

Ordinance No. 124585

Council Bill No. ~~118214~~ 118212

AN ORDINANCE relating to City employment; authorizing the execution of a memorandum of understanding between the City of Seattle and the Seattle Parking Enforcement Officers' Guild; providing payment therefor; and ratifying and confirming prior acts.

CF No. \_\_\_\_\_

Date Introduced:	<u>9/15/14</u>	
Date 1st Referred:		To: (committee) <u>Full Council</u>
Date Re - Referred:		To: (committee)
Date Re - Referred:		To: (committee)
Date of Final Passage:	<u>9/22/14</u>	Full Council Vote: <u>9-0</u>
Date Presented to Mayor:	<u>9/23/14</u>	Date Approved: <u>9/23/14</u>
Date Returned to City Clerk:	<u>9/23/14</u>	Date Published: T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
Date Vetoed by Mayor:		Date Veto Published:
Date Passed Over Veto:		Veto Sustained:

# The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: \_\_\_\_\_

Councilmember

## Committee Action:

\_\_\_\_\_

\_\_\_\_\_

Full Council:  
Sept. 22, 2014      Passed      9-0

\_\_\_\_\_

\_\_\_\_\_

This file is complete and ready for presentation to Full Council. Committee: \_\_\_\_\_ (initial/date)

*Law Department*

Law Dept. Review      OMP Review      City Clerk Review      Electronic Copy Loaded      Indexed

**CITY OF SEATTLE**

**ORDINANCE**

124585

**COUNCIL BILL**

118212

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3  
4 AN ORDINANCE relating to City employment; authorizing the execution of a memorandum of  
5 understanding between the City of Seattle and the Seattle Parking Enforcement Officers'  
6 Guild; providing payment therefor; and ratifying and confirming prior acts.

7 WHEREAS, a collective bargaining agreement providing for the wages, benefits and other  
8 conditions of employment between the City and the Seattle Parking Enforcement  
9 Officers' Guild expired on December 31, 2013; and

10 WHEREAS, employees represented by the Seattle Parking Enforcement Officers' Guild  
11 continued to work after December 31, 2013 on condition that the subject of their wages,  
12 benefits and other conditions of employment continued to be negotiated during collective  
13 bargaining; and

14 WHEREAS, collective bargaining has led to an agreement between the City and the Seattle  
15 Parking Enforcement Officers' Guild concerning wages, benefits and other conditions of  
16 employment;

17 NOW, THEREFORE,

18 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

19 Section 1. As requested by the Personnel Director and recommended by the Mayor, the  
20 Mayor is authorized on behalf of the City to execute a memorandum of understanding between  
21 the City and the Seattle Parking Enforcement Officers' Guild effective January 1, 2014 through  
22 December 31, 2014, substantially in the form attached to this ordinance as Attachment 1 and  
23 identified as "Memorandum of Understanding by and between the City of Seattle and the Seattle  
24 Parking Enforcement Officers' Guild."

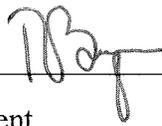
25 Section 2. The heads of employing units and/or their designees are authorized to use  
26 unexpended and unencumbered salary funds accumulating in their budgets to pay the  
27 compensation authorized in the attached collective bargaining agreement.  
28



1 Section 3. Any act consistent with the authority and prior to the effective date of this  
2 ordinance is ratified and confirmed.

3 Section 4. This ordinance shall take effect and be in force 30 days after its approval by  
4 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
5 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

6 Passed by the City Council the 22<sup>nd</sup> day of September, 2014, and  
7 signed by me in open session in authentication of its passage this  
8 22<sup>nd</sup> day of September, 2014.

9  
10   
11 \_\_\_\_\_  
12 President \_\_\_\_\_ of the City Council

13 Approved by me this 23<sup>rd</sup> day of September, 2014.

14   
15 \_\_\_\_\_  
16 Edward B. Murray, Mayor

17  
18 Filed by me this 23<sup>rd</sup> day of September, 2014.

19   
20 \_\_\_\_\_  
21 Monica Martinez Simmons, City Clerk

22 (Seal)

23 Attachments:

24 Attachment 1: Memorandum of Understanding by and between the City of Seattle and the Seattle  
25 Parking Enforcement Officers' Guild



