

Ordinance No. 20278

Council Bill No. 113561

The City of Seattle
Council Bill/Ordinance

AN ORDINANCE establishing a new Seattle Municipal Code Section 4.04.075 to adopt an Alternative Dispute Resolution program and provide for its administration and employee access thereto.

2/21/01

CF No. _____

2-26-01 Pass

Date Introduced: <u>FEB 17 2001</u>	
Date 1st Referred: <u>FEB 17 2001</u>	To: (committee) <u>Finance, Budget & Economic Development Committee</u>
Date Re - Referred:	To: (committee)
Date Re - Referred:	To: (committee)
Date of Final Passage: <u>2-26-01</u>	Full Council Vote: <u>9-0</u>
Date Presented to Mayor: <u>2-26-01</u>	Date Approved: <u>3/2/01</u>
Date Returned to City Clerk: <u>3/2/01</u>	Date Published: <u>2/28</u>
Date Vetoes by Mayor:	Date Veto Published:
Date Passed Over Veto:	Veto Sustained:

This file is complete and ready

Law Department

Law Dept. Review

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by:

Joe Drago

DRAGO

Councilmember

Committee Action:

2/21/01

to pass as amended 2-0

Drago

(Handwritten initials)

MCBWA

2-26-01 Passed 9-0

This file is complete and ready for presentation to Full Council. Committee: _____

(Initial/Date)

Law Department

(Handwritten signature and date)

Law Dept. Review

OHP Review

City Clerk Review

Electronic Copy Loaded

Indexed

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AN ORDINANCE establishing a new Seattle Municipal Code Section 4.04.075 to adopt an Alternative Dispute Resolution program and provide for its administration and employee access thereto.

WHEREAS, conflict is a natural part of life and of the work environment, and is at the root of every innovative solution; and

WHEREAS, a dispute that is not properly addressed can have far-reaching negative impacts on the productivity of the workforce and the livability of the workplace; and

WHEREAS, the City has developed an Alternative Dispute Resolution Program that will address conflict at the earliest possible stage and the lowest level of intervention, and will provide tools to help the workforce manage conflict effectively;

NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. There is hereby established a new Seattle Municipal Code Section **4.04.075, Alternative Dispute Resolution Program** as follows:

A. It is the policy of the City of Seattle to use Alternative Dispute Resolution as a tool to prevent or minimize the escalation of disputes in the workplace. The Personnel Director shall implement and administer the Alternative Dispute Resolution Program substantially in accord with the City of Seattle Alternative Dispute Resolution Program Management Plan, which is incorporated by this reference.

B. The Alternative Dispute Resolution Program (hereinafter referred to as the Program) will consist of a mediation component to promote the resolution of disputes through mediation, conciliation and conversation facilitated by a neutral third party; a training component to develop conflict resolution skills in managers and employees; and a group facilitation component to provide problem-solving resources for workgroups in conflict.

C. An employee's participation in a Program-sponsored mediation, facilitated conversation or related activity shall be confidential to the extent permitted under state and federal laws.



1 D. It is the policy of the City that participation in the Program shall be on a
2 voluntary basis. Participation in the Program is not intended to deprive employees of their
3 ability to exercise any other contractual or legal rights to seek resolution of their concerns.

4 E. Regularly appointed full-time and part-time employees, including exempt,
5 probationary and regular employees, are eligible to participate in the Program. Temporary
6 workers, including seasonal, intermittent, on-call and contract employees and workers
7 employed through City Personnel's Special Employment Programs Unit may not initiate a
8 mediation or related activity through the Program, but may, at the discretion of the
9 Alternative Dispute Resolution Coordinator, participate in a mediation or related activity
10 that has been initiated by a regularly appointed employee or employees.

11 F. Time spent in an official mediation or related activity shall be considered
12 regular pay hours for compensation purposes.

