

**ORGANIZATION OF THE METROPOLITAN KING  
COUNTY COUNCIL**

**(Covering Motions through 15446)**

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## 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 the councilmember's personal and district support and constituent services staff.

C. On behalf of the council, the chair of the council may accept gifts or things of value of less than two thousand dollars. Gifts or things of value given to individual council offices may be accepted by each councilmember subject to the provisions of K.C.C. chapter 3.04. The chair shall notify the clerk of the council of any accepted gifts or things of value. The clerk shall maintain a list of the accepted gifts or things of value and shall report quarterly that list to all councilmembers if there have been any accepted gifts or things of value in the preceding quarter. The chair of the council shall not enter into a consultant

contract for more than fifty 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 the chair's duties with the vice-chairs. 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 shall report to the chair and is accountable to and responsive to all councilmembers. The chair may exercise any power conferred upon the chief of staff. (Motion 15305, § I, 2019; Motion 15298, § I, 2019; Motion 15110, § I, 2018; 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 2019 and until a successor is elected, the council elects Councilmember Rod Dembowski as council chair,

Councilmember Claudia Balducci as council vice-chair of policy development and review and Councilmember Reagan Dunn as council vice-chair of regional coordination. (Motion 15298, § II, 2019; Motion 15110, § II, 2018; 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 2-010. 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 Harborview Medical Center; solid waste including waste to energy; arts and culture; the Puget Sound Taxpayer Accountability Account; gun safety; the immigrant and refugee commission; issues related to the census; the charter review commission; and other program and policy matters. The committee of the whole shall conduct regular town hall meetings on issues of significance. (Motion 15298, § III, 2019; Motion 15110, § III, 2018; Motion 14819, § I, 2017; 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; levies including parks and emergency medical services; 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 annual county audit program and federal, state or county audit reports, the administration of the Public Records Act, capital projects oversight, strategic planning, performance measurement and performance management, management organizational structure and technology management;

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; and

d. 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.

**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;

c. human services programs, including review of human services-related levies, and civil rights and social justice;

d. the implementation of appropriate labor agreements;

e. economic development including equity and pay disparity;

f. homelessness crisis response system reforms; and

g. gender equity.



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, excluding those related to alternatives to incarceration and including those related to: public safety; adult detention; juvenile justice and youth services; superior and district courts; judicial administration; prosecuting attorney; public defense; emergency medical services; office of law enforcement oversight; bail reform; pretrial services including alternatives to incarceration; and civil rights.

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.

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

**E. Local services, regional roads and bridges committee.**

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

- a. surface water management and water supply;
- b. unincorporated and rural areas, including agriculture and rural services;
- c. local government;
- d. the implementation of appropriate labor agreements;

- e. permitting and zoning including winery and marijuana related legislation;
  - f. roads and bridges;
  - g. emergency management including disaster response, emergency preparedness and emergency planning and the Puget Sound emergency radio network;
  - h. local services provided by the sheriff; and
  - i. utility annexations and water and sewer district plans.
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.

**F. Mobility and environment committee.**

1. The committee shall consider and make recommendations on:
- a. transportation, including passenger ferries and public transportation including fares and fare equity policies;
  - b. the environment, including:
    - (1) salmon recovery and barriers to recovery such as culverts;
    - (2) resources lands, excluding agriculture;
    - (3) energy;
    - (4) water quality, including wastewater;
    - (5) trails and parks; and
  - c. growth management, including regional planning and the Comprehensive Plan.
2. The committee shall also consider the implementation of relevant labor contracts.

3. 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 15298, § IV, 2019; Motion 15110, § IV, 2018; Motion 15049, § I, 2018; Motion 14819, § II, 2017; Motion 14656, § I, 2016; 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 five members. The chair of the council shall be a member of the committee.

**B. Duties.**

1. **General duties.** In accordance with this section OR 2-030, the committee shall oversee employment-related issues in the legislative branch, excluding all decisions for those positions and employees serving councilmembers' personal, district support and constituent services functions.

2. **Administrative decisions.** In consultation with the chief of staff, the committee shall:

a. recommend to the council for adoption of administrative and personnel-related policies;

b. recommend to the council for adoption of changes to the organization chart established in OR 3-030.A.;

c. recommend to [the] council classification specifications and compensation ranges; and

d. recommend to [the] council job descriptions for all positions in the legislative branch.

3. Hiring chief officers and independent agency officers. The committee shall establish the hiring process for chief officers and independent agency officers, as well as make hiring recommendations to the council concerning these positions. The committee may consult with the board of appeals on its hiring of the executive director and staff of the board of appeals and the committee may express its preference.

4. Performance evaluations of chief officers and independent agency officers. The council chair, in consultation with the committee, shall provide oral and written expectations and counseling regarding employee performance for chief officers and independent agency officers. The chair of the council, with committee input, shall establish a process for periodically evaluating the chief officers and independent agency officers for their performance in performing job duties and achieving goals.

