**ORGANIZATION OF THE METROPOLITAN KING COUNTY COUNCIL**

**(Covering Motions through 16113)**

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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-chairs 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. On behalf of the council, the chair of the council shall not enter into a service, goods or consultant contract for more than fifty thousand dollars without first being authorized to do so by council motion. All contractors 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 15791, § I, 2021; 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 2022 and until a successor is elected, the council elects Councilmember Claudia Balducci as council chair, Councilmember Girmay Zahilay as council vice-chair of policy development and review and Councilmember Dave Upthegrove as council vice-chair of regional coordination. (Motion 16025 (part), 2022; Motion 15791, § II, 2021; Motion 15567, § I, 2020; 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 2-020 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 2-020. 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, lease or transfer of real property to or by the county; debt and investment proposals; bond issues; the office of economic and financial analysis; levies unless referred to another committee; supplemental appropriations related to the COVID-19 pandemic response; and financial policies; however, any levy proposals or bond proposals to finance projects or programs to address, mitigate or respond to climate change and its impacts must first be considered and recommendations made by the transit, economy and environment committee\* and must be considered and recommendations made by the budget and fiscal management committee.

 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. **Committee of the whole.** The committee of the whole shall consider: issues of interest to the entire council, including appointments to the state legislature and 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; arts and culture and associated levies, if any; the Puget Sound Taxpayer Accountability Account; gun safety; the immigrant and refugee commission; issues related to the census; the charter review commission; homelessness, including the King County Regional Homelessness Authority; COVID-19 pandemic response, excluding supplemental appropriations; racial equity; gender equity; and other program and policy matters. The committee of the whole shall conduct town hall meetings on issues of significance.

 C. **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, the Puget Sound Emergency Radio Network, 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.

 D. **Law, justice, health and human services committee.**

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

 a. law, safety and criminal justice programs, including those related to: implementation of the charter amendments related to the duties of the sheriff's office; 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; alternatives to incarceration; combating human trafficking; hate crime prevention; and civil rights;

 b. health services provided to the community by county agencies and branches;

 c. 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;

 d. human services programs, including review of human services-related levies; and

 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. **Local services and land use committee.**

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

 a. water supply;

 b. unincorporated and rural areas;

 c. local government;

 d. permitting and zoning;

 e. county roads and bridges;

 f. levies to support county roads and bridges;

 g. emergency management;

 h. annexations;

 i. local parks and trails;

 j. housing;

 k. water and sewer district plans; and

 l. growth management including regional planning, countywide planning policies; and the Comprehensive Plan.

 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. **Transportation, economy and environment committee.**

 1. The committee shall consider and make recommendations on:

 a. transportation, including passenger ferries, regional trails and public transportation including spending plans for new revenue, if any, and fares and fare equity policies;

 b. the environment, including:

 (1) salmon recovery and barriers to recovery such as culverts;

 (2) resource lands, including agriculture, forestry and mineral resources;

 (3) energy;

 (4) water quality, including wastewater;

 (5) regional parks and open space;

 (6) climate, including levy proposals or bond proposals to finance projects or programs to address, mitigate or respond to climate change and its impacts, and the King County Strategic Climate Action Plan;

 (7) solid waste; and

 (8) surface water management; and

 c. economic development, including equity and pay disparity.

 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 16025 (part), 2022; Motion 15953, § I, 2021; Motion 15791, § III, 2021; Motion 15631, § I, 2020; Motion 15567, § III, 2020; Motion 15549, § I, 2019; 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).

\*Reviser's note: The committee name was changed to "transportation, economy and environment committee" by oral amendment during the January 11, 2022, council meeting, but this reference was not included in that amendment.

 OR 2-030. Employment and administration committee.

A. **Duties.**

 1. 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. The employment and administration committee shall consider and make recommendations on:

 a. administrative and personnel-related policies;

 b. changes to the organization chart established in the King County Legislative Branch Employee, Equipment and Facilities Policies adopted under OR 3-120;

 c. classification specifications and compensation ranges;

 d. job descriptions for all positions in the legislative branch;

 e. hiring chief officers and independent agency officers, in accordance with a hiring process established by the committee that may include forming a subcommittee to implement the hiring process. 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; and

 f. censure related to alleged violations by a councilmember of any antiharassment or discrimination policy.

 3. 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.

 4.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 A.4., "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.

 B. **Committee recommendations and actions.**

 1. Committee recommendations on matters set out in subsection A.2. of this section shall be presented to the council as a motion for its consideration.

 2. For actions authorized under subsection A.3. and 4. of this section, the chair of the employment and administration committee shall issue notice to the affected employee upon final action of the committee or council.

 C. **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.

 D. **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.

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

 1. "Administrative services staff" are those legislative branch employees assigned to communications, government relations, operations, council initiatives, municipal relations, equity & social justice and clerk blocks in the organization chart, Attachment A to Motion 15791.\*

 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, the director of council initiatives and the chief policy officer;

 4. "Independent agency officers" includes the auditor, the director of law enforcement oversight, the hearing examiner, the board of appeals and equalization and the 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 15791.\* "Legislative services staff" includes the policy analysts and legislative clerks who are assigned to support council committees. (Motion 15998, § II, 2021; Motion 15791, § IV, 2021; Motion 15567, § IV, 2020; 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 15791, which is attached to this compilation as Attachment A to Motion 15791.***

 OR 2-035. Labor policy committee. The council may go into the labor policy committee at any time. The labor policy committee shall consider matters related to labor policies and other collective bargaining process issues as may be assigned to the committee. (Motion 15549, § II, 2019).

 **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.

 Budget and fiscal management committee:

 Chair: Joe McDermott.

 Vice-chair: Dave Upthegrove.

 Committee of the whole:

 Chair: Jeanne- Kohl-Welles.

 Vice-chair: Reagan Dunn.

 Employment and administration committee:

 Chair: Claudia Balducci.

 Vice-chair: Girmay Zahilay.

 Government accountability and oversight committee:

 Chair: Pete von Reichbauer.

 Vice-chair: Jeanne Kohl-Welles.

 Law, justice, health and human services committee:

 Chair: Girmay Zahilay.

 Vice-chair: Jeanne Kohl-Welles.

 Local services and land use committee:

 Chair: Sarah Perry.

 Vice-chair: Claudia Balducci.

 Transportation, economy and environment committee:

 Chair: Rod Dembowski.

 Vic-Chair: Pete von Reichbauer.

 Regional policy committee:

 Chair: Pete von Reichbauer.

 Regional transit committee:

 Chair: Dave Upthegrove.

 Regional water quality committee:

 Chair: Reagan Dunn.

(Motion 16025 (part), 2022; Motion 15953, § II, 2021; Motion 15567, § V, 2020; 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: Claudia Balducci, Rod Dembowski, Jeanne Kohl-Welles, Sarah Perry, Girmay Zahilay.

 Committee of the whole:

Members: All councilmembers.

Employment and administration committee:

Members: All councilmembers.

Government accountability and oversight committee:

 Members: Claudia Balducci, Reagan Dunn, Joe McDermott.

