

Contingent Staffing Guide

Department of Human Resources

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Overview of Contingent Worker Administration

This manual provides general guidance for working with the following **contingent workers** at King County:

- **Term-Limited Temporary (TLT) employees**
- **Short-Term Temporary (STT) employees**
- **Contract workers – workers employed via a temporary staffing agency**

If you are a **hiring manager, supervisor, or HR professional**, this guide will help you understand when and how to utilize contingent workers in a manner that aligns with King County policy and King County Code (KCC).

 **Note:** Interns and work-study students are covered in the [Internship Policy and Procedures Manual](#).

Why This Matters

Per King County Code 3.12A.010, King County's policy is work that is ongoing, relatively stable, and predictable is to be performed by career service employees. Use of temporary and part-time employees should be minimized. **Contingent workers should only be used for temporary needs as described in the code and these guidelines.**

It is each department's responsibility to make sure contingent workers are used appropriately. The **Department of Human Resources (DHR)** collaborates with departments to review contingent worker use and ensure compliance with relevant policies.

What This Manual Covers

- How to determine if work is temporary.
- The steps to manage contingent workers.
- The process for appealing a contingent work classification.
- How to handle compensation and benefits eligibility.

This manual will be updated as policies, laws, PeopleSoft, or other HR systems processes change.

Who Should Use This Manual

All **executive branch departments, offices, and divisions, including the Assessor's Office and King County Elections**, are required to follow the policies outlined here.

A Few Important Notes

- This manual **does not create any new employment rights** (like the right to be hired, promoted, or any other right).
 - It is meant as a **guidance tool**, not a legal contract. These guidelines do not create an express or implied employment contract or term. It is a general statement of King County policy, which cannot form the basis for a private right of action.
 - King County can change or discontinue any part or all of this manual at any time.
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To help you understand this manual, we've defined key terms used throughout:

- **Contingent Worker**
Employee or worker hired to provide services to King County for a limited time. This includes:
 - **Short-Term Temporary (STT)** employees
 - **Term-Limited Temporary (TLT)** employees
 - **Contract Workers**
- **Ongoing Body of Work**
Work that is ongoing, relatively **stable, predictable, and expected to last more than half-time over a rolling 12-month period**. These types of jobs should typically be performed by career service employees rather than contingent workers. This does not include time-limited work that fits within a specific TLT position.
- **Substantially Similar Work**
Positions that involve **similar duties and responsibilities**, even if the titles or projects change. Time spent in these roles can count toward contingent work hour thresholds or create back-to-back contingent body of work issues.

Example: If an employee in a temporary Project/Program Manager III position supporting budget development is later appointed to a temporary Budget Analyst II position focused on preparing financial analyses, the two positions would likely be considered substantially similar. Conversely, if an employee in the same temporary Project/Program Manager III role is later appointed to a temporary Customer Service Specialist III position making program specific presentations, those positions would not likely be considered substantially similar.

Definitions

Annual Body of Work (BOW) Review

DHR conducts an annual review of the use of contingent workers. DHR provides a report that each department must respond to March 1 of each year, documenting its use of part-time (excluding part-time regular employees) and temporary employees (excluding probationary and provisional employees) in the preceding calendar year. For any unsettled BOW issues, the Career Service Review Committee will evaluate whether an ongoing, relatively stable, and predictable body of work exists.

If such a body of work is identified, the committee may recommend:

- Creating a regular career service position(s);
- Filling an existing vacant career service position(s);
- Creating a Term-Limited Temporary (TLT) position(s); or
- Ceasing the work

If no action is taken, the department or office must stop using temporary or part-time employee(s) for that body of work. Any new regular positions must be filled through a competitive hiring process. These reports are disclosable public records. (KCC 3.12A.030)

Artificial Limitation

When an ongoing body of work is performed by a STT whose hours are deliberately limited solely to avoid meeting or exceeding working-hour thresholds (910/1040 hours in a rolling 12-month period). Examples depend upon the specific facts but may include:

- Splitting an ongoing body of work between multiple STTs.
- Deliberately restricting STT hours on an ongoing basis where the body of work is ongoing, relatively stable, and predictable.
- Having a TLT or contract worker perform the same ongoing body of work previously performed by a STT.