5. Discipline of chief officers and independent agency officers.

a. The council chair, in consultation with the committee, shall, when appropriate, issue either written reprimands or performance improvement plans, or both, regarding employee performance issues of a chief officer or an independent agency officer that persist, following an oral or written statement of expectations or counseling.

b. It is the responsibility of the council chair, when appropriate, to recommend

to the committee for approval either suspension without pay or termination of chief officers or independent agency officers.

c. Following a suspension without pay of more than ten working days or termination hearing decision, a chief officer or independent agency officer subject to the committee's suspension without pay or termination decision may, within five business days of being notified of the decision, appeal the decision to the council. An appeal is filed by delivering a notice of appeal to the clerk of the council.

d. A decision of the council to suspend without pay or terminate a chief officer or independent agency officer is final.

e. The chair of the council, with consultation of the committee, may execute a settlement agreement with a chief officer or independent agency officer.

f. A written disciplinary action may not be issued before completion of review of it by legal counsel or the civil division of the office of the prosecuting attorney. For the purposes of this subsection B.5., "written disciplinary action" means written expectations and counseling regarding employee performance issues, reprimands, performance improvement plans and decisions regarding suspension without pay or termination of an employee.

6. Motions for censure. The committee shall consider and make recommendations to the council on motions for censure related to alleged violations by a councilmember of any antiharassment or discrimination policy.

### **C. Committee decisions.**

1. All committee decisions authorized by this section shall be contained in a written decision report.

2. All committee recommendations authorized by this section shall be contained in a written recommendation report and, if approved by the committee, shall be forwarded to the council for consideration on an employment and administration committee consent agenda.

3. 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 before adoption of the employment and administration committee consent agenda.

4. The chair of the employment and administration committee shall issue notice to the affected employee upon final action of the committee or council.

**D. 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 identified as such and separated from nonexempt records.

**E. Construction of section.** Nothing in this section is to be construed to alter the at-will status of legislative branch employees. This section designed to facilitate the will of the majority of the council. If there are specific provisions of a collective bargaining agreement that are different than this section, the collective bargaining agreement shall prevail.

**F. Definitions.** For the purposes of this section OR 2-030:

1. "Administrative services staff" are those legislative branch employees assigned to communications, government relations, administration and clerk blocks in the organization chart, Attachment A to Motion 15446.\*

2. "Chief officers" includes the chief of staff and chief legal counsel;
3. "Directors" includes the clerk of the council, the communication director, the director of government relations, the director of municipal relations, the director of operations, the director of equity and social justice and the chief policy officer;
4. "Independent agency officers" includes the auditor, director of law enforcement oversight, hearings examiner, King County Flood Control District executive director and director of the office of citizen complaints/tax advisor, which is also known as the ombuds.
5. "Legislative services staff" are those legislative branch employees assigned to the legislative services block in the organization chart, Attachment A to Motion 15446.\*  
(Motion 15446, § I, 2019; Motion 15305, § III, 2019; 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).

***\*Reviser's note: The organization chart is Attachment A to Motion 15446, which is attached to this compilation as Attachment A to Motion 15446.***

**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: Joe McDermott.

Vice-chair: Jeanne Kohl-Welles.

Budget and fiscal management committee:

Chair: Claudia Balducci.

Vice-chair: Kathy Lambert.

Employment and administration committee:

Chair: Rod Dembowski.

Vice-chair: Reagan Dunn.

Government accountability and oversight committee:

Chair: Pete von Reichbauer.

Vice-chair: Larry Gossett.

Health, housing and human services committee:

Chair: Jeanne Kohl-Welles.

Vice-chair: Dave Upthegrove.

Law and justice committee:

Chair: Larry Gossett.

Vice-chair: Kathy Lambert.

Local services, regional roads and bridges committee:

Chair: Kathy Lambert.

Vice-chair: Claudia Balducci.

Mobility and environment committee:

Chair: Dave Upthegrove.

Vic-Chair: Pete von Reichbauer.



Regional policy committee:

Chair: Pete von Reichbauer.

Regional transit committee:

Chair: Claudia Balducci.

Regional water quality committee:

Chair: Kathy Lambert.

(Motion 15298, § V, 2019; Motion 15110, § V, 2018; Motion 14819, § III, 2017; 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: Rod Dembowski, Jeanne Kohl-Welles, Joe McDermott, Dave upthegrove.

Committee of the whole:

Members: All councilmembers.

Employment and administration committee:

Members: Claudia Balducci, Larry Gossett, Jeanne Kohl-Welles.

Government accountability and oversight committee:

Members: Rod Dembowski, Jeanne Kohl-Welles.

Health, housing and human services committee:

Members: Claudia Balducci, Rod Dembowski, Larry Gossett, Kathy Lambert.

Law and justice committee:

Members: Reagan Dunn, Joe McDermott, Dave Upthegrove.

Local services, regional roads and bridges committee:

Members: Reagan Dunn, Larry Gossett.

Mobility and environment committee:

Members: Claudia Balducci, Rod Dembowski, Kathy Lambert, Jeanne Kohl-Welles, Joe McDermott.

Regional policy committee:

Members: Rod Dembowski, Jeanne Kohl-Welles.

Alternate: Larry Gossett.

Regional transit committee:

Members: Joe McDermott, Dave Upthegrove.

Alternate:

Regional water quality committee:

Members: Rod Dembowski, Reagan Dunn.

