

The Washington State Boundary Review Board For King County

REGULAR MEETING

7:00 P.M.

September 12, 2024

***Bellevue Fire Department Station 9 a/k/a Newcastle Fire Station
12412 Newcastle Way, Bellevue, WA 98006***

Hybrid Option: Zoom Meeting ID: 869 0339 3324, Passcode: 446243

NOTE TO THE PUBLIC:

This meeting is open to the public pursuant to the Open Public Meetings Act (OPMA).

I. CALL TO ORDER – 7:00 PM

Stephen Toy, Chair-Elect

II. ROLL CALL

Mary Lynne Evans	Paul MacCready
Chandler Felt	Hank Margeson
Marlin Gabbert	Teresa Platin
Jay Hamlin	Cheryl Scheuerman
Ken Hearing	Bob Cook, Chair

III. PUBLIC COMMENT

IV. MINUTES:

Regular Meeting of August 8, 2024

V. ADMINISTRATION

- A. Chair Elect's Report***
- B. Executive Secretary's Report***
- C. Committee Reports***
 - 1. Budget Committee***

VI. EXECUTIVE SESSION

The Board will hold an Executive Session per RCW 42.30.110(1)(g) in order to discuss the performance of the Executive Secretary.

AGENDA

September 12, 2024

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VII. VOTE RE APPROVAL OF THE ANNUAL PERFORMANCE APPRAISAL OF THE EXECUTIVE SECRETARY

VIII. PERSONNEL COMMITTEE REPORT & DISCUSSION

IX. VOTE RE EXECUTIVE SECRETARY 2025 EXECUTIVE LEAVE AWARD

X. DEBRIEF CONFLICT DE-ESCALATION TRAINING & NEXT STEPS

XI. DISCUSSION OF STANDARD OPERATING PROCEDURE DRAFT

A. Declarations of Emergency Per RCW 42.30.070

XII. 2024 PLANNING – MEETINGS & COMMITTEE WORK

A. Board Membership & Terms

XIII. NEW BUSINESS:

A. New File: None

B. Masterlist

C. Upcoming Actions/Other Updates – Registrations for 2024 WSABRB Annual Conference – 10/24/24

XIV. ADJOURNMENT

COMMITTEE MEMBERSHIP LIST

STEERING COMMITTEE*
CHAIR: Steve Toy
Mary Lynne Evans
Paul MacCready
Hank Margeson

NOMINATING COMMITTEE*
CHAIR: Hank Margeson
Jay Hamlin
Ken Hearing
Paul MacCready

PERSONNEL COMMITTEE*
CHAIR: Ken Hearing
Jay Hamlin
Teresa Platin
Chandler Felt

LEGISLATIVE COMMITTEE*
CHAIR: Mary Lynne Evans
Marlin Gabbert
Chandler Felt
Cheryl Scheuerman

BUDGET COMMITTEE*
CHAIR: Jay Hamlin
Marlin Gabbert
Cheryl Scheuerman
Teresa Platin

*Bob Cook, as Board Chair, is an ex officio member on all committees

**WASHINGTON STATE BOUNDARY REVIEW BOARD
FOR KING COUNTY**

REGULAR MEETING

August 8, 2024

I. CALL TO ORDER

Chair Bob Cook convened the meeting at 7:06 P.M.

II. ROLL CALL

The following members were present:

Robert Cook	Hank Margeson
Mary Lynne Evans	Paul MacCready
Chandler Felt	Teresa Platin
Marlin Gabbert	Cheryl Scheuerman
Jay Hamlin	Stephen Toy
Ken Hearing	

Other attendees: Shelby Miklethun, Angelica Velasquez

III. PUBLIC COMMENT

There were no public comments.

IV. MINUTES

REGULAR MEETING – JUNE 13, 2024

Chair Cook presented the minutes of the Regular Meeting of June 13, 2024, for review and action by the members.

Action: Hank Margeson moved and Ken Hearing seconded the motion to adopt the draft minutes for the Regular Meeting of June 13, 2024.

Board members voted ten in favor of approving this record of the Regular Meeting. Chandler Felt did not vote as he arrived shortly after the vote.

V. GUEST SPEAKER: CARL SCHROEDER, ASSOCIATION OF WASHINGTON CITIES

Carl Schroeder of the [Association of Washington Cities](#) (AWC) spoke with Members regarding AWC's impressions of the 2024 Legislative Session as well as some of its thoughts on bills and issues that could arise in the upcoming 2025 session. Additionally, he and Members discussed AWC's current priorities regarding planning and land use. Members and Ms. Miklethun thanked Mr. Schroeder and AWC for accepting the Board's invitation to speak and for engaging in the discussion.

VI. TRAINING: CONFLICT DE-ESCALATION, KING COUNTY SHERIFF'S OFFICE

Deputy Megan Ross of the [King County Sheriff's Office](#) conducted an in-depth [Conflict De-Escalation Training](#). Members thanked Deputy Ross for sharing many tools and insights and also decided to add time for a Board de-brief and next steps regarding this training at its September meeting.

VII. ADMINISTRATION

A. CHAIR'S REPORT

Chair Cook reported that he continues work with Ms. Miklethun regarding preparing for the Board's meetings.

B. EXECUTIVE SECRETARY'S REPORT

Ms. Miklethun shared the proposed [Agenda](#) for the virtual 2024 WSABRB Annual Conference on October 24, 2024. She invited Members to inform her and Ms. Velasquez if they would like to attend to that they can register them and make payment. Additionally, she reported that she and the WSABRB Education Committee Chair, Alison Sing, have been working on a proposal to host free mini Zoom training sessions for BRB members and staff in 2025. She added that these trainings will not have a cost as they will be included in the annual WSABRB county membership assessments. Finally, she shared that these planned sessions are highlighted in the latest edition of the [WSABRB Newsletter](#).

VIII. 2024 PLANNING – MEETINGS & COMMITTEE WORK

The members and Ms. Miklethun discussed potential meeting content/items by month that need to be addressed by the Board through January 2025 as well as associated committee meetings and work. They reviewed changes and additions to the items that need to be addressed in that timeframe. Ms. Miklethun reminded members with expiring terms to check in with her regarding requesting re-appointment if they had not yet done so.

