to the full council, it should not be imposed until the appeal is decided.

7. Inform the employee who raised the complaint or concern, the accused employee, and the supervisor who received the report of a complaint or concern, of the results of the investigation, whether or not there was a finding of discrimination, harassment, sexual harassment, inappropriate conduct, and/or retaliation.

8. For a reasonable period of time, monitor for retaliation against any person involved in the filing or investigation of a complaint or concern.

9. Maintain all records related to the report.

D. If the complaint or concern involves allegations against the chief of staff or his or her designee, the individual to whom the report is made or his or her designee shall respond as set forth in **Part III C (1-9)**.

E. Upon notification of a complaint or concern and submission of a response plan by the chief of staff or his or her designee, the chair of the Employment and Administration Committee shall:

1. Approve or modify the response plan recommended by the chief of staff or his or her designee, and where appropriate, as to all employees except councilmembers' and councilmembers' personal and district support and constituent services staff, direct the chief of staff or his or her designee to implement steps in the approved response plan to separate the accused from the complainant;

2. Promptly schedule a briefing by the chief of staff or his or her designee for the Employment and Administration Committee;

3. If the complaint or concern involves a member of the Employment and Administration Committee, direct that, unless invited by the chair to address the Committee, that the involved member not attend or participate in that portion of the meeting of the Employment and Administration Committee at which the complaint or concern will be discussed or a recommendation voted upon.

F. The Employment and Administration Committee, upon being briefed by the chief of staff or his or her designee per **Part III C (5)** and after due consideration, shall:

1. Vote upon the recommended disposition of the complaint or concern and on any proposed modification thereto;

2. As to all employees except councilmembers and councilmembers' personal and district support and constituent services staff, direct the chief of staff to implement the decision of the Committee.

3. As to councilmembers, the Committee shall decide whether to recommend exoneration or censure. If the committee recommends censure, the Chair of the Metropolitan King County Council, or the Vice-Chair if the complaint or concern involves the Chair, shall introduce a motion for censure. In accordance with the council rules the chair shall refer the motion to the employment and administration committee. In accordance with KCC 1.24.055 Rule 6, to report the motion out of the employment and administration committee will require a recommendation report signed by a majority of the committee.
4. As to councilmembers' personal and district support and constituent services staff, the Committee shall vote on a recommended disposition and report its recommendation to the councilmember.

G. Information regarding complaints or concerns will be kept confidential to the extent possible, but confidentiality cannot be guaranteed.

H. A complainant who is dissatisfied with the way his or her complaint is being handled may take his or her concerns to another of the individuals designated in **Part III**.

IV. Responsibilities

A. The chief of staff shall ensure that all employees receive a copy of this policy and are appropriately instructed and/or trained on its contents.

B. The chief of staff shall provide oversight, tracking, monitoring, and guidance to the Employment and Administration Committee to ensure adequate enforcement of the policy.

C. Employees with supervisory responsibilities shall model appropriate behavior and strive to cultivate and maintain a work environment that is free from discrimination, harassment, sexual harassment, inappropriate conduct, and/or retaliation.

D. Any member of the Metropolitan King County Council shall have the same responsibilities under this policy as other supervisors.

E. In carrying out their responsibilities under this policy, staff, members of the Employment and Administration Committee, and the chief of staff are encouraged to consult with the Council's legal counsel.

V. At-will employment

Nothing in this policy is intended to alter the at-will employment status of legislative branch employees or give rise to a requirement of termination for just cause.

DISPOSITION OF FORMERLY COMPILED ORGANIZATIONAL MOTION SECTIONS

This table contains a numerical list of former organizational motion sections no longer appearing in the compilation because of the rescinding, expiration, decodification, or recodification of the sections. Each entry gives the affected organizational motion compilation number, its caption, and the section's motion source and disposition. The text of the section can be found by referring to the motion source citation contained in brackets.

Chapter 2 Committees

2-051—2011 budget adoption leadership team.—[13129, § X, 2010] Rescinded by 14324, § VII, 2015.

2-060—Meeting times.—[11122, § I, 2001] Rescinded by 12492, § V, 2007.

2-070—Regular meeting locations.—[12434, § III, 2007] Rescinded by 12492, § VI, 2007.

Chapter 3 Policies

3-100—Hiring.—[5122 (part), 1980] Rescinded by 11327, § I, 1992. Replaced by OR 3-101.

Chapter 4 Legislative Agencies

4-010—Office of government access television.—[10002 §§ A-C, 1996] Rescinded by 12492, § XII, 2007.