Alternate:

(Motion 15298, § VI, 2019; Motion 15110, § VI, 2018; Motion 14819, § IV, 2017; 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 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   |
| OR 3-050 | King County Flood Control District administration                                       |
| OR 3-040 | Ethical considerations  |
| 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 legislative services staff member classified at range 62 or above in the King County 10 step annual exempt squared table, or as an administrative services 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 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 15305, § V, 2019; 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.**

A. **Organizational chart.** The legislative branch shall be organized in accordance with the organization chart, Attachment A to Motion 15446.\* The chief of staff shall prepare and file with the clerk of the council a revised organization chart to replace Attachment A to Motion 15446\* when the organization of the legislative branch is changed either by any employment and administration committee decision or 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 administrative and legislative services staff as they are defined in OR 2-030. All directors, as defined in OR 2-030, shall report to the chief of staff. The chief of staff is also responsible for monitoring the independent agencies of the council. The chief of staff shall be the council's bargaining lead for all legislative branch bargaining units.

C. **Chief policy officer.** There shall be a chief policy officer who, as a director, reports to the chief of staff and shall be responsive to all councilmembers. As the chief policy officer is the direct report for the legislative services staff, the chief policy officer is responsible for: the efficient overall management and administration of the legislative services staff; development and administration of analytic standards; committee lead and support assignments; and legislative and policy assignments for analysis.

D. **Chief legal counsel.** There shall be a chief legal counsel who reports to the chair and shall be accountable and responsive to all councilmembers for the provision of legal services to the council, councilmembers, and administrative and legislative services staff. The chief legal counsel is responsible for the efficient overall management and administration of the legal services staff, outside counsel and coordination with the prosecuting attorney's office.

E. **Independent agency officers.** For all the independent agencies, identified in the organization chart, Attachment A to Motion 15446,\* their officers shall be appointed by the council and each independent agency officer shall be accountable and responsible for the efficient overall management and administration of their agencies. The independent agencies, their officers, managers and staff are subject to the policies and procedures of the legislative branch.

F. **King County Flood Control District executive director.** The King County Flood Control District executive director shall report to the county councilmember who serves as the chair of the King County Flood Control District. The executive director shall be accountable and responsive to all councilmembers who serve on the King County Flood Control District board of supervisors. The executive director is responsible for the



efficient overall management and administration of the King County Flood Control District and the flood control district administration unit and its employees. The executive director is subject to the policies and procedures of the legislative branch. (Motion 15446, § II, 2019; Motion 15305, § VI, 2019; Motion 14819, § V, 2017; Motion 14725, § I, 2016; 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 15446, which is attached to this compilation as Attachment A to Motion 15446.***

**OR 3-033. Duties and responsibilities of chief officers and independent agency officers.**

All chief officers and independent agency officers shall fulfill the following duties and responsibilities:

**A. Hiring.**

1. Employee recruitment. When beginning a hiring process, chief officers and independent agency officers shall:

a. consult with the council chair and vice chairs before beginning recruitment of vacated or newly created positions and anticipated vacancies;

b. establish hiring processes for each vacancy and newly created position; and

c. if interviews of candidates are a part of the hiring process, chief officers shall include at least two representatives from district staff in staff interview panels.

2. Hiring decisions. When implementing hiring decisions, chief officers and independent agency officers:

a. shall consult with the council chair and vice chairs about the hiring decision before extending an offer of employment for director level positions as defined in OR 2-030.F.3.;

b. shall make hiring decisions for all positions that report to the respective chief officer or independent agency officer as they appear in the organization chart, Attachment A to this motion;

c. may extend an offer of employment to any person who applied for a legislative branch position in the prior six months for a current vacancy without undertaking a full recruitment process;

d. may appoint or extend the appointment of interns, and temporary or term limited employees for up to a total of the maximum period allowed by the King County code.

**B. Staffing.** Employee-related decisions shall be implemented as follows for the following circumstances:

1. Staff assignments. The chief of staff shall annually brief the committee on legislative branch staff assignments, which shall be based on the following:

a. Independent agency staff assignments shall be made by the independent agency officer or designee;

b. Legislative services staff assignments shall be made by the chief policy officer or designee;

c. Legal staff assignments shall be made by the chief legal counsel or designee; and

d. Administration services staff assignments shall be made by the chief of staff or designee;

2. **Reclassifications.** Chief officers and independent agency directors shall make decision regarding reclassification, promotion to a higher step within the same classification and ranger, or withholding of a step increase of a legislative branch employee;

3. **Work schedule decisions.** Day-to-day work schedule decisions shall be made by direct supervisors, managers and their directors or officers. The chief officer may increase or decrease the full-time-equivalent level of an employee that on either a permanent or limited term duration within the budgeted appropriation. In the event of a temporary decrease in the full-time-equivalent level of an employee as an accommodation, the chief of staff may approve the temporary adjustment and inform the committee at the next regularly scheduled meeting of the committee; and

4. **Leave carryover decisions.** The chief of staff and independent agency officers may authorize the 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 and with appropriate documentation.

**C. Performance evaluations.** Chief officers, directors and independent agency officers shall periodically evaluate employees who report to each respectively for their performance in achieving job duties and goals. The chief of staff shall annually brief the committee regarding findings and results related to legislative branch performance evaluations.