IX. NEW BUSINESS:

A. NEW FILE [2420](#)

The Board received a Notice of Intention (File No. 2420) submitted by the Sammamish Plateau Water & Sewer District (the District.) Members received a [Summary](#) for File No. 2420 in their meeting packets. Ms. Miklethun shared King County iMap mapping of the area, and the members discussed the file.

Ms. Miklethun relayed that the District proposes to withdraw territory from its corporate boundary for purposes of water service based on a petition of qualified voters. She relayed that King County Elections certified that the petition met the statutory minimum number of qualified voters. Next, she shared that District representatives stated that it would like to withdraw the territory because: 1) it does not serve the territory (water is currently provided via private well;) and 2) the Ames Lake Water Association, a private water association, has agreed to add the territory to its service area upon the District's withdrawal.

Ms. Miklethun expressed her appreciation for the District's regular assessment of its boundaries and service areas. The members discussed the Notice of Intention and the District's provision of services in the area.

X. ADJOURNMENT

Chair Cook adjourned the Regular Meeting at approximately 8:50 P.M.



King County

EXECUTIVE BRANCH PERFORMANCE APPRAISAL AND MERIT PAY SYSTEM GUIDELINES

Department of Human Resources

Version Updates	Date Updates Posted for Countywide Access	Revision Contributor/Owner
August 2017	Posted to HRD website: August 21, 2017	Grey Lewis, HR Analytics & Systems Manager
October 2021	Section 2.3. Updated reference of exclusions of Appointed leaders from merit-over-top eligibility.	Grey Lewis, HR Analytics & Systems Manager
July 2023	Section 2.3. Removed exclusion for Appointed leaders for merit-over-top eligibility	Denise Pruitt, Chief of Policy & Legislation Grey Lewis, HR Analytics & Systems Manager

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SECTION 1. INTRODUCTION

1.1 PURPOSE OF GUIDEBOOK

The performance appraisal and merit pay system promotes communication about work performance between supervisors and employees, and ongoing employee development. This guidebook ensures that directors, managers and supervisors have correct, up-to-date instructions in applying the current merit pay processes contained in the King County Code.

Regardless of whether employees are covered under the County's Merit Pay Plan, all employees should be given clear expectations and standards for performance, receive regular, ongoing feedback on their performance, and discuss progression towards achievement of a development plan.

What form agencies use to capture feedback is less critical than engaging in communication with the employee about their performance and development. This guidebook provides information on requirements of the Merit Pay Plan. Use of the following tools and guidance will help agencies develop a meaningful feedback approach.

1.2 CRITERIA

Performance evaluations are based on individualized, position-specific performance elements.

Completed appraisal forms are kept in the employee's personnel file.

A completed appraisal is required in order for an employee to be eligible for a merit increase. Appraisals must meet the following criteria:

- They must be written.
- They must indicate clearly overall performance.
- They must provide for employee feedback.

SECTION 2. KING COUNTY CODE AND EMPLOYEES COVERED

King County's merit pay system is governed by the [King County Code, Chapter 3.15](#) -- Pay Plan and Classification of Positions, which authorizes merit payment according to performance level and current step in the pay range.

2.1 EMPLOYEES COVERED

The Merit Pay Plan applies to approximately 2,000 positions in the Executive-Branch departments including employees in the following separately-elected agencies:

- Department of Assessments
- Department of Elections

2.2 EMPLOYEES NOT COVERED

- Employees on a fixed progression step plan or single-wage rate
- Term-Limited Temporary employees. Refer to the [Contingent Workforce Manual](#) for separate pay procedures covering TLTs.
- Short-Term Temporary employees
- Fellows and interns
- Work Study students

2.3 COVERED BY THE MERIT PAY SYSTEM, BUT NOT ELIGIBLE FOR MERIT INCREASES

- Employees who are currently serving a probationary period (except for employees who are serving a probation following a lateral transfer);
- Employees who have completed their probationary period less than three calendar months prior to the effective date of the increases (completion on or before July 31 for some union members, completion on or before September 30 for most participating groups); and
- In general, the merit award system affects non-represented King County Career Service and regular Career Service Exempt employees; however, employees represented by unions may participate in the merit award process, subject to provisions negotiated in their respective bargaining agreements.

Department Directors are not eligible for merit increases over Step 10.

SECTION 3. WHEN TO HOLD PERFORMANCE APPRAISALS

TIMING

An employee performance review of all eligible employees is conducted each fall (this does not include employees currently serving probation). Depending on the organization, this review may cover performance for the previous six months (March-August) or for the previous year (September-August). If the performance appraisal is for a different period, this is to be indicated on the Performance Appraisal form.

The default performance appraisal review period is September 1 through August 31.

Although this appraisal process results in a final review year-end report, the expectation is that supervisors and managers will have periodic check-ins with their employees to assess their development and performance. HRD recommends holding formalized check-ins quarterly.

SECTION 4. SCORING, merit awards AND APPEALS

4.1 HOW TO APPLY STEP INCREASES

See Appendix A – PERFORMANCE APPRAISAL AND COMPENSATION CROSSWALK.

4.2 SCORING CONSISTENCY

Within each department and division, consistency is required to ensure equitable treatment. It is recommended that supervisors and managers within divisions discuss and have a consensus of what “outstanding” work looks like, as well as to identify standards for other rating levels and a consistent approach to awarding step increases.

4.3 ABILITY TO EARN MORE THAN ONE STEP INCREASE

Under [KCC 3.15.020\(4\)](#), the appointing authority is able to grant multiple step increases for employees participating in the County’s performance appraisal system. In awarding additional step increases, be mindful of how such increases might impact your agencies’ internal salary equity and alignment, including those employees not eligible for a step increase. This flexibility to grant multiple step increases does not apply to employees who are eligible for multiple step increases through their collective bargaining agreement (for example, those that move two steps annually through their salary range.)

*Appointing Authority means the county council, the executive, chief officers of executive departments and administrative offices, or division managers having authority to appoint or to remove persons from positions in the county service.
[K.C.C. 3.12.010 (B)]*

4.4 RESULTS AND MERIT AWARDS

Notifying Employees of Results

Do not inform any employee that he or she will receive a merit raise until your department has determined that such increases will be granted, including a fiscal review authorization.

