



SEATTLE CITY COUNCIL

Public Safety and Human Services Committee

Agenda

Tuesday, April 25, 2023

9:30 AM

Council Chamber, City Hall
600 4th Avenue
Seattle, WA 98104

Lisa Herbold, Chair
Andrew J. Lewis, Vice-Chair
Teresa Mosqueda, Member
Sara Nelson, Member
Alex Pedersen, Member

Chair Info: 206-684-8801; Lisa.Herbold@seattle.gov

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Public Safety and Human Services Committee
Agenda
April 25, 2023 - 9:30 AM

Meeting Location:

Council Chamber, City Hall, 600 4th Avenue, Seattle, WA 98104

Committee Website:

<http://www.seattle.gov/council/committees/public-safety-and-human-services>

This meeting also constitutes a meeting of the City Council, provided that the meeting shall be conducted as a committee meeting under the Council Rules and Procedures, and Council action shall be limited to committee business.

Members of the public may register for remote or in-person Public Comment to address the Council. Details on how to provide Public Comment are listed below:

Remote Public Comment - Register online to speak during the Public Comment period at the meeting at <http://www.seattle.gov/council/committees/public-comment>. Online registration to speak will begin two hours before the meeting start time, and registration will end at the conclusion of the Public Comment period during the meeting. Speakers must be registered in order to be recognized by the Chair.

In-Person Public Comment - Register to speak on the Public Comment sign-up sheet located inside Council Chambers at least 15 minutes prior to the meeting start time. Registration will end at the conclusion of the Public Comment period during the meeting. Speakers must be registered in order to be recognized by the Chair.

Submit written comments to Councilmember Herbold at lisa.herbold@seattle.gov

Please Note: Times listed are estimated

A. Call To Order

B. Approval of the Agenda

C. Public Comment

(20 minutes)

D. Items of Business

1. [CB 120549](#) **AN ORDINANCE relating to the City’s criminal code; amending the crime of Obstructing a Public Officer to include obstructing firefighters and fire department personnel; and amending Section 12A.16.010 of the Seattle Municipal Code.**

Supporting Documents:

[Summary and Fiscal Note](#)
[Central Staff Memo](#)

Briefing, Discussion, and Possible Vote (30 minutes)

Presenters: Christopher Lombard, Assistant Chief, Seattle Fire Department; Kenny Stuart, President, Seattle Fire Fighters Union Local 27; Greg Doss, Council Central Staff

2. **Draft Resolution on Pay Equity for Human Services Contractors**

Supporting Documents:

[Presentation](#)
[Draft Resolution](#)

Briefing and Discussion (45 minutes)

Presenters: Jennifer LaBrecque and Karina Bull, Council Central Staff

E. Adjournment



Legislation Text

File #: CB 120549, **Version:** 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the City’s criminal code; amending the crime of Obstructing a Public Officer to include obstructing firefighters and fire department personnel; and amending Section 12A.16.010 of the Seattle Municipal Code.

WHEREAS, the Seattle Fire Department (SFD) employs almost 1200 personnel, including over 900 uniformed personnel of which over 200 respond daily to emergencies across Seattle; and

WHEREAS, all SFD Firefighters are also certified Emergency Medical Technicians, and over 60 of these Firefighters have completed rigorous specialized training and serve the department as Firefighter/Paramedics; and

WHEREAS, SFD delivered 92,233 service responses in 2021 and 106,453 in 2022, including emergency fire suppression, rescue, and medical response; and

WHEREAS, SFD response exposes SFD personnel to such hazards as structural fires, vehicle fires, explosions, electrical hazards, chemical hazards, structural collapse, and infectious disease; and

WHEREAS, the additional risk to SFD personnel of intentional interference by a member of the public, also known as obstruction, is not tolerable given the life-or-death nature of the services they perform and monitor to protect the public; and

WHEREAS, the Seattle Municipal Code provides protection from obstruction to police officers and to certain other City employees who are carrying out their duties to protect the public; and

WHEREAS, the City wishes to extend this protection to SFD personnel; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 12A.16.010 of the Seattle Municipal Code, last amended by Ordinance 117158, is amended as follows:

12A.16.010 Obstructing a public officer

A. A person is guilty of obstructing a public officer if, with knowledge that the person obstructed is a public officer, he or she:

1. Intentionally and physically interferes with a public officer; or
2. Intentionally hinders or delays a public officer by disobeying an order to stop given by such officer; or
3. Intentionally refuses to cease an activity or behavior that creates a risk of injury to any person when ordered to do so by a public officer; or
4. Intentionally destroys, conceals, or alters or attempts to destroy, conceal, or alter any material that he or she knows the public officer is attempting to obtain, secure, or preserve during an investigation, search, or arrest; ~~((or))~~
5. Intentionally refuses to leave the scene of an investigation of a crime while an investigation is in progress after being requested to leave by a public officer~~((or))~~ ; or
6. Intentionally refuses to leave the scene of a fire department emergency response while it is in progress after being requested to leave by a public officer when the person's conduct or presence hinders, delays, or compromises legitimate fire department actions or rescue efforts; threatens the safety of fire department personnel or members of the public; or attempts to incite others to violence.