Back-to-Back Assignments

Multiple, distinct temporary assignments separated by less than a six-month break in service. These assignments may occur in a different department, title, or classification where the body of work is substantially similar, it is considered back-to-back work. In addition, hours worked in each assignment may be combined for purposes of contingent worker hour thresholds.

Example: An employee works as an HR Analyst (TLT) in DES, and four months after that position ends, they are hired as an HR Analyst (STT) in Elections. In this case, where the positions are substantially similar, the employee's hours would be combined for purposes of the contingent worker hours thresholds."

Career Service Position

All positions in King County employment except those specifically exempted under Section 550 of the King County Charter. Positions exempt from career service include, but are not limited to:

- Elected officials
- The county auditor, the clerk, and all other employees of the county council
- County Administrative Officer
- Executive department directors, deputy directors, division directors, and deputy division directors
- Confidential assistants to those listed in the bullet above
- Members of all boards and commissions
- The Chief Economist and employees of the Office of Economic and Financial Analysis
- Physicians, surgeons, dentists, medical interns, student nurses, and inmates employed by county hospitals
- Temporary and part-time (excluding part-time regular) positions which are employed less than half-time,
- Volunteers and administrative interns
- Persons employed in a professional or scientific capacity to conduct a special inquiry, investigation, or examination

Career Service Review Committee (CSRC)

The committee conducts an annual body of work review per KCC 3.12A. Members include:

- The County Executive (or designee)
- The Director of the Office of Performance, Budget, and Strategy (or designee)
- The DHR Director (or designee)
- A representative from the agency under review

Comprehensive Leave Benefits-Eligible

Employees in the following categories are eligible for comprehensive leave benefits and insured benefits (medical, dental, vision, life, and disability insurance), unless otherwise defined by a collective bargaining agreement or insurer limitations:

- Full-time regular
- Part-time regular
- Provisional
- Probationary
- Term-limited temporary

Please note that STT employees are not eligible for comprehensive leave and insured benefits. Also, contract workers are not King County employees and are not eligible for comprehensive leave and insured benefits.

Contingent Worker

A temporary worker who is not a regular, provisional, probationary, or appointed King County employee. There are six types:

- Term-Limited Temporary Employees (TLTs)
- Short-Term Temporary Employees (STTs)
- Contract Workers
- Administrative Interns (see [Internship Policy and Procedures Manual](#))
- Volunteer Interns (see [Internship Policy and Procedures Manual](#))
- Work Study Students (see [Internship Policy and Procedures Manual](#))

Contract Worker

Worker hired through staffing agencies contracted by King County who provide short-term temporary support. They may not work up to or more than:

- 910 hours per rolling 12-month period, or
- 1040 hours per rolling 12-month period in health care
- positions with substantially similar work performed within or across departments counts toward the cumulative threshold.

Regular Position

A position established in the County budget and included within a department's authorized FTE level. (KCC 3.12.010(III))

Short-Term Temporary (STT) Employee

An employee who generally works less than 6 months and works below:

- 910 hours in a rolling 12-month period in a 35-hour/week work unit; or
- 1040 hours in a rolling 12-month period in a 40-hour/week work unit

Working-hour thresholds are cumulative across departments and divisions when the work is substantially similar. (Personnel Guidelines Section 22(S)). The working-hour threshold restarts after 26 consecutive weeks in an unpaid status. (KCC 3.12.010(NNN))

Temporary Employee Position

Any position that is not a regular position. Includes:

- Term-Limited Temporary (TLT) positions
- Short-Term Temporary (STT) positions

(KCC 3.12.010(PPP))

