

ORDINANCE NO. 1484

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON regarding employee policies, amending chapter 2.12 DMMC, adding a definition section, and codifying a new section in chapter 2.12 DMMC.

THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:

**Sec. 1.** A new section is added to chapter 2.12 DMMC to read as follows:

**Definitions.**

(1) Use of words and phrases. As used in this ordinance, unless the context or subject matter clearly requires otherwise, the words or phrases defined in this section shall have the indicated meanings.

(2) "Annual pay schedule" means the actual dollar amounts contained in the basic pay plan.

(3) "Basic pay plan" is a pay plan containing forty (40) or more salary ranges. Within each range there are pay steps.

(4) "City" is the municipal corporation of the State of Washington known as the City of Des Moines.

(5) "City Council" is the elected legislative body of the City, composed of seven members.

(6) "City Manager" is the Chief Executive Officer and Appointing Authority of the City. The City Manager is appointed by the City Council.

(7) "Employee" is any individual appointed to a position of service with the City.

(8) "Employee-Regular full-time" is an employee who has received an appointment to a budgeted position on a full workweek, year-round basis. Normally such an employee receives a monthly salary.

(9) "Employee-Regular part-time" is an employee who has been appointed to a year-round budgeted position for less than forty (40) hours per week.

(10) "Employee-Regular part-time flexible" is an employee who has been appointed to a year-round budgeted position for less than one thousand six hundred sixty-four (1664) hours per year. The employee's weekly schedule can vary between zero and forty (0-40) hours from week to week.

(11) "Employee-Temporary/Seasonal or intermittent" is an employee who has received a temporary appointment to either a budgeted or non-budgeted position. A seasonal or intermittent employee is considered a temporary employee. Temporary employees are eligible for overtime, but shall receive no holiday pay, floating holiday, vacation, sick leave, or any other benefits of the City, with the exception of

Washington State Public Employees' Retirement System (PERS) if a temporary/seasonal or intermittent position meets the state criteria for eligibility in PERS. PERS position eligibility requires at least five months of seventy (70) hours or more for two (2) consecutive years initially and will continue to be eligible for PERS if it requires at least five (5) months of seventy (70) or more hours of compensated service at least every other year.

(12) "Holiday" is a designated day off during which the employee would otherwise be scheduled to work.

(13) "Leave" is an authorized absence from regularly scheduled work hours that has been approved by the proper authority.

(14) "Pay grade" is a specified salary range within the Basic Pay Plan.

(15) "Pay step" is a single rate of pay within a pay grade or range. Pay steps consist of "A", "B", "C", "D", and "E" step in the basic pay plan.

(16) "Position classification" is the assignment of a position to a pay grade in the Basic Pay Plan.

(17) "Position description" is a written statement setting forth the general duties and responsibilities of a position. It may also be called "job description".

(18) "Salary range" is a set of salaries consisting of an established minimum, intermediate, and maximum rate of pay.

**Sec. 2.** DMMC 2.12.010 and section 1 of Ordinance No. 790 formerly DMMC 2.72.010, as amended by section 2(3)(part) of Ordinance No. 1135, are amended to read as follows:

**Salary and benefits.**

(1) It shall be the policy of the City to treat nonunion full or regular part-time employees in equity as to salary increases and benefits which are obligated or provided by the City to the benefit of employees represented by a labor union.

(2) For full or regular part-time employees not represented by a labor union, salary rates and benefits shall be set according to resolution of the City Council.

(3) For employees represented by a labor union, salary rates and benefits shall be set according to the terms provided in a current and valid labor contract.

(4) For Part-time/seasonal or intermittent employees, hourly rates and benefits will be set by the City Manager.

(5) The salary rates contained in the basic pay schedule shall be established on the basis of full-time services in full-time positions at forty (40) hours per week and regular part-time employees at less than forty (40) hours per week. Department directors shall average forty-two (42) hours per week on an annual basis.

**Sec. 3.** DMMC 12.12.020 and section 2 of Ordinance No. 790 formerly DMMC 2.72.020 as amended by section 1 of Ordinance No. 822 as amended by section 1 of Ordinance No. 949 as amended by section 2(3)(part) as amended by section 1 of Ordinance No. 1178 are amended to read as follows:

**Pay plans and annual pay schedules.**

(1) Basic pay plan. The basic pay plan for full-time and regular part-time non-union employees shall consist of forty (40) or more salary ranges. Within each range there shall be five (5) steps, A through E, consisting of five percent (5%) incremental increases. The differential between Step A in each range shall be four percent (4%).

(2) The pay plan for part-time/seasonal or intermittent employees shall consist of salary ranges, steps and increases set by the City Manager.

(3) The City Council may by resolution provide for pay plans other than the basic pay plan and part-time/seasonal or intermittent pay plan.

(4) Annual pay schedules.

(a) **Full-time and regular part-time nonunion pay schedule.** The actual dollar amounts contained in pay plans are designated the "annual pay schedules." The annual pay schedule for full-time and regular part-time nonunion employees shall be established by resolution of the City Council. Such resolution shall establish the annual pay schedule and the period of time (not to exceed three years) during which the schedule shall be effective. The annual pay schedule may not be decreased during the stated schedule period and the stated schedule period may not be diminished; provided, however, nothing contained in this section shall prevent the city council from increasing the annual pay schedule amounts during the schedule period; and provided further, that the scheduled amounts and/or period stated in the annual pay schedule may be decreased by the city council upon the affirmative vote by secret ballot of two-thirds of the total number of regular, full-time nonunion employees. The city manager shall, within (thirty) 30 days of adoption



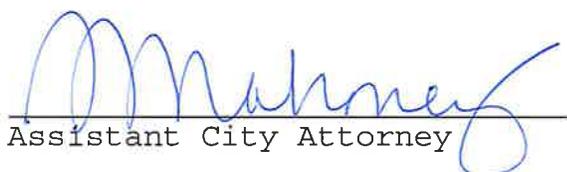
**Sec. 7. Effective date.** This ordinance shall take effect and be in full force five (5) days after its passage, approval, and publication in accordance with law.

**PASSED BY** the City Council of the City of Des Moines this 22nd day of April, 2010 and signed in authentication thereof this 22nd day of April, 2010.



M A Y O R

APPROVED AS TO FORM:



Assistant City Attorney

ATTEST:



City Clerk

Published: April 28, 2010

LEGAL NOTICE

SUMMARY OF ADOPTED ORDINANCE

CITY OF DES MOINES

ORDINANCE NO. 1484, Adopted April 22, 2010.

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This ordinance regards employee policies, amends chapter 2.12 DMMC, adds a definition section, and codifies a new section in chapter 2.12 DMMC.

The full text of the ordinance will be mailed without cost upon request.

Sandy Paul, CMC  
City Clerk

Published: April 22, 2010