

PROPOSED BY: Executive

INTRODUCTION DATE: October 24, 2017

RESOLUTION NO. 2017 – 052

A RESOLUTION IN THE MATTER OF ADOPTING A SALARY SCHEDULE AND POLICIES FOR UNREPRESENTED WHATCOM COUNTY EMPLOYEES EFFECTIVE JANUARY 1, 2018 through DECEMBER 31, 2018

WHEREAS, it is necessary to establish policies and salaries for the unrepresented employees; and,

WHEREAS, the Whatcom County Council hereby adopts the following policies for administration of personnel issues affecting unrepresented employees; and,

WHEREAS, it is nonetheless understood that state law may override certain stipulations set forth herein; and,

WHEREAS, the Whatcom County Council hereby adopts the concept of a salary matrix as the basis of establishing salaries for a majority of the non-represented positions;

NOW, THEREFORE, BE IT RESOLVED, that the Council intends that the Administration should follow the policies set forth below and should place non-represented employees within the proper range and step according to the FTEs contained in the adopted budget;

AND FURTHER, THEREFORE, BE IT RESOLVED,

1. DEFINITIONS

1.1 “Unrepresented employee” is defined as either elected officials or non-represented employees.

1.1.1 “Elected official” is defined as only those officials elected pursuant to the provisions of the Whatcom County Charter and Washington State Law (except Superior Court Judges).

1.1.2 “Non-represented employee” is defined as all other unrepresented employees who are appointed to a budgeted full-time equivalent position for which the terms and conditions of employment are not bargained by a union.

1.2 “Full-time equivalent” and “**FTE**” are both defined as the currently assigned percentage, not to exceed currently budgeted full-time equivalency of a position, as authorized by budget ordinance.

2. NON-REPRESENTED SALARY MATRICES – EXHIBITS A THROUGH G

Effective the full first pay period in 2018, each wage step in all ranges of the 2017 salary matrices shall increase by 2.50%. For 2018, pay period #1 begins on December 31, 2017.

The monthly salaries of non-represented positions shall be established within the ranges and steps provided in Exhibits A through G. Exhibits A through F shall be effective on the date listed on the applicable Exhibit and shall remain in place until changed. Should a range not be available, a new range will be created which is either a partial range at 2.15% above the previous range or 4.3% above the previous range depending on circumstances. Monthly salary amounts indicated are for one (1.0) FTE (full-time equivalent). Compensation for employees working less than full time is pro-rated based on a 40-hour work week. Monthly amounts may be converted to an hourly rate by dividing the monthly amount by 173.33.

2.1 Sub-Ranges. Certain sub-ranges (as designated on the appropriate matrix) were created to address supplemental compensation replacement for employees who were receiving compensation under Executive Order 2004-03. These sub-ranges are not applicable to other individuals. The sub-range is in recognition of previously negotiated compensation based on multiple assignments, varied duties, working far beyond the hours required in a regular work week, evening meetings, and responding to emergencies in order to minimize the cost of administration and provide the greatest flexibility for the County. Employees in sub-ranges 500.1, 510.1, and 510.2 are not eligible for Interim Assignment Pay (section 4.6), Emergency Response Pay (section 4.10) or Paid Administrative Leave (section 4.5).

3. NON-REPRESENTED SALARY MATRICES – EXHIBITS G AND H

3.1 Flat Rate Positions. The monthly salaries for positions covered by Exhibit G are pro-rated as follows:

	FTE	Range
Court Reporter	.875	801
Health Officer	.60	802

3.2 Court Commissioners. Court Commissioners covered by Exhibit H are paid at a rate equivalent to a percentage of the comparable state judicial salary level set by the Washington Citizens' Commission on Salaries for Elected Officials to be effective September 1 of each year. Any changes in these Judges' salaries will be reflected in the comparable Court Commissioners' salaries.

	% of Comp. Judge	Range
Superior Court Commissioner	90%	903
District Court Commissioner	85%	904

4. COMPENSATION & EMPLOYMENT

4.1 Step Movement. Within the salary matrices contained in Exhibit A through G, all steps shall be awarded on the basis of successful job performance. A performance evaluation must have been completed for employees in Exhibits A through D, and G within the last year and the most recent evaluation must "exceed requirements" overall to

advance to the next step per the time period indicated on the appropriate Exhibit on the first day of the appropriate month.

4.2 Reclassification or Promotion. If funding is available within the authorized budget, Department Heads can request a promotion or reclassification so long as it is in compliance with County policy on reclassifications (AD140000Z) and it receives written approval of the County Executive. Individuals who are reclassified (because of the addition of significantly higher-level duties) or promoted into a higher position shall move to the step in the new range as follows. The 'top wage step' is defined as the highest step in a given range which includes an increase in the wage component (as opposed to an increase in just the Recognition & Retention component) over the preceding step.

- For employees in Exhibits A, B, C, or D, if a 5% increase would place the employee below the top wage step in the new range, the employee is placed in the new range in the step providing at least a 5% increase. The reclassification or promotion date becomes the next step date.

- For employees currently below the top wage step in Exhibits A, B, C, or D, if a 5% increase would place the employee at or above the top wage step in the new range, the employee is placed in the top wage step. The reclassification or promotion date becomes the next step date.

- For employees currently at or above the top wage step in Exhibits A, B, C, or D, if a 5% increase would place the employee at or above the top wage step in the new range, the employee is placed in the new range at their current step and maintains their current next step date.

- For Exhibits E, and F, employees are placed in the step in the new range that provides at least a 5% increase in base salary, not to exceed the top step of the new range. The reclassification or promotion date becomes the next step date.

- For movement outside the employee's current Exhibit, if a 5% increase would place the employee below the top wage step in the new range, the employee is placed in the new range in the step providing at least a 5% increase. The reclassification or promotion date becomes the next step date. If a 5% increase would place the employee at or above the top wage step in the new range, the employee is placed in the new range at their current step and maintains their current next step date.