Term-Limited Temporary (TLT) Position

A temporary position with work related to a:

- Specific grant-funded project
- Information systems technology project

- Capital improvement project
- Major non-routine projects
- Seasonal position (due to the nature of the work has predictable periods of inactivity exceeding 1 month)
- Temporary backfill of regular positions (e.g., coverage for an extended leave)

TLT positions must be for more than six months and typically not more than three years, except for grants, capital, and IT projects, which can extend up to five years with the approval of the DHR Director. (KCC 3.12.010(RRR)and (QQQ))

Term-Limited Temporary (TLT) Employee

An employee appointed to a TLT position. TLTs are not part of the career service and are subject to the term limits described above. (KCC 3.12.010(QQQ))

Positions Must be Classified Appropriately

Don't Misclassify Employees

Washington law (RCW 49.44.160 & 49.44.170) provides that public employers (like King County) cannot:

1. Misclassify employees to avoid giving them benefits (incorrectly classify or label a long-term public employee as "temporary," "leased," "contract," "seasonal," "intermittent," or "part-time," or to use a similar label that does not objectively describe the employee's actual work circumstances).
2. Include any other language in a contract with an employee that requires the employee to forgo employment-based benefits The nature and substance of the work being performed should be reviewed. What a position is called is not dispositive.

Contract Workers are not King County employees

Generally, an employee is an individual for whom the County has the right to control the details of how the worker's services are performed. In contrast, an independent contractor is generally an individual engaged in an independent trade, business, or profession in which they offer their services to the public.

Annual Body of Work (BOW) Review (KCC 3.12A.030)

Every year by March 1, DHR compiles reports for each executive branch department detailing its use of contingent workers for the preceding calendar year. The Career Service Review Committee (CSRC) reviews these reports to see if:

1. The work is ongoing, stable, and predictable and should be done by a regular employee.
2. Use of a temporary position (such as a TLT) is appropriate.

3. The work should stop altogether.

Depending on their type and how many hours they work, contingent workers may be eligible for:

1. Medical, dental, and vision insurance
2. Paid leave
3. Retirement contributions
4. STTs receive retroactive pay in lieu of benefits if they meet or exceed the working-hour threshold
 - If a Short-Term Temporary employee works 910/1040 hours in a rolling 12-month period in one or multiple substantially similar positions, the County must provide a retroactive back benefits payment based on the County's cost for certain benefits.

Eligibility for coverage under the Affordable Care Act (ACA) may also apply. For ACA eligibility questions, contact: ACAAdministration@kingcounty.gov

Body of Work (BOW) Appeal Rights (KCC 3.12A.050)

STT workers who meet or exceed their working-hour thresholds or TLT term can seek conversion of the body of work they perform:

1. If they have reached or gone over the 910/1040 work hours threshold as an STT.
2. Have gone over the allowed term of a TLT appointment.

The Career Service Review Committee will review the appeal and decide whether the work performed by the employee shall:

1. remain temporary;
2. be converted to a TLT or regular position; or
3. be discontinued.

STTs and TLTs are At-Will employees (KCC 3.12A.060)

STTs and TLTs are at-will employees, which means that either the employee or King County may terminate the employment relationship with or without cause or prior notice. If the employee has initiated an appeal with the CSRC and the termination of that employee is for reasons related to the appeal, the termination shall be deferred until the conclusion of the appeal process.

 **Note:** For employees that are union represented, always consult the assigned labor contract and appendices and/or assigned labor negotiator prior to terminating a temporary or TLT employee.

Need Help? Here Are Your Go-To Resources

If you are managing or supporting contingent workers in King County, you are not alone. Here is where to find help and guidance:

Who to Contact

DHR's Classification and Compensation Services (CCS) team is your primary point of contact for questions regarding contingent worker policies.