B. No person shall be convicted of violating this Section 12A.16.010 if the ~~((Judge))~~ judge determines, with respect to the person charged with violating this Section 12A.16.010, that the public officer was not acting lawfully in a governmental function.

C. For purposes of this Section 12A.16.010, a "public officer" means those individuals responsible for the enforcement of the provisions of the Seattle Municipal Code, including provisions related to fire, building,

zoning, and life and safety codes; those individuals empowered to make arrests for offenses under the Seattle Municipal Code; ((or)) those individuals responsible for the enforcement of the federal or state criminal laws((-)) ; or a firefighter or other employee of a fire department who was performing his or her official duties at the time of the obstruction.

D. Obstructing a public officer is a gross misdemeanor.

Section 2. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2023, and signed by me in open session in authentication of its passage this _____ day of _____, 2023.

President _____ of the City Council

Approved / returned unsigned / vetoed this ____ day of _____, 2023.

Bruce A. Harrell, Mayor

Filed by me this _____ day of _____, 2023.

Elizabeth M. Adkisson, Interim City Clerk

(Seal)

SUMMARY and FISCAL NOTE*

Department:	Dept. Contact:	CBO Contact:
LAW	James Kenny/4-8532	Ramandeep Kaur/4-0225

** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to the City’s criminal code; amending the crime of obstructing a public officer to include obstructing firefighters and fire department personnel; and amending Section 12A.16.010 of the Seattle Municipal Code.

Summary and Background of the Legislation: This legislation would amend Seattle Municipal Code (SMC) 12A.16.010 (Obstructing a Public Officer) to clarify that the same legal protection from obstruction applies to Seattle Police Department officers engaged in incident response or crime investigation and Seattle Fire Department personnel engaged in incident response or monitoring. “Obstruction” here refers to such intentional activities, on the part of a person not involved in the response, as physical interference with the responder and refusal to leave a scene after having been directed to do so by a public officer.

This clarification would be provided by two changes to existing SMC:

- The description of activities that may result in a charge of obstructing a public officer would be expanded to include specific reference to SFD response – i.e., “fire department emergency response.” Currently the description of these activities has an enforcement focus (e.g., “investigation, search, or arrest”) and does not explicitly apply to SFD emergency response.
- The definition of “public officer” would be expanded such that it encompasses SFD first responders and other SFD personnel who may monitor that response. Currently the definition is only clearly applicable to SFD firefighters in the Fire Marshal’s Office, who have an enforcement purview but who are not first responders.

These changes would provide the basis for SPD to develop policies around the establishment and enforcement of obstruction zones during SFD fire and medical response, essentially creating a perimeter that, if breached, would allow SPD to charge the violator with obstruction of a public officer.

The legislation specifies that protection from obstructions would only apply while SFD personnel are performing their official duties on behalf of the City.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

If yes, please fill out the table below and attach a new (if creating a project) or marked-up (if amending) CIP Page to the Council Bill. Please include the spending plan as part of the attached CIP Page. If no, please delete the table.

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget?

___ Yes X No

If there are no changes to appropriations, revenues, or positions, please delete the table below.

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

No. This legislation has no financial impact.

Are there financial costs or other impacts of *not* implementing the legislation?

By clarifying that the protections of SMC 12A.16.010 apply to SFD personnel, the legislation provides a clear path to the prosecution of an individual whose actions conflict with the SMC, for instance by interfering with an SFD paramedic who is providing first aid. Absent such clarification, such prosecution may be more difficult.

4. OTHER IMPLICATIONS

a. Does this legislation affect any departments besides the originating department?

The legislation was drafted by the Law Department with the consent and input of SFD. It will primarily affect SFD. It will also affect SPD in that (a) operationalizing the legislation's expansion of statutory authority will require collaboration between the two departments; and (b) it is possible that this expansion will result in increased arrests, by SPD officers, for the crime of obstruction of a public officer.

b. Is a public hearing required for this legislation?

No

c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?

No

d. Does this legislation affect a piece of property?

No

e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?

The legislation extends the crime of obstruction of a public officer to SFD personnel. To the extent that the amended statute is enforced and there are increased arrests for the crime of obstruction, it is possible that the result will be an increase in the harm caused by a criminal legal system that disproportionately impacts vulnerable communities and communities of

color. Such increase could include the perpetuation of poverty through this system’s fines and fees and its negative impact on an individual’s ability to find and maintain stable employment, housing, or ongoing supportive connections to community.