Employees who will receive a merit increase should be informed in writing of the step change and effective date. Personalized letters to those not receiving awards should also be written to tell them that, even though they will receive no increase, their work is recognized and appreciated. In order to receive a merit increase, there needs to be a complete, documented performance evaluation for the eligible employee approved by the department director or designee and maintained in the employee’s personnel file.

4.5 APPEALS

The employee may request to meet with the supervisor's superior for a review of the performance appraisal. Once the appeal process has been completed, scores are finalized and a report which assigns step increases is submitted.

The *King County Personnel Guidelines, Section 15.3*, provides for appeals as follows:

A. Within **five working days** after a copy of the performance appraisal form is given to the employee, the employee may request additional review and consideration by their division director (or, where the employee's supervisor is the division director, the department director). The employee should prepare a written request, which includes the following elements:

- Identify the appraisal by date, the name of the evaluator, and the date the appraisal was received.
- Specify the ratings or comments that the employee believes are incorrect.
- State the ratings or comments the employee believes should be made on the appraisal.
- Give facts substantiating each change requested.
- Keep a copy of the written request and send the original to the division (or department) director.

B. Upon receiving the request, the division (or department) director will have **15 calendar days** to meet with the employee. The division (or department) director will either sustain or change the performance appraisal, and notify the employee of the decision in writing. In case of a change to the appraisal, a copy of the revised appraisal is to be included with the decision.

C. In the event that the issue is not resolved by the division director, the employee may, **within 15 calendar days** of the meeting with the division director, meet with the department director, who will notify the employee of the decision in writing. The department director's decision to sustain or change the performance appraisal will be final.

4.6 EFFECTIVE DATES FOR MERIT PAY CHANGES

All eligible employees may expect to receive their merit pay increases in their pay checks issued the first full pay period that includes January 1, or if represented under a collective bargaining agreement, in accordance with the provisions of the agreement.

APPENDIX A - PERFORMANCE APPRAISAL AND COMPENSATION CROSSWALK

If an employee is currently at this step	And receives one of these ratings			The employee can earn this
Employee's Current Step	EPAS RATING*	NUMERIC EQUIVALENT	K.C.C. PROVISION	CODE PROVIDED POSSIBLE STEPS
Step 1 – 4	Meets Expectations	3.0000 – 3.9999	Standard Performance	Single Step
Step 1 – 4	Exceeds Expectations	4.0000 – 4.2499	Above-Standard Performance or higher	One or More Steps
Step 5 – 7	Exceeds Expectations	4.0000 – 4.2499	Above-Standard Performance or higher	One or More Steps
<ul style="list-style-type: none"> • Employees can move from step 5 to 6; or 6 to 7; or step 7 to 8 with Exceeds Expectation or higher performance 				
Step 8 – 9	High Performance	4.2500 – 5.0000	Outstanding Performance	Single Step
<ul style="list-style-type: none"> • Moving from step 8 to 9; or from step 9 to 10 requires High Performance Rating 				
Step 10 (or MOT)	High Performance	4.2500 – 5.0000	Outstanding Performance	Up to 5%
<ul style="list-style-type: none"> • Merit increases above step 10 (or top step) require that the employee be at the top step for two consecutive years, and score outstanding (high performance) both years. To maintain that above step 10 rating, the employee must be continuously outstanding in performance for the entire rating period. <ul style="list-style-type: none"> ▪ Employee must be at top step two years prior to the effective date of the merit-over-top. By example, an employee must have been at step 10 effective 1/1/2015 to be eligible for merit-over-top effective 1/1/2017. 				

For employees currently at step 10, King County Code 3.15.020(3) further provides for Merit-over-Top (MOT). The appointing authority has the ability to grant MOT of 2.5% or 5% above the top step of the range for a period of 12 months if all the following conditions are met:

- The employee is not a Department Director. Department Directors are not eligible for merit-over-top pay.
- The employee has been at the top step of the prior or current range for two years before the award of the increase; and
- The employee has demonstrated continuous outstanding performance (EPAS = High Performance) throughout the rating period.
 - Employees are required to receive a High Performance (Outstanding) rating to receive and “re-earn” merit-over-top each year. If an employee has previously earned merit-over-top in their position, and then scores below High Performance for a review year, the employee will lose their merit-over-top for that merit year. If the employee then completes a

following review year with a High Performance, the employee is not required to wait two years to “re-earn” merit.

Eligibility for movement through salary range and merit-over-top are superseded by union contract(s).

Please consult the appropriate union contract regarding performance appraisals and step increases.

APPENDIX B - PERFORMANCE APPRAISAL FORM

<http://www.kingcounty.gov/~media/depts/human-resources/EPAS/EPASYear-in-ReviewForm.ashx?la=en>

APPENDIX C - PERFORMANCE APPRAISAL SCHEDULE

http://www.kingcounty.gov/~media/depts/human-resources/EPAS/PerfAppMeritSchedule_FINAL.ashx

APPENDIX D – EPAS FREQUENTLY ASKED QUESTIONS

<http://www.kingcounty.gov/~media/depts/human-resources/EPAS/EPAS-FAQs.ashx?la=en>

APPENDIX D –DHR WEBSITE FOR EPAS TOOLS AND RESOURCES

<http://www.kingcounty.gov/depts/human-resources/for-employees/epas.aspx>

Executive Leave, Pay and Leave Practices for Exempt Executive, Administrative and Professional Employees as Defined by the Fair Labor Standards Act and the Washington Minimum Wage Act

Policy Number: 2021-0010
 Issue Date: 07-14-2022
 Replaces: PER 8-1-2 (AEP)

PURPOSE

To provide executive leave and set forth pay and leave practices to be followed for employees employed in a bona fide executive, administrative, or professional capacity. These employees are exempt from overtime pay under the federal Fair Labor Standards Act (FLSA) and the Washington Minimum Wage Act (WMWA). Executive, administrative, or professional employees who are covered by a collective bargaining agreement will be compensated in the manner set forth therein, provided that the terms of the contract are not less beneficial to the employee than the minimum requirements of the FLSA and the WMWA.