13 **Section 2.** This ordinance shall take effect and be in force thirty (30) days from and after
14 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10)
15 days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

16
17 Passed by the City Council the 26th day of February, 2001, and signed by
18 me in open session in authentication of its passage this 26th day of February,
19 2001.

20 Margaret Pageler
21 Margaret Pageler, President of the City Council

22
23 Approved by me this 2nd day of MARCH, 2001.

24 Paul Schell
25 Paul Schell, Mayor
26

27
28 Filed by me this 2nd day of March, 2001.

29 Jessie E. Pippin
30 City Clerk
31

32 (SEAL)





City of Seattle

Paul Schell, Mayor

Personnel Department

Norma J. McKinney, Director

MEMORANDUM

DATE: January 23, 2001

TO: The Honorable Margaret Pageler, President
Seattle City Council

FROM: Norma McKinney
Personnel Director

SUBJECT: Proposed Addition to SMC 4.04 To Adopt an Alternative Dispute Resolution (ADR) Program

The attached council bill proposes the establishment of a new Seattle Municipal Code Section 4.04.075 to adopt an Alternative Dispute Resolution (ADR) Program and to provide for its administration and for employee access thereto.

The Personnel Department, together with a number of stakeholders, spent much of 2000 building the ADR Program to provide dispute resolution training and services to City employees. The primary mission of the program is to equip employees with the tools they need to prevent, resolve, and manage workplace conflict collaboratively and constructively.

I have attached a copy of the ADR Project Management Plan, which is incorporated into the legislation by reference. The Plan outlines the Program's philosophy, strategic focus and objective, and describes its implementation and administration processes.

The ADR Program started last summer on a pilot basis and provided alternative dispute resolution services to over 50 employees. Supervisors and employees were very receptive to the concept of mediation and we are excited about the prospect of resolving interpersonal and work-related conflicts in a non-adversarial way.

We appreciate your favorable consideration of this council bill. Please call me at (206) 684-7870 if you have questions or Stephanie Bell, ADR Program Coordinator at (206) 615-0089. Thank you.

Attachments

c: Stephanie Bell, ADR Program Coordinator

Personnel Department, Dexter Horton Building, 710 Second Avenue, 12th Floor, Seattle, WA 98104-1793

General Tel: (206) 684-7664, TDD: (206) 684-7888, Fax: (206) 684-4157, <http://www.ci.seattle.wa.us>

Recorded Job Line: (206) 684-7999, Employment Website: www.ci.seattle.wa.us/jobs

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ORDINANCE _____

AN ORDINANCE establishing a new Seattle Municipal Code Section 4.04.075 to adopt an Alternative Dispute Resolution program and provide for its administration and employee access thereto.

WHEREAS, conflict is a natural part of life and of the work environment, and is at the root of every innovative solution; and

WHEREAS, a dispute that is not properly addressed can have far-reaching negative impacts on the productivity of the workforce and the livability of the workplace; and

WHEREAS, the City has developed an Alternative Dispute Resolution Program that will address conflict at the earliest possible stage and the lowest level of intervention, and will provide tools to help the workforce manage conflict effectively;

NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

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B. The Alternative Dispute Resolution Program (hereinafter referred to as the Program) will consist of a mediation component to promote the resolution of disputes through mediation, conciliation and conversation facilitated by a neutral third party; a training component to develop conflict resolution skills in managers and employees; and a group facilitation component to provide problem-solving resources for workgroups in conflict.



1 C. An employee's participation in a Program-sponsored mediation, facilitated
2 conversation or related activity shall be confidential to the extent permitted under state and
3 federal laws.

4 D. It is the policy of the City that participation in the Program shall be on a
5 voluntary basis. Participation in the Program is not intended to deprive employees of their
6 ability to exercise any other contractual or legal rights to seek resolution of their concerns.