The legislation reflects language in Ordinance 125313, which was passed by the Council in 2017. That ordinance recognized the right of members of the public to observe and record SPD response and acknowledged that such actions are consistent with “the public’s right to hold government officials accountable.” Research has also shown that a sole charge of obstruction of a public officer (and similar statutes, such as resisting or delaying a public officer) have historically been used to suppress and penalize people of color. Ordinance 125313 described a set of detrimental behaviors, on the part of a member of the public, that would need to be present for an arresting officer to justify a charge of obstruction of an SPD officer – in other words, it imposed a clear and universal standard for this charge, ensuring that it could not be made at an officer’s discretion. Mirroring that descriptive language in this legislation imposes the same standard for a charge of obstruction of SFD personnel.

f. Climate Change Implications

1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?

No

2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle’s resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.

No

g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program’s desired goal(s)?

The legislation does not include a new initiative or major programmatic expansion.

Summary Attachments (if any):

April 25, 2023

MEMORANDUM

To: Public Safety and Human Services Committee
From: Greg Doss, Community Safety & Health Team Lead
Ann Gorman, Analyst
Subject: Council Bill 120549 - Protecting Public Officers from Obstruction

On April 25, the Public Safety and Human Services Committee will discuss and possibly vote on [Council Bill \(CB\) 120549](#), which would amend the crime of Obstructing a Public Officer to include obstruction of Seattle Fire Department (SFD) firefighters and other fire department personnel.

Background

[Seattle Municipal Code \(SMC\) 12A.16.010](#) creates a crime of “Obstructing a Public Officer,” (Obstruction) which is a gross misdemeanor, and includes: (1) the intentional and physical interference with a public officer; and (2) the intentional refusal to leave the scene of an investigation of a crime while an investigation is in progress after being requested to leave by a public officer. When a public officer is obstructed, there is a safety risk not only to that officer but to those in the area who are in need of protection. Such obstruction can also compromise the scene of an investigation, which may inhibit the future legal admissibility of evidence from that scene.

The current SMC definition of a “public officer” for the purpose of enforcement does not explicitly include firefighters and other SFD personnel who may be monitoring the scene of firefighter response. SMC 12A.16.010.C defines a public officer as someone who is “responsible for the enforcement of the provisions of the Seattle Municipal Code, including provisions related to the building, zoning, and life and safety codes; those individuals empowered to make arrests for offenses under the Seattle Municipal Code, or those individuals responsible for the enforcement of federal or state criminal laws.”

This definition includes firefighters who work as inspectors in SFD’s Fire Marshal’s Office, but it does not include members of the SFD Operations and Leadership and Administration work units who perform first-response and scene-oversight work. These members include firefighters, public information officers, the Fire Chief and Assistant Chiefs, and others. As written, the SMC may limit the protection that is available to these SFD personnel when they encounter performance-hindering obstructions in the course of their work.

SFD staff have provided Central Staff with incident records that show that aggressive persons have, at times, engaged in behavior that has interfered with SFD personnel who are attempting to perform their duties. Examples of such persons and behavior include overdose patients who

may become combative while regaining consciousness after receiving Naloxone or another overdose reversal treatment; unhoused persons who attempt to prevent SFD personnel from extinguishing illegal burns; or persons in mental or behavior health crisis, or other persons, who throw items at SFD personnel or threaten to physically attack SFD personnel. Not all of this behavior could be a basis for a charge of Obstruction. This is discussed further below in the Proposed Changes and Enforcement of Obstruction sections.

Proposed Changes

CB 120549 would amend the SMC in the following ways:

- It would expand the SMC definition of a public officer explicitly to include SFD firefighters and other SFD personnel, while they are engaged in the performance of their official duties; and
- It would add, in its listing of offenses that may give rise to a charge of obstructing a public officer, explicit reference to the scene of a fire department emergency response as follows (see 12A.16.010, Subsection A6 of CB 120549):

“... when the person’s conduct or presence hinders, delays, or compromises legitimate fire department actions or rescue efforts; threatens the safety of fire department personnel or members of the public; or attempts to incite others to violence.”

The aggregate effect of these changes would be to make clear that all SFD personnel attending an SFD response are entitled to protection from obstructions under SMC 12A.16.010.

Creating Obstruction Zones

The purpose of CB 120549 is to create parity between SPD and SFD personnel in terms of their legal protection from obstructions while they are engaged in paid City work. SFD staff have indicated that the proposed changes would provide the statutory basis for SPD and SFD to collaborate on the development of policies around the establishment and enforcement of “obstruction zones” during SFD response, consistent with existing SPD policies that address obstruction zones for a police investigation.

The proposed bill language in 12A.16.010, Subsection A6 (see #2 above) reflects language in Ordinance 125313, which the Council passed in 2017 to codify SPD policy 5.160 (Citizen Observation of Officers). That ordinance recognized the right of members of the public to observe and record SPD activity; observation and recording are Constitutionally protected activities that are outside the purview of the SMC Criminal Code. The use of parallel language in CB 120549 makes clear that members of the public have the same observe-and-record rights related to SFD activity, and it similarly ensures that an Obstruction charge at the scene of an SFD emergency response must have a substantive basis.