4.3 Realignment. If funding is available within the authorized budget, Department Heads can request consideration on the appropriate form, for realignment of positions the following January, which are paid at least three percent (3.00%) below the average of at least four (4) of the six (6) comparable counties (all comparable counties where matches exist must be used). Individuals moving to a new range because of realignment of non-represented positions or ranges shall be placed in their current step (but no higher than the top step) one range above their current range. The effective date of the realignment shall become the step increase date. Positions which are experiencing recruitment and/or retention difficulties may be looked at during the year if funding is available within the current year's budget for the department.

4.3.1 Additional Considerations. In the administration of section 4.3 – Realignment, in the event the County identifies a position as one with documented local

recruitment and/or retention difficulties then secondary comparables based on close geographical location and sociological issues may be considered.

4.4 Position Movement. Individuals moving to a position in a lower range may have a salary adjustment up or down depending upon individual qualifications for the position, the nature of the work performed, and internal equity with no change to the next step increase date.

4.5 Overtime & Compensatory Time Pay. The provisions for overtime payments and compensatory time (for working over 40 hours in a week) apply only to non-represented employees who are covered as non-exempt by the Federal Fair Labor Standards Act (FLSA). Employees requesting compensatory time in lieu of overtime pay shall have such request granted up to a maximum of twenty-four (24) hours per calendar year. Additional compensatory time may be mutually agreed to, but an employee may accrue no more than a maximum of 80 hours of compensatory time at any time. All compensatory time earned shall be cashed out each year in December in the last paycheck of the calendar year.

In recognition of the contributions non-represented employees sometimes make in working far beyond the hours required in a regular work week, and the fact that FLSA-exempt employees do not get overtime or compensatory time, the Executive's Office has authority to award deserving non-represented FLSA exempt employees up to five (5) days of paid administrative leave per year. These days must be used in the year awarded unless County business prevents this occurring, in which case they can be carried over one year. Administrative leave may only be cashed out upon separation.

The Executive is empowered to authorize extra pay for non-represented employees during a period of extraordinary circumstances (such as emergency conditions, a strike, etc.).

4.6 Interim Assignment Pay. From time to time, non-represented employees may be asked to cover all or part of the duties of a higher-level position during periods of extended absence, vacancy, or for special assignments. In these instances, interim assignment pay may be awarded. Department heads shall discuss appropriate rate of interim pay with Human Resources prior to making the assignment. [AD146100Z]

4.7 Employment Opportunities. Non-represented employees who wish to apply for a union position may do so by the posted closing date for union members. Non-represented applications will be reviewed only if there are no current eligible and qualified represented employees from the applicable bargaining unit who apply or who are selected for the opening. The County, at its sole discretion, may or may not at that time select non-represented employees for any type of opening, or may proceed with a public posting and include the non-represented employees in the employment process.

4.7.1 Provisional Appointments. The County may make provisional appointments for employees not fully meeting all requirements and qualifications. Such employees will be placed in a range lower than the posted position, receiving at least a 5% promotional increase (in compliance with section 4.2) and will not receive another promotional increase upon fully meeting posted requirements. They will maintain their

step increase date when moved to the range of the posted position and be placed in the step closest to but not less than the provisional appointment rate of pay.

4.8 Disciplinary Suspensions. FLSA-exempt employees are not subject to unpaid disciplinary suspensions except in increments of full work-weeks, unless the infraction leading to the suspension is for a violation of a safety rule of major significance.

4.9 Employment at Will. Employment for non-represented employees is at will, which means either the employee or the County can end the employment relationship without being legally required to give notice or a reason except as stipulated herein, by County policy, or by law.

4.10 Emergency Response. Non-represented employees authorized in advance and required to respond in person to extraordinary emergencies, and works anytime between the hours of 9:00 p.m. and 6:00 a.m., Monday through Friday and any time on Saturday or Sunday, shall receive a \$150 stipend per incident. If an employee is not on a pre-approved absence, and response to an incident is during normal hours but extends to hours or days noted above, no stipend is awarded. If the incident extends beyond 24 hours from the first response by employee and additional responses are required during times or days noted above, depending upon circumstances or the ability to flex time, an additional stipend may be awarded. Pre-authorization for extraordinary emergencies eligibility is provided by an employee's supervisor in advance with written approval of the department head for a specific incident requested after the incident occurs. Final approval of a specific incident is provided by the Executive's Office or designee. In the case of department heads, pre-authorization and final written approval of a specific incident is provided by the Executive or designee.

4.11 Recognition and Retention Premium. Recognition and Retention Premium ceased to exist as a separate compensation item for all but Exhibit E as it was rolled into applicable matrices.

4.12 Probable Cause Compensation. Any attorney in the Prosecuting Attorney's Office required to appear on a weekend or holiday at a scheduled Probable Cause hearing shall receive \$250 for his/her appearance.

4.13 Nomination for Merit Step.

4.13.1 Merit Step. Non-represented employees who are not at the top wage step of their assigned range may be nominated by the department head to the Executive's Office for a one-step adjustment in recognition of documented exemplary performance. A step adjustment for merit does not impact the step date.

4.13.2 Documentation. Documented exemplary performance for a merit step shall include a performance evaluation within the last year with an overall rating of at least "4.00" with no individual elements or sub-elements at or below the "needs improvement" level. Additional documentation must be in writing and shall include specific information as to the employee's contribution:

- to achievement of some element or elements of the strategic plan;
- that has organization- or community-wide impact;

- to the completion of a specific, significant department project; or
- to a similar type of accomplishment.

4.13.3 Timing. Nomination requests will normally be submitted during the budget process, but may be submitted any time during the year. Submission requires funding to be available within the authorized budget for the department.