POLICY APPLICABILITY

This policy applies to all employees in the executive branch departments, offices, divisions and agencies, including the Assessor's Office and King County Elections. This includes all career service, provisional, temporary, probationary, and appointed employees.

DEFINITIONS

"Human Resources Manager" means a person who is responsible for the human resources management practices in executive agencies.

"FLSA-exempt Employee" for the purposes of these policies and procedures, means an individual designated by the Director of the Department of Human Resources (DHR), or designee, as being employed in a bona fide executive, administrative, or professional capacity, as defined by the FLSA and the WMWA, and who is therefore exempt from the overtime pay and minimum wage requirements of the FLSA and the WMWA.

"Part-time FLSA-exempt Employee" means an FLSA-exempt employee whose workload expectations and pay are established relative to, and less than, a full-time position.

"Bona Fide Executive, Administrative, or Professional Capacity" means employed in a position determined by the DHR Director, or designee, to satisfy the applicable "salary basis" test and the "duties" test of the FLSA and the WMWA.

"Salary Basis" means the employee regularly receives each pay period a predetermined amount constituting all or part of their compensation which is not subject to reduction because of variations in the quality or quantity of the work performed, except as otherwise provided by the FLSA and the WMWA.

- The salary basis test does not apply to an employee who is the holder of a valid license or certificate permitting the practice of law, medicine, or dentistry and who is actually engaged in the practice thereof.
- In the first and final week of employment, an employee's salary may be prorated for actual days worked in the first and last week of employment.
- An FLSA-exempt employee need not be paid for any workweek in which they perform no work.

"Hourly Basis" means the employee is entitled to be paid for all actual hours that they are required or permitted to work at either the straight time regular hourly rate until the employee has worked

forty (40) hours in the workweek or overtime hourly rate at one and one-half time the employee's regular rate of pay for each hour worked over forty (40) in the workweek. If the employee is represented, the terms of the applicable collective bargaining agreement will govern; provided that the collective bargaining agreement is not less beneficial to the employee than the minimum requirements of the FLSA and the WMWA. All Short-Term Temporary (STT) employees are paid on an hourly basis regardless of the FLSA classification of the position to which they are assigned. The overtime threshold for law enforcement employees shall be established in accordance with 29 U.S.C. §207(k) or as determined by the applicable collective bargaining agreement.

"Executive Branch" means that section of government under the authority of the county executive as defined by Section 310 of the King County Charter.

"Executive Leave" means time off with pay in full day increments granted each calendar year at the discretion of the department director or county executive to FLSA- exempt employees whose duties require the employee to work substantially in excess of the standard work schedule on an ongoing, regular basis.

"Retaliation" means to take adverse employment action against an individual because they have engaged in statutorily protected activity.

"Workweek" is a fixed and regularly recurring period of 168 hours during seven consecutive twenty-four-hour periods. Unless otherwise designated in writing by the department director or designee, the workweek for an employee paid on the MSA payroll system begins at 12:00 a.m. on Sunday and continues for the next 168 hours through Saturday and the workweek for an employee paid on the PeopleSoft payroll system begins at 12:00 a.m. on Saturday and continues for the next 168 hours through Friday. The workweek for law enforcement employees shall be established in accordance with 29 U.S.C. §207(k) or as determined by the applicable collective bargaining agreement.

POLICY

FLSA-exempt employees may be required to work a specified schedule set by their appointing authority and, in all cases, are expected to work the hours necessary to satisfactorily perform their jobs.

FLSA-exempt employees are required to work the hours needed to satisfactorily perform their duties, and will receive their normal rate of pay for the workweek regardless of whether or not they work on a holiday, and regardless of whether they are on a standard or alternative work schedule.

FLSA-exempt employees are compensated on a salary basis generally based on a 40-hour work schedule. The salary basis test does not apply to an employee who is the holder of a valid license or certificate permitting the practice of law, medicine, or dentistry and who is actually engaged in the practice thereof.

Part-time FLSA-exempt positions may be established in only one of the following part-time designations:

- 0.5 FTE (or a general schedule of 20 hours per workweek)
- 0.6 FTE (or a general schedule of 24 hours per work week)
- 0.75 FTE (or a general schedule of 30 hours per workweek)
- 0.8 FTE (or a general schedule of 32 hours per workweek)
- 0.9 FTE (or a general schedule of 36 hours per workweek)

Part-time FLSA-exempt positions are compensated on a salary basis based on their part-time designation and are not eligible for additional pay for hours worked in excess of their general work schedule

All positions designated as part-time FLSA-exempt must be evaluated by the appointing authority at least annually to ensure that the part-time designation continues to be appropriate.

The accrued leave balances of an FLSA-exempt employee are not charged when the employee is absent for part of a workday nor is the employee's pay reduced.

FLSA-exempt employees who are absent for part of a day are on "leave with pay" status. FLSA-exempt employees must notify and request authorization from their supervisors in advance to be absent for part of the workday. The notification and request shall be made in a manner as determined by the department. Departments may require partial-day absence notification, requests and approvals in written form.

FLSA-exempt employees must submit and have approved by their supervisor a written request (on designated forms or by another documented manner as determined by the department) to use any applicable leave (sick, vacation, bereavement, Executive, leave without pay, etc.) when absent from work for one or more full days.

An FLSA-exempt employee who is absent for a full day because of vacation or illness (including School Leave that is charged against sick leave) will have their accrual balances charged for the number of hours that the employee was generally scheduled to work. For example, an FLSA-exempt employee with a general work schedule of five 8-hour days who takes three days of vacation would be charged 24 hours (3 days x 8 hours = 24 hours). If the employee has a general work schedule of four 10-hour days and takes three days of vacation, the amount charged would be 30 hours (3 days x 10 hours = 30 hours). An FLSA-exempt employee may take and be charged for vacation or sick leave in full day increments only. If the vacation or sick leave balance is not sufficient to cover the full day absence, then the employee may not take or be charged vacation or sick leave for any portion of the day and the day would be taken as unpaid leave.