1. **Email:** classcomp@kingcounty.gov
2. They can help you:
 - Understand policy requirements
 - Use PeopleSoft queries or other tools to assist with monitoring
 - Compliance with code provisions and policies

Where to Find the Manual

You can access this manual here:

Intranet (HR Community site): <https://kc1.sharepoint.com/sites/DHR-Intranet/SitePages/HR-Community.aspx>

Tip: Bookmark the intranet link for easy access!

How do I make changes in PeopleSoft?

Go to the [PeopleSoft Knowledge Center](#) to access user guides on how to set up and make changes for STT and TLT positions and employees.

Part I: The Body of Work Review

The **Body of Work (BOW) Review** is a process by which King County ensures that contingent workers are utilized appropriately for temporary needs, rather than for long-term jobs (ongoing, relatively stable, and predictable) that should be assigned to regular career service employees.

Why It Matters

Per **King County Code 3.12A.010**, all work that is relatively stable, predictable, and ongoing should be done by **career service** employees. The **Department of Human Resources (DHR)** conducts an annual review of contingent work across departments to ensure compliance.

What Happens Each Year

1. **DHR identifies bodies of work that may meet or exceed term-limit or working-hour thresholds and provides each department with a report.**

Each department must:

2. **Submit responses to BOW questions.**
3. **The Department will meet with the Career Service Review Committee (CSRC) if any potential issues arise that cannot be reconciled.**

 **Note: Each department or office should also monitor their bodies of work and contingent worker usage throughout the year and not solely depend on the annual BOW review.**

A. What's Included in the Review

The CSRC looks at:

1. Whether any contingent workers are doing ongoing, full-time (or near full-time) work
2. Term-Limited Temporary (TLT) positions that have gone past their approved end date
3. Short-Term Temporary (STT) workers nearing or exceeding their working-hour threshold
4. Contract workers with high hours
5. Contingent workers performing similar jobs across multiple assignments
6. Interns where there is a question regarding the internship guidelines

Tool: Departments can use PeopleSoft queries to help identify these issues.

B. Who's Involved

The **Career Service Review Committee (CSRC)** is made up of:

1. The County Executive or designee;
2. The Director of the Office of Performance, Strategy, and Budget or designee;
3. The DHR Director or designee; and
4. A representative of the department being reviewed

They determine whether work being done by the contingent staff should:

1. Become a regular (career service) position;
 2. Be assigned to a TLT; or
 3. Stop altogether
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C. What You Need to Do

As a hiring manager or HR staff:

1. Evaluate a body of work at its inception to determine its appropriate classification
2. **Respond to DHR BOW questions**
3. **Use PeopleSoft queries year-round** to monitor contingent worker hours and assignments.
4. **Participate in CSRC meetings** if requested.

Proactive review by the department is helpful to minimize issues for the CSRC review.

Reference Templates

1. **TLT Appointment Letter (Hourly or Exempt)**
2. **TLT Body-of-Work Appeal Form – for TLT employees to appeal for the review of their position to be established as career service.**

You can find templates and forms by visiting the [HR Community](#) web pages, or by contacting DHR.

 **Note:** All temporary employee hire letters must include a reference to their appeal rights.

After the Review

1. The CSRC's decisions are shared with each department.
 2. The outcomes may include a required change (e.g., ending an assignment, hiring a regular employee, or paying back benefits).
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Part II: Term-Limited Temporary (TLT) Employees

A **TLT** is a temporary employee hired to complete a clearly defined, short-term project or body of work, not to fill a regular, ongoing position (except for certain back-fills). These positions are limited in duration and must follow specific rules outlined in King County Code.

TLTs are comprehensive leave benefit-eligible employees and are provided with insured and comprehensive leave benefits for the duration of their TLT employment assignment.

Purpose of TLT Positions

TLTs may be used for **temporary work that**:

1. Has a **clear end date, but will last more than 6 months**
2. Is **not ongoing** or **permanent**
3. **Should not** be used to avoid filling a regular career service job

Important: You can't repeatedly reassign a TLT to similar work. If the work is ongoing, regularly stable, and predictable, it must be performed by career service employees.