4.14 Binding Arbitration Adjustment. In recognition of the fact that two bargaining units within the Sheriff's Office have access to binding interest arbitration, unrepresented employees in the Sheriff's Office shall receive or be eligible for, on approximately the same basis as employees directly reporting to them, the following items:

- Pay increases (non-represented employees only).
- The same basis for calculating Recognition and Retention Premium (Longevity). Performance evaluation within last year must "exceed requirements" overall in order to be eligible for the Premium (non-represented employees only).
- The same annual clothing allowance if they must maintain a dress uniform.
- Medical coverage.

4.15 Ability to Cross Border. Employees must maintain the ability to cross the Canadian border if they are assigned to a position which may at any time require crossing the Canadian Border.

5. SCHEDULING

5.1 Work Schedule. The hours of operation may vary between departments and divisions in order to better serve the public.

5.2 Alternative Schedule. Alternative scheduling allows the hours and the basic workday or workweek of an employee to be modified from the department standard to attend to County business or to accommodate a different schedule. Approval of alternative scheduling for FLSA non-exempt employees shall not allow for greater than forty (40) hours of compensation in any one work week, shall provide for no reduction in service to the public, and must not increase the County's compensation costs. Alternative scheduling requires the mutual agreement of the employee and the department head and approval of the Executive's Office or designee. FLSA non-exempt employees may not accumulate or not take lunch and/or rest breaks in order to shorten the workday or work week.

5.3 Flex Time. Periodic flex time may be used for personal employee matters including doctor, vision or dental appointments. Flex time may also be used after emergency response, to attend meetings, or otherwise perform work on behalf of the County. Approval of flex time for FLSA non-exempt employees shall not allow for greater than forty (40) hours of compensation in any one work week, shall provide for no reduction in service to the public, and must not increase the County's compensation costs. Flex time requires the mutual agreement of the employee and the department head or designee. FLSA non-exempt employees may not accumulate or not take lunch and/or rest breaks in order to shorten the workday or work week.

6. LEAVES

6.1 Sick Leave. For the purpose of sick leave benefits, sick leave shall accrue to each 1.0 FTE non-represented employees in Exhibits C through H from their date of hire in the amount of eight (8) hours for each month of employment, if benefits eligibility criteria are met, to a maximum of nine hundred and sixty (960) hours except as outlined below.

6.1.1 Part-Time Employees' Sick Leave Accrual Rate. Part-time employees' sick leave accrual rate will be pro-rated per currently assigned, but not more than their budgeted FTE.

6.1.2 Additional Accrual. A non-LEOFF II employee who has accrued nine hundred and sixty (960) hours at the end of the last pay period of any year shall be allowed to accrue up to one thousand and fifty-six (1,056) hours (960 hours + up to 96 hours annual accrual) of sick leave during the year immediately subsequent. These additional hours of accrual may not be cashed out. The employee's total accrual reverts back to no more than nine hundred and sixty (960) hours at the end of the last pay period of the year.

6.1.3 Sick Leave Usage. Eligible employees may request sick leave as accrued and it may be used in increments of less than one scheduled workday, but not less than one hour for FLSA exempt employees.

6.1.4 Sick Leave Verification. Upon request, an employee shall provide the County with verification that the leave is for a covered purpose.

6.1.5 Excess Sick Leave Contributions. Employees under Exhibits C through H who have at least 960 hours in their sick leave bank the first and last pay period of the year (or at the beginning of a calendar year and upon termination in that same year) will receive a contribution into their Health Savings Account (HSA), if they have one, or if they do not have an HSA, into a Retirement Health Savings (RHS) plan, based upon a portion of the hours accrued but not used during the year. Sick leave hours accrued to a maximum of forty-eight (48) hours will apply to a partial contribution to a Health Savings Account or Retirement Health Savings Plan if less than forty-eight (48) hours of sick leave are used that year. Calculation is based on 25% of eligible hours, paid at the rate in effect at year end.

6.1.6 Sick Leave for Family Care. Sick leave can be used to care for a family member.

6.1.7 Sick Leave Cashout. A non-represented employee with three (3) or more years of current, continuous employment with the County shall be entitled to sick leave cashout upon voluntary separation, layoff or death in the amount of twenty five (25%) percent, or fifty (50%) percent if hired before May 15, 1984, of accrued hours up to a maximum of 960 hours. Employees must give at least two (2) weeks' notice prior to separation to be eligible for sick leave cashout.

6.1.8 Sick Leave Sharing. Sick leave sharing is available to non-represented employees per the County's Sick Leave Sharing Program. Each employee may donate up to a maximum of twenty-four (24) hours per calendar year.

6.1.9 LEOFF II Accrual Maximum. LEOFF II non-represented employees may accrue sick leave up to a maximum of one thousand, four hundred and forty (1,440) hours. No more than nine hundred and sixty (960) hours shall be used as a base for calculating sick leave cashout. If any hours are used per section 6.1.5 for partial contribution to a Health Savings Account, if they have one, or if they do not have an HSA, into a Retirement Health Savings Plan, any hours used in that calculation will no longer be available to the employee and will be deducted from the accrual bank.

6.1.10 Sheriff's Office. Non-represented employees in the Sheriff's Office (including Emergency Management and the Jail) who have employees directly reporting to them who receive an additional five (5) days of vacation if they have seventy-five (75) days of sick leave on December 31 of any year shall receive the same consideration.

6.2 Vacation. Non-represented employees under Exhibits C through H (except court reporters and superior court commissioners) shall be entitled to vacation accrual benefits if benefits eligibility criteria are met. Accruals for 1.0 FTE will be in accordance with the following schedule with the first employment year being the year hired and subsequent employment years being the first of the year. Prior regular County employment may be considered when determining employment year.