Enforcement of Obstruction

The City's Attorney's Office (CAO) has indicated that the charge of Obstruction would not be made in every instance that a person threatens or becomes physically aggressive with SFD personnel. A person displaying threatening behavior toward SFD personnel would only be charged with Obstruction if they are also interfering with the employee's ability to perform their duties. Additionally, an Obstruction charge would not be made against any SFD patients receiving treatment, including instances when overdose patients became physically aggressive during resuscitation. Therefore, while CB 120549 may allow for better enforcement of obstruction zones, it may not address all of the incidents that SFD personnel have found to impede delivery of services (e.g., combative patients).

A very limited review of arrests made for Obstruction, and no other charge, might suggest that arrests are more likely to be made in a law enforcement context than when firefighters are responding to a structure fire or providing basic or advanced life support (see below).

Racial Equity and Criminal Legal System Issues

To the extent that individuals violate SFD obstruction zones, or otherwise obstruct SFD personnel from performing their duties, there may be an increase in the number of misdemeanor arrests for the charge of Obstructing a Public Officer. If that is the case, it is likely that those arrests will occur with disproportionate impact to vulnerable communities and communities of color, as this is a well-established reality for a criminal legal system that creates harm and perpetuates systems of poverty.

SPD has arrested for Obstruction 242 individuals in 2022 and 60 individuals through March 31 of 2023. An SPD analysis of this year's arrests found that:

1. 85% of arrest events included two or more charge types, with an average of 5.2 charges per event; and
2. The charged most often associated with obstruction was weapon possession (primarily a firearm), followed by a three-way tie for assault, burglary and resisting, eluding or refusing to stop.

SPD staff examined a sample of all the 2023 cases (N=8) where an individual was arrested for Obstruction, but no other charge was made. In these cases, staff found that an officer was "investigating a potential criminal offense, and the arrestee was uncooperative and/or fled the scene after being asked to stay put."

A demographic analysis of individuals arrested for Obstruction, potentially among other charges, shows that the arrests are occurring with disproportionate impact to communities of color¹:

Self-Reported Race as Tracked by SPD	Obstruction Arrests by Race 2019-2022	Race Represented in Seattle Census
White	50.1%	59.5%
Black	33.9%	6.8%
Asian	3.1%	16.9%
American Indian or Alaskan Native	2.1%	0.4%
Unknown	10.7%	*See Below

* Data on Seattle’s [Census Webpage](#) shows the following breakout: 0.3% for Native Hawaiian or Pacific Islander, 0.6% for Another Race, 7.3% for two or more races and 8.2% for Hispanic or Latino (of any race).

Firefighters support vulnerable communities by providing timely emergency responses to 911 calls that may include incidents like overdose reversals and encampment fires. In a best-case scenario, the establishment of an obstruction zone would ensure that care is not delayed, and disproportionate impact created on vulnerable communities, by individuals who could directly access firefighters, prevent them from performing their duties and potentially worsen a situation through assault of a firefighter or other emergency responder. Central Staff has been advised that the CAO is currently examining cases where firefighters have been assaulted in the line of duty. Staff have asked the CAO whether such assaults may have been prevented through the implementation of an obstruction zone. An answer had not yet been received at the time of this writing.

The crime of a Gross Misdemeanor is punishable by up to 364 days in jail and up to a fine of \$5,000. If the subject of an Obstruction charge is suffering from drug addiction or mental illness, it is possible that the City Attorney’s Office may recommend a Dispositional Continuance, or Deferred Sentence, both of which would result in dismissal of the Gross Misdemeanor from a person’s record if they complied with certain conditions such as drug or alcohol treatment.

cc: Esther Handy, Director
Ann Gorman, Analyst

¹ SPD staff have indicated that a comparison of police arrest data with population data is not an appropriate measure of disparity because it does not account for the factors that lead to criminogenic need (e.g., poverty, poor educational outcomes, unstable housing, untreated mental illness, drug use), which are all outcomes of a racist society, end to end.



Legislation Text

File #: Inf 2264, **Version:** 1

Draft Resolution on Pay Equity for Human Services Contractors



SEATTLE CITY COUNCIL
CENTRAL STAFF

Draft Wage Equity Resolution for Non-Profit Human Services Workers

JENNIFER LABRECQUE AND KARINA BULL, ANALYSTS

PUBLIC SAFETY AND HUMAN SERVICES COMMITTEE

APRIL 25, 2023

UW's 2023 Wage Equity Study Findings

- There is a 37% wage gap between non-profit human services workers and workers in non-care industries, which would take a 59% wage increase to close
- Workers who leave the human services industry for jobs in other industries see a net pay increase of 7% a year later
- Non-profit human services worker pay is less despite the high level of skill, responsibility, and difficulty of human services jobs

UW's 2023 Wage Equity Study Findings

**HUMAN SERVICE WORKER WAGES =
\$63,000**

**OTHER INDUSTRY WORKER WAGES =
\$100,000**

- The difference in wages between the Human Service Worker and Other Industry Worker is \$37,000
- There is a 37% wage gap between the Human Service Worker and Other Industry Worker ($\$100,000 - \$63,000 / \$100,000 = 37\%$)
- The Human Service Worker's wages would need to increase by 59% to equal the Other Industry Worker's wages. ($\$37,000 / \$63,000 = 59\%$)