Use of leave by an FLSA-exempt employee for full day absences that are not vacation or sick leave will be made in full day increments, regardless of generally scheduled work hours, resulting in no reduction of salary, sick leave balance or vacation leave balance. Such absences include Bereavement Leave, Jury Duty, Military Leave, Executive Leave, Holiday Pay, Organ Donor Leave, Administrative Leave, and any other paid time off that is not vacation or sick leave¹. For example, an FLSA-exempt employee with a general work schedule of five 8-hour days who takes two days of Holiday Leave over the Thanksgiving holiday will receive 16 hours (2 days x 8 hours = 16 hours) of holiday leave. An employee with an alternative schedule of four 10-hour days who takes two days of Holiday Leave over the Thanksgiving holiday will receive 20 hours (2 days x 10 hours = 20 hours) of holiday leave.

Indigenous Peoples' Day. All holiday eligible executive branch FLSA-exempt employees who are required to work on the Indigenous Peoples' Day holiday because of the state court schedule will have additional hours of vacation leave added to their vacation leave bank. These employees will receive additional vacation hours corresponding to their normal work schedule. Full-time employees with a 40-hour work schedule will receive 8 hours of vacation pay. Full-time employees with a 35-hour work schedule will receive 7 hours of vacation pay. Part-time employees will receive pro-rated hours (e.g., an employee with a 20 hour a week work schedule, who normally works 4 hours a day, will receive 4 hours of vacation pay.)

Deductions may not be made from an FLSA-exempt employee's salary for absences occasioned by jury duty, attendance as a witness (e.g., deductions may not be made where an employee is under legal compulsion to be present in court but deductions may be made for voluntary attendance in a court case in which the employee is a party) or temporary military leave. The employee is required to report earnings for jury duty or witness fees to their department director in accordance with King County Code 3.12.240.

An FLSA-exempt employee may not be suspended without pay for less than one full workweek or multiples thereof unless the discipline is imposed for infractions of safety rules of major significance that are intended to prevent serious danger to the workplace or other employees.

¹ This provision supersedes corresponding sections in HR Policy 2021-0005, Alternative Work Schedules, dated 1/12/21

Suspensions without pay imposed for violations of safety rules of major significance may be of any length. All suspensions require the prior approval of the DHR Director, or designee.

Deductions from the salary of an FLSA-exempt employee cannot be made for absences occasioned by the employer or by the operating requirements of the business unless no work is performed in the workweek. If the employee is ready, willing, and able to work, deductions may not be made for time when work is not available. For example, if an FLSA-exempt employee's work unit is closed down in the middle of the workweek due to inclement weather and the employee is unable to perform work for the rest of that week, the employee will be paid their salary for that entire week. If work is not available but the employee has previously requested and has been approved for time off (e.g., vacation, sick leave, executive leave, leave of absence), the employee will have hours deducted from their accruals as approved in accordance with established policies for leave use. If the closure extends beyond that workweek, the FLSA-exempt employee need not be paid for future workweeks in which no work is performed.

FLSA-exempt employees are not eligible for overtime pay or compensatory time.

The DHR Director, or designee, may approve a written request from a department director that an FLSA-exempt employee be compensated on an hourly basis when it would be in the best interests of the county, which may include a period of time that an employee requires an intermittent schedule for medical reasons in order to ensure accurate accounting of absences for Family Medical Leave Act (FMLA) or King County Family Medical Leave (KCFML) benefits. If approved, the employee is treated as an hourly employee and all absences are charged against pay or the appropriate leave category. Additionally, the employee is not eligible to be awarded or use executive leave.

Executive Leave

All directors of executive departments/offices will be granted up to ten (10) days of executive leave each calendar year. An additional amount of up to twenty (20) days of executive leave may be granted to directors of executive departments/offices in each calendar year for critical recruitment and retention purposes as specified by the Director of Human Resources. Such grants require recommendation of the DHR Director and the approval of the King County Executive or designee.

Department directors will identify employees who occupy FLSA-exempt positions which require the employee to work substantially in excess of the employee's general work schedule on an ongoing, regular basis. Such employees may, at the discretion of the department director, receive up to ten (10) days of executive leave.

An employee whose base classification is paid on an "hourly basis" and who is assigned to work special duty in an FLSA-exempt classification is not eligible to receive executive leave.

Executive leave is usually granted at the beginning of the calendar year. New and transferred employees may also be granted executive leave during the calendar year, provided that the new duties require the employee to work substantially in excess of the general work schedule on an ongoing, regular basis.

Department directors shall report annually to the DHR Director, or designee, by December 31st of each year the executive leave to be granted the following calendar year to current employees. The report shall include the employee name and number of days to be granted including any days authorized by a collective bargaining agreement. In addition, any executive leave which was granted to newly hired or transferred employees during the past calendar year must also be included in the report. Should executive leave be granted to employees at other times of the year, department directors shall supplement and update the report throughout the year as executive leave is granted.

FLSA-exempt employees must schedule and receive approval for use of executive leave in accordance with departmental policies.

Executive leave may be used for any reason and must be used in full-day increments.

Executive leave must be used in the calendar year for which it is granted and shall not be carried into the next calendar year or cashed out.

Executive leave must be used prior to any transfer, promotion or demotion during the calendar year or it will be forfeited unless the new position meets the criteria for granting of executive leave and the department director of the new position agrees to the transfer of any unused executive leave in writing. In no case shall an employee receive more than ten (10) days of executive leave in a calendar year regardless of movement between positions (except for executive leave granted to department directors). When an FLSA-exempt employee granted executive leave is approved for a change in FLSA-exempt status, the employee may not use executive leave during the time period in an FLSA non-exempt status. Executive leave not used prior to separation from employment will be forfeited. There shall be no cash-out of executive leave.

FLSA-exempt employees who are covered by a collective bargaining agreement are not eligible for executive leave unless such leave is specifically authorized by the applicable union contract.

