

Memorandum of Agreement

By and Between

King County

and

**Professional and Technical Employees, Local 17 - Professional & Technical
Representing Employees in the Department of Transportation, Metro Transit Division**

Subject: Voluntary Separation Program

Background:

1. In 2014, King County and the Coalition of Unions negotiated a program that provides incentives to retirement-eligible employees who are willing to voluntarily separate from King County employment. The terms that were reached by the parties were memorialized in Memorandum of Agreement 000U0314 and were executed on a bargaining unit-by-bargaining unit basis. As an additional step, the Voluntary Separation Program was later embedded in King County Ordinance Number 17833.

2. This program was not previously authorized between King County and the Professional & Technical Employees, Local 17 – Professional and Technical bargaining unit.

3. In 2018, King County updated the Voluntary Separation Program by Ordinance 18696. This Ordinance was codified in King County Code 3.12S.

4. The parties have negotiated to adopt the Voluntary Separation Program as a benefit for employees who are represented by Professional & Technical Employees, Local 17 in the Transit Professional & Technical bargaining unit.

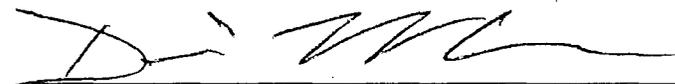
Agreement:

1. The Voluntary Separation Program in King County, as detailed in Code 3.12S, shall be available to employees of the Transit Professional & Technical bargaining unit, per the terms that are stated in King County Code 3.12S. The present terms of the program are attached hereto as Exhibit A.

2. This Agreement is intended to enable the Voluntary Separation Program as a union-negotiated benefit; however, King County retains sole discretion to determine whether or not to offer the program to employees, as well as with respect to decisions concerning the groups of employees that will be selected to participate.

3. If the King County Code is changed to modify or end the Voluntary Separation Program, this benefit will no longer be available to employees in the bargaining unit.

For Professional and Technical Employees, Local 17:



Denise Cobden
Union Representative

6/29/18

Date

For King County Metro Transit:



~~Geoffrey Miller~~
Manager of Labor & Employee Relations
Transit Labor & Employee Relations

06/29/2018

Date

For King County:



David S. Levin
Labor Relations Negotiator – Sr.
Office of Labor Relations
King County Executive Office

07/02/2018

Date

3.12S VOLUNTARY SEPARATION PROGRAM

Sections:

3.12S.010 Program authorized – requirements – eligibility.

A. The executive is hereby authorized to establish a program in agencies identified by the executive that incentivizes retirement-eligible employees to voluntarily leave county employment, but only if:

1. The voluntary separation program will enable the agency to avoid a budget shortfall that would result in program cuts or reductions in force, or the voluntary separation program will result in labor cost savings; and

2. The agency will not fill the separating employee's position or will fill the position at a lower wage rate that is expected to result in a net twenty percent annual salary cost savings.

B. The executive is further authorized to enter into or extend agreements with labor organizations to provide the same incentive program as provided for nonrepresented employees under this chapter. If such an agreement addresses no other subject or additional terms, it shall have the force of law upon execution by the parties, without enactment by ordinance.

C. In order to be eligible for the program, the employee must have at least five years of county service, must not be a temporary employee and must be eligible to apply for a pension from the Law Enforcement Officers and Firefighters Retirement System, Public Employees Retirement System, Public Safety Employees Retirement System or the city of Seattle Retirement Plan, before December 31 of the calendar year in which the employee applies for the program. While the employee must be retirement-eligible and must separate from the county, the employee need not actually begin drawing a pension to be considered eligible for the program. An employee who has resigned, retired or submitted written notification of the employee's intent to do so before the employee's employing agency has announced its intention to participate in the program, is ineligible to participate in the program.

D. Participation in the program by employees is entirely voluntary.

E. As a financial incentive, the county shall pay to currently employed, retirement-eligible employees who request, and are authorized by the executive, to voluntarily separate from county service, a one-time payment equal to twenty-six-weeks of the Washington state employment security department's maximum weekly unemployment benefit amount in effect as of January 1 of each calendar year. This one-time payment amount issued to the eligible participant will be in the amount effective for the year the participant was approved for the program and separates from the county. For part-time employees, this one-time payment will be prorated based on the percentage that employee works as measured against a full-time employee.

043U0318 – Attachment A

F. The program shall require that participating employees enter into a written agreement with King County that sets forth the terms and conditions of their voluntary separation, including but not limited to:

- 1.** Any employee approved to participate in the program must leave county employment by written resignation or retirement no later than December 31 of the year in which the employee applies for the program. Agencies may establish deadlines and procedures, which may vary by agency for employee participation in the program;
- 2.** The employee will not seek reemployment with the county in any county position;
- 3.** The employee agrees that the employee is not eligible for, and will not apply for, unemployment compensation and signs a waiver of any claim for unemployment compensation; and
- 4.** The employee must sign a waiver or release of any claim under the Age Discrimination in Employment Act and the Older Worker Benefit Protection Act.

G. The executive's approval of any employee request to participate in the program is discretionary, and consideration will be given to the impact to service delivery, retention of a skilled employee or employees, cost of refilling a position or positions, short-term and long-term budget savings and the employee's length of service with the county.

H. All decisions to approve or deny the requests of individual employees to participate in the program shall be in writing and shall report the savings impacts, either short-term or long-term or both, if the request is approved or denied. Decisions to approve or deny a request shall not be the subject of a grievance.

I. The executive shall include, as part of the program, a clear designation of who is authorized in each agency to approve or deny employee requests to participate in the program. Employees of agencies headed by elected officials, other than the executive, are ineligible to participate in the program unless their request is approved by both the executive and the head of the applicable agency. (Ord. 18696 § 2, 2018)