## MEMORANDUM OF UNDERSTANDING

By and between

THE CITY OF SEATTLE

and the

SEATTLE PARKING ENFORCEMENT OFFICERS' GUILD

For the time period of January 1, 2014 through December 31, 2014

- 1) Effective January 1, 2014, the wages of all job titles represented by the Seattle Parking Enforcement Officers' Guild shall be increased by 100% of the annual average growth rate of the bi-monthly Seattle-Tacoma-Bremerton Area Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) for the period August 2011 through June 2012 to the period August 2012 through June 2013, provided however, that said percentage increase shall not be less than zero.
- 2) On or after September 1, 2014, the parties agree that they may engage in bargaining over additional wage adjustments with an effective date subject to negotiations, except that in no event shall such date be earlier than January 1, 2014.
- 3) All other terms and conditions of the Parties' Collective Bargaining Agreement that expired on December 31, 2013 shall continue through December 31, 2014, except as specified herein.
- 4) Effective upon signing of this Memorandum of Understanding, the parties agree that they may engage in bargaining over changes to the City's Retirement System, provided, however, that in no event shall the implementation of changes to the City's Retirement system begin prior to January 1, 2015.
- 5) The City has the right to implement a "minimum wage" in calendar year 2014. The appropriate representatives from the City, or their designees, who are responsible for the consideration and implementation of a "minimum wage" for City employees will meet with a representative of SPEOG, if SPEOG so requests, to discuss the issue. These discussions are informational only and are not to be considered negotiations.
- 6) This Memorandum of Understanding shall become effective upon signature.



- 7) Following ratification of this Memorandum of Understanding, the parties agree to immediately meet and negotiate in good faith regarding the issues spoken to in the parties' 2012 Shift Selection Memorandum of Agreement.

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_ 2014.

Executed under the Authority  
of Ordinance No. \_\_\_\_\_

FOR THE CITY OF SEATTLE

\_\_\_\_\_  
Edward B. Murray,  
Mayor

\_\_\_\_\_  
Susan L. Coskey,  
Personnel Director

\_\_\_\_\_  
David Bracilano,  
Labor Relations Director

FOR THE SEATTLE PARKING ENFORCEMENT OFFICERS' GUILD

\_\_\_\_\_  
Aaron Paston,  
President



**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Personnel	David Bracilano/47874 Sarah Butler/47929	Candice Livingston/37274

**Legislation Title:**

AN ORDINANCE relating to City employment; authorizing the execution of a memorandum of understanding between the City of Seattle and the Seattle Parking Enforcement Officers' Guild; providing payment therefor; and ratifying and confirming prior acts.

**Summary of the Legislation:**

This legislation authorizes the Mayor to implement a Memorandum of Understanding ("MOU") between the City of Seattle and the Seattle Parking Enforcement Officers' Guild ("SPEOG") that is consistent with the terms of the one-year 2014 agreement between the City and the Coalition of City Unions. The MOU is a one year agreement for wages, benefits, hours and other working conditions between the City and SPEOG (collectively, "the parties") for the time period January 1, 2014 through December 31, 2014. This legislation affects approximately 100 regularly appointed City employees within the Seattle Police Department.

**Background:**

The prior collective bargaining agreement with SPEOG expired December 31, 2013. As such, the City and SPEOG entered into negotiations in the fall of 2013 for a new contract. Union membership ratified the one-year agreement in July of 2014.

This MOU provides for a 1.8 percent cost-of-living increase effective January 1, 2014 which is based on 100 percent of the annual average growth rate of the bi-monthly Seattle-Tacoma-Bremerton Area Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) for the period August 2011 through June of 2012 to the period August 2012 through June of 2013. With regard to other wages, benefits, hours and other working conditions, the MOU continues the same conditions of the expired labor agreement for the duration of the one-year agreement. This includes continuance of health care cost sharing: the City will pay up to 7 percent of annual healthcare cost increases and then additional costs will be covered by the Rate Stabilization Fund. Once that Fund is exhausted, the City will pay 85 percent and employees will pay 15 percent of any additional costs.

The MOU also establishes other terms and conditions of the one year agreement. The parties have agreed to:

- Reopen negotiations on salary adjustments to specific job titles, with an effective date (subject to negotiations) no earlier than January 1, 2014;
- Reopen negotiations on changes to the Retirement System; however, any negotiated changes would not be effective before January 1, 2015; and,
- Meet to discuss, and not negotiate, issues related to the implementation of a "minimum wage" in calendar year 2014 if SPEOG requests such a meeting. (Any changes would not take effect until on or after January 1, 2015.)



This legislation does not have any financial implications.

This legislation has financial implications.

The costs for this MOU were provided by Ordinance No. 124488, which appropriated funds to City departments to pay for the 1.8 percent increase in wages. Labor Relations developed the estimates for the 2014 costs of ratifying the Coalition and other agreements for that Ordinance and as such, no additional appropriation authority is necessary at this time.

Costs beyond 2014 related to this agreement will be included in subsequent budget actions related to the 2015-2016 Biennium Budget.