**D. Employee discipline.** When administering employee discipline:

1. Chief officers, directors and independent agency officers shall provide oral and written expectations and counseling regarding employee performance issues as they may arise;

2. Chief officers, directors and independent agency officers, shall, when appropriate for employees that report to each respectively, issue either written reprimands or performance improvement plans, or both, regarding employee performance issues that persist, following an oral or written statement of expectations or counseling;

3. The chief of staff and independent agency officers shall make decisions regarding suspension without pay or termination of an employee;

4. The decision of the chief officer or independent agency officer to suspend an employee without pay for ten working days or less is final;

5. An employee subject to a chief officer's or independent agency officer's suspension without pay for more than ten working days or termination decision may, within five business days, request a hearing before the committee to mitigate or change the decision. A hearing is requested by delivering a written notice of appeal to the clerk of the council;

6. Following a committee decision on a suspension without pay of more than ten working days or termination hearing decision, an employee may, within five business days, appeal the decision to the council. An appeal is requested by delivering a written notice of appeal to the clerk of the council;

7. The decision of council to suspend without pay or terminate an employee is final;

8. The chair of the council, in consultation with the committee, may execute a settlement agreement with a current or former employee; and

9. A written disciplinary action may not be issued before review by legal counsel or the civil division of the office of the prosecuting attorney. For the purpose of this subsection D.9., "written disciplinary action" means written expectations and counseling regarding employee performance issues, reprimands, performance improvement plans and decisions regarding suspension without pay or termination of an employee. (Motion 15446, § III, 2019).

**OR 3-035. King County Flood Control District administration.**

A. The legislative branch shall provide staffing, facilities and services for the King County Flood Control District at actual cost and fully reimbursed by the district through an interlocal agreement between King County and the district.

B. For the administration and management of the King County Flood Control District, a flood control district administration unit is established for legislative branch employees exclusively providing support for the King County Flood Control District. The unit is exempt from all other provisions of this organizational compilation except this section, OR 3-030.F. and OR 3-110.

C. The following applies to the employees within the unit:

1. Job descriptions and classifications for employees in the unit shall be reviewed and recommended by the King County Flood Control District executive committee and authorized by motion by the council;

2. The executive committee shall establish and be responsible for the outreach, recruitment and hiring process for the King County Flood Control District executive

director. Hiring of the executive director shall be subject to appointment by motion by the council, but shall not be subject to the decision-making requirements of OR 2-030;

3. The executive committee shall annually evaluate the performance of the King County Flood Control District executive director, using a process established by the executive committee;

4. Before initiating a hiring process, the executive director shall consult with the executive committee chair. For the purposes of this section, the executive director shall have the same duties and responsibilities as a chief officer under OR 3-033, with regard to employees within the unit and pertaining to hiring, staffing and discipline;

5. The executive director shall annually evaluate the performance of the employees within the unit using a process established by the executive committee. The executive director shall also annually present the results of these completed performance evaluations to the executive committee;

6. Employees within the unit, other than the executive director, are subject to disciplinary actions as determined by the executive director. Before suspension or termination, the executive director shall notify the county councilmember who serves as the chair of the King County Flood Control District. An employee of the unit who has been either suspended without pay for two weeks or more or terminated may appeal the decision of the executive director 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 filed by delivering a notice of appeal to the clerk of the council;

7. The executive director is subject to disciplinary actions as determined by the executive committee. The executive director, if either suspended without pay for two

weeks or more or terminated, may appeal the decision 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 filed by delivering a notice of appeal to the clerk of the council;

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

9. The chief of staff shall be a resource for the employees of the unit and responsible for implementing and carrying out OR 3-110. (Motion 15446, § IV, 2019; Motion 15305, § VII, 2019; Motion 14725, § II, 2016).

**OR 3-040. Ethical considerations.**

A. 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. Each employee shall become familiar with the code of ethics and, in the event the employee identifies any issue of possible concern, the employee shall promptly seek advice from the employee's supervisor, the chief policy officer, the chief of staff or the chief legal counsel or shall seek an advisory opinion from the board of ethics.

B. Administrative or legislative services staff or legal counsel shall not seek to influence the passage or rejection of any matter under consideration by the council or any committee of the council, except when an employee within the scope of the employee's

duties is required to make a recommendation or is specifically asked by a councilmember to give a recommendation on the particular matter.

C. Staff of the legislative branch and councilmembers shall not seek to influence or restrict objective and impartial legislative, policy, fiscal or program analysis by administrative or legislative services staff.

D. All staff assigned to perform legislative and policy analysis shall conduct objective, nonbiased analysis on legislation and work items to which the staff is assigned.

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

F. Councilmembers may request staff to perform work and keep the nature of the work confidential. The work may be shared with legal counsel, the clerk and the code reviser unless the councilmember specifically directs otherwise. Administrative services staff shall apprise to the chief of staff and legislative services staff shall apprise the chief policy officer of the requested work and time required to perform it. The chief policy officer shall apprise the chief of staff of the councilmember requests and both the chief policy officer and chief of staff shall maintain the confidential nature of councilmember requests. If an administrative or legislative services staff believes 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 chief policy officer, the chief of staff or staff's supervisor, and for this purpose may disclose the information necessary to identify the



problem. The chief policy officer, chief of staff and the staff's supervisor shall maintain the confidential nature of the request.