A. When to Use a TLT

Before requesting a TLT, make sure the work:

1. Has a **clear, time-limited purpose**
2. Will not continue indefinitely
3. Falls into one of the approved TLT categories (see next section)

If the work duration is short (less than 6 months), a **STT** is the appropriate classification.

 **Note:** Some collective bargaining agreements, including the Coalition Bargaining Agreement (CLA) have job posting requirements for TLTs and Special Duty positions. Consult the appropriate contract and/or consult with the assigned contract's labor negotiator prior to posting a represented TLT or special duty position.

B. TLT Categories & Time Limits

TLT work must be one of the following categories, which determines how long the assignment can last:

Category	Examples	Max Initial Term	Max Total Term
Grant-Funded Projects	Projects funded by temporary grants	3 years	5 years
IT Projects	Implementing new systems	3 years	5 years
Capital Improvement Projects	Large-scale construction or facility upgrades	3 years	5 years
Miscellaneous or Non-Routine Projects	One-time projects, backfills, and training roles	3 years	3 years
Seasonal positions	Due to the nature of the work has predictable periods of inactivity exceeding one month	3 years	3 years

*A Backfill TLT for a **vacant career service** position has a maximum term of 1 year.

*Backfill TLTs in support of Grant-Funded Projects, IT Projects, and Capital Improvement Projects have a maximum total term of up to 5 years.

 Note:

- If the main project or grant ends early, the TLT will also end.
- **A TLT cannot be used to fill a vacant regular position unless the TLT is a Special Duty assignment.** The maximum term that a vacant regular position can be backfilled with a Special Duty TLT is twelve months.

C. Monitoring TLTs – Department Responsibilities

1. Review work at the outset of the TLT to ensure it is appropriately classified
2. Track end dates and ensure workers **do not exceed their approved end date.**
3. Utilize PeopleSoft queries to monitor status.
4. If additional time is required, resubmit a request for an extension at least two weeks **before the current end date.**

 **Reminder:** If the nature of the work changes or becomes ongoing, the position needs to be reviewed, and a new position type may be required.

D. Ending or Changing a TLT Position

1. TLTs may be **terminated at any time** (they are at-will employees), unless in the BOW appeal process pending regarding that TLT.

2. If a TLT is hired into a regular position with no break in service, certain leave and service accruals may carry over.

For questions or assistance with Adjusted Service Dates, contact:

servicedatequestions@kingcounty.gov

E. Assigning a Job Classification and Rate of Pay for TLT Positions

1. Assign a job classification that best represents the work to be performed. For any questions or support contact CCS.
2. TLTs are not subject to probation and don't receive a probationary step increase. TLTs are not eligible for merit pay increases. TLTs may be eligible for an annual step increase timed around the anniversary of their start date.

A documented TLT performance appraisal is required for a step increase.

- Template for TLT performance appraisal can be found on the [HR Community SharePoint site](#)

For represented employees, the terms of the applicable collective bargaining agreement will apply.

F. Reference Templates

1. TLT Appointment Letter (Hourly or Exempt)

You can find templates and forms by visiting the [HR Community](#) web pages, or by contacting DHR.

 **Note:** All temporary employee hire letters must include a reference to their appeal rights.

Part III: Short-Term Temporary (STT) Employees

Short-Term Temporary (STT) employees may be hired to meet brief or occasional staffing needs, not to perform ongoing, relatively stable, and predictable work. STTs may work less than 910/1040 hours in a rolling 12-month period.

When to Use an STT

STTs should only be used for periods of work that are six months or less, or less than half-time.

Possible situation where a STT may be used:

1. **Peak workloads**
2. **Short-term projects**
3. **Seasonal jobs**
4. **Backfilling** for a short absence

STTs should not be used to avoid hiring for a regular position or to fill work that is ongoing, relatively stable, and predictable.

