

**Settlement Agreement and Release of All Claims  
By and Between  
King County  
and  
Technical Employees' Association**

**Subject: Settlement Agreement for Public Employment Relations Commission (PERC)  
Unfair Labor Practice (ULP) case number 130493-U-18**

THIS AGREEMENT by and between King County (the County) and the Technical Employees' Association (the Union), is fully executed upon signature by all parties. The County and the Union intend this Agreement to resolve fully and finally all actual and potential disputes related to and arising out of PERC ULP #130493-U-18.

**RECITALS:**

The Union filed PERC ULP complaint against the County on March 19, 2018, regarding an alleged refusal to bargain regarding the annual performance appraisal forms. PERC issued a preliminary ruling on March 29, 2018, requiring that the County answer the allegations. The County filed its responsive answer on April 18, 2018. The parties agreed to meet on August 17, 2018, to mediate their concerns, and come to a resolution.

**AGREEMENTS:**

**1. DISMISSAL OF ULP.** The Union agrees to dismiss PERC Case #130493-U-18 with prejudice. Both parties acknowledge that any issues regarding the alleged failure to bargain in case 130493-U-18 have been resolved. The parties agree that because this matter has been resolved, the PERC ULP hearing scheduled for August 30, 2018, shall be cancelled. The parties understand that this Agreement is in full compromise of disputed and potential claims under PERC Case #130493-U-18, the validity of which is expressly denied, and is not to be construed as an admission of liability.

**2. COLLABORATION.** The parties agree to continue working together in a collaborative manner regarding labor management issues and the collective bargaining process. Both parties commit to honoring their duties under the collective bargaining agreement.

**3. ANNUAL PERFORMANCE APPRAISALS.**

**a.** The County agrees to use the existing 2016-2017 Performance Appraisal Forms, with the existing weights assigned to the job criteria, for the rating period covering September 1, 2017, through August 31, 2018.

**b.** The County agrees to provide the new 2018-2019 Performance Appraisal Forms and the 2018 Annual Performance Appraisal Rating Guidance to all bargaining unit employees and to the Union by September 30, 2018.

c. Both parties agree that the new 2018-2019 Performance Appraisal Forms will be used for the rating period covering September 1, 2018, through August 31, 2019.

d. The parties agree that, subject to possible further bargaining, the weight to be assigned to the new criteria ("Valuing and Advancing Equity and Inclusion in the Workplace" and "Customer Focus") shall each be 1.

e. The parties agrees that if they desire to further bargain the weights to be used in the 2018-2019 Performance Appraisal Forms, they will present their demand to bargain to the other party by October 31, 2018.

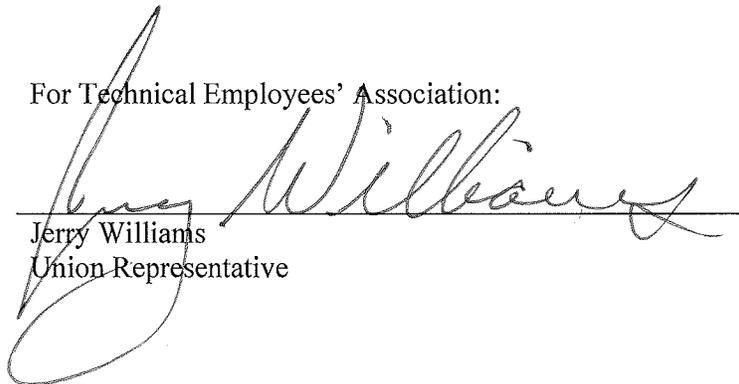
**4. ENTIRE AGREEMENT.** This Agreement represents the entire agreement and understanding of the parties. It is expressly understood and agreed that liability is denied by all parties for any claims included within the terms of this Agreement. This Agreement is contractual and not mere recital.

**5. SEVERABILITY.** If any of the provisions of this Agreement are held to be invalid or unenforceable, the remaining provisions will nevertheless continue to be valid and enforceable. The provisions of this Agreement will not be construed against any party.

**6. NO PRECEDENT.** This Agreement does not constitute a practice or precedent and cannot be used by the Union in any matter or proceeding, except for the purpose of enforcing the Agreement itself. In making this Agreement, neither party admits any wrongdoing, but enters into this Agreement to avoid the risks and expense of potential litigation.

**IMPORTANT: THIS IS A RELEASE.  
READ BEFORE SIGNING.**

For Technical Employees' Association:

  
\_\_\_\_\_  
Jerry Williams  
Union Representative

August 22, 2018  
\_\_\_\_\_  
Date

For King County:

  
\_\_\_\_\_  
for: Kristi Knieps  
Sr. Labor Negotiator / Litigator  
Office of Labor Relations  
King County Executive Office

8-27-18  
\_\_\_\_\_  
Date