G. Administrative service staff should seek the assistance of the chief of staff and legislative services staff should seek the assistance of the chief policy officer to resolve any concerns regarding performance of the staff's assigned duties. (Motion 15305, § VIII, 2019; Motion 14819, § VI, 2017; 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 14819, which is attached to this compilation as Attachment A to Motion 14819.*

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

**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, anyone on the basis of race, color, gender, age, creed, disability, marital status, national origin, religion, pregnancy, gender identity or expression, domestic violence victimization, sexual orientation, honorably discharged veteran or military status, use of a service or

assistive animal by a person with a disability, or any other status protected by federal, state or local law; and

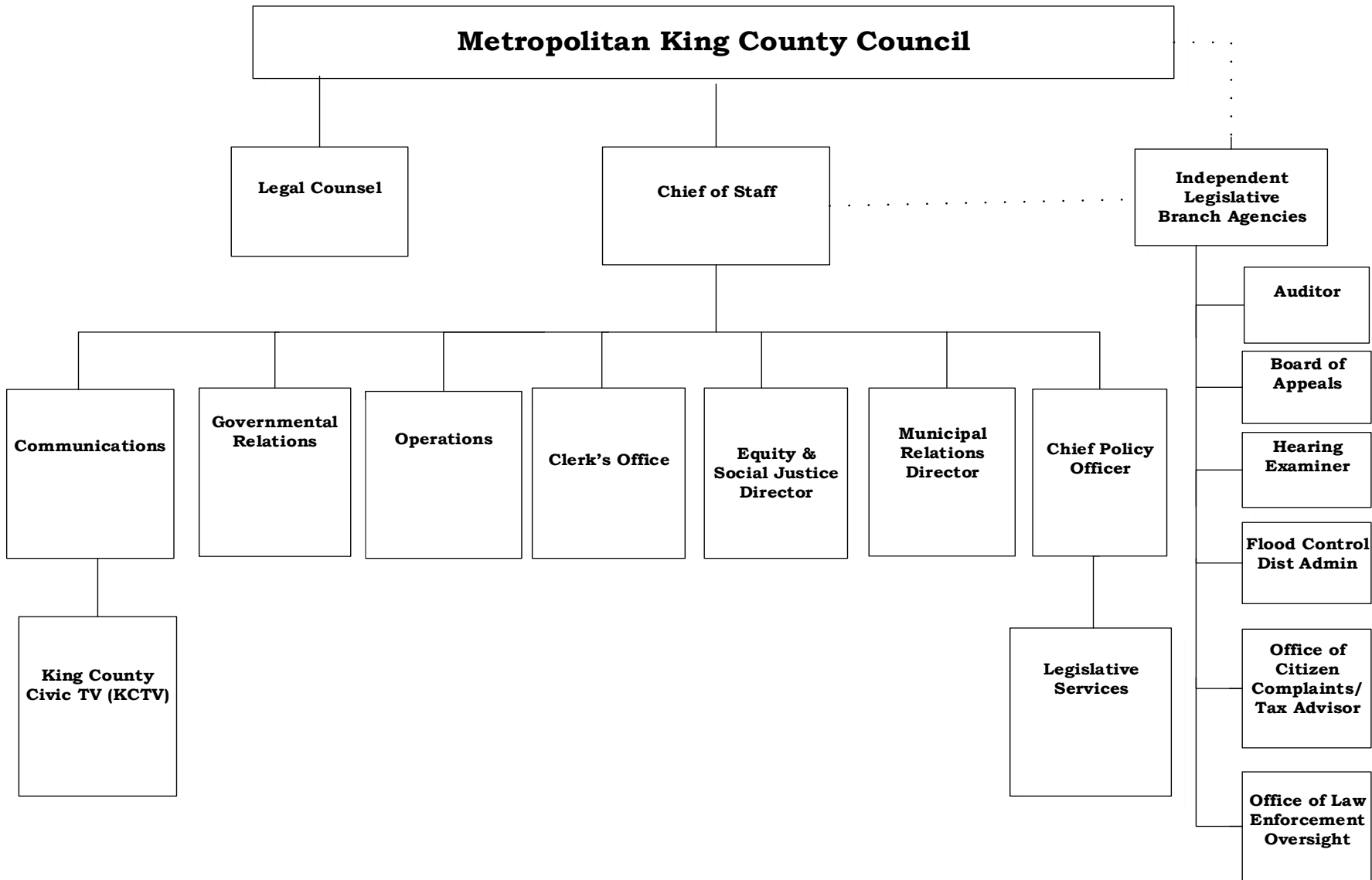
3. Retaliation against anyone who reports a potential violation of this policy or participates in any process related to investigating or resolving a report made under this policy.

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 15308 are hereby adopted. (Motion 15308, § I, 2019; 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 15308, which is attached to this compilation as Attachment A to Motion 15308 and is also available in the clerk of the council's office.*



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**METROPOLITAN KING COUNTY COUNCIL**  
**Legislative Branch**

**POLICIES AND PROCEDURES AGAINST HARASSMENT AND DISCRIMINATION**

**I. Policy**

The Metropolitan King County Council is committed to providing a respectful, productive, inclusive, and equitable work environment for everyone. The Council specifically prohibits:

- Discrimination or harassment of, or inappropriate conduct toward, anyone on the basis of race, color, gender, age, creed, disability, marital status, national origin, religion, pregnancy, gender identity or expression, domestic violence victimization, sexual orientation, honorably discharged veteran or military status, use of a service or assistive animal by a person with a disability, or any other status protected by federal, state or local law;
- Sexual harassment; and
- Retaliation against anyone who reports a potential violation of this policy or participates in any process related to investigating or resolving a report made under this policy.

