

Approved: 12/14/2022

Effective: 12/26/2022

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

ORDINANCE NO. 22-067

ESTABLISHING INITIAL TERMS OF EMPLOYMENT OF COUNTY EMPLOYEES
FORMERLY EMPLOYED BY THE SNOHOMISH HEALTH DISTRICT;
AMENDING SCC CHAPTERS 3A.06 AND 3.68 SCC

WHEREAS, the County intends to withdraw from the Snohomish Health District (the “District”) on December 31, 2022, and form a unified County Health Department to undertake public health operations; and

WHEREAS, on October 26, 2022, Council passed Amended Ordinance No. 22-061 creating a Health Department and Health Department Fund; and

WHEREAS, on October 26, 2022, Council passed Ordinance No. 22-060 authorizing the County Executive to sign an interlocal agreement between the County and the District establishing terms of the transfer of public health operations and authority from the District to a County Health Department; and

WHEREAS, under the terms of the interlocal, the County and the District agree to transfer public health authority and operations, assets and liabilities on December 31, 2022, such that thereafter the County and its newly established Health Department will provide public health services and the County will take on District obligations; and

WHEREAS, under the terms of the interlocal, the County and the District further agreed to a transfer of District assets and liabilities and the County pledged to hire and integrate District employees into a County Health Department and related County operations; and

WHEREAS, the County now wishes to establish the conditions of initial County employment for unrepresented former District employees.

NOW, THEREFORE, BE IT ORDAINED:

Section 1. The County Council hereby adopts the foregoing recitals as findings of fact and conclusions as if set forth in full herein.

Section 2. As used in this ordinance, an “eligible employee” means a non-represented County employee employed by the Snohomish Health District on December 31, 2022, that is hired into an equivalent position with the County on January 1, 2023.

Section 3. As used in this ordinance, the “2023 Budget Ordinance” means the 2022 ordinance adopting the 2023 budget and making appropriations for the operation of County agencies and departments and capital improvements for the period beginning January 1, 2023 and ending December 31, 2023.

1
2 Section 4. The initial terms of employment for eligible employees in classified service
3 shall be modified in the following ways:

4 1. Initial Rate of Pay: Consistent with the pay plan established under the 2023 Budget
5 Ordinance, the starting rate upon initial employment under SCC 3A.05.020 for each eligible
6 employee will be at the step in the pay range that the employee last held at the Snohomish Health
7 District.

8 2. Anniversary Date: The Human Resources Department will establish an anniversary
9 date as defined in SCC 3A.02.010 and SCC 3A.05.030 for each eligible employee based on the
10 employee’s most recent hire date at the Snohomish Health District. Eligible employees hired by
11 the Snohomish Health District between July 1 and September 1, 2022, will have their anniversary
12 date adjusted forward by six months. As examples, an eligible employee last hired by the Health
13 District on June 6, 2022 would have established a County anniversary date of June 1; an eligible
14 employee last hired by the Health District on June 18, 2022 would have established a County
15 anniversary date of July 1; an eligible employee last hired by the Health District on August 6, 2022
16 would have established a County date of February 1.

17 3. Employee share of medical benefits: Eligible employees shall not be required to
18 pay the employee portion of the cost of medical benefits for January 2023.

19 4. Sick and Vacation Accrual Balances: Upon initial appointment, each eligible
20 employee may elect to forego the cash out of all accrued and unused sick and vacation leave earned
21 at the Snohomish Health District in exchange for an equivalent amount of leave at Snohomish
22 County. Sick leave earned at the Health District pursuant to RCW 49.46.210 may be converted to
23 equivalent leave to a maximum of 40 hours with any excess converted as ordinary sick leave in
24 the employee’s County leave bank. All such converted sick and vacation leave shall be considered
25 leave earned in the personnel system.

26
27 Section 5. The initial terms of employment for eligible employees in exempt personnel
28 positions shall be modified in the following ways:

29 1. Initial Rate of Pay: Consistent with the classification plan and salary range tables
30 established under SCC 3.69.040 and the 2023 Budget Ordinance, eligible employees shall be
31 appointed at the step in the salary range that is closest in amount but not lower than the employee’s
32 last salary at the Snohomish Health District.

33 2. Benefit eligibility: Eligible employees shall not be required to pay the employee
34 portion of the cost of medical benefits for January 2023.

35 3. Sick and Vacation Accrual Balances: Upon initial appointment, each eligible
36 employee may elect to forego the cash out of all accrued and unused sick and vacation leave earned
37 at the Snohomish Health District in exchange for an equivalent amount of leave at Snohomish
38 County. Sick leave earned at the Health District pursuant to RCW 49.46.210 may be converted to
39 equivalent leave to a maximum of 40 hours with any excess converted as ordinary sick leave in
40 the employee’s County leave bank. All such converted sick and vacation leave shall be considered
41 leave earned in the personnel system and frozen as provided in SCC 3.68.070(9).