Salary Deductions

King County's policy is to comply with the salary basis requirements of the FLSA and the WMWA and therefore prohibits supervisors from making any improper deductions from the salaries of FLSA-exempt employees. Deductions from pay are permissible when an FLSA-exempt employee is absent from work for one or more full days for personal reasons other than sickness or disability (*i.e.*, the FLSA-exempt employee has no vacation leave accruals but needs to attend a family function for two full work days and the employee's request for two unpaid leave days has been approved); for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to sickness or disability (*i.e.*, the FLSA-exempt employee has no sick leave accruals but, due to a serious health condition, needs to take unpaid leave under the King County Family Medical Leave Ordinance; or the FLSA-exempt employee has no sick leave accruals but, due to a bona fide disability, needs to take unpaid leave under the Executive's Disability Accommodation in Employment policy); or for unpaid disciplinary suspensions of one or more full days imposed in good faith for violations of safety rules of major significance.

King County employees must be made aware of this policy by their supervisor and must be made aware that King County does not allow deductions that violate the FLSA or the WMWA. When an employee believes that an improper deduction has been made to their salary, they should report this to their division director or designee, Human Resources Manager, the DHR Director, the department's lead human resources personnel or designee, as soon as possible. Concerns of improper deductions will be promptly investigated. These types of concerns should be reported to the DHR Director, or designee, via the department's Human Resources Manager, or the department's lead human resources personnel. Human resources shall consult with department payroll personnel when investigating the report. If it is determined that an improper deduction has occurred, the Human Resources Manager shall ensure reimbursement for any improper deductions made and King County will take appropriate steps to ensure future compliance.

King County does not tolerate retaliation for reporting concerns of alleged violations of this policy. Such action is misconduct in violation of this policy and may be subject to discipline, up to and including termination.

This policy does not constitute an express or implied contract. It is a general statement of county policy that cannot form the basis of a private right of action.

PROCEDURES

Action By: Department director

Action: Determines which FLSA-exempt employees are eligible for executive leave and reports the granting of executive leave to current employees to the DHR Director or designee, by December 31st of each year. In addition, the department director reports the granting of executive

leave during the current year for new or transferred employees by December 31st of each year. Should executive leave be granted to employees at other times of the year, the department director shall supplement the report to the DHR Director or designee throughout the year as executive leave is granted.

Action By: FLSA-exempt employee

Action: Submits in accordance with this and departmental policies a written request to schedule and request approval for use of executive leave or other leave benefits for absences of one full day or longer. Notifies and requests authorization of their supervisor when they will be absent for part of the workday. The notification and request shall be made in a manner as determined by the department.

Action By: Supervisor

Action: Reviews written request for full-day absence; approves or denies request or forwards to decision maker; forwards written approval or denial of request for full-day absence to employee. Reviews request for partial-day absence and approves or denies partial-day absence request according to the method established by the department. Assures that the employee is working the hours necessary to perform work assignments satisfactorily and is working a specified schedule, if the appointing authority has set one.

Action By: DHR Director, or designee

Action: Approves or denies a written request from department director to compensate an FLSA-exempt employee on an hourly basis. Monitors the proper application of this policy.

RESPONSIBILITIES

FLSA-exempt employees shall:

- Work the hours necessary to perform work assignments satisfactorily and work a specified schedule if one is set by the appointing authority;
- Notify their supervisor when they will be absent for part of a workday;
- Obtain advance approval in writing for any planned absences of one or more full days;
- Schedule and receive written approval from their supervisor before using executive leave; and
- Report to the Human Resources Manager or lead department human resources personnel, as soon as possible, when they believe that an improper deduction has been made to their salary.

Supervisors shall:

- Monitor employee work performance;
- Approve or deny requests for use of executive leave, paid leave and other leave benefits;
- Ensure that employees are compensated in accordance with the FLSA, the WMWA; Personnel Guidelines, and/or an applicable collective bargaining agreement; and
- Ensure that employees are aware of King County's policy to comply with the salary basis requirements of the FLSA and the WMWA which prohibits improper deductions from the salaries of FLSA-exempt employees.

Human Resources Managers or lead department human resources personnel shall:

- Promptly investigate the report of an alleged violation of this policy, consult with department payroll personnel and ensure reimbursement to the employee if it is determined that an improper deduction has occurred;
- Report to the DHR Director, or designee, any instances of reported improper deductions from the salaries of FLSA-exempt employees; and
- Ensure appropriate steps are taken to ensure future compliance should an improper deduction occur.

Department directors or designees shall:

- Ensure that managers and supervisors receive training to correctly compensate FLSA-exempt employees and hourly employees in compliance with the FLSA, the WMWA, county ordinances and the provisions of this policy;
- Identify whether it would be in the best interest of the county to compensate an FLSA-exempt employee on an hourly basis rather than a salary basis and request authorization of the DHR Director, or designee, to do so;
- Identify employees who occupy FLSA-exempt positions which require the employee to work substantially in excess of the employee's general work schedule on an ongoing, regular basis and who may therefore be eligible for up to ten (10) days of executive leave each calendar year;
- Identify and inform payroll of those FLSA-exempt employees who are required to work on the Indigenous Peoples' Day holiday because of the state court schedule.
- Notify the DHR Director, or designee, by December 31st of each year of FLSA-exempt employees granted executive leave for the next calendar year for current employees, including the number of days granted; as well as reporting any executive leave granted during the year to newly hired or transferred employees; and supplementing the report throughout the year as executive leave is granted; and
- Review all positions designated as part-time FLSA-exempt at least annually to ensure that the part-time designation continues to be appropriate.

Department payroll personnel shall:

- Ensure that FLSA-exempt employees are paid in accordance with this policy; and
- Record executive leave granted and used.

The DHR Director, or designee, shall:

- Determine which positions are FLSA-exempt and periodically review the FLSA exemption status;
- Approve or deny requests from department directors to pay FLSA-exempt employees on an hourly rather than a salary basis;
- Promptly investigate the report of an improper deduction and ensure reimbursement to the employee if it is determined that an improper deduction has occurred;
- Take appropriate steps to ensure future compliance should an improper deduction occur;
- Develop an executive summary of this policy to be provided to employees during the New Employee Orientation and to employees who change to an FLSA-exempt status; and
- Monitor proper application of this policy and require correction of conduct when actions inconsistent with this policy are discovered.

QUESTIONS

Refer questions or comments to your agency's [Human Resources Manager](#) or the Department of Human Resources.