**II. Application**

This policy applies to all Councilmembers, employees, agents, and contractors of the council. All employees, anyone meeting with or appearing before the Council and the public are expected to comply with this policy.

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

This policy is supplemental to other procedures available under federal, state, and local laws, including but not limited to the Whistleblower Ordinance (KCC chapter 3.42), the Ethics Code (KCC chapter 3.04), and the Fair Employment Practices Code (KCC chapter 12.18). Individuals are encouraged to report pursuant to this policy, but continue to have the right to utilize other processes established by law including the federal Equal Employment Opportunity Commission, the state Human Rights Commission, the county Office of Civil Rights, and private legal action.

**III. Definitions & Examples**

The following definitions and examples are intended to include and supplement those found in King County Code chapter 12.18:

- B. “Disability” means a sensory, mental, developmental, or physical impairment that: (1) is medically recognized or diagnosable; (2) exists as a record or history; or (3) is perceived by the employer to exist, whether or not it actually exists. A disability exists whether it is temporary or permanent, common or uncommon, mitigated or unmitigated, limits the ability to work generally or work at a particular job, or limits any other activity.
- C. “Discrimination” occurs when a person is treated differentially or adversely affected, overtly or covertly, by an action of or the failure to act by another person on the basis of protected status.
- D. “Harassment” is unwelcome conduct in violation of this policy. Harassment can take many forms and may include innuendoes, unwelcome compliments, suggestive or insulting noises, through the use of digital media and social media, facial expressions, vulgar language, nicknames, slurs, derogatory comments, cartoons, epithets, jokes, pranks, written materials, offensive gestures or touching, and any other verbal or physical conduct relating to an individual and based on a protected status. It is a violation of this policy and may be illegal when:
- (1) The conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment or interferes with a person’s performance;
  - (2) Enduring the conduct becomes, either explicitly or implicitly, a condition of continued employment; or
  - (3) The conduct otherwise unreasonably affects an individual's employment opportunities.
- E. “Inappropriate conduct” is conduct that may not rise to the level of unlawful discrimination, harassment, or retaliation but nonetheless sends a negative message or results in a hostile, derogatory, or negative environment based on protected status.
- F. “Protected status” includes an employee’s sex, age, creed, disability, ethnicity, marital status, national origin, race, color, religion, pregnancy, gender, gender identity or expression, genetic information, sexual orientation, veteran or military status, use of a service animal, and any other status protected by federal, state, or local law.
- G. “Retaliation” means taking an adverse action against someone because that person made a good faith report of a possible violation of this policy or participated in any process related to investigating or resolving a report under this policy. Retaliation is strictly prohibited.
- H. “Sexual harassment” is a specific type of harassment and a form of 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 a violation of this policy and may be illegal when:

1. The conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment or interferes with a person's performance;
2. Enduring the conduct becomes, either explicitly or implicitly, a condition of continued employment; or
3. The conduct otherwise unreasonably affects an individual's employment opportunities.

#### **IV. Procedures**

The Council's paramount interest under this policy is to ensure a respectful, productive, inclusive, and equitable work environment for everyone. Discrimination and harassment are unacceptable and will not be tolerated at the Council.

Anyone who experiences or observes any potential violation of this policy is strongly encouraged to bring questions or concerns to a supervisor (a list of supervisors is appended to this policy). Every attempt will be made to keep matters confidential to the extent permitted by law. Any employee who is unsure as to options, actions, and remedies may wish to start by contacting the County's Employee Assistance Program (described further in the external procedures set forth, below). Anyone may file a complaint or make a report of possible violations of this policy using the external or internal procedures provided in this policy. The procedures and remedies provided in this policy are in addition to all other federal, state, and local processes provided by law.

#### **Internal Council Procedure.**

- A. Members of the public and those not employed by the Council are not expected to know the internal supervisory structure of the Council, and they may report any potential violation of this policy to any Councilmember or employee of the Council, who shall then report that potential violation to the chief of staff (or, if the alleged violation involves the chief of staff, to the Council's chief legal counsel) for further action pursuant to this policy.
- B. Employees who experience, observe, or learn of any potential violation of this policy are encouraged to 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
  4. the Council's chief legal counsel.

Lists of supervisors shall be made available to all employees and also be included with copies of the policy and materials provided in training.

- C. Supervisors, including Councilmembers, who observe or learn of possible violations of this policy or who receive a complaint or concern from an employee regarding such allegations, must promptly report the potential violation to the chief of staff. If the complaint or concern involves the chief of

staff, then the supervisor shall promptly report to the Council's chief legal counsel. The EAC may designate a person in addition to the chief of staff to perform the duties set forth in the following sections. That designation shall be made as an amendment to this policy.

Supervisors who fail to comply with this responsibility may be subject to censure or discipline, up to and including discharge. Every attempt will be made to keep matters confidential to the extent permitted by law.

In addition, supervisors shall notify employees at the beginning of any related conversation that they may wish to first contact the County's Employee Assistance Program to fully understand the array of options available to the employee.

