

**FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Personnel	David Bracilano/47874 Sarah Butler/47929	Greg Shiring/64085

**Legislation Title:**

AN ORDINANCE relating to City employment; amending the Seattle Municipal Code (SMC) Section 4.04.030 to expand the definition of seniority for the purpose of determining layoff order.

**Summary of the Legislation:**

This legislation expands the definition of seniority for the purposes of determining layoff order for civil service employees, excluding employees in the Public Safety Civil Service system.

**Background:**

There currently exist disparate practices in how the City calculates seniority for purposes of layoff order. Non-represented employees, as well as some employees represented by unions, generally may not count time worked in other classifications towards seniority in their current classifications. However, most employees represented by unions may count time worked in other classifications if they moved to their current classifications via certain personnel actions: voluntary reduction (non-disciplinary downward movement), lateral transfer, or reclassification (movement to a new classification after the Personnel Director has determined that an employee gradually took on new duties that substantively changed the position's body of work). No city employee may currently count time from a previous classification if moved to his or her current classification via reallocation (the result of a deliberate management decision to substantively change a position's body of work).

In 2009, the City entered into a layoff environment and employees became aware of the differences in how seniority is calculated. Employees approached the Personnel Director and the Civil Service Commission and asked that all employees have their seniority calculated the same way, and that time worked in positions that were reallocated into other classifications also be included in seniority calculations. Additionally, departments continue to struggle with morale issues that have resulted from the disparate practices in seniority calculation, as well as not harming employees whose positions should be reclassified or reallocated. In an effort to address these issues, this legislation expands the definition of seniority to include voluntary reductions, transfers, reclassifications and reallocations.

Please check one of the following:

  X   **This legislation does not have any financial implications.**

**\_\_\_\_\_ This legislation has financial implications.**

**Other Implications:**

- a) **Does the legislation have indirect financial implications, or long-term implications?**  
The City may need to enter into negotiations and/or defend an unfair labor practice on the impacts of the legislation on represented employees, if material impacts are identified.
- b) **What is the financial cost of not implementing the legislation?**  
There is no financial cost associated with not implementing the legislation. There will continue to be morale issues amongst City employees if the legislation is not implemented.
- c) **Does this legislation affect any departments besides the originating department?**  
Yes, this legislation affects all City departments with civil service employees.  
Department human resources staffs are aware of the issue and will continue to be briefed on the status of changes to how seniority is calculated.
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**  
None.
- e) **Is a public hearing required for this legislation?**  
No.
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**  
No.
- g) **Does this legislation affect a piece of property?**  
No.
- h) **Other Issues:** None.

**List attachments to the fiscal note below:** None.