During 1st through 4th employment year	accrue 10.00 hours per month
During 5th through 9th employment year	accrue 13.34 hours per month
During 10th and subsequent years	accrue 16.67 hours per month

Vacation leave may be requested as accrued and approved and may be used in increments of less than one scheduled workday, but not less than one hour for FLSA exempt employees. No more than two hundred and forty (240) vacation hours may be carried forward from one year to the next; otherwise unused vacation in excess of two hundred and forty (240) hours at the end of the last pay period in any year shall be forfeited. The express purpose of vacation leave is to allow employees to take time away from work to relax, recreate and otherwise attend to personal matters. It is the policy of Whatcom County that non-represented employees shall take the regular vacation time allocated each year for the good of the employee and the County. If funds exist in the department's current budget, by mutual written agreement between the non-represented employee, the department head and the Executive's Office, vacation anticipated to be above the 240 hours carryover maximum can be cashed out each calendar year in the amount of 50% of accrued hours up to a maximum of eighty (80) hours. Upon separation, accrued vacation hours will be cashed out at 100%.

6.2.1 Part-Time Employees' Vacation. Part-time employees' vacation accrual rate will be pro-rated per currently assigned, but not more than their budgeted FTE.

6.2.2 Compassionate Leave. Employees may donate accrued vacation leave or paid time off to employees for the serious health condition (as defined by FMLA) of an employee or as otherwise provided by County policy.

6.3 Holidays. Paid holidays will be available as posted on an annual basis for non-represented employees (except superior court commissioners) who are in paid status, or on approved voluntary unpaid furlough, the entire scheduled work day before and after the holiday.

6.3.1 Personal Holiday. Each non-represented employee under Exhibits C through G (except court reporters and superior court commissioners) shall receive one (1) Personal Holiday each calendar year equivalent to their FTE on January 1 or upon hire, not to exceed eight (8) hours. The Personal Holiday must be used in the year it is earned, in increments of at least one hour for FLSA exempt employees. Personal Holidays are not cashed out upon separation.

6.3.2 Working a Holiday. Employees who are required to work, because state law requires an office to remain open on the December 24th County holiday observance, shall receive two days off with pay.

Employees, who are **required** by their department head to work a paid County holiday because of an emergency, a project that can only be completed when County offices are closed, or special directive from the Executive’s Office, shall receive two (2) days off with pay at a mutually agreeable time.

6.3.3 Part-Time Employees' Holiday Pay. Part-time employees will receive holiday pay based on their currently assigned, but not more than their budgeted FTE.

6.4 Paid Time Off (PTO) Bank. Each non-represented employee on Exhibits A and B will, in lieu of accruing vacation, sick and personal holiday, accrue time into a Paid Time Off (PTO) bank.

6.4.1 Accrual. Accrual for 1.0 FTE’s will be in accordance with the following schedule with the first employment year being the year hired and subsequent employment years being the first of the year. Employees appointed to an eligible unrepresented PTO position will have their accrued and available vacation and personal holiday hours placed in a PTO bank. Prior regular County employment may be considered when determining employment year. Part-time employee’s monthly PTO bank accrual rates will be pro-rated based on FTE.

Exhibit A	<u>Accrual Rate/month</u>
Upon hire and subsequent years	26.00 hours
Exhibit B	<u>Accrual Rate/month</u>
During 1 st through 4 th employment year	21.33 hours
During 5 th and subsequent years	24.67 hours

6.4.2 Short-Term Disability (STD) Bank. Each newly eligible employee will receive a “one-time” deposit of 480 hours into a short-term disability (STD) bank. Part-time employee’s short-term disability bank deposits will be pro-rated based on FTE. The STD bank can be accessed only after an employee has been absent and used PTO bank hours to cover three consecutive work days for an illness or injury, for an approved Family/Medical Leave, or to provide care for a family member under Family Care or Family Leave. For each separate intermittent FMLA situation, only one period of three consecutive work days charged to PTO needs to be met each applicable 12-month period before gaining access to the STD bank. Access to the STD bank may require a physician’s certification. Deductions from the STD bank must be for one hour or more. The STD bank is not eligible for cashout at any time.

6.4.3 Sick Leave Bank. Employees appointed to an eligible unrepresented PTO position will maintain their accrued and available sick leave hours in a bank, which can be accessed only if the one-time STD bank is depleted. Upon voluntary separation, layoff or death, the sick leave bank cashout will be cashed out per section 6.1.7.

6.4.4 Paid Time Off Usage. PTO bank hours may only be requested as accrued and used as approved. In the event an employee needs PTO for an illness or to care for a family member, the employee should give his or her supervisor as much notice as possible. Deductions from the PTO bank must be for one hour or more.

6.4.5 Paid Time Off Bank Carryover/Cashout. No more than 330 PTO hours at the end of the last pay period in any year can be carried over to the following calendar year with additional hours forfeited. If funds exist in the department's current budget, by mutual agreement among the impacted employee, the department head (if applicable) and the Executive's Office, PTO anticipated to be above the 330 hours carryover maximum can be cashed out each calendar year in the amount of 50% of accrued hours up to a maximum of eighty (80) hours. Upon separation, hours in the PTO bank will be cashed out at 100%.

6.5 Jury Duty & Military Leave. Non-represented employees considered exempt under the Federal Fair Labor Standards Act (FLSA) shall have no deduction in salary for absences caused by jury duty or annual military leave. Jury duty and military leave will be provided as described in County Policy, USERRA or state law.

6.6 Bereavement Leave. Bereavement leave shall be provided to non-represented employees, who suffer a death in the immediate family, of up to five (5) days off (maximum of forty hours) without loss in pay. Immediate family members include a spouse or State registered domestic partner, child or parent (including step) of either the employee or the employee's spouse. Up to three (3) days off without loss of pay is available for other close family members (including step): brother, sister, grandchildren or grandparents of either the employee or the employee's spouse. In the event of a funeral or other memorial occurring as a result of the death of a current, lawful brother or sister-in-law, the affected employee may have up to eight (8) hours off without loss in pay to attend the funeral or memorial, if not covered above. Additional days off without pay or using accrued leave may also be available upon written approval of the department head. Requests for greater than five (5) days of leave without pay in a calendar year requires Executive Office approval.

6.7 Civil Leave. Civil leave with pay shall be allowed to permit a non-represented employee to testify in any federal, state or municipal court when a subpoena compels such testimony and such testimony is on behalf of Whatcom County or is in connection with a matter in which Whatcom County is a party.