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42
43 Section 6. A new section is added to Chapter 3A.06 of the Snohomish County Code to
44 read:

1 **3A.06.015 Employee benefits – Former employees of the Snohomish Health**
2 **District.**

3
4 For employees continuously employed by the County since January 1, 2023, that were
5 employed by the Snohomish Health District on December 31, 2022, the calculations under SCC
6 3A.06.040(7) and SCC 3A.06.050(1) shall include the number of monthly service credits the
7 employee earned under the Snohomish Health District personnel rules.
8

9 Section 7. Snohomish County Code Section 3.68.010, last amended by Amended
10 Ordinance No. 13-043 on June 19, 2013, is amended to read:

11
12 **3.68.010 Scope of Chapter**

13
14 The provisions of this chapter apply to the following positions:

- 15
16 (1) Two positions designated by each district court judge;
17
18 (2) Two positions designated by each of the following elected officials: assessor, auditor, clerk,
19 treasurer, prosecuting attorney, and each county councilmember;
20
21 (3) Four positions designated by the county executive;
22
23 (4) Eight positions designated by the sheriff in accordance with RCW 41.14.070; the chief of the
24 corrections bureau established by SCC 2.15.010 plus a deputy bureau chief, director of
25 administration, detention commander, community corrections commander, health services
26 administrator, and psychiatrist; and the Commander of the Snohomish Regional Drug Task Force
27 appointed by the sheriff in accordance with SCC 3.67.020;
28
29 (5) The department heads appointed by the executive and confirmed by the council;
30
31 (6) The division directors and division managers and deputy department heads of executive and
32 administrative departments whose department head is appointed by the executive and confirmed
33 by the council;
34
35 (7) The professional employees within the executive’s office;
36
37 (8) Deputy prosecuting attorneys in the prosecuting attorney’s office except as provided in
38 Snohomish County Ordinance 83-147;
39
40 (9) The professional employees within the county council’s office;
41
42 (10) Two positions designated by each superior court judge, the superior court commissioners,
43 the administrator, superior/juvenile court, the assistant administrator, superior court operations,
44 the assistant administrator, juvenile court operations, the case flow administrative manager,
45 superior court, the programs administrator, superior court, the human resources manager,
46 superior/juvenile court, and the administrative assistant, superior/juvenile court; except that no law

1 clerk/bailiff hired and designated pursuant to this chapter subsequent to December 31, 1992, shall
2 be entitled to the leave benefits conferred by this chapter, but instead they shall receive, use and
3 accrue vacation, sick and holiday benefits in accordance with chapter 3A.06 SCC;

4
5 (11) The administrator of the office of hearings administration and any deputy examiners selected
6 and appointed pursuant to SCC 2.02.030 and 2.02.040;

7
8 (12) The health officer appointed pursuant to SCC 2.300.080;

9
10 (13) Any classified employee transferred, reclassified or promoted to an exempt position on or
11 after the effective date of this subsection;

12
13 ~~((13))~~(14) The law and justice cabinet FTE appointed pursuant to SCC 3.68.030(7); and

14
15 ~~((14))~~(15) The professional county employees within the office of county performance auditor
16 established by SCC 2.700.010, if any.

17
18 Section 8. Snohomish County Code Section 3.68.070, last amended by Ordinance No. 02-
19 037 on August 21, 2002, is amended to read:

20
21 **3.68.070 Leave with pay.**

22 (1) There is hereby established for each exempt employee a current leave account within which
23 shall be retained the most recent leave entitlement and a reserve leave account within which shall
24 be retained any balance of leave exceeding 80 days.

25 (2) Annually on January 1st each exempt employee shall be granted a current earned leave
26 entitlement which shall be deposited to the current leave account in the amount specified
27 according to the following schedule based on months of county service completed:

28

Months of County Service Completed as of January 1st of Each Year	Current Earned Leave Entitlement Granted Per Year**
0—12	25 days
13—36	35 days
37+	40 days**

29 *Exempt employees covered by the LEOFF retirement system shall receive an entitlement which
30 is reduced by 12 days.

31 **Any employee hired prior to January 1, 1960, shall receive 45 days.

1 *** For employees continuously employed by the County since January 1, 2023, that were
2 employed by the Snohomish Health District on December 31, 2022, months of County service
3 shall include the number of monthly service credits the employee earned under the Snohomish
4 Health District personnel rules.