 Law, justice, health and human services committee:

 Members: Claudia Balducci, Rod Dembowski, Reagan Dunn, Sarah

 Perry.

 Local services and land use committee:

 Members: Reagan Dunn, Joe McDermott, Girmay Zahilay.

 Transportation, economy and environment committee:

 Members: Claudia Balducci, Jeanne Kohl-Welles, Joe McDermott,

 Sarah Perry, Dave Upthegrove, Girmay Zahilay.

 Regional policy committee:

 Members: Claudia Balducci, Rod Dembowski.

 Alternate: Jeanne Kohl-Welles

Regional transit committee:

Members: Joe McDermott, Girmay Zahilay.

 Alternate: Claudia Balducci.

Regional water quality committee:

Members: Sarah Perry, Dave Upthegrove.

 Alternate:

(Motion 16025 (part), 2022; Motion 15953, § III, 2021; Motion 15791, § V, 2021; Motion 15567, § VI, 2020; 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 3-010. 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, 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. A councilmember is authorized to execute a contract for services, goods or consulting:

 1. That is awarded following any procurement process in K.C.C. chapter 2.93;

 2. Payment for which will be made with moneys from either the councilmember's district account or district support and constituent services account, or both; and

 3. That does not exceed fifty thousand dollars.

 G. 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 15791, § VI, 2021; 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. **Organization chart.** The legislative branch shall be organized in accordance with the organization chart, Attachment A to Motion 15791.\* The chief of staff shall prepare and file with the clerk of the council a revised organization chart to replace Attachment A to Motion 15791\* 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 15791,\* 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. (Motion 15791, § VII, 2021; Motion 15567, § VII, 2020; 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 12492, § VIII, 2007; Motion 11372, § IV, 2002; Motion 10651, § VII, 1999).

***\*Reviser's note: The organization chart is Attachment A to Motion 15791, which is attached to this compilation as Attachment A to Motion 15791.***

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

 **OR 3-120. King County Legislative Employee, Equipment and Facilities Policies.** The King County Legislative Branch Employee, Equipment and Facilities Policies Updated May 3, 2022, Version 2, Attachment A to Motion 16113\*, are hereby adopted. (Motion 16113, § I, 2022; Motion 16025 (part), 2022; Motion 15998, § I, 2021).

***\*Reviser's note: The King County Legislative Branch Employee, Equipment and Facilities Policies are Attachment A to Motion 16113, which is attached to this compilation as Attachment A to Motion 16113.***

**King County**

**Legislative Branch**

**Employee, Equipment,**

**and Facilities**

**Policies**

**Updated May 3, 2022, Version 2**

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Introduction

At the King County Legislative Branch we pride ourselves on being a great place to work. We are committed to maintaining a professional, safe, and respectful workplace for all our employees and the public. Employees can take pride in serving the more than two million residents of King County and making our community a better place for everyone. We are an inclusive organization that supports and values its employees. We are dedicated to promoting equity, fairness, justice and opportunity for all and support a diverse work group. We strive to remove barriers that limit the ability of people to fulfill their potential. The work of the Legislative Branch can be intense, but we recognize that succeeding at work should not diminish your ability to have a healthy personal life.

At the Legislative Branch, we expect employees to be open minded and willing to try new things with a positive attitude. The Legislative Branch is a fast-paced environment, requiring flexibility and the ability to adapt as situations evolve. Finally, employees should have a willingness to learn and grow as they strive for excellence.

The policies in this manual are intended to be easy to read and serve as a resource for employees and managers by providing clear guidance on a variety of personnel topics. These policies apply to all Councilmembers, Council and Independent Agency employees, agents, contractors, and participants in Legislative Branch work, except when specified otherwise.

These policies are intended to supplement applicable federal, state, and local law. They provide additional remedies and procedures and do not replace any other legal remedies or processes available. Nothing in this document alters the at-will status of employees of the Legislative Branch. For employees covered by an approved labor agreement, that labor agreement language and its procedures remain controlling.

Definitions

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

Central Staff – Includes all employees of the Council (excluding the Independent Agency staff) who are not district staff working directly for an individual Councilmember.

**Chief Officer** - Council Chief of Staff and Chief Legal Counsel.

Compensatory Time - Compensatory time, also known as Comp Time, is a leave available only to hourly employees to compensate for working more than their scheduled hours in one work week. Compensatory time is a voluntary alternative to Overtime.

District Staff - The staff who work directly for an individual Councilmember.

**Employment and Administration Committee (EAC)** – A committee of the Council tasked with overseeing employment and administrative matters for the Legislative Branch, such as approving job descriptions, establishing personnel policies, hiring chief officers and independent agency heads, and hearing appeals for disciplinary matters.

Hourly Employee - Hourly employees (also referred to as “overtime eligible employees") are those employees who, under the provisions of the Minimum Wage Act (MWA), must be paid (or given agreed upon compensatory time off in lieu of overtime pay) for all hours that they are required or permitted to work. Hourly employees are also entitled to overtime pay for all hours worked over 35/40 in a workweek. Hourly employees are required to complete and submit a time sheet for each pay period. The County uses the PeopleSoft system to track and record time.

Independent Agency Officers - The Hearings Examiner, Ombuds/Tax Advisor Office Director, County Auditor, Board of Appeals and Equalization Clerk, and Office of Law Enforcement Oversight Director.

**Independent Agency Staff** – Staff reporting to independent agency officers.

Intern - An employee who is gaining supervised practical experience within the Legislative Branch and may also be enrolled full-time during the regular school year in a program of education or a veteran.

Managers & Directors - Managers and directors as set per the Organization Chart adopted with the Organization Motion.

Overtime - Overtime is the hours worked in addition to those of the regular schedule and is available only to hourly employees. Any hours worked beyond 40 will be paid the basis of time and one-half.

Salaried Employee - Salaried employees (referred to as “exempt” employees) are those employees in executive, administrative or professional positions who are exempt from the provisions of the MWA. Salaried employees are expected to work the necessary time to meet established deadlines and respond quickly to emerging issues. This means that during periods of high demand, salaried employees may work well in excess of the regular workweek without additional compensation. Salaried employees, however, have more flexibility to structure their workdays and are not required to take deductions from pay or use leave for absences of less than one day.

Supervisor - A supervisor is the person directly overseeing the day-to-day work of employees.

**Telecommuting** - An arrangement where an employee works one or more days each workweek from a remote location, usually the employee’s home, instead of commuting to a predetermined assigned county worksite. King County uses the terms “telecommute” and “telework” interchangeably. The Council also uses the term “hybrid” to mean an arrangement where employees are in their County-provided offices some of the time and teleworking some of the time.

King County Legislative Branch Code of Conduct

**Audience:** This Code of Conduct applies to “WE”: all Councilmembers, district staff, central staff, interns, independent agency officers, independent agency staff, agents, contractors, and participants of the Legislative Branch and its activities.