UW's 2023 Wage Equity Study Findings

- Women comprise almost 80% of workers in human services
- Black/African American workers are almost three times as likely to work in human services as they are to work in non-care industries

Impacts of Wage Equity Gap

- **High vacancy and turnover rates**
 - Permanent supportive housing providers have much higher rates of unfilled positions compared to other industries
 - King County Regional Homelessness Authority (KCRHA) reports that the top 5 homelessness services providers had 300 vacancies and low wages are one of the top reasons for those vacancies
 - KCRHA reports that providers' inability to hire and retain staff was impacting their ability to spend down contracted funds
- **Additional recruitment and training costs for providers and funders** due to soaring costs such as overtime and lost productivity
- **Disruption of relationships between providers and program participants** that are essential for successful outcomes
- **Delayed services** when there are not enough human services workers to move people into affordable housing for those exiting homelessness

King County Human Services Wage Equity Efforts

King County's Best Starts for Kids Levy:

Providing \$5 million per year through 2027 to fund a Childcare Workforce Demonstration Project to increase the wages for 1,400 low-wage childcare workers

King County's Proposed Veterans, Seniors & Human Services Levy:

Implementation plan shall include strategies to stabilize the nonprofit health & human services workforce

King County's Proposed Crisis Care Center Levy:

- Assumes 20% increase in wages for crisis care center staff
- Assumes an additional \$20 million for other strategies such as subsidizing staff insurance costs, funding costs of certifications, or subsidizing caregiver costs like childcare or eldercare for staff

City of Seattle Human Services Wage Efforts

Seattle Office of Housing Request for Interest:

\$25 million for workforce stabilization, operating and maintenance expenses at existing permanent supportive housing (PSH) buildings in 2023

Proposed 2023 Seattle Housing Levy:

- Includes \$34 million for workforce stabilization, operating and maintenance expenses at existing PSH buildings
- Contains \$88 million for operating, maintenance and services for new PSH developments, which is intended to address in part increased operating costs and workforce stabilization

Executive's Proposal for Jumpstart Funding:

- \$171 million between 2024-2030 for workforce stabilization, operating and maintenance expenses at existing PSH buildings
- \$110 million between 2024-2030 to OMS for new PSH developments, which is intended to address in part increased operating costs and workforce stabilization

Wage Equity Resolution Components

- #1.** Recognize UW Wage Equity Study recommendations
- #2.** Collaborate with private and public funders to make joint progress on wage equity
- #3.** Consider increases to Human Services Department (HSD) administered contracts for purposes of wage equity
- #4.** Request a plan from HSD to ensure that human services contract increases are used to increase worker wages
- #5.** Request that Executive consider wage equity increases for human services contracts administered by departments outside of HSD and provide a report with information on those contracts

#1 - Recognize UW Study Recommendations (1/2)

Near term recommendations (2025)

- Increase human services workers wages by at least 7%, the minimum increase needed to immediately reduce the number of workers leaving human services posts for higher paying jobs in other industries
- Make wage adjustments for inflation separate from wage equity increases
- Maintain or improve non-wage benefits & job characteristics
- Consider wage increases as a necessary part of racial and gender equity work in Seattle and King County

#1 - Recognize UW Study Recommendations (2/2)

Long term recommendations (2030)

- Substantially increase wages for non-profit human services workers to align with those of workers doing comparable work in other sectors and industries
- Create a salary grade system and establish minimum pay standards based on job characteristics
- Use public contracts to further wage equity

#2 – Collaborate with private and public funders

Council recognizes that fully addressing the wage equity gap will take a combined effort from all funders and requests that:

- Executive work collaboratively with Council to convene public and private funders to develop strategies for addressing wage equity and submit recommendations to the Council by September 26, 2023, for consideration during 2024 budget deliberations
- Executive work collaboratively with Council, external partners and other jurisdictions to focus workforce investments so they increase worker wages

#3 - Consider Wage Equity Increases for HSD Contracts

- Applies to all HSD-administered human services contracts with required inflationary adjustments under SMC 3.20.060
- Intends to consider recommendations to increase funding for contracts by 7% by 2025
- May consider additional increases in 2026 and beyond
- Intends to consider wage equity increases to be in addition to inflationary adjustments
- May consider using any savings achieved from lower than projected inflationary adjustments to reduce the existing wage equity gap
- May consider other possible actions upon submittal of SLI HSD-300-A-002-2003, which is due on June 20, 2023

#4 – Request HSD to Develop Plan for Wage Equity

To ensure that increases to human services contracts support wage equity, the Council requests that HSD:

- Engage with key partners and stakeholders
- Develop a plan for incorporating wage equity into Request for Proposal evaluations, executed contracts, reporting and annual contract monitoring
- Make recommendations for legislation to ensure contract increases for wage equity and inflationary adjustments are used to increase human services worker wages
- Submit proposal by April 1, 2024

#5 – Other Human Service Contracts (1/2)

Council understands other City departments may administer human service contracts and requests:

- Executive consider wage equity increases and inflationary adjustments for human service contracts administered outside of HSD
- The City Budget Office work with other departments and Central Staff to determine the number and size of those other contracts
- Use SMC 3.20.050 as a starting point for determining the criteria for a human services contract
- Submit a report to City Council with this information by April 1, 2024

#5 – Other Human Service Contracts (2/2)

SMC 3.20.050 - The Human Services Department (Department) shall make investments in human services programs ... to meet six desired results:

- All youth living in Seattle successfully transition to adulthood;
- All people living in Seattle are able to meet their basic needs
- All people living in Seattle are sheltered
- All people living in Seattle experience moderate to optimum health conditions
- All people living in Seattle are free from violence
- All older adults living in King County experience stable health and are able to age in place.

Financial Analysis

Current Law

Steps to calculate HSD Contract Costs.

Step 1: Determine base amount of HSD-administered human services contracts from previous year

Step 2: Apply inflationary adjustment

Wage Equity Proposal

Steps to calculate HSD Contract Costs with impact of wage equity increase.

Step 1: Determine base amount of HSD-administered human services contracts from previous year

Step 2: Apply wage equity increase

Step 3: Apply inflationary adjustment

Step 4: Determine the additional funding needed:

- a. To increase base contract amount
- b. For the inflationary adjustment once base increases

Determining HSD Base Contract + Annual Total Costs

Current Law 2024-2025

\$ in 1,000s		2024 Endorsed	2025 Projected
A	Previous year – total cost of HSD Contracts	\$196,574	\$209,744
B	Inflationary Rate*	6.7%	4.0%
	Increase due to inflation rate	\$13,170	\$8,390
C	Total Cost – Current law / next year’s base	\$209,744	\$218,134

(A) Total cost of the previous year’s contracts x (B) Inflation Adjustment per SMC 3.20.060 = (C) Current law total Cost / Base Contract
Current Law

Determining HSD Base Contract + Annual Total Costs

Wage Equity Proposal 2024-2025

\$ in 1,000s		2024 Endorsed	2025 Projected
A	Previous year – total cost of HSD Contracts	\$196,574	\$217,085
B	Wage Equity Rate	3.5%	3.5%
	Increase due to Wage Equity	\$6,880	\$7,598
	<i>Subtotal</i>	<i>\$203,454</i>	<i>\$224,683</i>
C	Inflationary Rate*	6.7%	4.0%
	Increase due to inflation rate	\$13,631	\$8,987
D	Total cost – Wage Equity Proposal / Next year’s base	\$217,085	\$233,671

(A) Total cost of the previous year’s contracts x (B) Wage Equity Adjustment x (C) Inflation Adjustment per SMC 3.20.060 = (D) Wage Equity Proposal

Estimated Fiscal Impact 2024-2025

Wage Equity Proposal

\$ in 1,000s		2024 Endorsed	2025 Projected
A	Total cost – Wage Equity Proposal	\$217,085	\$233,671
B	Current Law Total Cost	\$209,744	\$218,134
C	Estimate of total increased cost due to wage equity proposal	\$7,341	\$15,536

(A) Total Cost – Wage Equity Proposal – (B) Total Cost – Current Law = (C) Estimate of increased cost due to wage equity proposal

Summary

- While the City alone cannot solve the wage equity gap, it can demonstrate leadership and make progress in contributing its fair share
- This is an issue with significant race and social justice implications
- Given the current revenue forecast, wage equity progress will necessitate a conversation about policy trade-offs

Questions?

CITY OF SEATTLE

RESOLUTION _____

..title

A RESOLUTION concerning wage equity for non-profit human services workers; expressing the City Council’s intent to consider increasing funding for human services contracts to support achieving wage equity for human services workers; requesting the Human Services Department to submit a plan for addressing wage equity in the City’s human services contracting processes; requesting the Executive work with Council and funders to jointly address wage equity issues; and requesting information from the Executive to inform other wage equity increases.