6.8 Family Leave. The County provides unpaid leave to any eligible non-represented employee covered by this Resolution, consistent with the Washington State Family Leave Act, Washington State Family Care Act, Washington State Military Family Leave Law, and the Federal Family and Medical Leave Act (FMLA). Employees are not required to use accrued vacation time, sick leave, STD bank, or PTO bank before commencing unpaid family leave, except an employee who has previously used twelve (12) weeks of unpaid FMLA will, for the following four years, use all but a total of forty (40)

accrued hours (including compensatory time) of allowable vacation, sick, PTO bank, STD bank, and personal holiday time before beginning unpaid leave during any subsequent twelve-month FMLA period. If leave pursuant to FMLA stipulations would also qualify as leave under any other County benefit, policy or type of leave, the period of the FMLA leave will run concurrently as permitted by law and will apply toward an employee's entitlement for each type of leave that may be applicable.

6.8.1 Physician Certifications. The County may require physician certifications in accordance with state and federal guidelines.

6.9 Maternity Leave. Accrued sick leave or STD bank time may be utilized for maternity/disability leave. In the event sick leave and/or the STD bank is exhausted before the employee returns to work, any vacation, PTO bank, or other paid leave which has accrued must be utilized before approval of any leave without pay is considered by the County, except for leaves falling under the federal Family and Medical Leave Act or County policy. If leave pursuant to this provision would also qualify as leave under any federal or state laws, the period of leave will apply toward the employee's entitlement to leave under any applicable laws consistent with section 6.8. Unless the birth mother chooses to invoke FMLA, a birth mother's period of temporary pregnancy-related disability shall not be deducted from the FMLA leave entitlement.

6.10 Paternity Leave. Sick leave to a maximum of forty (40) hours shall be available to use by an employee at the time of delivery of a child by their legal spouse.

40 hour limit removed Executive Order 2018-4

6.11 Leave for Illness or Injury. Non-represented employees may request in writing, with appropriate health care provider verification, leave for major illness or injury utilizing Family/Medical Leave, accrued leaves, and unpaid leaves, as appropriate and as approved. Total time for the leave, which will include all time away from work, may be extended up to a maximum of twelve (12) months with the mutual consent of the department head and the Executive's Office. An employee who returns to work will be credited for length of return time to job of injury, if work related, within the twelve (12) month limit if the employee must go back on disability for the same illness/injury. Periodic health care progress reports may be required.

6.12 Domestic Violence Leave. The County provides leave to employees who are victims of, or who are family members of victims of domestic violence, sexual assault, or stalking, consistent with the requirements of the Washington Domestic Leave Law.

6.13 Absence Due to Adverse Weather. FLSA non-exempt employee's absence due to severe inclement weather or other unusual emergency conditions will be charged to one of the following in sequential order: compensatory time, vacation leave, paid time off, personal holiday, or leave without pay. Employees who wish to take leave without pay must notify his/her payroll preparer before the department's payroll cut-off time.

7. ELECTED OFFICIALS

7.1 Wage Adjustments for Elected Officials. Council Members and Executive Branch Elected Officials shall be compensated per the appropriate Resolution.

7.2 District Court Judges. District Court Judges shall accrue sick leave at the same rate as non-represented employees per section 6.1. Additionally, pursuant to RCW 3.34.130, District Court Judges will receive thirty (30) days' annual leave each January 1. Annual leave cannot be carried forward to the next year. When a District Court Judge vacates office, the total remuneration for annual leave and sick leave shall be granted as allowed by RCW 3.34.100, and shall not exceed the equivalent of thirty (30) days' monetary compensation.

8. BENEFITS

8.1 Benefits Eligibility. Non-represented employees must be compensated at least eighty (80) hours per calendar month and be in at least a .5 FTE position to be eligible for certain benefits (including, but not limited to, sick leave, holiday, vacation, PTO bank, STD bank, and health and welfare). Compensation is defined as payment of wages for work performed, vacation, accrued sick leave, PTO, STD, other paid leave, or income for industrial injury not to exceed twelve months. County payments of health and welfare premiums for benefits of non-represented employees are made on behalf of employees. Compensation earned in one (1) calendar month provides health and welfare benefit coverage in the following month unless stipulated otherwise in plan documents. Any elected official or newly hired non-represented employee will be initially eligible for health and welfare benefits the calendar month following at least 80 hours of compensation in one (1) calendar month. Waiting period requirements on individual plans must be met for benefit reimbursement. Due to the nature of elected official positions, they will be eligible for health & welfare benefits on the same basis as a 1.0 FTE.

8.1.1 Benefits Coverage In Case of Documented Extended Illness or Injury. If an employee has a health care provider documented extended illness, injury, or disability, and is unable to work or be compensated at least eighty (80) hours per calendar month, medical contributions will continue to be paid by the County for full employee and family coverage for up to twelve (12) months from the date the employee is first ineligible on account of such illness or injury unless employment is terminated or as adjusted per section 6.8. This twelve-month period will apply towards the COBRA continuation coverage period. Dental, vision and life premiums will be paid by the County for the first three months of ineligibility only. Periodic health care provider reports may be required.

8.1.2 Part-Time Employee's Benefits Coverage. Part-time employees who fail to receive 80 hours of compensation in a calendar month shall be considered eligible for all applicable benefits during the month in question when the failure to meet eligibility requirements is due to a quirk in scheduling and through no fault of the employee.

8.2 Health & Welfare Benefits. All elected officials and eligible non-represented employees shall be granted the following health and welfare benefits. The benefits shall include full contribution by the County for the employee, spouse, and dependent children of the employee, unless otherwise noted.

- A) Medical – The Whatcom County Self-Insured Medical plan provides three medical plan choices through Health Management Administrators (HMA).
- B) Dental – Direct Reimbursement Dental through Navia Benefits Solutions.
- C) Vision – NBN Vision Plan with Washington Teamsters Welfare Trust.