**Moral Compass:** *“Whatever affects one directly, affects all indirectly."*

*~Reverend Dr. Martin Luther King, Jr*

**Values:** We are dedicated to having a culture that sustains and serves both us and those who come after us, and to achieve the goal of serving the residents of King County by holding the following values:

**P**rofessional development and positive encouragement.

**E**quitable treatment regardless of status or position.

**A**wareness of the individual and their life and work circumstances.

**C**ommunication and action guided by understanding privilege and power.

**E**ffort to practice empathy.

**Our Responsibility to Each Other:**

1. We strive to recognize our biases and embrace and celebrate diversity of different backgrounds, workstyles, personalities, ideas, approaches, and solutions.
2. We value everyone’s time and are dedicated to being proactive and communicating in a timely manner on assignments and requests.
3. We facilitate an environment and space that create opportunities, promote openness, and provide access for staff’s professional journey.
4. We recognize and value all individual work contributions.
5. We strive to communicate with each other with recognition of differences in privilege and power and understanding their impact with each situation.
6. We are mindful of physical, mental, and emotional health, including non-visible disabilities, of each individual.
7. We embrace opportunities to learn from mistakes and allow room for growth and reevaluation.
8. We pursue thoughtful resolutions through curiosity, mindfulness, and patience.
9. We conduct ourselves with self‐awareness and professionalism at all times.
10. We celebrate excellence and reward successes and accomplishments.
11. We treat others with respect, dignity, and civility.
12. We provide constructive feedback.
13. We are active listeners.

**Addressing Concerns in the Workplace:** Contact Legislative Branch Human Resources Manager.

**Acknowledgement:**

I \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, have read, understood, and will uphold the King County Legislative Branch Code of Conduct as a member of the legislative body.

Sign: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Employee Policies

Recruitment, Staffing, Hiring, & Discipline

Except as otherwise provided in the King County Code or an approved labor agreement, the following policies apply to recruitment, staffing, hiring, and discipline:

**Employee recruitment.** When beginning a hiring process, chief officers and independent agency officers shall consult with the Council chair and vice chairs before beginning recruitment of vacated or newly created positions and establish hiring processes for each vacancy and newly-created position. For positions that report directly to the chief officers as set forth in the Organizational Motion, interview panels shall include at least two representatives from district staff.

**Hiring decisions.** When implementing hiring decisions, chief officers shall consult with the Council chair and vice chairs about the hiring decision before extending an offer of employment for any position that reports directly to that chief officer, as set forth in the Organizational Motion. For all other hires, chief officers and independent agency officer may make hiring decisions and may extend an offer of employment to any person who has been selected through a full recruitment process or who has applied for a legislative branch position in the prior six months for a current vacancy without undertaking a full recruitment process. Officers and independent agency officers may also 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.

**Staffing assignments, reclassifications, scheduling, and leave.** Employee-related decisions shall be implemented as follows for the following circumstances:

1. **Reclassifications.** Chief officers and independent agency officers shall make decisions regarding reclassification, promotion to a higher step within the same classification and range, or withholding of a step increase for legislative branch employees who report to the respective chief officer or independent agency officer.
2. **Work schedule decisions.** Day-to-day work schedule decisions shall be made by direct supervisors, managers and their directors or officers. The chief officer and independent agency officer may increase or decrease the full-time-equivalent level of an employee 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 officer and independent agency officer may approve the temporary adjustment and then inform the employment and administration committee at the next regularly scheduled meeting of the committee; and
3. **Leave carryover decisions.** The chief officers 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.

**Performance evaluations**. Chief officers and independent agency officers shall ensure that employees who report to each respectively are evaluated annually for their performance in achieving job duties and goals. In order to allow sufficient time for processing any performance related pay actions, evaluations should be completed by September 30th of each year and shall reflect the 12 months prior to the date of the evaluation. More frequent performance evaluations may be conducted as determined by managers.

Evaluations should incorporate and augment, not substitute for, regular employee feedback regarding work performance and standards of conduct. These evaluations shall be maintained in employee personnel files. Employee performance evaluations shall be an element of a comprehensive approach to employee performance that also includes employee development. Evaluations may be considered in determining compensation, promotions and discipline. To promote professional development and employee growth, the evaluation should include performance or work-related goals.

**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 who 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 officers 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 employment and administration 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; and
8. A written disciplinary action may not be issued before review by Council’s legal counsel or the civil division of the office of the prosecuting attorney. For the purpose of this section, "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.

Settlement Agreements

The Chair of the Council, in consultation with the Employment and Administration Committee, may approve a settlement agreement with a current or former employee in accordance with County risk management code.

Work Schedules

The King County Council follows traditional work hours, Monday through Friday, with the full Council and committees meeting as defined in the Council’s adopted rules.

Managers will work with employees to set regular schedules that best meet the needs of the public, the Council, the workgroup, colleagues, and the employee. Managers and employees may vary schedules occasionally as agreed upon in advance. In those cases where an employee is teleworking, the schedule will reflect that arrangement. Schedules will conform to applicable labor agreements.

Work Location & Telework

The regular work location for Legislative Branch employees is the King County worksite designated for each employee by their chief officer or independent agency head (see policy under “Equipment and Facilities,” below). Employees may arrange to work remotely through telework.

The Council recognizes telework as a means of retaining productivity while:

* Promoting the health, safety, and wellbeing of its employees;
* Attracting and retaining a diverse and talented work force that reflects our community;
* Reducing operational costs without sacrificing quality of service or employee productivity; and
* Reducing its carbon footprint.

The Council supports telecommuting as a work arrangement that strengthens the resiliency of our workforce and connectivity to the public. At the same time, because of the breadth and depth of the Legislative Branch services and responsibilities, telecommuting levels may vary across work groups.

Councilmembers will establish teleworking rules and practices for the district staff who report directly to them. For all other Legislative Branch staff, the following rules apply.

**In order to telecommute**, an employee must first agree on a telework schedule with their manager that ensures the employee will be able to meet the requirements of their job. This will set the days and times when the employee will be at their Legislative Branch workspace and when the employee will be teleworking from another site. This schedule must be set forth in writing and available to co-workers so that they know the best way to reach you.

**Employees must** maintain a high level of public service and balance the expectation of productive work with personal or household responsibilities during the telecommuting workday. Employees are expected to maintain a workspace with an internet connection where they can reliably perform work and remain available and responsive during scheduled work hours. Any County-provided equipment needs to be kept secure and used only for County business. Employees must assure that their workspace allows them to preserve confidentiality as appropriate. All public records requirements remain in force regardless of the worksite or equipment used for County business.

**Directors are responsible for ensuring that all departments** have on-site coverage available as necessary.

**The Council recognizes the value of in-person and on-site meetings and interactions,** especially for collegiality and morale. To be approved, telework plans must include regular days when the employee will be on-site at their workspace. The Council also recognizes that the Legislative Branch has specific and unique needs and timelines for completing its work and complying with meeting guidelines.

Occasional Remote Work Location (one-time or temporarily)

If an employee wishes to work remotely for a limited time period that is not regular or recurring, they may do so with prior written authorization of their director. Requests for authorization to work remotely on an occasional basis must be made via email to an employee's manager and approved prior to working remotely. The request must clearly state the dates requested. If approved, notice shall be provided to the employee via email by the employee's manager.