..body

WHEREAS, the Human Services Department (HSD) connects people with resources and solutions during times of need; and

WHEREAS, HSD contracts with more than 170 community-based partners that work together to build the infrastructure to provide services that strengthen Seattle’s communities and reach the vision of a just and thriving society; and

WHEREAS, partnerships with community-based organizations allow HSD to serve thousands of vulnerable neighbors every year, including to prepare youth for success, support affordability and livability, support safe communities, address homelessness, promote public health, and promote healthy aging; and

WHEREAS, non-profit and government leaders connect low wages to problems with hiring and retaining employees to perform crucial human services work; and

WHEREAS, a March 2022 Issue Brief from the Seattle Human Services Coalition states that it is increasingly difficult for human services workers to live in our communities and stay in human services jobs due to low wages, resulting in high turnover, extreme difficulty in recruiting, additional recruitment and training costs, soaring costs in overtime, lost

1 productivity, and the disruption of relationships between providers and program
2 participants which are essential for successful outcomes; and

3 WHEREAS, the Draft Five Year Plan for the King County Regional Housing Authority
4 (Authority) states that an informal survey of the five largest homelessness services
5 providers revealed 300 vacant positions and that low wages paid to direct service staff is
6 believed to be one of the most substantial reasons for the vacancies; and

7 WHEREAS, the Authority's Draft Five Year Plan for the also states that providers frequently
8 reported that their inability to hire and retain staff was impacting their ability to spend
9 down contracted funds; and

10 WHEREAS, the Seattle Office of Housing reports that permanent supportive housing providers
11 are seeing much higher rates of unfilled positions compared to all industries at a national
12 and local level; and

13 WHEREAS, staffing shortages at non-profit organizations have been severe enough to restrict
14 the City's capacity to open new housing units, including those serving people exiting
15 homelessness; and

16 WHEREAS, in 2019, the City enacted Ordinance 125865 establishing Seattle Municipal Code
17 Section 3.20.060 to require annual inflationary adjustments for HSD-administered human
18 services contracts to reflect actual operating costs (including wages) because the City
19 found that human services agencies have challenges maintaining services due to
20 vacancies, turnover rates, low wages, and increasing costs; and

21 WHEREAS, in the 2022 Adopted Budget, Council included \$600,000 to HSD for a study
22 analyzing the comparable worth of human services jobs as compared to jobs in different
23 fields that require similar skills, education and difficulty; and

1 WHEREAS, HSD contracted with the University of Washington to conduct a Wage Equity
2 Study for non-profit human services workers; and

3 WHEREAS, beginning in August 2022 and continuing through February 2023, the University of
4 Washington project team met regularly with a steering committee convened by the
5 Seattle Human Services Coalition, which included City stakeholders, leaders of Seattle
6 and King County-based non-profit agencies that provide a range of human services, and
7 local and national policy experts; and

8 WHEREAS, the University of Washington published the Wage Equity Study in February 2023;
9 and

10 WHEREAS, the Wage Equity Study found that holding constant worker characteristics such as
11 education level or age, median annual pay for human services workers in the non-profit
12 sector is 37 percent lower than in non-care industries; and closing a 37 percent wage
13 equity gap would require a 59 percent increase in wages; and

14 WHEREAS, the Wage Equity Study found that workers who leave the human services industry
15 for a job in a different industry see a net pay increase of seven percent a year later
16 (relative to workers who stay in human services) after accounting for observable worker
17 and employer characteristics; and

18 WHEREAS, the Wage Equity Study included a job evaluation that demonstrated that the gaps
19 revealed in the market analysis between human services workers and workers in other
20 industries do not reflect lower pay because human services work is easier, less skilled, or
21 less demanding than other jobs but rather, the pay is less despite the high level of skill,
22 responsibility, and difficulty of human services jobs; and

1 WHEREAS, the Wage Equity Study found that just under half (48 percent) of human services
2 workers in King County were employed in the non-profit sector and much of this work is
3 performed under contracts with local, county, and state governments to deliver services to
4 residents; and

5 WHEREAS, the Wage Equity Study found that women are over-represented in the human
6 services industry, making up almost eighty percent of human services workers, and
7 Black/African American workers are almost three times as likely to work in human
8 services as they are to work in non-care industries; and

9 WHEREAS, the Wage Equity Study found that “penalties” exist regarding human services
10 wages in the following domains: gender, race, care, client power, and sectoral; and

11 WHEREAS, since 2022 the Seattle Human Services Coalition has convened a Wage Equity
12 Funding Roundtable with the goal of bringing public and private human services funders
13 and providers together to collaboratively chart a path toward wage equity and includes
14 representatives from HSD, King County Department of Community and Human Services,
15 large philanthropic organizations such as Ballmer Group, Gates Foundation, Seattle
16 Foundation and United Way and several small and midsize foundations; and

17 WHEREAS, King County’s Best Starts for Kids Levy is providing \$5 million per year through
18 2027 to fund a Childcare Workforce Demonstration Project to increase the wages for
19 1,400 low-wage childcare workers and study the impacts of these wage boosts; and

20 WHEREAS, King County’s proposed Veterans, Seniors, and Human Services Levy requires
21 that the implementation plan identify and describe the levy strategies to stabilize the
22 nonprofit regional health and human services workforce; and

23 WHEREAS, King County’s proposed Crisis Care Center (CCC) Levy has assumed operating

1 CCC staff wages would be funded at 20 percent above the current average staff wage at
2 King County’s only comparable crisis facility and also assumes an additional \$20 million
3 to invest in strategies such as subsidizing staff insurance costs, funding costs of
4 certifications, or subsidizing caregiver costs like childcare or eldercare for staff; and