**Other Implications:**

- a) **Does the legislation have indirect financial implications, or long-term implications?**  
This MOU permanently increases the wage of SPEOG represented employees by 1.8% beginning January 1, 2014.
- b) **What is the financial cost of not implementing the legislation?**  
If the contract is not legislated, employees will continue to receive wages that became effective on January 2, 2013. There may be additional legal risks associated with not implementing this legislation.
- c) **Does this legislation affect any departments besides the originating department?**  
This legislation affects employee wages in the Seattle Police Department. There are no operational impacts associated with this legislation.
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**  
None
- e) **Is a public hearing required for this legislation?**  
No
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**  
No
- g) **Does this legislation affect a piece of property?**  
No
- h) **Other Issues:** None

List attachments to the fiscal note below: None





**City of Seattle**  
**Edward B. Murray**  
**Mayor**

August 19, 2014

Honorable Tim Burgess  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Burgess:

I am pleased to transmit the attached proposed Council Bill that authorizes the Mayor to implement a Memorandum of Understanding ("MOU") between the City of Seattle and the Seattle Parking Enforcement Officers' Guild ("SPEOG") that is consistent with the terms of the one-year 2014 agreement between the City and the Coalition of City Unions. The MOU provides for wages, benefits, hours and other working conditions between the City and SPEOG for the time period January 1, 2014 through December 31, 2014. The previous collective bargaining agreement with SPEOG expired December 31, 2013. This legislation affects approximately 100 regularly appointed City employees within the Seattle Police Department.

This MOU provides for a 1.8 percent cost-of-living increase effective January 1, 2014, which is based on 100 percent of the annual average growth rate of the bi-monthly Seattle-Tacoma-Bremerton Area Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) for the period August 2011 through June of 2012 to the period August 2012 through June of 2013. Other wages, benefits, hours and other working conditions that were included in the expired labor agreement shall continue through the one-year MOU. This includes continuance of health care cost sharing: the City will pay up to 7 percent of annual healthcare cost increases and then additional costs will be covered by the Rate Stabilization Fund. Once that Fund is exhausted, the City will pay 85 percent and employees will pay 15 percent of any additional costs. The MOU also establishes other terms and conditions of the one year agreement. The parties have agreed to reopen negotiations on salary adjustments to specific job titles, with an effective date (subject to negotiations) no earlier than January 1, 2014; to reopen negotiations on changes to the Retirement System (any negotiated changes would not be effective before January 1, 2015); and to discuss, and not negotiate, issues related to the implementation of a "minimum wage" in calendar year 2014 if SPEOG requests such a meeting (any changes would not take effect until on or after January 1, 2015).

Thank you for your consideration of this legislation. Should you have questions, please contact David Bracilano at (206)684-7874 or Sarah Butler at (206)684-7929.

Sincerely,

Edward B. Murray  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Office of the Mayor  
Seattle City Hall, 7<sup>th</sup> Floor  
600 Fourth Avenue  
PO Box 94749  
Seattle, Washington 98124-4749

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[www.seattle.gov/mayor](http://www.seattle.gov/mayor)



**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Seattle Department of Human Resources	Joan Matheson / 386-9081	Forrest Longman / 684-0331

**Legislation Title:**

AN ORDINANCE relating to City employment commonly referred to as the Second Quarter 2014 Employment Ordinance; establishing a Magistrate Compensation Program for Magistrates in the Seattle Municipal Court, designating positions as exempt from Civil Service status, returning positions to Civil Service status, amending Seattle Municipal Code Section 4.13.010, authorizing the Mayor to execute a Memorandum of Understanding between the City of Seattle/Seattle City Employees' Retirement System and the Professional and Technical Employees, Local 17, and ratifying and confirming prior acts; and all by a 2/3 vote of the City Council.

**Summary of the Legislation:**

This legislation seeks to 1) establish a compensation program, 2) designate ten positions as exempt from Civil Service status, 3) return two positions to Civil Service status, 4) amend Seattle Municipal Code Section 4.13.010, and 5) execute a Memorandum of Understanding between the City of Seattle/Seattle City Employees' Retirement System and the Professional and Technical Employees, Local 17; all by a 2/3 vote of the City Council.

**Background:**

1. This ordinance seeks to establish a compensation program and corresponding pay band for Magistrates in Seattle Municipal Court.
2. This ordinance seeks to establish ten positions as exempt from Civil Service status. The nature of the work to be performed by the positions is consistent with the exemption criteria set forth in Seattle Municipal Code Section 4.13.010 and Personnel Rule 2.2. These position changes create a minor cost increase for the affected departments, which will be funded within the existing budget authority.
3. This ordinance seeks to return two positions to Civil Service status. As a result of classification reviews and determinations these positions no longer meet the exemption criteria. These position changes create a minor decrease in costs for the affected department.
4. This legislation authorizes amending the Seattle Municipal Code Section 4.13.010, Exemptions from the Civil Service and Public Safety Civil Service Systems.
5. This legislation authorizes the Mayor to implement a Memorandum of Understanding



between the City of Seattle/Seattle City Employees' Retirement System and the Professional and Technical Employees, Local 17.