WSBRBKC Response Plan Outline

- 1) General Overview of Board
 - a) Include public comment guidelines
- 2) Regular Meetings and Special Meetings
 - a) Role of Chair
 - b) Role of Member at Physical Location
 - c) Role of Executive Secretary
 - d) Role for Mobile Person (need to define)
- 3) Public Hearings
 - a) Role of Chair
 - b) Role of Chair Elect
 - c) Role of Executive Secretary
 - d) Role of Board Counsel
 - e) Role of Mobile Person (need to define)
- 4) Disaster Planning
 - a) Fire, earthquakes, medical emergency, etc.
- 5) Policies
- 6) Resources

DRAFT

Washington State Boundary Review Board for King County
RCW 42.30.070 Declaration of Emergency Standard Operating
Procedure

I. Policy Framework:

a. [RCW 42.30.070](#)

If, by reason of fire, flood, earthquake, or other emergency, there is a need for expedited action by a governing body to meet the emergency, the presiding officer of the governing body may provide for a meeting site other than the regular meeting site, for a remote meeting without a physical location, or for a meeting at which the physical attendance by some or all members of the public is limited due to a declared emergency, and the notice requirements of this chapter shall be suspended during such emergency.

b. Organization and Rules of Practice and Procedure Section ([ORPP](#)) V.B.1.e

The Board Chair may also declare an emergency and direct the Board to meet remotely without a physical location during the period of emergency. In such case, meetings shall be open to the public via electronic video means.

II. Procedures

- a. The Board Chair shall notify the Executive Secretary of their intent to declare an emergency on behalf of the Board.
- b. The Executive Secretary shall prepare a Declaration of Emergency for the Board Chair's signature that both describes the nature of the emergency as well as lists the effective date(s) for said Declaration of Emergency.
- c. The Executive Secretary shall post the signed Declaration of Emergency on the Board's website and distribute a link to it to all Board Members.
- d. During the period of emergency, the Board will hold regular meetings and special meetings via electronic means that include an opportunity for public participation via video. During that period, there will be no physical meeting location.

Commented [MS1]: Should we put a timeframe on this process?

Commented [MS2]: We put the power to declare an emergency in the regular meeting and special meeting section of the ORPP. We did not include it in the public hearings section. Should we address that in some way?

Washington State Boundary Review Board for King County

DECLARATION OF EMERGENCY FORM

WHEREAS, DESCRIBE THE EMERGENCY HERE, on DATE RANGE; and

WHEREAS, the Washington State Boundary Review Board (WSBRBKC) has a XXXX meeting scheduled for XXXXXX, at 7:00 pm in XXXXX, WA; and

WHEREAS, the safety of its members and of the public is of utmost concern to WSBRBKC,

NOW, THEREFORE, I, XXXXXX, AS CHAIR OF THE WASHINGTON STATE BOUNDARY REVIEW BOARD FOR KING COUNTY, do declare:

For purposes of RCW 42.30.070, I am declaring an emergency for the WSBRBKC due to the above-described inclement weather forecast.

The WSABRBKC will meet solely via Zoom with no in-person public component for its XXXXX, XXXXX Meeting. This meeting will be open to the public via Zoom, including the public comment portion of the agenda. This declaration does not affect any meeting other than the XXXXX, XXXX, WSBRBKC XXXXX Meeting.

Dated: _____

XXXXXXXX, Chair

KC BRB - Meeting Planning – September to February

September

- Shelby's Performance Appraisal

Requires Personnel Committee Work

October

- Cancel Regular Meeting
- WSABRB Conference 10/24/24 - Virtual

November

- Steering Committee Report

Requires Steering Committee Work

December

- End of Year Celebration

January

- Chair Transition
- Chair Elect Vote
- Committee Assignments
- Begin Drafting Year In Review

February

- Potential Vote(s) Re New Member(s) - Only If Necessary

January Meeting Requires Nominating Committee Work, and February Meeting May Require Nominating Committee Work; Budget Committee Needs to Have Budget 2025 Meeting 1 in January **OR** February