**General Remote Work Provisions**

In all cases where an employee works from a location other than their Legislative Branch-provided workspace, the following conditions must be met and maintained:

1. An employee's director may suspend or alter an authorization to work remotely for performance or other reasons.
2. All remote work schedules and conditions must comply with applicable labor agreements.

Wage and Salary Administration

Except as otherwise provided, eligible Legislative Branch employees will automatically receive a step increase to the next higher step in their assigned salary range on January 1st of each year.

Eligibility Notes

* To be eligible for a step increase on January 1st, employees must be employed in their current classification range and step before October 1st of the prior year.
* Councilmembers, district staff, and term-limited temporary staff as well as contract, temporary and interns are not eligible for automatic step increases.
* Employees who are at the top step of their salary range are not eligible to receive an additional step increase.
* A step increase may be withheld by chief officers, directors, independent agency officers, or as a discipline action by the Employment and Administration Committee.

Employee Resource Groups

Employee Resource Groups (ERGs), also known as Affinity Groups, are voluntary, employee-led groups that actively provide mutual support and work to address racism and other forms of oppression. They are a vital component of the Legislative Branch that connect employees with each other.

The Legislative Branch is committed to supporting the growth and development of all ERGs. All Legislative Branch employees, from line staff to directors, may choose to participate in an ERG. Legislative Branch ERGs are formed around protected classes or common interests and are a tool for employees to build fellowship, leadership opportunities, and an inclusive environment where all are valued, included and empowered to succeed.

**Establishing a formal employee resource group**

The success of an Employee Resource Group most often depends on a small nucleus of dedicated and interested employees. It takes commitment from these individuals to ensure the group organizes itself in such a way as to guarantee continuity. If an ERG would like to receive support from the Equity & Social Justice section, or other Legislative Branch resources, it must establish itself formally by:

1. Establishing a group of at least three (3) employees interested in joining the ERG. Not all three employees need to be named, if they select a single point of contact with the ESJ section.
2. Notifying the Equity & Social Justice Director and reviewing the guidelines for formal ERGs established by the ESJ Director.
3. Preparing a mission statement for the ERG, as well as the goals of the group.
4. Establishing the process for selection of a lead or co-leads of the group.

**Employee Resource Group Operating Principles**

1. ERG participants must be employed by the Legislative Branch. Legislative Branch employees may also join an agency or Executive Branch ERG in accord with the rules of those groups.
2. Membership in an ERG is entirely voluntary and open to all in the category that is the focus of the ERG.
3. The formation of the ERG must rely on volunteers and efforts must stem from a grassroots nature. No one may pressure any employee into joining.
4. Meetings may be held before or after work and during the workday.
5. ERGs are encouraged to collaborate to the maximum extent feasible to facilitate understanding among ERGs and to maximize resources for the benefit of each group.
6. ERGs should be a safe space and ERGs should establish an expectation that conversations are expected to remain confidential, unless the members otherwise agree explicitly. However, public records act rules apply to all written communications among ERG members using County resources.
7. Members of the Council’s Equity and Social Justice section may attend ERG meetings only if invited by the ERG’s lead or co-leads and will do so in their official capacity. They may share what they hear and discuss with Legislative Branch leadership as appropriate, such as if there is a violation of personnel policies, keeping in mind the purpose of ERGs and the need for safe spaces and candid discussion within the group.
8. Activities of ERGs and ERG members must comport with the Legislative Branch’s personnel policies.

**The role of the Council’s Equity and Social Justice Section in ERGs**

The ESJ section shall provide support to formally established ERGs, including:

* Establish guidelines to use as a resource.
* Technical assistance.
* Coordinate and convene ERG representatives as needed and provide consultation on advancing the County’s Equity and Social Justice goals.
* Facilitate connections among ERGs within the Legislative Branch and in other organizations to support ERG success.
* Support and/or facilitate ERG activities, including but not limited to hosting Legislative Branch wide educational events and trainings.
* Attend meetings as requested by lead.

**Compliance with Policies & Laws**

Employee Resource Groups must comply with all applicable policies and laws. In the event that an ERG is not in compliance, the Council may deny the Employee Resource Group any and all benefits of affiliation.

Employee Assistance Resources

King County provides a variety of resources to help employees understand their benefits, navigate difficult situations, and plan for their financial future through the Balanced You program. In particular, the Employee Assistance Program (EAP) and Making Life Easier Program (MLE) are resources always available to you.

Generally, the EAP helps with work-related problems, such as workplace stress and co-worker conflict. This program provides coaching and consulting to employees on a confidential basis.

The MLE program generally provides help with problems that are not directly work-related, such as personal counseling, child and adult/elder care services, and legal and financial service. The MLE is available to help any eligible employees along with anyone else who lives in the same house as an eligible King County employee.

Leave

Employees may earn and use a variety of leave. Most leave balances and forms can be found by logging into PeopleSoft with your account.

Regular Leave

King County provides a variety of regular leave benefits as described in K.C.C. chapter 3.12, including:

1. Vacation leave as described in K.C.C. 3.12.190;
2. Sick leave and time off for medical and family reasons as described in K.C.C. 3.12.220;
3. Bereavement leave as described in K.C.C. 3.12.210; and
4. A variety of other leaves described in K.C.C. 3.12.

Supplemental/Executive Leave

1. Supplemental leave is a leave available only for salaried employees in those limited or special cases when their job responsibilities require them to work substantially in excess of a standard work week. Supplemental leave is not intended to compensate salaried employees for extra hours worked.
2. Salaried employees may be eligible to receive a maximum of ten days of supplemental leave per calendar year.
3. Requests for supplemental leave shall be submitted in writing and include the number of requested days, and a description of the work performed and factors contributing to it being substantially in excess of standard work.
4. Supplemental Leave may only be authorized as follows:
	1. By the Chair of the Council for the chief officers and independent agency officers;
	2. By the appropriate chief officer for central and independent agency staff; and
	3. By the appropriate Councilmember for district staff.
5. Supplemental leave shall be available for use immediately upon award and must be used within the calendar year. Supplemental leave may not be rolled over beyond December 31 of the calendar year in which the award was made.
6. Awards of supplemental leave may be used for any reason.
7. Supplemental leave has no cash out value and may not be transferred or donated. Additionally, supplemental leave must be used or forfeited prior to separation from employment or transfer to another agency, office or branch of King County government.

**Donated Leave**

In certain circumstances, it may be possible for employees to use donated leave to cover a hardship when their own available leave is insufficient. Depending on circumstances, it may be possible to receive either sick or vacation leave as a donation.

**If you wish to receive donated leave**, please be aware that there are some limitations. First, you must exhaust your own accrued sick leave before using any donated sick leave and/or exhaust your own accrued vacation leave before using any donated vacation leave.

**If you wish to donate leave**, please be aware that there are some limitations. You must have a sick leave balance over 100 hours to donate sick leave, and you may donate only your hours in excess of 100 (up to a maximum of 25 sick leave hours once in a calendar year). You may donate any amount of vacation leave as long as it does not cause the recipient to exceed the applicable maximum vacation accrual cap at any time during the year.