- D. Once a report of an alleged violation by staff is received by the chief of staff (or, in the case of an alleged violation by the chief of staff, by the chief legal counsel), then the chief of staff shall promptly and appropriately determine whether the complaint or concern can be addressed without formal investigation and referral to the Employment and Administration Committee, or whether it instead requires formal investigation and referral to the Employment and Administration Committee (EAC). The employee will be consulted regarding the nature of the investigation in terms of formal or informal.
- E. If a report of an alleged violation by a Councilmember is received by the chief of staff, then the chief of staff shall promptly and appropriately determine whether the complaint or concern can be addressed without formal investigation and referral to the Employment and Administration Committee, or whether it instead requires formal investigation and referral to the Employment and Administration Committee (EAC). Under all circumstances and regardless of referral, they shall notify the Chair of the Council. If the allegation applies to the Chair of the Council, chief of staff shall alert one of the Council Vice Chairs.

The Council notes the power disparity between staff and elected officials and intends that all serious allegations in which violations may have occurred by Councilmembers be handled by other Councilmembers, starting with referral to EAC. Such allegations would constitute ones that rise above possible misunderstandings or one-off comments and must meet the threshold of systematic, repetitive discriminatory or harassing behavior or the perception of such.

- F. If the chief of staff (or, in the case of an alleged violation by the chief of staff, the chief legal counsel) determines that the matter can be resolved informally and without referral to EAC, then the chief of staff shall:
  - 1. Document in writing:
    - a. the complaint or concern;



- b. the agreement of those affected by the complaint or concern to handle the matter informally;
  - c. the determination that no formal investigation or referral to EAC was necessary, and the reasons for that determination;
  - d. any steps taken to resolve the complaint or concern; and
  - e. obtain a signature from any affected employee(s) reflecting recognition of the resolution of the complaint and their specific interests in anonymity or any other special requests.
2. Notify the complainant of the determination and any steps taken to resolve the complaint or concern.

If the chief of staff (or, in the case of an alleged violation by the chief of staff, the chief legal counsel) determines that further investigation and referral to EAC are necessary, in all cases where a Councilmember is alleged to have violated this policy, or in case of an appeal, then the chief of staff shall:

1. Immediately notify each member of EAC that a matter to be referred to EAC is pending and that a briefing on it will be provided at the next EAC meeting. If the complaint or concerns involve a personal or district support and constituent services staff member of a Councilmember, then the Councilmember employing that staff member shall also be advised;
2. Take steps to safeguard employees and facilitate investigation even prior to EAC being able to meet and act upon a matter referred under this policy. In cases of a more serious nature, these steps may include separating affected employees pending completion of the investigation or resolution of the matter;
3. Inform parties accused of a violation of the policy and of the referral to EAC, and advise them that they may participate in the process, review evidence and statements submitted in support of the allegation, and have opportunities to refute the allegation or offer an explanation or mitigating circumstances, including an opportunity to make a presentation to EAC, directly;
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 the context in which the alleged incidents occurred. As appropriate and with the approval of EAC, an outside investigator may be retained. Upon completion of the investigation, the chief of staff shall make preliminary recommendations on what action should be taken, including, as appropriate, mediation of the matter; and

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

Upon notification of a complaint or concern being referred to EAC by the chief of staff (or, in the case of an alleged violation by the chief of staff, the chief legal counsel), the chair of EAC shall promptly schedule an EAC meeting to consider the matter. If the complaint or concern involves a member of EAC, the chair shall direct that, unless invited by the chair to address EAC, then the involved member not attend or participate in that portion of any meetings of EAC at which the complaint or concern will be considered. Where appropriate, the chair may direct that the complainant and accused violator be separated or that any other steps be taken which are necessary to immediately safeguard employees, prevent retaliation, or assist with an investigation. If the matter referred alleges violations of this policy by the chair of EAC, then the vice chair shall act in this role instead.

EAC shall promptly meet to consider matters referred under this policy. To preserve confidentiality and to the extent permitted by law, the members shall meet in executive session. After being briefed by the chief of staff (or, in the case of an alleged violation by the chief of staff, the chief legal counsel) EAC will decide whether further investigation is warranted and, if so, direct that further investigation and follow-up. Ultimately, EAC will issue a written final disposition of the matter which, as appropriate, should include findings, conclusions, and actions taken in response. When EAC determines that it is ready to issue a final disposition of the matter, it shall:

1. Adopt by vote the final disposition; and
2. Direct the chief of staff or to implement the final disposition of EAC.

In the case of allegations of violations of this policy by a Councilmember, only the chief of staff or other person selected by EAC may be involved in the investigation or work with an outside firm on the investigation. The final disposition of EAC must either:

- a. Exonerate the member;
- b. Intervene or take steps to remedy any problem or misunderstanding, including providing training or counseling;  
or
- c. Recommend to the full Council censure or other disciplinary action in the form of a motion to be considered and acted upon by the full Council at the second full Council meeting following the EAC recommendation. No recommendation of censure or disciplinary action to the full Council shall be made

unless EAC has first contracted with an independent law firm or other outside investigator to perform an investigation and make a report that includes findings of fact.

Once EAC has issued its final disposition, then the chief of staff shall:

6. Implement the actions set forth in the final disposition of EAC, including discipline (if any) and any corrective or preventive measures. If any discipline is appealed to the full council, the discipline shall not be imposed until the appeal is decided, but corrective or preventive measures may be enforced even while an appeal is pending;
7. Inform the employee who raised the complaint or concern, the accused employee, and any supervisor who received the report of a complaint or concern, of the results of the final disposition;
8. For a reasonable period of time, monitor for repeat behavior or retaliation against any person involved in the filing or investigation of a complaint or concern; and
9. Maintain all records related to the matter.