- D) Long-Term Disability – employee only coverage with Sunlife.
- E) Life insurance –employee only coverage with Standard Life Insurance in the face amount of 1 times annual earnings to a maximum of \$50,000.

8.2.1 Medical Plan Choices For 2018, the County will provide full family medical coverage with no payroll deduction under Plan 2000 or the Qualified High Deductible Plan (QHDHP). Employees may alternatively buy up to the lower deductible Contributory Plan with a monthly payroll deduction. Employees will elect their next year's plan choice during an open enrollment period in November.

8.2.1.1 Plan 2000. Employees may elect to participate in the Plan 2000 with no payroll deduction. This is the default medical plan.

8.2.1.2 Qualified High Deductible Plan (QHDHP) and Health Savings Account. Employees may elect to participate in the Qualified High Deductible Plan with no payroll deduction. Employees electing to participate in the QHDHP plan will be eligible to establish a Health Savings Account (HSA) if they are otherwise qualified to have such account.

8.2.1.2.1 First Time Enrollees. For first time enrollees, the County will contribute to the HSA a total of \$1,250 per employee if signing up as an employee only **OR** \$2,500 per employee as seed money if signing up as an employee plus dependents. Part-time non-represented employees will receive a pro-rated contribution based on their budgeted FTE. One half the annual HSA contribution amount will be funded in January and the balance will be contributed in 11 equal monthly amounts for the remaining months in 2018. Participating employees are also eligible to contribute to the HSA.

8.2.1.2.2 New Hires. Employees who choose the Qualified High Deductible Plan (QHDHP) will be eligible to establish a HSA, if they are otherwise qualified to have such account. The County will contribute to the HSA a total of up to \$1,000 for employee only **OR** up to \$2,000 for employee plus dependents as seed money for first time enrollment. Part-time non-represented employees will receive a pro-rated contribution based on their budgeted FTE. Fifty percent (50%) will be contributed the calendar month following eighty (80) hours of compensation in one calendar month and enrolled in the HSA with monthly contributions of either \$45.45 (employee only) or \$90.91 (employee plus dependents) throughout the remaining months in 2018. Participating employees are also eligible to contribute to the HSA.

8.2.1.3 Contributory Plan. Employees may elect to participate in the Contributory Plan via authorized monthly payroll deduction.

8.2.2 Employees Compensated less than Full Time. Employees in budgeted positions less than 1.0 FTE, who are compensated at least 80 hours in a calendar month, are eligible for employee-only medical coverage with no contribution if they choose Plan 2000 or the Qualified High Deductible Plan. Employees may elect full family coverage and contribute the difference between the appointed FTE and the County contribution for full family medical coverage, plus 100% of the employee contribution if

employee chooses the Contributory Plan. (This requirement for pro-rated contributions does not apply to employees in Exhibit G or Whatcom County Council members).

8.3 Other Benefits

8.3.1 Flex 125. The County will pay set-up costs and ongoing maintenance costs to allow employees to utilize a Dependent & Health Care Reimbursement Plan.

8.3.2 Retirement Plans. The County provides payment to retirement plans through the Washington State Department of Retirement Systems (DRS), which also requires contributions from eligible non-represented employees. Elected officials may elect, but are not required, to participate in a DRS plan.

8.3.3 Deferred Compensation. The County provides the opportunity for voluntary employee participation in deferred compensation (457 plans) and 401(a) programs. The County matches these contributions fifty cents on the dollar, up to a maximum of 2% of base salary, with County contributions placed in a 401(a) Plan. New employees, within thirty (30) days of hire, may elect to contribute directly to the 401(a) plan.

8.3.4 Employee Assistance Program. The County provides confidential counseling assessment services through an Employee Assistance Program for employees and their immediate families.

8.3.5 Sheriff's Office Disability Plan. LEOFF II and PERS unrepresented employees in the Sheriff's Office will be provided a substantially equivalent disability plan as that provided to employees directly reporting to them. Such employees are not eligible to participate in the Long-Term Disability Plan offered under section 8.2.D.

8.3.6 Retirement Health Savings Plan. The County provides a tax-free Retirement Health Savings Plan (RHS) to use for qualified medical expenses, in accordance with IRS regulations. The County will administer the RHS plan consistent with the County's RHS plan documents. Contribution types, which are mandatory within identified groupings of employees, may include, but are not limited to: contribution of excess sick leave; contribution of a percentage of base salary; and contribution of sick leave, vacation and/or PTO bank cashouts at voluntary separation from County employment. The County may at its discretion identify additional recognized groupings of unrepresented employees to have one or more of the existing contribution types applied.

8.3.6.1 Retirement Health Savings. For those non-represented employees of the Sheriff's Office subject to the Binding Arbitration Adjustment matrices contained in Exhibits E and F, 3% of base salary provided will be mandatorily paid by the County to his or her Retirement Health Savings account, with the remaining 97% of base salary paid through payroll.

8.3.6.1.1 Additional Mandatory Contributions. When any of the employees on Exhibit E or F separate from employment, sick leave cashout, per section 6.1.7 and vacation cashout will be mandatorily contributed to his or her Retirement Health Savings account.

8.3.7 Clothing Repair & Replacement. Employees who, in the course of pursuing their assignments, suffer a loss or substantial damage to clothing, excluding normal wear and tear, shall be reimbursed the reasonable cost for the repair or replacement of like items at a rate commensurate with the condition of the claimed item. Personal property shall be repaired or replaced up to \$35.00 per item.

8.3.8 Electronic Funds Transfer. All newly hired regular employees shall authorize paycheck deposit by electronic funds transfer (EFT) within thirty (30) days of employment. Employees may temporarily stop EFT in emergency situations with at least seven (7) days' notice before a scheduled payday, but must restart EFT within three months.