**In all cases**:

* Donations are strictly voluntary. Employees are prohibited from soliciting, offering or receiving monetary or any other compensation or benefits in exchange for donated leave.
* Donations must be approved by both the donor’s and recipient’s managers.
* A donation is permanent. Once received, donated leave remains with the recipient (no reversion). Donated hours remaining after separation, retirement or death of the recipient will expire and not be returned to the original donors.
* Leave received from donations cannot be donated to another employee.
* To calculate the value of leave across different pay scales, donations are converted to a dollar value based upon hourly earnings which is then converted to hours and further converted using the recipient’s regular hourly rate.
* Donated leave cannot be cashed out for any reason (not for termination, separation or retirement).

**As part of the Employee Giving Program**, employees can donate vacation and compensatory hours to non-profit organizations (there is a minimum of four hours and a maximum of 40 hours per calendar year).

Overtime and Compensatory Time

The King County Council encourages supervisors to take steps to ensure that hourly employees do not work outside their regularly scheduled work hours without authorization and compensation for the additional time worked. However, supervisors may require any of their employees to temporarily perform service in excess of the regular workweek or workday when necessary.

When hourly employees are needed to perform work in excess of their regular workweek or workday, the hourly employee may receive authorization from their supervisor to adjust their regular schedule to compensate for a longer day or be authorized Overtime or Compensatory Time.

Accrual of Compensatory Time or Overtime

1. All hours worked in excess of the regular 35-hour work week must be authorized in advance by an employee’s supervisor.
2. An employee is not required to accept compensatory time in lieu of overtime pay unless the employee agrees in writing (via email) to this arrangement before the employee performs the overtime work.
3. Approval of a request to work overtime or to accrue compensatory time in lieu of overtime pay is at the discretion of the employee’s supervisor.
4. If compensatory time is requested, it will accrue at the rate of straight time for hours worked beyond 35 in a work week, and at time and one-half for all hours worked beyond 40 in a work week.
5. Pay for work beyond an employee’s 35-hour work week will be at the straight time hourly pay rate until the employee has actually worked 40 hours in a work week.

Use of Compensatory Time

1. Compensatory time may not be used before it is accrued.
2. Employees must complete a “Request for Absence” form and obtain their immediate supervisor’s approval prior to using any accumulated compensatory time.
3. Accrued compensatory time may be used for any reason through an employee's normal "request for absence" process.
4. An employee’s accrued compensatory time balance may not exceed 70 hours at any time. Requests that would result in an accrual in excess of 70 hours shall be converted to overtime pay.
5. Compensatory time must be used during the calendar year in which it is accrued unless this is not feasible due to work demands.
	1. The chief officers, as appropriate, may approve the carryover of a maximum of 35 hours of accrued compensatory time.
	2. Compensatory hours that have been carried over must be used within the first quarter of the new calendar year.
	3. Employees will be paid on the final paycheck in December for all accrued compensatory time not carried over.
	4. Employees are encouraged to use their compensatory time to provide time away from the workplace. Pay for unused hours should occur only in limited cases.
6. Employees will be paid for all hours of accrued compensatory time upon separation from employment or transfer to another county department.
7. All pay for accrued compensatory time will be at the employee’s regular hourly pay rate in effect at the time of payment.

Professional Development

The Legislative Branch recognizes the importance of employee professional development by encouraging and supporting employee participation in job-related training and professional development.

Subject to available resources and authorization by an employee's director, eligible job-related training and professional development may include:

* Professional Association dues, trainings and conferences;
* Courses and training developed, coordinated and/or administered by King County's Employee Learning and Development;
* Courses and trainings opportunities provided by vendors, institutions or trainers outside of King County's system;
* Continuing education in order to sustain a degree or designation necessary to an employee's job (e.g., Continuing Legal Education); and
* Other training authorized by an employee's manager.

The Legislative Branch is also committed to providing regular trainings on matters that affect all employees, including but not limited to:

* Ethics;
* Open public meetings;
* Public records retention and production;
* Equity and Social Justice; and
* Respectful workplace, including Policies and Procedures Against Harassment and Discrimination (when employees start and for all employees at least every two years).

The Legislative Branch Human Resources Manager, in consultation with other managers, chief officers, independent agency officers, and the Chair of the Council, shall develop a comprehensive training program on topical and recurrent issues, ensuring that employees are trained regularly on essential matters.

Temporary Assignment Outside of Job Classification

A Legislative Branch employee may be eligible for additional compensation when assigned to fill a position on a temporary basis or perform duties expected of a higher classification.

An employee in the Legislative Branch is eligible for additional compensation for the duration of a temporary assignment if:

* The employee is assigned to a classification with a higher pay range and performs a majority of the duties of the higher job classification; or is assigned significant duties that are optional duties within their current classification, and
* The duration of the temporary assignment is at least one month.

Authorization for temporary assignments and additional compensation may be authorized as follows:

* The Chair of the Council and the Employment and Administration Committee for the Chief Officers and Independent Agency heads.
* The Chief Officers and Independent Agency heads for employees under their respective supervision.

When the temporary assignment begins and ends, the appropriate authority shall provide written notification to the Human Resources Manager and the employee.

The appropriate authority may revoke the temporary assignment and additional compensation at any time if the employee is not performing the duties satisfactorily.

Exit Interview

It shall be the policy of the Legislative Branch to conduct exit interviews to identify reasons employees leave and identify opportunities to improve as an employer.

Managers shall conduct exit interviews for their respective employees as soon as possible after receiving notification of an employee's decision to leave. The exit interview will be structured around the Legislative Branch's Exit Interview Questionnaire (as maintained by the Human Resources Manager).

Any issues raised within the exit interview that may require action beyond the authority of the manager will be reported to the appropriate chief officer or independent agency head and the Chair of the Employment and Administration Committee.

This policy does not apply to district staff.

Interns

The Legislative Branch encourages the development of students and veterans through the hiring of interns to achieve Legislative Branch operational needs.

* The hiring of interns is a decision to be made by managers, in consultation with the chief of staff or independent agency head based on operational need, appropriation authority and availability of resources (office space, computers, equipment and management support).
* Rates of pay shall be based on the job duties and at least Washington State minimum wage.
* Interns anticipated to work more than an average of 30 hours per week are eligible for benefits as required by the Affordable Care Act.

Lactation Accommodation

The Legislative Branch provides a reasonable amount of time as frequently as needed for nursing mothers to express breast milk or breastfeed their infants.

* Managers and supervisors shall provide an employee a reasonable amount of time, as frequently as needed, to express milk or breastfeed their infants during the workday. The frequency and duration of the breaks and the duration may vary.
* Hourly employees may use their paid break periods or accrued leave for time needed to express milk or breastfeed their infants during the workday; employees will not be paid for time during any additional breaks beyond State law prescribed paid break periods.
* Nursing mothers may request an adjusted work schedule, subject to approval by their manager or supervisor, to address their individual needs, *e.g*., the meal break may be temporarily modified or the beginning and/or ending of the work day may be temporarily adjusted.
* As necessary, employees may work with their manager or the Human Resources Manager to determine an appropriate private space to use for this accommodation.

Media Contacts

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 and consult with communications staff. Independent agencies may consult with Councilmembers, Council staff, and legal counsel as appropriate.