Working-Hour Thresholds for STTs

STTs may only work:

1. **Less than 910 hours** in a rolling 12-month period in a 35-hour workweek unit; or
2. **Less than 1,040 hours** in a rolling 12-month period in a 40-hour workweek unit.

When evaluating the temporary need, if the work is likely to exceed these limits, a **TLT** or career service position should be considered.

- Time worked in substantially similar roles as an STT within or across different divisions or departments should be considered and assessed toward the working-hour thresholds.

 **Note: Affordable Care Act (ACA):** Non-seasonal STTs that are planned or scheduled to average 30 hours or more a week, or 130 hours or more a month, may be eligible for Affordable Care Act (ACA) benefits. STTs in positions that will average less than 30 hours per week may also be eligible if they logged enough total hours in a previous (recent) position. Consult ACA Administration team with any questions and for any transfer or rehire whose recent employment period ended within four months of the STT start date.

Contact: ACAAdministration@kingcounty.gov

A. When an STT Position Ends

STT employees are at-will, and an STT position may end due to:

1. Completion of the work
2. Prior to meeting the working-hour threshold
3. A break in service of 12 months or more. If an STT position has not been used within 12 months, it should be deactivated.

 **Note:** If you are ending an STT appointment due to the working-hour threshold, **you cannot hire another STT to continue the work or similar work**. If you need to continue the work, you must create a TLT or regular position.

B. Monitoring STT Usage

Departments are responsible for making sure STT employees:

1. **Do not meet or exceed working-hour thresholds**
2. **Are not performing ongoing, relatively stable, and predictable work**
3. **Are not having their hours “artificially limited” (please see page 5)** to keep the employee under the work hours threshold.

 If an STT meets or exceeds the work hours threshold, they must receive a retroactive benefits payment including:

1. **12.5% of gross pay for all hours worked in lieu of leave benefits**, and
2. **Additional compensation for the County’s cost for health and other insured benefits**, and
3. **Compensation in lieu of a transit pass** (if they were not provided with one).

Resources on the back benefits process and calculation form are available on the [HR Community](#) page.

Watch for These Issues

Under King County’s policies Departments may not do the following:

1. Multiple STTs may not rotate through the same job to stay under the working-hour threshold
2. You cannot switch an STT to a contract worker role to keep the same work going; if it is ongoing, relatively stable, and predictable work, it needs to be performed by career service employees
3. You may not limit STT hours to stay “under the radar”; the classification must be based on the body of work being performed

If the work is **ongoing**, relatively stable, and predictable, it should be converted to a **TLT if it fits an allowable TLT category (review TLT Category and term limits), or a regular career service position.**

C. What to Do If an STT Meets or Exceeds Their Working-Hour Threshold

If this happens, you must:

1. **Stop the work (end the STT)**, or
2. **Reassign the work** to a regular employee, or
3. **Request a TLT** if the work qualifies

Regardless of which action is taken, when the work hour threshold is met or exceeded, the **STT will be owed a back benefits payment**. This payment is due if the STT meets or exceeds the working-hour threshold for performing the same body of work or if multiple positions are held, performing substantially similar work, without a 26-consecutive week break between assignments. KCC 3.12.040.

D. Reference Templates

1. **STT Appointment Letter with Appeal Form**
 - Access the [HR Community](#) site or contact DHR for copies.
-  **Note:** All temporary employee hire letters must include a reference to their appeal rights.

Part IV: Contract Worker Program and Services

King County may use contract workers to perform temporary tasks through staffing agencies or as independent contractors. This section explains when and how you can utilize contract workers, as well as the rules you must follow.

Purpose of Contract Workers

Contract workers should only be used when:

1. There is a **temporary need**.
2. The role is **clearly defined** and **not ongoing, relatively stable, and predictable**.
3. The work cannot or should not be done by regular or temporary county employees.