9. POLICY OR PROVIDER CHANGES

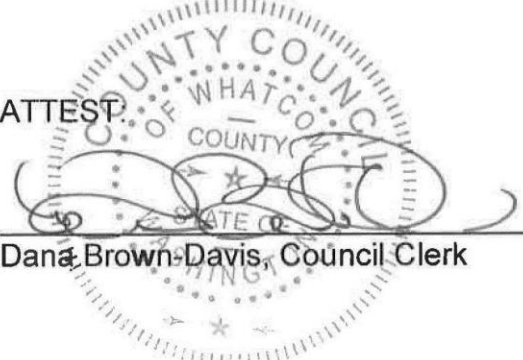
From time to time, the County may change provisions in this resolution or select different providers of benefits, which may impact plans offered. Nothing in this document shall limit the County's ability to change any provision in this resolution or to search for the most cost effective benefit packages, nor shall it commit the County to selecting any specific provider or plan.

10. EFFECTIVE DATE


All changes in salaries and benefits under this resolution shall become effective on the first full pay period in January, 2018 and shall remain in effect until rescinded, except where noted otherwise and except that any further changes may be retroactively applied as approved by the County Council. For 2018, pay period #1 begins on December 31, 2017.

AND FURTHER, THEREFORE, BE IT RESOLVED, that Resolution No. 2016-051 is hereby rescinded effective January 1, 2018 and this Resolution shall become effective that same date.

APPROVED this 24th day of October, 2017.

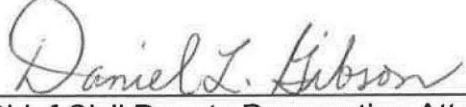
ATTEST


Dana Brown-Davis, Council Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


Barry Buchanan, Council Chair

APPROVED as to form:



Chief Civil Deputy Prosecuting Attorney

2018 Salary Matrix for Unrepresented Employees

Exhibit "A" Department Head Salary Matrix - Effective January 2018 (+2.50%)

Range	12 months of service at each step required to move to next step								36 months of service at each step required to move to next step				
	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
500	8,712	9,048	9,394	9,759	10,135	10,525	10,930	11,349	11,788	11,808	11,832	11,858	11,884
500.1*	8,822	9,159	9,504	9,869	10,245	10,635	11,040	11,459	11,898	11,918	11,942	11,968	11,994
510	9,086	9,436	9,800	10,176	10,567	10,974	11,396	11,833	12,290	12,309	12,334	12,360	12,386
510.1*	9,251	9,601	9,966	10,341	10,732	11,139	11,561	11,998	12,455	12,474	12,499	12,526	12,551
510.2*	9,306	9,656	10,021	10,396	10,787	11,194	11,616	12,053	12,510	12,529	12,554	12,581	12,606
520	9,475	9,838	10,218	10,612	11,022	11,445	11,884	12,340	12,815	12,835	12,860	12,886	12,911
520.1*	9,750	10,113	10,493	10,887	11,296	11,721	12,267	12,615	13,090	13,110	13,136	13,161	13,187
525	9,678	10,049	10,437	10,840	11,259	11,692	12,139	12,605	13,091	13,111	13,137	13,163	13,189
530	9,886	10,265	10,660	11,071	11,497	11,940	12,399	12,874	13,367	13,387	13,412	13,438	13,464

*Ranges 500.1, 510.1, 510.2, and 520.1 - Supplemental Compensation Replacement

Exhibit "B" Management Salary Matrix - Effective January 2018 (+2.50%)

Range	12 months of service at each step required to move to next step								36 months of service at each step required to move to next step				
	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
400	5,523	5,738	5,959	6,191	6,430	6,681	6,939	7,209	7,487	7,508	7,532	7,560	7,586
405	5,755	5,983	6,213	6,454	6,705	6,966	7,236	7,515	7,808	7,827	7,853	7,880	7,907
410	6,002	6,236	6,477	6,731	6,989	7,260	7,542	7,833	8,138	8,158	8,183	8,211	8,237
415	6,258	6,503	6,756	7,018	7,288	7,572	7,864	8,168	8,484	8,505	8,530	8,557	8,583
420	6,526	6,780	7,043	7,315	7,602	7,892	8,197	8,513	8,841	8,862	8,887	8,914	8,941
425	6,807	7,072	7,345	7,628	7,923	8,230	8,549	8,876	9,220	9,240	9,265	9,293	9,319
425.1*	7,082	7,347	7,620	7,903	8,198	8,506	8,824	9,151	9,495	9,515	9,541	9,568	9,595
430	7,097	7,374	7,659	7,954	8,261	8,582	8,912	9,255	9,613	9,633	9,658	9,686	9,712
435	7,403	7,689	7,988	8,295	8,616	8,950	9,294	9,651	10,024	10,045	10,070	10,098	10,124
440	7,719	8,020	8,329	8,652	8,986	9,330	9,689	10,063	10,450	10,471	10,496	10,524	10,550
440.1*	7,995	8,295	8,605	8,927	9,261	9,606	9,965	10,338	10,725	10,746	10,772	10,799	10,826
445	8,050	8,361	8,684	9,021	9,367	9,728	10,103	10,491	10,895	10,916	10,941	10,969	10,995
450	8,394	8,719	9,056	9,403	9,767	10,144	10,534	10,940	11,361	11,380	11,406	11,433	11,460

*Ranges 425.1 & 440.1 - Supplemental Compensation Replacement

Exhibit "C" Professional/Supervisory Salary Matrix - Effective January 2018 (+2.50%)