Travel

Except as otherwise noted for Councilmembers, the Legislative Branch uses the county-wide travel policies and systems adopted by the Executive. They may be found [here](https://kingcounty.gov/about/policies/aep/personnelaep/per1713aep.aspx).

Ethics

**A. General Familiarity & Compliance with County Ethics Code.**

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 appropriate chief officer or independent agency head, or shall seek an advisory opinion from the board of ethics.

**B. Conflict of Interest.**

Very generally, a conflict of interest occurs when an employee has a personal or financial interest in any matter in which that employee participates or has job responsibilities as a county employee. These interests could influence, or appear to influence, an employee’s professional judgment and affect official decision-making. Common conflicts of interest include, but are not limited to:

* Seeking or receiving economic gain for personal or family use through access to privileged information or official position;
* Possessing a financial interest in a firm or organization that does business or seeks to do business with the County and not disclosing that interest to your supervisor or appointing authority;
* Participating in or seeking to influence the selection of persons, firms, or organizations doing business with the County when having a financial interest in the outcome;
* Entering into a business relationship outside county government with any employee for whom an employee has supervisory responsibility, or with someone an employee deals within an official capacity as a county employee.
* An employee working with or hiring family members in some circumstances presents a conflict of interest. It is generally permissible for two relatives to work in the same department, agency or division, as long as there are no business or job-related conflicts of interest. It is not permissible for one relative to supervise or make employment-related decisions about the other relative.

To determine if a conflict of interest exists or for any questions, consult the [County’s Ethics Manual](https://kingcounty.gov/~/media/depts/risk-management/documents/code-of-ethics-summary.ashx?la=en), or consult with a supervisor or legal counsel for guidance.

**C. Central Staff Obligations.**

**1. Undue Influence on Legislation.** Central staff shall not seek to influence the passage or rejection of any matter under consideration by the Council or any committee of the Council.

**2. Objectivity.** 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. Staff of the legislative branch and Councilmembers shall not seek to unduly influence or restrict objective and impartial legislative, policy, fiscal or program analysis by administrative or legislative services staff.

**3. Confidentiality.** Councilmembers directly or via their district staff may request central staff to perform work and keep the nature of the work confidential. The work may be shared with legal counsel, the appropriate director, the chief of staff, the clerk and the code reviser. Central staff shall apprise the appropriate director of the requested work and time required to perform it. Central staff, directors, legal counsel and the chief of staff must maintain the confidential nature of any request unless otherwise instructed.

Sexual Harassment & Discrimination Policy

**POLICIES AND PROCEDURES AGAINST HARASSMENT AND DISCRIMINATION**

**I. General Policy**

The Legislative Branch is committed to providing a respectful, productive, inclusive, and equitable work environment for everyone. The Legislative Branch 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;
* Prohibits sexual harassment; and
* Prohibits 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 Legislative Branch. Additionally, anyone meeting with or appearing before the Council or Legislative Branch agency, or attending any Council or Legislative Branch event, is expected to comply with this policy. 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. Likewise, the Council expects the public to treat its employees with respect and general courtesy.

This policy is intended to promote and maintain an environment that is free of discrimination, harassment, and retaliation for everyone, including the general public. The Council retains the authority to discipline or take appropriate corrective action for any conduct that is deemed unacceptable or inappropriate, regardless of whether the conduct rises to the level of unlawful discrimination, harassment, or retaliation.

This policy is supplemental to other procedures available under federal, state, and local laws.

**Employment**

The Council will recruit, hire, train, and promote individuals without regard to race, color, creed, religion, national origin, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, disability, or veteran status and based upon their qualifications and ability to do the job. Except as required by law, all personnel-related decisions or provisions such as compensation, benefits, layoffs, return from layoff, County-sponsored training, education, tuition assistance, and social and recreational programs will be administered without regard to race, color, creed, religion, national origin, citizenship, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, disability, or veteran status.

**Nondiscrimination**

Except as otherwise required or set by law:

1. Councilmembers, central staff, and independent agencies will conduct the business of the Council without regard to race, color, creed, religion, national origin, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, disability, or veteran status, and
2. The Council will make its programs, services, and facilities available only to organizations or government agencies that assure the Council that they do not discriminate against any person because of race, color, creed, religion, national origin, sex, pregnancy, age, marital status, sexual orientation, gender identity or expression, disability, or veteran status.

**III. Definitions & Examples**

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

1. “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.
2. “Discrete Adverse Employment Action” means, in the case of discrimination, an action that substantially affects the terms, conditions, or privileges of employment. It includes discipline, discharge, layoff, and a failure to hire or promote.
3. “Discrimination” occurs when an employer takes a discrete adverse employment action against an employee, and the employee’s protected status was a substantial factor in the employer’s decision.
4. “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:
5. The conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment or interferes with a person’s performance;
6. Enduring the conduct becomes, either explicitly or implicitly, a condition of continued employment; or
7. The conduct otherwise unreasonably affects an individual's employment opportunities.
8. “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.

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

**IV. Expectations, Reporting, & Duties**

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. Employees may expect to be treated professionally, courteously, and in accordance with this policy at all times. Supervisors, including Councilmembers, are expected to model appropriate behavior and strive to cultivate and maintain a work environment that is free from discrimination, harassment, sexual harassment, inappropriate conduct, and retaliation.

Nothing in this policy is intended to change the at-will status of employees, but employees may expect the Legislative Branch to:

* Enforce this policy promptly and fairly;
* Allow them to participate in the process as a complainant or witness, including directly addressing the Employment and Administration Committee or presenting evidence in any procedures relating to or affecting them;
* Inform them as to the outcome, disposition, and remedy or disciplinary action associated with any complaint or process relating to them;
* Provide training, coaching, and counseling that promotes a respectful workplace and helps them resolve workplace conflict; and
* Empower them to act in good faith under this policy without fear of retaliation of any kind.

This policy is intended to promote and maintain a respectful environment for everyone, including the general public. Anyone may file a complaint or make a report of possible violations of this policy using the 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. 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.

**If a** **Legislative Branch employee, contractor, or agent** believes that they have been the subject of inappropriate, discriminatory or harassing conduct based on a protected status, or that they have been subjected to retaliation for reporting such conduct, they should report the conduct either verbally or in writing to their supervisor, the Chief of Staff, the Human Resources Manager, or their Independent Agency Director (if applicable).

If an employee is concerned that they or another King County Council employee has been subjected to treatment in violation of this policy and the employee wants to have a confidential discussion about their concerns, they may contact the Employee Assistance Program at 206-477-0631 or 206-477-0632, or Making Life Easier at 1-888-874-7290. These resources offer comprehensive programs and services that help King County employees, and their families to be healthy and safe.

**Supervisors, including Councilmembers, must take action** if they observe or learn of possible violations of this policy or receive a complaint or concern from an employee regarding such allegations. They must promptly report the potential violation to the Chief of Staff or the Human Resources Manager or, if they are the subject of the potential violation, to the Chair or a Vice Chair of EAC. Supervisors who fail to comply with this duty may be subject to censure or discipline, up to and including discharge.