File	Date Rec	Filed	Exp/45	Entity	Entity Type	Action	Annexation Method	Name	Board Action	Date Closed	Final/Ord	Parcel Nos.	No. of Parcels	Total Acres
2420	7/17/2024	7/30/2024	9/13/2024	SAMM PLATEAU W & S	WATER AND SEWER DISTRICT	WTR DE	WITHDRAWAL RESOLUTION - RCW 57.28	AMES LAKE ROAD				2425069059, 2425069026, 2425069012, 252506	4	25
2419	4/10/2024	4/17/2024	6/2/2024	WD: COVINGTON	WATER DISTRICT	ANN	PETITION	SCHNEIDER WTR	APV/WAIVER 05/09/2024	5/9/2024	ORD. 19773, RES. 4683	2022069098	1	0.49
2418	2/22/2024	2/24/2024	4/8/2024	C: REDMOND	CITY	ANN	PETITION	NE 97TH STREET	APV/45/03/14/2024	4/9/2024	ORD. 3165	0325059160, 0325059155, 0325059155, 0325059134, 0325059039, 0325059045, 0325059052, 0325059108, 0325059053, 0325059087, 0325059082, 0325059093, 0325059257	13	13.5
2417	10/27/2023	10/27/2023	12/11/2023	SOOS CREEK W & S	WATER AND SEWER DISTRICT	ANN	PETITION	LAKEPOINTE SWR	APV/45/11/09/2023	12/12/2023	ORD. 19737, RES. 3845-S	2922069162, 1922069041, 3022069001, 2022069152, 2022069012	5	79.9
2416	10/5/2023	10/10/2023	11/27/2023	C: AUBURN	CITY	ANN	RESOLUTION - RCW 35.10.271(2)	THE BRIDGES	APV/45/11/09/2023	11/28/2023	ORD. 6928	https://cdn.kingcounty.gov/-/media/king-county/independent/governance-and-leadership/government-oversight/boundary-review-board/docs/nois/2416-parcels.pdf?rev=bf344bbb6747a2a082a4dd7e64e2b8&hash=3C079BA04A3D64A02FED185A33583E20	443	156
2415	3/31/2023	3/31/2023	5/15/2023	C: PACIFIC	CITY	SAC	INTERLOCAL AGREEMENT	GREEN VALLEY FARMS SAC	APV/45/04/13/2023	5/19/2023	RES. 2023-876	3621049016, 3621049077	2	20.5
2414	2/28/2023	2/28/2023	4/17/2023	WD: COVINGTON	WATER DISTRICT	ANN	PETITION	HUB WTR	APV/45/03/09/2023	4/25/2023	ORD. 19622, RES 4618	4127000805, 4127000860, 4127000861	3	46.05
2413	10/17/2022	10/26/2022	12/12/2022	C: ENUMCLAW	CITY	ANN	PETITION	GRACE POINT	APV/45/11/10/2022	12/20/2022	ORD. 2749	7792000015, 7792000020	2	1.23
2412	9/26/2022	9/28/2022	11/14/2022	SAMM PLATEAU W & S	WATER AND SEWER DISTRICT	ANN	PETITION	SILER RIDGE WTR	APV/45/11/10/2022	11/18/2022	ORD. 19554	1225069051, 1225069050, 135069091, 1225069049, 1225069013, 135069005	6	120
2411	8/9/2022	8/15/2022	9/29/2022	SAMM PLATEAU W & S	WATER AND SEWER DISTRICT	ANN	PETITION	NE 1ST & JUNIPER SWR ANNE	APV/45/09/22/2022	9/29/2022	ORD. 19519	8843500209, 8843500208, 8843500205, 8843500150, 8843500121, 8843500120, 8843500124, 8843500136, 8843500138, 8843500145	10	12
2410	8/9/2022	8/15/2022	9/29/2022	SAMM PLATEAU W & S	WATER AND SEWER DISTRICT	ANN	PETITION	M-BROOKE FARM WTR ANN	APV/45/09/22/2022	9/29/2022	ORD. 19518	2425069002, 2525069003	2	80
2409	7/29/2022	8/2/2022	9/16/2022	FD: KCFD # 43	FIRE DISTRICT	ANN	PETITION	VANDER WOUDE ANNEX	APV/45/08/11/2022	9/16/2022	ORD. 19520	0822079034	1	1.36
2408	6/30/2022	7/5/2022	8/19/2022	SAMM PLATEAU W & S	WATER AND SEWER DISTRICT	SWR DE	WITHDRAWAL RESOLUTION - RCW 57.28	ISSAQUAH HIGHLANDS	APV/45/08/11/2022	8/19/2022	RES. 5139	NOT PROVIDED IN A LISTABLE FORMAT	NOT PROVIDED IN A LISTABLE FORMAT	27
2407	6/30/2022	7/5/2022	8/19/2022	SAMM PLATEAU W & S	WATER AND SEWER DISTRICT	WTR DE	WITHDRAWAL RESOLUTION - RCW 57.28	ISS H'LANDS & URBAN VILLA	APV/45/08/11/2022	8/19/2022	RES. 5138	NOT PROVIDED IN A LISTABLE FORMAT	NOT PROVIDED IN A LISTABLE FORMAT	247
2406	5/2/2022	5/3/2022	6/17/2022	WD: COVINGTON	WATER DISTRICT	ANN	PETITION	STATION BY VINTAGE	APV/45/05/12/2022	6/17/2022	ORD. 19468	3622059057	1	2.33
2405	1/7/2021	1/11/2021	2/25/2021	FD:NORTHSHORE F.D.	FIRE DISTRICT	MERGER	ELECTION METHOD MERGER - RCW 52.06	NORTHSHORE-WOODINVILLE	APV/45/02/11/2021	2/25/2021	REJECTED BY VOTERS	NOT PROVIDED IN A LISTABLE FORMAT	NOT PROVIDED IN A LISTABLE FORMAT	28,880
2404	10/1/2020	10/8/2020	11/22/2020	C: RENTON	CITY	ANN	PETITION	GRAVES ANNEX.	APV/45/11/12/2020	11/23/2020	ORD. 6011	3664500338, 3664500006, 3664500009, 3664500008, 3664500330, 3664500007, 3664500320, 1457500044, 1457500045, 1457500046, 1457500043, 1457500047, 1457500050, 1457500051, 1457500054, 1457500049, 1457500048, 1457500055, 1457500053	19	21.4
2403		9/21/2020	11/5/2020	WD: COVINGTON	WATER DISTRICT	ANN	PETITION	JACKSON DEAN ANNEX.	APV/45/10/08/2020	11/5/2020	ORD. 19190	2022069011	1	6.47
2402	6/3/2020	6/4/2020	7/19/2020	C: ENUMCLAW	CITY	ANN	PETITION	MT. RAINIER CHRISTIAN CTR.	APV/45/05/14/2020	7/20/2020	ORD. 2691	2220069097, 2220069170	2	6.87
2401	4/1/2020	4/15/2020	5/30/2020	C: FEDERAL WAY	CITY	ANN	PETITION	S. 320th STREET ANNEX.	APV/45/05/14/2020	5/18/2020	ORD. 20-892	0921049028, 0921049139, 0921049206, 0921049187, 0921049140, 0921049160, 0921049206	7	21
2400	2/6/2020	2/6/2020	3/22/2020	C: ENUMCLAW	CITY	ANN	PETITION	MT. RAINIER CHRISTIAN CTR	APV/45/02/13/2020	WITHDRAWN	WD-SEE FILE NO. 2402	2220069097, 2220069170	2	8.7
2399	12/19/2019	12/19/2019	2/2/2020	W & S: NE SAMM S & W DIST	WATER AND SEWER DISTRICT	ANN		SRIRAM SEWER ANNEX.	APV/45/01/09/2020	2/3/2020	ORD. 19072			
2398	12/18/2019	12/18/2019	2/1/2020	WD: COVINGTON	WATER DISTRICT	ANN		PACIFIC RACEWAYS	APV/45/01/09/2020	2/3/2020	ORD. 19071			
2397	8/14/2019	8/15/2019	9/29/2019	C: CARNATION	CITY	ANN		FALKENBERG	APV/45/09/12/2019	9/30/2019				
2396	8/8/2019	8/9/2019	9/23/2019	WD: WATER DIST. 119	WATER DISTRICT	ANN		OPPEN ANNEX.	APV/45/09/12/2019	9/23/2019	ORD. 18996			