7 E. Regularly appointed full-time and part-time employees, including exempt,
8 probationary and regular employees, are eligible to participate in the Program. Temporary
9 workers, including seasonal, intermittent, on-call and contract employees and workers
10 employed through City Personnel's Special Employment Programs Unit may not initiate a
11 mediation or related activity through the Program, but may, at the discretion of the
12 Alternative Dispute Resolution Coordinator, participate in a mediation or related activity
13 that has been initiated by a regularly appointed employee or employees.

14 F. Time spent in an official mediation or related activity shall be considered
15 regular pay hours for compensation purposes.

16 **Section 2.** The Workplace Harassment Investigation Procedures, adopted by Council
17 Resolution 30044 and attached hereto, are hereby amended at Section I, Subsection D, to
18 exclude the Alternative Dispute Resolution Coordinator from the definition of management
19 representatives. Such exclusion permits the Alternative Dispute Resolution Coordinator to
20 accept for consultation, mediation, conciliation and/or referral, allegations of harassment
21 that otherwise must be reported for immediate investigation; provided, that submittal of an
22 harassment allegation to a mediation and/or conciliation process does not pre-empt the right
23 of the employee making such allegation to ultimately file a formal complaint with and seek
24 redress through the appropriate agency.



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Section 3. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2001, and signed by me in open session in authentication of its passage this _____ day of _____, 2001.

Margaret Pageler, President of the City Council

Approved by me this _____ day of _____, 2001.

Paul Schell, Mayor

Filed by me this _____ day of _____, 2001.

City Clerk

(SEAL)



STATE OF WASHINGTON – KING COUNTY

--SS.

128581
City of Seattle, Clerk's Office

No. ORD. IN FULL

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:120278 FULL ORDINANCE

was published on

03/09/01

Valer Waldes

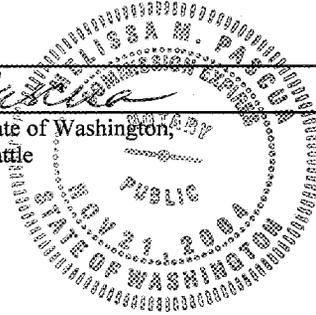
Subscribed and sworn to before me on

03/09/01

Melissa M. Pustka

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication



State of Washington, King County

City of Seattle

ORDINANCE 120276

AN ORDINANCE establishing a new Seattle Municipal Code Section 1.04.075 to adopt an Alternative Dispute Resolution program and provide for its administration and employee access thereto.

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WHEREAS, a dispute that is not properly addressed can have far-reaching negative impacts on the productivity of the workforce and the livability of the workplace; and

WHEREAS, the City has developed an Alternative Dispute Resolution Program that will address conflict at the earliest possible stage and the lowest level of intervention, and will provide tools to help the workforce manage conflict effectively;

NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

SECTION 1. There is hereby established a new Seattle Municipal Code Section 1.04.075, ALTERNATIVE DISPUTE RESOLUTION PROGRAM as follows:

A. It is the policy of the City of Seattle to use Alternative Dispute Resolution as a tool to prevent or minimize the escalation of disputes in the workplace. The Personnel Director shall implement and administer the Alternative Dispute Resolution Program substantially in accord with the City of Seattle Alternative Dispute Resolution Program Management Plan, which is incorporated by this reference.

B. The Alternative Dispute Resolution Program (hereinafter referred to as the Program) will consist of a mediation component to promote the resolution of disputes through mediation, conciliation and conversation facilitated by a neutral third party; a training component to develop conflict resolution skills in managers and employees; and a group facilitation component to provide problem-solving resources for workgroups in conflict.

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E. Regularly appointed full-time and part-time employees, including exempt, probationary and regular employees, are eligible to participate in the Program. Temporary workers, including seasonal, in-

termittent, on-call and contract employees and workers employed through City Personnel's Special Employment Programs Unit may not initiate a mediation or related activity through the Program, but may, at the discretion of the Alternative Dispute Resolution Coordinator, participate in a mediation or related activity that has been initiated by a regularly appointed employee or employees.

F. Time spent in an official mediation or related activity shall be considered regular pay hours for compensation purposes.

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