**Members of the public or those not employed by the legislative branch** are not expected to know the internal supervisory structure of the Legislative Branch, and they may report any potential violation of this policy to any Councilmember or employee of the Legislative Branch, who shall then report that potential violation to the Chief of Staff or the Human Resources Manager (or, if they are the subject of the potential violation, to the Chair or a Vice Chair of EAC) for further action pursuant to this policy.

**V. Procedures**

The Council’s paramount interest under this policy is to ensure a respectful, productive, inclusive, and equitable work environment for everyone. Discrimination, harassment, retaliation, and inappropriate conduct based on a protected status undermine the integrity of the employment relationship, are unacceptable, and will not be tolerated at the Legislative Branch. Anyone may file a complaint or make a report of possible violations of this policy using 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.

1. **Roles**

Except as otherwise specifically noted or in the case of a conflict of interest (such as one of them being the subject of a complaint), the Chief of Staff and the Human Resources Manager shall work together to make initial determinations, report to the Council Chair, EAC and the Council, conduct investigations, implement dispositions, document actions, and carry out other duties associated with this policy or as directed by EAC or the Council. Except in the case of a conflict of interest (such as the Chief Legal Counsel being the subject of a complaint), the Chief Legal Counsel shall advise the Chief of Staff, the Human Resources Manager, EAC, the Council, and others acting pursuant to this policy. In those cases where the conduct involves an employee of an Independent Agency, the Independent Agency Director shall be briefed and consulted throughout this process unless the Director has a conflict of interest (such as being the subject of a complaint).

1. **Initial Determination: Informal Resolution v. Formal Investigation**

Once a report of an alleged violation is received by the Chief of Staff or the Human Resources Manager, then the Chief of Staff and the Human Resources Manager shall, with advice from the Chief Legal Counsel as appropriate, promptly determine whether the complaint or concern can be addressed without formal investigation and referral to EAC, or whether it instead requires formal investigation and referral to EAC. In the case of a conflict of interest involving the Chief of Staff or the Human Resources Manager, this initial determination shall be made by the Chair or a Vice Chair of EAC.

1. **Informal Resolution**

There are many minor incidents, misunderstandings, and interpersonal conflicts that can be resolved through discussion with the persons involved, without a formal investigation, if those involved agree. If it is determined that the matter can be resolved informally and without referral to EAC, then the following shall be documented in writing:

1. The complaint or concern;
2. The agreement of those affected by the complaint or concern to handle the matter informally;
3. The determination that no formal investigation or referral to EAC was necessary, and the reasons for that determination; and
4. Any steps taken to resolve the complaint or concern.

The Chief of Staff or the Human Resources Manager shall notify the complainant of the determination and any steps taken to resolve the complaint or concern. If a complainant or person affected by the complaint or concern is not satisfied with the resolution, they may request a formal investigation.

1. **Formal Investigation**

If it is determined that informal resolution is not appropriate and further investigation and referral to EAC are necessary, or when a complainant or affected person is dissatisfied with informal resolution and requests a formal investigation, then a formal investigation shall commence.

1. **First Step: Notice & Safeguarding.** If it is determined that further investigation and referral to EAC are necessary, then the Chief of Staff or Human Resources Manager 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 in executive session. If the complaint or concern involves a district staff member of a Councilmember, then the Councilmember employing that staff member shall also be advised;
	2. Take steps to safeguard employees, preserve records, 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; and
	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 allegations or offer an explanation or mitigating circumstances, including an opportunity to make a presentation to EAC, directly.
2. **Second Step: EAC Meeting.** Upon notification of a complaint or concern being referred to EAC, then 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 may 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, preserve records, prevent retaliation, or assist with an investigation. If the matter referred alleges violations of this policy by the chair of EAC, then a 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 Human Resources Manager, EAC will decide whether further investigation is warranted and, if so, direct that further investigation and follow-up.
3. **Third Step: Investigation.** If EAC believes further investigation is necessary before it can resolve a matter, then it may direct the Chief of Staff or Human Resources Manager, with advice from the Chief Legal Counsel, to 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. In the case of allegations of violations of this policy by a Councilmember, only the Chief of Staff, Human Resources Manager, Chief Legal Counsel, or other person selected by EAC may be involved in the investigation or work with an outside firm on the investigation.
4. **Fourth Step:** **Disposition.** Upon completion of the investigation, the Chief of Staff or Human Resources Manager shall report back to EAC on the findings of the investigation and make preliminary recommendations on what action should be taken, including, as appropriate, mediation of the matter, a recommended disposition of the complaint or concern, and any recommended corrective and/or preventive measures such as discipline, training, counseling, and monitoring. 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 adopt by vote the final disposition, and direct the Chief of Staff or Human Resources Manager to implement the final disposition of EAC.

If EAC intends to recommend to the full Council censure or other disciplinary action against a Councilmember, it must do so 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.

1. **Fifth Step: Implementation.** Once EAC has issued its final disposition, then the Chief of Staff or the Human Resources Manager (or the Chair or Vice Chair of EAC or their designee, in the case of conflict of interest) shall:
	1. 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;
	2. 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;
	3. 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;
	4. Maintain all records related to the matter; and
	5. In the case of a disposition related to an independent agency employee, that independent agency’s direct shall (except in the case of a conflict of interest) work with the Chief of Staff and Human Resources Manager to implement actions, notify employees, and monitor as appropriate.

**D. Councilmember Conduct**

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. If a report of an alleged violation by a Councilmember is received, then the Chief of Staff or the Human Resources Manager shall promptly and appropriately determine whether the complaint or concern can be addressed through informal resolution or whether it instead requires formal investigation and referral to EAC. Under all circumstances and regardless of referral, they shall notify the Chair of the Council of the report. If the allegation applies to the Chair of the Council, then the Chief of Staff shall alert one of the Council Vice Chairs. The informal resolution and formal investigation apply to Councilmembers, with specific additional provisions as noted above.

**VI. Confidentiality & Records**

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. Allegations of illegal conduct will be reported to the appropriate authority. All records associated with this policy shall be kept by the Human Resources Manager.

**VII. Outside Assistance & Remedies**

The Council recognizes that those experiencing or witnessing a potential violation of this policy may wish to use a process outside of the Council, and this policy is supplemental to other procedures and resources available under federal, state, and local laws. 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 any internal Council procedure.

**VIII. 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 for interpersonal conflict. 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.

**IX. Appeals**

At any time, a complainant who is dissatisfied with the way their complaint is being handled may take their 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. Any affected party dissatisfied with an informal resolution must first complete a formal investigation by EAC before appealing to the full Council. 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.

**X. Training & Distribution of Policy**

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, 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.

EQUIPMENT & FACILITIES

Offices & Workspaces

The Council strives to provide all staff with workspace that is functional and conducive to the successful completion of their work.

The following guidelines are used by the Chief of Staff to allocate available office space in a consistent manner.

1. Councilmember and staff (District) Offices: Space becomes available when a new member of the Council is elected or appointed. When a member leaves the Council, the member's office space becomes available for allocation using the methods listed below. New members do not retain the rights to space previously allocated to the members’ predecessor or district.
2. Central Staff offices: Office space becomes available when vacated.