5 (3) When the balance in the current leave account exceeds 80 days, those days exceeding 80 will
6 be moved to a reserve leave account.

7 (4) During the course of the year, each absence from work for any reason other than for legal
8 holidays, jury or military leave and leave without pay as provided in SCC 3.68.060(3) shall be
9 charged against the reserve leave account until the balance is depleted, and thereafter it will be
10 charged against the current leave account.

11 (5) New exempt employees may not use more than one-half of their leave until they have
12 completed six months of service.

13 (6) Upon termination from the exempt service, including voluntary resignation, up to 60 days
14 accrued leave pay shall be made from the current leave account. Calculation of accrued leave pay
15 upon termination shall be based upon a maximum rate of 30 days for each full year completed in
16 the exempt service with a proration of any partial year. Before accrued leave pay is calculated for
17 superior court commissioners, a prorated portion of the leave granted in the year of termination
18 shall be forfeited from the reserve and/or current leave accounts based on the number of months
19 remaining in that year.

20 Any exempt employee who is removed from an exempt position due to a conviction of a felony
21 against the county shall forfeit any and all accrued leave. Where such felony charges are
22 pending, accrued leave pay shall be withheld by the county until the result is known.

23 (7) Upon termination from the exempt service for the purpose of receiving LEOFF II or PERS
24 retirement benefits, and immediately following termination of employment, an exempt employee
25 may exchange unused accrued leave for medical coverage subject to the following provisions:
26

27 (a) Leave to be exchanged shall only be that leave which is in excess of leave which may
28 be compensated as shown in (6) above. Leave may be exchanged on the basis of 60 hours
29 of exchanged leave shall equal one month of paid medical coverage for a retiree or retiree
30 and spouse in the county's retiree medical program.

31 (b) Leave may only be exchanged in 60 hour increments to a maximum of 720 hours.
32

33 (c) Leave which is not used, exchanged or compensated for prior to or upon termination
34 shall be forfeited.
35

36 (d) Upon the death of a retiree, a surviving spouse who has been enrolled in the retiree
37 medical plan may remain on the plan until paid medical coverage in (a) above has been
38 exhausted.
39

1 (8) An exempt employee who becomes an elected official shall also be eligible for the above
2 accrued leave pay as in (6) above.

3 (9) When an employee enters the exempt system from the personnel system or civil service,
4 vacation and sick leave accruals earned in that service shall be frozen for use at a later date as
5 follows:

6 (a) For each absence from work for other than legal holidays, jury or military leave and
7 leave without pay, an exempt employee may designate whether such leave was required
8 as a result of illness or for vacation purposes and such amount may be charged against
9 vacation and/or sick leave accrued under the personnel or civil service plan. Accordingly,
10 that amount of time will be charged to the appropriate frozen vacation or sick leave
11 accruals earned during personnel or civil service employment. If no such designation is
12 made the leave time will be deducted from exempt entitlement pursuant to
13 SCC 3.68.070(4).
14

15 (b) Upon termination, the employee will be paid for such vacation and sick leave as
16 provided in the rules applicable to the employment under which such vacation and sick
17 leave was accrued.
18

19 (c) When an exempt employee transfers to classified employment, the employee's frozen
20 classified sick and vacation leave accounts, if any, will be reactivated, and unused leave
21 days accrued under this section will be transferred to the employees sick and vacation
22 leave accounts as apportioned by the employee; PROVIDED, That the employee
23 transferring from the exempt system may either freeze the maximum accrual of exempt
24 time as provided in SCC 3.68.070 for cash out upon discontinuance of service with the
25 county or the employee may cash out the maximum accrual of exempt time as provided
26 in SCC 3.68.070 upon transferring to a classified position; and, PROVIDED, FURTHER,
27 That amounts of leave accrued under the exempt plan which exceed the maximum annual
28 accrued leave pay of 30 days as provided in SCC 3.68.070(6) may be used by the
29 employee for up to 24 months after the effective date of the transfer to a classified
30 position. When such a transfer occurs after January 1st of a calendar year, monthly sick
31 and vacation accruals shall begin January 1st of the following year at a rate which reflects
32 total years of completed county service.

33 (10) Any person entering an exempt position after the effective date of this chapter shall receive
34 as his/her entitlement for the year of entry into the exempt position, days of current leave
35 entitlement provided in subsection (2), prorated in proportion to the time remaining in the year at
36 the time of assuming the position. The leave entitlement allowable to those filling exempt
37 positions on a part time or temporary basis shall be similarly prorated; however, a person
38 working in an exempt position less than half-time shall receive no leave entitlement or other
39 benefits under this chapter.

40 (11) Accurate records of leave accruals and use thereof shall be maintained by the supervising
41 official of each exempt employee.
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