Range	12 months of service at each step required to move to next step								36 months of service at each step required to move to next step				
	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
300	3,996	4,158	4,324	4,492	4,668	4,852	5,042	5,149	5,157	5,179	5,205	5,233	5,259
305	4,167	4,337	4,508	4,684	4,868	5,058	5,254	5,458	5,629	5,651	5,676	5,705	5,729
310	4,343	4,522	4,699	4,884	5,075	5,275	5,480	5,691	5,869	5,891	5,916	5,945	5,969
315	4,531	4,717	4,901	5,091	5,291	5,498	5,710	5,930	6,114	6,136	6,161	6,190	6,215
320	4,725	4,916	5,109	5,309	5,514	5,733	5,953	6,184	6,375	6,397	6,422	6,450	6,475
325	4,928	5,127	5,327	5,535	5,750	5,977	6,209	6,448	6,649	6,671	6,697	6,725	6,749
330	5,138	5,346	5,556	5,771	5,994	6,228	6,471	6,719	6,928	6,950	6,975	7,004	7,029
335	5,358	5,576	5,793	6,016	6,251	6,493	6,745	7,006	7,223	7,245	7,270	7,299	7,324
340	5,587	5,811	6,039	6,273	6,516	6,771	7,034	7,304	7,530	7,552	7,577	7,606	7,631
345	5,827	6,059	6,295	6,539	6,795	7,059	7,330	7,612	7,847	7,869	7,893	7,922	7,947
345.1*	6,102	6,334	6,570	6,814	7,070	7,334	7,605	7,887	8,122	8,144	8,169	8,197	8,223
350	6,075	6,318	6,566	6,821	7,085	7,359	7,641	7,936	8,181	8,203	8,228	8,257	8,281
355	6,334	6,588	6,845	7,110	7,386	7,672	7,968	8,276	8,531	8,552	8,577	8,606	8,631
360	6,606	6,872	7,138	7,414	7,700	8,000	8,307	8,627	8,892	8,913	8,938	8,967	8,992
365	6,888	7,163	7,442	7,730	8,029	8,340	8,662	8,995	9,271	9,293	9,318	9,347	9,372
370	7,184	7,471	7,761	8,062	8,371	8,697	9,032	9,380	9,667	9,689	9,715	9,743	9,769
375	7,490	7,792	8,093	8,405	8,730	9,069	9,417	9,778	10,079	10,101	10,126	10,155	10,179

* Range 345.1 - Supplemental Compensation Replacement

Exhibit "D" Support Salary Matrix - FLSA Non-Exempt - Effective January 2018 (+2.50%)

Range	12 months of service at each step required to move to next step									24 mos of svc	36 months of service at each step required to move to next step			
	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14
200	2,883	2,998	3,124	3,253	3,381	3,518	3,655	3,796	3,946	4,024	4,046	4,071	4,099	4,125
210	3,005	3,126	3,255	3,389	3,522	3,664	3,807	3,958	4,115	4,195	4,217	4,242	4,271	4,296
220	3,130	3,258	3,393	3,532	3,671	3,818	3,968	4,122	4,284	4,368	4,390	4,415	4,444	4,469
230	3,266	3,399	3,540	3,685	3,828	3,981	4,137	4,299	4,469	4,557	4,578	4,604	4,632	4,657
240	3,406	3,545	3,690	3,840	3,990	4,150	4,311	4,478	4,654	4,746	4,766	4,792	4,820	4,846
250	3,549	3,695	3,846	4,005	4,161	4,326	4,495	4,668	4,852	4,948	4,969	4,994	5,023	5,048
260	3,701	3,853	4,009	4,172	4,337	4,509	4,685	4,867	5,057	5,157	5,179	5,205	5,233	5,259
270	4,017	4,174	4,344	4,514	4,690	4,877	5,065	5,261	5,468	5,629	5,651	5,676	5,705	5,729

Exhibit "E" Sheriff's Binding Arbitration Adjustment Salary Matrix

Effective January 2018 (+2.50%)

Range	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
620	5,960	6,196	6,442	6,696	6,951	7,216	7,490	7,774	8,063
630	6,259	6,507	6,765	7,031	7,298	7,576	7,863	8,162	8,464
640	6,574	6,834	7,102	7,384	7,664	7,955	8,258	8,571	8,887
650	6,902	7,175	7,458	7,752	8,046	8,354	8,670	9,000	9,332
660	7,246	7,532	7,830	8,139	8,451	8,769	9,104	9,449	9,800
670	7,608	7,910	8,221	8,546	8,871	9,209	9,559	9,921	10,289
680	7,989	8,306	8,632	8,974	9,314	9,670	10,037	10,417	10,804
690	8,807	9,157	9,517	9,894	10,269	10,661	11,066	11,485	11,911

LONGEVITY (% of top deputy step)

Yrs of Service	%	Hourly Rate	Per Hour Longevity
6	2.00%	\$36.79	\$0.74
9	3.00%	\$36.79	\$1.10
12	3.50%	\$36.79	\$1.29
15	4.00%	\$36.79	\$1.47
18	4.50%	\$36.79	\$1.66
21	5.00%	\$36.79	\$1.84
24	6.00%	\$36.79	\$2.21

Exhibit "F" Corrections Binding Arbitration Adjustment Salary Matrix

Effective January 2018 (+2.50%)

Range	12 months of service at each step required to move to next step									36 months of service at each step required to move to next step
	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
720	6,790	6,999	7,273	7,552	7,838	8,153	8,499	8,863	8,891	8,918
740	7,483	7,827	8,131	8,443	8,762	9,113	9,500	9,904	9,933	9,960

Exhibit "G" Court Reporters & Health Officer Salary Matrix - Effective January 2018 (+2.50%)

Range	12 months of service at each step required to move to next step								36 months of service at each step required to move to next step				
	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13
801	6,402	6,408	6,415	6,422	6,429	6,438	6,444	6,452	6,461	6,483	6,507	6,536	6,561
802	7,365	7,372	7,378	7,386	7,392	7,401	7,408	7,416	7,424	7,446	7,471	7,499	7,525

Exhibit "H" Commissioners Salary Matrix

Effective*

Range	9/1/2017	9/1/2018
903	12,689	12,943
904	11,411	11,639

(90% of Superior Court Judge Salary)
(85% of District Court Judge Salary)

*Salaries are set by the Washington Citizens' Commission on Salaries for Elected Officials every two years on the odd year. Next salary setting session begins January of 2019.