District Offices

1. Councilmember offices
	1. Each Council district shall have one Councilmember office.
	2. Allocation of available Councilmember offices is based on seniority with the Council. Tie breakers are as follows:
		1. Priority given to the chair and vice-chairs of the Council;
		2. Flip of a coin
2. Staff offices:
	1. Each district shall have one reception desk and three staff offices. Of the staff offices allocated to each district, at least one office will have an external window.
	2. District staff office space is allocated on the basis of Councilmember seniority. Tie breakers are the same as used for Councilmember office allocation.

Central Staff

Based on supervisor’s recommendation, available office space is assigned by the Chief of Staff using the following criteria (these criteria are unranked and are considered as a whole.):

1. Supervisory responsibility,
2. On-going need for strict confidentiality,
3. Level of position,
4. Seniority,
5. Proximity to other members of a staff team; and
6. Type of position (full-time or part-time) and length of assignment.

Independent Agency Staff

Space allocations for Independent agencies will be coordinated between the Council Chief of Staff and the agency manager.

Interns

Intern space is allocated on a first come, first served basis. Most of the intern spaces are in open work areas. The Council has limited intern spaces but every effort will be made to accommodate District needs. When considering an intern, check with the Council Director of Operations to determine what space is available before you hire. Please provide a beginning and an end date. While attempts will be made to locate interns as close to the district office as possible, no assurances can be made. It may be necessary for interns to share work spaces.

Use and Return of Equipment

From time to time as mutually agreed by the employee and their supervisor, equipment may be issued to an employee to perform county work. All equipment is taxpayer provided and remains the property of King County. Employees are trusted to use this equipment for their work duties only, not personal use. Equipment must be returned upon request or when employment ends. An employee may be liable for the costs of equipment that is not returned. Questions about the proper use of County resources may be directed to your supervisor.

Mobile Devices

Mobile devices, such as wireless communication devices and tablets may be issued by the County to Legislative Branch employees with a demonstrable business need to enhance their accessibility to members, staff and the public.

County-issued mobile devices are for County business use and subject to the Acceptable Use Policy.

Managers are authorized to determine business need for County issuance of a mobile device. In addition to demonstrating business need, managers must consider budgetary constraints prior to authorization. The Council's Director of Operations shall administer issuance and management of mobile devices, which may include changes to service plans related providers, data, telephony and other services.

Employees who are issued a mobile device will be provided a monthly statement. Employees must identify personal use and reimburse the County for personal use that results in any supplemental charges.

Councilmember mobile devices shall be charged to the general Council budget. All costs of personal staff mobile devices shall be charged to the district’s budget. All other employee mobile device charges shall be charged to the corresponding budget to the employee.

**Application of the Public Records Act**

Washington’s Public Record Act applies to any record created or used for work, regardless of the medium, technology, or device used. Employees have a duty to preserve public records and provide them upon request, irrespective of whether the device is County-issued or reimbursed.

Acceptable Use of Information Assets

Employees of the Legislative Branch shall ensure King County information assets[[1]](#footnote-1) are used appropriately for King County business. Employees shall use these information assets to increase productivity, facilitate the efficient and effective performance of their duties, and meet the daily operational and business requirements of the County

Employees shall refrain from using King County information assets for prohibited uses at all times, including during breaks or outside of their regular business hours. Prohibited use of Information Assets is subject to disciplinary action. Prohibited uses include:

* Private or personal for-profit or unauthorized not-for-profit activities;
* Any political activity;
* Any solicitation for any purpose except those officially sanctioned by King County such as the County Charitable Campaign;
* Create, access, display or transmit sexually explicit, indecent, offensive, harassing or intimidating, obscene, pornographic, defamatory, libelous material or material that could reasonably be considered discriminatory, offensive, threatening, harassing, or intimidating, except as a necessary part of bona fide work related activities;
* Create, access, or participate in online gambling;
* Any activity that endangers the public; and
* Any activity that could reasonably be construed as a violation of the law, King County Employee Code of Ethics, or policies.

Employees may use King County information assets for minimal personal use, provided that the use is not prohibited and provided the use has the appearance of professionalism, even if it is not used in a public setting.

The Legislative Branch reserves the right to limit or restrict access to data intensive websites and resources based on the operational needs of the County.

Employees are expected to maintain the privacy and confidentiality of information to which they have access, and they are not guaranteed personal privacy for any activity in which they engage utilizing County information assets. This includes legitimate county purposes, minimal personal use, violations of acceptable use or any other use. Employees should be aware that all activity undertaken on any King County Information Assets, including legitimate County purposes, minimal personal use, violations of acceptable use or any other purpose, is subject to monitoring, recording and intervention by the management for the purpose of System update, maintenance, security and compliance with countywide and Organization-specific policies and standards. Employees expecting privacy for their minimal personal use should use a different means of communication.

Vehicle Use

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 their 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.

The County Council encourages the use of County vehicles to meet occasional, short-term transportation needs for official Council business and authorized day travel as authorized in K.C.C. 3.24. While the Legislative Branch currently has three vehicles for occasional checkout, the Legislative Branch participates in the King County Motor Pool, making vehicles available as needed.

Use of County vehicles is preferred over personal vehicles use for official county business. Personal vehicle usage, including mileage and parking reimbursement is subject to pre-authorization by an employee's manager and subject to normal authorizations and charge-back to the appropriate budget.

Notes regarding Parking Validation:

1. Parking validation for the authorized use of Goat Hill Garage may be used in lieu of reimbursement.
2. Parking validation is intended to provide employees driving personal vehicles with occasional, short-term usage of the Goat Hill Garage when necessary in the performance of their duties and should not be used for all day parking in the Garage

Occasional overnight usage is permitted when an employee is required to attend a meeting, event or other business that is away from the employee’s normal place of work, or outside an employee’s normal scheduled workday.

Except where reasonably necessary to accommodate an employee’s meals, other physical needs and approved breaks, County vehicles may not be used for personal business.

It is the responsibility of all employees who use the vehicles to ensure that they are kept clean and filled with gas.

***\*Reviser's note: The Table of Contents for the attachment is incompatible with the formatting of the compilation. For actual page numbers, consult Ordinance 16113, available in the King County Archives.***

**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**

**2-010—Committee of the whole - functions**.—[11122, § B, 2001] Repealed (rescinded) by 15567, § II, 2020.

**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**

**3-033. Duties and responsibilities of chief officers and independent agency officers.**—[15446, § III, 2019] Rescinded by 15998, § III, 2021.

**3-035. King County Flood Control District administration**.—[14725, § II, 2016] Rescinded by 15791, § VIII, 2021.

**3-040. Ethical considerations.**—[10651, § VIII, 1999] Rescinded by 15998, § III, 2021.

**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.

**3-110. Policies and procedures against sexual harassment and discrimination - policy statement**.—[8868, §§ 1-2, 1992] Rescinded by 15998, § III, 2021.

**Chapter 4**

**Legislative Agencies**

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

1. A definable piece of information, information processing equipment, information system or mobile device (including devices for mobile telephony, text messaging or data transmission), that is recognized as "valuable" to the County and is not easily replaced without cost, skill, time. [↑](#footnote-ref-1)