Please check one of the following:

**This legislation has financial implications.**

**Other Implications:**

- a) **Does the legislation have indirect financial implications, or long-term implications?**  
The estimated costs associated with this legislation are summarized in Fiscal Note Attachment 1 and will be funded through departments' existing budgets.
- b) **What is the financial cost of not implementing the legislation?**  
N/A
- c) **Does this legislation affect any departments besides the originating department?**  
This legislation will affect the Seattle Municipal Court, the Seattle Public Utilities Department, the Seattle City Light Department, the Seattle Law Department, the Office of Immigrant and Refugee Affairs, the Department of Planning and Development and the Seattle City Employees' Retirement System.
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**  
There are no alternatives available at this time.
- e) **Is a public hearing required for this legislation?**  
No
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**  
No
- g) **Does this legislation affect a piece of property?**  
No
- h) **Other Issues:**

**List attachments to the fiscal note below:**

Attachment 1: Implementation of the 2Q14 Employment Ordinance



**SDHR 2Q14 Employment FISC Attach 1**  
**(Implementation of the 2Q14 Employment Ordinance)**

Dept	Report	Position Title	Potential Positions Impacted	2013	2014	
<b>New Title and/or Salary Reviews</b>						
MC	#13-13580	Magistrate <sup>1</sup>	5.5	(\$12,597)	(\$38,236)	
<b>Exempt Actions</b>						
SPU	#14-13698	Strategic Advisor 1, Exempt <sup>1</sup>	1		(\$16,578)	
SPU	#14-13888	IT Professional A, Exempt <sup>2</sup>	1		\$11,784	
SCL	#14-13749	IT Professional A, Exempt <sup>2</sup>	1		\$14,403	
SCL	#14-13847	IT Professional A, Exempt <sup>2</sup>	1		\$13,093	
SCL	#14-13919	Executive 2 <sup>2</sup>	1		\$12,784	
LAW	#14-13752	Legal Assistant <sup>3</sup>	1		\$8,302	
OIRA	#14-13831	Administrative Staff Assistant, Exempt <sup>3</sup>	1		\$0	
DPD	#14-13935	Executive 2 <sup>2</sup>	1		\$12,784	
DPD	#14-13956	Executive 2 <sup>2</sup>	1		\$12,784	
MC	#14-13962	Manager 2, Exempt <sup>2</sup>	1		\$0	
MC	#14-13763	Community Service Representative <sup>4</sup>	1		(\$14,112)	
MC	#14-13845	IT Professional B <sup>2</sup>	1		\$3,714	
				<b>Subtotal</b>	(\$12,597)	\$20,722
				<b>Total <sup>5</sup></b>	<b>(\$12,597)</b>	<b>\$20,722</b>

Costing Assumptions:

<sup>1</sup>Positions are costed from top step of the old rate (step progression) to the midpoint of the new rate (DPP).

<sup>2</sup>Positions in discretionary pay programs are costed from midpoint to midpoint of the old and new title and/or rate.

<sup>3</sup>Positions in the step program are costed from top step to top step of the old and new title and/or rate.

<sup>4</sup>Positions are costed from the midpoint of the old rate (DPP) to the top step of the new rate (step progression).

<sup>5</sup>The 2014 costs will be absorbed in departments' current budgets.







**City of Seattle**  
Edward B. Murray  
Mayor

September 2, 2014

Honorable Tim Burgess  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Burgess:

I am pleased to transmit the attached proposed Council Bill that authorizes administrative actions related to City employment.

Specifically, this legislation will establish a compensation program and a corresponding pay band for Magistrates in the Seattle Municipal Court. Additionally, the proposed Council Bill will establish ten positions as exempt from Civil Service; the ten positions proposed for exempt status meet the exemption criteria of a particularly high degree of professional responsiveness and individual accountability, a confidential or fiduciary relationship with the appointing authority, or judicial positions requiring insulation as a third branch of government. This Council Bill will also return two positions in Seattle Municipal Court to Civil Service status; classification reviews and determinations completed on these positions showed that they no longer meet the exemption criteria. This legislation will amend Seattle Municipal Code Section 4.13.010 relating to exemptions from the civilian Civil Service.

This legislation also authorizes me to execute a Memorandum of Understanding between the City of Seattle/Seattle City Employees' Retirement System and the Professional and Technical Employees, Local 17.

Thank you for your consideration of this legislation. Should you have any questions, please contact Joan Matheson at (206) 386-9081.

Sincerely,

Edward B. Murray  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

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Seattle City Hall, 7<sup>th</sup> Floor  
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