Contract workers are not a substitute for hiring or providing benefits to employees.

Contract workers' assignments are limited to 910 work hours within a 12-month rolling period or 1,040 work hours for health care positions.

A. Contract Workers Administration

Once a contract worker is in place:

1. Your agency is responsible for ensuring that the assignments are limited in duration and do not meet or exceed the 910/1040 work hour thresholds.
DHR also monitors contract workers' hours usage.
 2. **Avoid back-to-back or repeat assignments.**
Avoid rotating contract workers through similar roles.
 3. Do not assign career service work or work that is ongoing, relatively stable, predictable, and more than half-time. Contract workers should not manage staff or make decisions reserved for regular career service employees.
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B. Pay and Oversight

1. Contract workers are paid through the **staffing agency or vendor**, not directly by King County.
2. Departments must administer the:
 - **Contract terms;**
 - **Length of assignment;** and
 - **Scope of work**

3. Repeated use of contract workers or having contract workers meet or exceed their thresholds may result in financial consequences.
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D. Important Limitations

King County employees are not permitted to concurrently work as contract workers for the county.

If someone is already a county employee (full-time, part-time, STT, or TLT), they cannot simultaneously work for the county as a contractor either independently, through a vendor, or a staffing agency.

Part V: Appealing a Body of Work Designation

Sometimes, contingent workers believe their work is ongoing, relatively stable, and predictable, and should be considered a regular (career service) position. This section explains how they can appeal that classification if they meet certain conditions.

Purpose of the Appeal Process

The appeal process gives **STT** and **TLT employees** the chance to request a review of their position if they meet or exceed their working-hour threshold or their years limit. (KCC 3.12A.050)

If approved, depending on the nature of the work, the work may be reclassified as a TLT or **career service** position.

A. When an Appeal Is Allowed

A Contingent Worker can file an appeal if:

1. They are a **temporary employee** (STT or TLT), and
2. They have met or **exceeded the working-hour threshold or term limits** for their position.

⚠ This section does **not** apply to probationary or provisional employees.

B. How to Appeal

1. Complete the Appeal Form

Contingent worker appeal forms are available on [HR Community](#) site.

2. Send the Appeal To:

- **Classification and Compensation Services email:** classcomp@kingcounty.gov,

or

- **Mail to:**

Career Service Review Committee (CSRC)
c/o Classification and Compensation Services
Department of Human Resources
King Street Center
201 South Jackson Street, Suite 801
Seattle, WA 98104
Mailstop: KSC-HR-0801

3. **Committee Review** – The **Career Service Review Committee (CSRC)** reviews the appeal and decides:
 - Whether the work should remain temporary
 - Whether it qualifies as a TLT or career service position
 4. **Timeline**
 - The CSRC must respond within 45 days of receiving the appeal.
-

C. What Happens After the Decision

1. If the CSRC agrees that the work is ongoing:
 - They may recommend converting it to a **TLT or career service** position.
 - If additional position authority or funding is required, a request is submitted to the Executive and then to the County Council.
 - If the Council does not approve of a new position, the work must stop.
 2. If the CSRC denies the appeal:
 - The contingent worker can appeal the CSRC decision within 10 days to an independent **hearing examiner** or **arbitrator**, whose decision is final.
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If an Appeal is Approved

1. The contingent worker may be placed in a **career service** or **TLT** position, depending on the CSRC's recommendations and if there is funding for the position.
 2. The **seniority and benefits** may be backdated to when the provisional or TLT appointment began (if there was no break in service).
 3. If a union represents the position, the collective bargaining agreement may affect how the start date or probation period is calculated.
 - TLT employees with a successful appeal shall be placed in a career service position and not required to serve a probationary period.
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 Need the form?

See the "**TLT Body of Work Appeal Form**" or "**STT Body of Work Appeal Form**" available on the DHR [HR Community](#) page(s).