#### **External Procedure – The Employee Assistance Program.**

The Council recognizes that those experiencing or witnessing a potential violation of this policy may wish to use a process outside of the Council. Persons may wish to access other available federal, state, or local resources. In addition, the Council recommends use of the Employee Assistance Program. King County's Employee Assistance Program (EAP) is a free county resource that provides county employees with counseling and coaching around work related concerns and problems, including workplace stress and conflict with co-workers. EAP also provides general workplace coaching and counseling. EAP can listen, provide general advice, explain policies and options, and assist with complaints. EAP may also work to resolve complaints where appropriate. EAP endeavors to keep all matters confidential to the extent permitted by law. Use of EAP does not preclude use of the internal Council procedure.

#### **V. Remedies & Disciplinary Action**

The Council's paramount interest under this policy is to ensure a respectful, productive, inclusive, and equitable work environment for everyone. In cases where a violation of this policy may have occurred, the Council will work to first ensure the safety of anyone negatively affected and to stop any further behavior that could be a violation. The Council recognizes that workplace interactions and relationships can be complex and that misunderstandings can occur. The Council also recognizes that intentional violations require different responses than unintentional violations or misunderstandings. Where appropriate, behavior should be corrected and good behavior modeled as an example. Counseling and coaching should be considered as appropriate remedies in the case of

misunderstandings or ignorance. The remedy and disciplinary action should be commensurate with the nature of the violation, and repeated violations by the same person should be considered in determining an appropriate response. The Council does intend to penalize those persons whose violations are intentional or serious, and violations of this policy may lead to censure or discipline, up to and including discharge.

#### **VI. Appeals**

A complainant who is dissatisfied with the way his or her complaint is being handled may take his or her concerns directly to the Employment and Administration Committee or the full Council for review and further disposition. EAC shall follow the procedures set forth in the policy. The full Council may review and resolve an appeal as it directs by motion. To preserve confidentiality and to the extent permitted by law, the members shall meet in executive session.

#### **VII. Confidentiality**

Every effort will be made to treat all reports and procedures undertaken pursuant to this policy as confidential, but confidentiality cannot be guaranteed and disclosure may be required by law.

#### **VIII. Training & Distribution**

The Council's paramount interest under this policy is to ensure a respectful, productive, inclusive, and equitable work environment for everyone, and training is key.

All new employees will receive training on this policy as a distinct unit apart from any other new employee training. All employees will undergo refresher trainings on this policy at least every two years.

Supervisors shall receive training that emphasizes their specific obligations under this policy as supervisors when they become supervisors, and all supervisors shall undergo refresher training at least every two years. Supervisor training will specifically include instruction on how to handle a complaint promptly, effectively and in way that respects the vulnerability and privacy of the individual reporting the incident, the application and limitations of confidentiality, and the legal duties required of the Council as an employer.

New Councilmembers will receive a separate training on this policy that emphasizes the unique role they have as elected officials and supervisors. All Councilmembers shall undergo a refresher training on this policy that emphasizes the unique role they have as elected officials and supervisors at least every two years, and the training shall also include those elements required in training for supervisors.

In addition to covering the specifics of this policy, all trainings will include instruction on how to build a healthy and respectful workplace culture and prevent discrimination and harassment.

Copies of this policy shall be provided to all Councilmembers and employees and be posted prominently on the Council's public website, as well as council break rooms.

### **IX. Employee Expectations**

The Council intends this policy to be a call to service to promote a safe and respectful environment. Employees are expected to act professionally, courteously, and in accordance with this policy at all times. In return, employees may expect to be treated professionally, courteously, and in accordance with this policy at all times.

Nothing in this policy is intended to change the at-will status of employees, but employees shall expect the Council:

- To enforce this policy promptly and fairly;
- To allow them to participate in the process as a complainant or witness, including allowing them to directly address EAC or present evidence in any procedures relating to or affecting them;
- To inform them as to the outcome, disposition, and remedy or disciplinary action associated with any complaint or process relating to them;
- To provide training, coaching, and counseling that promotes a respectful workplace and helps them resolve workplace conflict; and
- To enable them to act in good faith under this policy without fear of retaliation of any kind.

Employees may use the procedures set forth in this policy or use other federal, state, and local procedures such as those of the federal Equal Employment Opportunity Commission, the state Human Rights Commission, or the county Office of Civil Rights. Use of an external process or procedure does not preclude an employee's use of the internal process or procedure.

### **X. Expectations of the Public**

This policy is intended to promote and maintain a respectful environment for everyone, including the general public. Members of the public should expect high standards of conduct from their elected officials and employees and may use the procedures set forth in this policy to report any potential violation of this policy. While the Council's ability to enforce and apply this policy beyond its own employees and agents may vary, the Council expects the public to treat its employees with respect and general courtesy. Council employees are not expected to endure violations of this policy or abuse from anyone, and may take appropriate steps to safeguard themselves from abuse.

## **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.

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### **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.

**2-120—Interim staff assignments.**—[11122, § F, 2001] Rescinded by 15305, § IV, 2019.

### **Chapter 3 Policies**

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

**3-101—Hiring.**—[11327, § II, 2001] Rescinded by 15305, § IX, 2019.

### **Chapter 4 Legislative Agencies**

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