

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5187

AN ORDINANCE regarding the creation of employment positions by the City; amending the Human Resources Code, Bellevue City Code (BCC) Chapter 3.79, Section 3.79.040, by adding definitions of new types of employment positions and authorizing the City Manager to create such employment positions in certain limited circumstances, within prescribed guidelines and upon specified terms and conditions.

WHEREAS, due to constraints in the authorized number of regular employees, the City has experienced significant delays in replacing employees who retire or resign from City employment, with resulting increases in the cost of staffing and/or the inability to maintain appropriate staffing and service levels; and

WHEREAS, during temporary periods of high workload the City frequently is not able, or only able at substantial extra cost, to maintain staffing levels sufficient to process the work of the City in a prompt and satisfactory manner, and/or the City has been unable to provide specialized services needed for temporarily for specific projects or activities; and

WHEREAS, the City Council has determined the need for certain types of new employments in the City service and that it is appropriate to authorize the City Manager to create a limited number of City employment positions when he/she determines that they are necessary in order to meet the changing demands for service delivery, the need to train replacements for employees who are leaving the City service, or employment market trends; and

WHEREAS, the City Council finds it necessary and appropriate to authorize the City Manager to create a limited number of City employment positions in the limited circumstances, within the specific guidelines, and upon the terms and conditions set forth in this ordinance; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 3.79.040, Definitions, of Chapter 3.79 of the Bellevue City Code is amended by adding the following new definitions:

3.79.40 Definitions.

The following terms shall have the meaning indicated for the purposes of the code. Unless otherwise provided therein, they shall also apply to the city's compensation plan as adopted from time to time by the city council.

. . . . .

UU. "Fixed Term Employee" means an employee hired into a position for a specific project with a specific ending date. The position shall last only for so long as the project or specific need for which it was created exists, but in no event longer than three years. The position shall only be used to perform work during periods of higher than usual workload, long-term absences of regular status employees or requiring specialized skills, and that cannot reasonably be performed using existing regular status, hourly or hourly PERS eligible employees. The City Manager or his/her designee is authorized to create Fixed Term Employee positions consistent with this subsection and so long as sufficient appropriations exist within the current operating budget to pay the full cost of the position. Fixed Term Employees shall be at-will employees and shall be entitled to health insurance, PERS, holiday pay, vacation and sick leave, on the same terms and conditions as a newly hired regular status employee. The City Manager or his/her designee shall have the authority to set the salary of the position consistent with good personnel practices and the City's compensation policy. Fixed Term Employees shall receive no other compensation or benefits except as expressly provided herein. Fixed Term Employees shall either work full or part-time as that term is defined for regular status employees. Fixed Term Employee positions are not regular positions and do not increase the number of City Council created and budgeted full-time equivalent positions, or any portion thereof. For purposes of determining accrual rates for vacation leave, the service credit date for a Fixed Term Employee who is hired as a regular status employee of the City during his/her tenure as a Fixed Term Employee shall be the hire date for his/her most recent term of service as a Fixed Term Employee.

VV. "Training Pool Employee" means an employee who is hired into a position created for the purpose of training for a regular position of the City, where the hiring department has demonstrated to the City Manager or his/her designee that the regular position has a recurring and consistent turnover rate on at least an annual basis, the position is critical in order for the hiring department to carry out its mission, a substantial training period is required for the regular position, and creation of the Training Pool Employee position will substantially reduce the overall costs resulting from turnover that otherwise would be incurred by the City. A Training Pool Employee position may exist for the period needed for training, but in no event longer than one year. The City Manager or his/her designee is authorized to create Training Pool Employee positions consistent with this subsection and so long as sufficient appropriations exist within the current budget to pay the full cost of the position. Training Pool Employees shall be at-will employees; the remaining terms and conditions of employment of a Training Pool Employee shall be the same as if the employee were a new or promotional employee hired into the regular position for which the employee is being trained, except for eligibility to participate in MEBT. Training Pool Employees shall work either full or part time as that term is defined for regular status employees. Training Pool Employee positions are not regular positions and do not increase the number of City Council created and budgeted full-time equivalent positions, or any portion thereof. For purposes of determining accrual rates for vacation leave, the service credit date for a Training Pool Employee who is hired into the regular position for which he/she was trained during his/her tenure as a Training Pool Employee shall be the hire date for his/her most recent term of service as a Training Pool Employee.

WW. "Transitional Employee" means an employee who is hired into a position created for the purpose of training for the regular position of the City of an incumbent regular status employee as to whom the City Manager has received sufficient documentation to satisfy the City Manager that the regular position will become vacant within one year, and where the position is critical in order for the hiring department to carry out its mission, a substantial training period is required for the regular position, and the

Transitional Employee position will substantially reduce the overall costs resulting from the vacancy in the incumbent employee's position that otherwise would be incurred by the City. Receipt of a letter of resignation from the incumbent employee by a supervisor or manager shall constitute acceptance of the resignation for all purposes, including determining whether the incumbent's position will become vacant. A Transitional Employee position may exist for the period needed for training for the incumbent employee's position, but in no event longer than one year. The City Manager or his/her designee is authorized to create Transitional Employee positions consistent with this subsection and so long as sufficient appropriations exist within the current budget to pay the full cost of the position. Transitional Employees shall be at-will employees; the remaining terms and conditions of employment of a Transitional Employee shall be the same as if the Transitional Employee were a new or promotional employee hired into the regular position for which the Transitional Employee is being trained, except for eligibility to participate in MEBT. Transitional Employees shall either work full or part-time as that term is defined for regular status employees. Transitional Employee positions are not regular positions and do not increase the number of City Council created and budgeted full-time equivalent positions, or any portion thereof. For purposes of determining accrual rates for vacation leave, the service credit date for a Transitional Employee who is hired into the regular position for which he/she was trained during his/her tenure as a Transitional Employee shall be the hire date for his/her most recent term of service as a Transitional Employee.

Section 2. This ordinance shall take effect and be in force five (5) days after its passage and legal publication.

Passed by the City Council this 29th day of November, 1999, and signed in authentication of its passage this 29th day of November, 1999.

(SEAL)

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Mike Creighton, Mayor

Approved as to form:  
Richard L. Andrews, City Attorney

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Siona Windsor, Assistant City Attorney  
Attest:

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Myrna L. Basich, City Clerk  
Published December 3, 1999\_\_\_\_\_