Part VI: Contingent Staff Benefits Offset (Payment for Compensation in lieu of Back Benefits)

King County may owe a contingent worker retroactive back benefits or a benefit offset payment when:

- An STT meets or exceeds the allowed working-hour threshold,
- When an STT has their role converted from STT to TLT (with no break in service), or
- When a TLT is converted to STT without a break in service.

Reminders:

- When an STT meets or exceeds the work hours threshold, the position must be converted to a benefited position or the work must end.
- When a TLT was converted to an STT in the same role performing substantially similar work without a six-month break in service, the position must be converted into a benefited position or the work must end.

This section explains when this happens and how it works.

Retroactive Back Benefits Payment Eligibility Matrix

Event	Eligible for Back Benefits ¹	Begin Date
STT meeting or exceeding 910/1040 Work hours threshold ²	YES	Start date of STT
STT to TLT	YES, but only if work was substantially similar	Start date of STT
TLT to STT	YES, but only if work was substantially similar	Start date of STT
STT to Regular FTE ³	NO	Not applicable
TLT to Regular FTE ³	NO	Not applicable ⁴

¹Eligibility for any event assumes no break-in-service of six months or more; such a break in service renders the individual ineligible for a back benefits payment.

²STT thresholds are based on a rolling 12-months period, and are less than 1040 work hours in a 40-hour workweek unit, or less than 910 work hours in a 35-hour workweek unit, or

³Can be either career service or career service-exempt.

⁴For assistance with Adjusted Service Dates, contact: servicedatequestions@kingcounty.gov.

Note:

- A TLT cannot be used to fill a vacant regular position unless the TLT is as a Special Duty assignment. The maximum term that a vacant regular position can be backfilled with a Special Duty TLT is twelve months.
- If the employee received Affordable Care Act (ACA) coverage or a Transit Pass during the period in question, the retroactive benefit payment must exclude the value of those benefits for the applicable months.

Important: Retroactive back benefits payments are limited to a maximum of three years.

Purpose of Back Benefits

Back benefits compensate temporary workers who meet or exceed working-hour thresholds.

These benefits may include:

1. **Compensation in lieu of leave benefits** (12.5% of gross pay for all hours worked)
2. **Compensation in lieu of insured benefits** (e.g., medical, dental, vision)
3. **Reimbursement for the value of transit benefits** (like bus passes) if the worker was not provided a transit pass.

A. When Back Benefits Apply

Back benefits are required if:

A **Short-Term Temporary (STT) worker** meets or exceeds their **working-hour threshold** (910 or 1,040 hours in a rolling 12-month period), and:

- That period does not include a 6-month break-in-service.
- If work performed in different positions had substantially similar duties.

B. What the County Must Pay

Once an employee meets or exceeds the threshold, they are entitled to a retroactive benefit payment that may include:

1. **12.5% of gross pay** for hours worked. The hours included are **for all hours worked** as an STT, **paid retroactively going back three years**.
2. **An amount equivalent to the County's cost for insured benefits, calculated based on hours worked.**
3. **Cash in lieu of the bus pass benefit**, also calculated based on hours worked.

These payments:

1. **Are limited to a three-year retroactive period.**
2. Continue until the worker is hired into a **comprehensive leave benefits-eligible** position (career service, TLT); or,

3. Continue until their **employment ends**.
-

C. How to Apply the Benefits Offset

The department must:

1. Work with DHR Classification and Compensation Services (CCS) to calculate the amount owed
2. **Always use the current Back Benefit Calculation and Approval Form**, by accessing the form on the [HR Community](#) site page.
3. Ensure payment is processed through Payroll

Refer to the Retroactive Back Benefits Payment Eligibility Matrix for detailed rules and scenarios.

That is It!

You've reached the end of the Contingent Staffing Guide. If you need help:

For assistance, Contact the DHR CCS team at classcomp@kingcounty.gov