5 WHEREAS, the Seattle Office of Housing released a \$25 million Request for Interest for 2023 to
6 pay for workforce stabilization, maintenance, and operating expenses in existing
7 permanent supportive housing buildings; and

8 WHEREAS, the proposed 2023 Seattle Housing Levy would include \$122 million
9 to pay for operating, maintenance and services expenses, including workforce
10 stabilization, in new and existing permanent supportive housing buildings and the
11 Executive has proposed \$282 million in Jumpstart Funding between 2024-2030 for the
12 same purpose;

13 WHEREAS, the 2024 Endorsed Budget includes appropriations of \$209 million to HSD for
14 human services contracts and reflects an inflationary adjustment of 6.7 percent; and

15 WHEREAS, approximately eighty to one hundred percent of HSD administered human services
16 contracts are for human services worker wages; and

17 WHEREAS, the Seattle City Council recognizes the following principles: when human services
18 workers are paid well below the market rate for jobs with similar worth or value it
19 becomes increasingly hard for such workers to live in Seattle’s communities and stay in
20 human services jobs; pay inequities contribute to high turnover rates that in turn disrupt
21 the relationships between human services workers and participants that are essential for
22 successful outcomes; and equitable pay helps maintain a stable workforce and ensure that
23 necessary services remain available to communities; NOW, THEREFORE,

1 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE THAT:**

2 Section 1. The Council acknowledges its inherent responsibility to make a meaningful
3 contribution towards achieving wage equity for non-profit human services workers, who perform
4 critical and essential work serving Seattle’s most vulnerable populations.

5 Section 2. The Council recognizes that there are both short-term and long-term
6 recommendations in the Wage Equity Study.

7 A. The short-term actions recommended to be achieved by 2025 are:

8 1. Non-profit human services organizations and their governmental and
9 non-governmental funders should increase human services workers’ wages by at least seven
10 percent beginning in the next one to two years. This amount represents a starting point for the
11 minimum increase needed immediately to reduce the number of workers leaving human services
12 posts for significantly higher-paying jobs in other industries.

13 2. Make wage adjustments for inflation separate from wage equity adjustments
14 and build-in future inflation adjustments.

15 3. Maintain or improve non-wage benefits and job characteristics
16 throughout the wage equity increase process.

17 4. Consider wage increases as a necessary part of ongoing racial and
18 gender equity work in the City and King County.

19 B. The long-term actions recommended to be achieved by 2030 are:

20 1. Substantially increase wages for non-profit human services workers to align
21 with those of workers doing comparable work in other sectors and industries.

22 2. Create a salary grade system and establish minimum pay standards based on
23 job characteristics.

1 3. Use public contracts to further wage equity.

2 Section 3. The Council recognizes that fully addressing the wage equity gap will take a
3 combined effort from all funders, including Seattle, King County, Washington State, the federal
4 government, and private philanthropy.

5 A. The Council requests that the Executive work collaboratively with Council to convene
6 public and private funders to develop strategies for addressing wage equity and submit
7 recommendations to the Council by September 26, 2023 for consideration during 2024 budget
8 deliberations.

9 B. The Council requests that the Executive work collaboratively with Council, external
10 partners, and other jurisdictions to focus workforce investments on increasing worker wages,
11 including those in the proposed Seattle Housing Levy, Crisis Care Center Levy and the Veterans,
12 Seniors, and Human Services Levy.

13 Section 4. The Council intends to consider recommendations to increase funding for
14 Human Services Department (HSD)-administered contracts covered under Seattle Municipal
15 Code (SMC) 3.20.060 by seven percent by 2025 for purposes of taking immediate action to
16 reduce the wage equity gap for non-profit human services workers.

17 Section 5. The Council may consider wage equity increases to HSD-administered
18 contracts in 2026 and beyond to make additional progress on achieving wage equity.

19 Section 6. The Council intends to consider wage equity increases to HSD-administered
20 contracts to be in addition to inflationary adjustments required under SMC 3.20.060.

21 Section 7. The Council may consider whether savings achieved from lower than
22 projected inflationary adjustments would be utilized to reduce the existing wage equity gap until
23 such wage equity gap is closed.

1 Section 8. The Council may consider additional actions for addressing the wage gap for
2 human services workers upon reviewing HSD’s response to Statement of Legislative Intent (SLI)
3 HSD-300-A-002-2003, which is due on June 20, 2023. This SLI requested HSD to report on the
4 impacts of the required annual inflationary adjustments under SMC 3.20.060, recommendations
5 for changes, if any, to regulations requiring annual inflationary adjustments, recommendations
6 for strategies to address the staffing shortage among human services providers; and
7 recommendations for potential funding sources to increase human services wages for workers.

8 Section 9. The Council intends that any increase to contracts administered by HSD would
9 be used for purposes of addressing wage equity. Therefore, the Council requests that HSD
10 develop a plan for incorporating wage equity into the evaluation of Requests for Proposals
11 received by HSD, executed contracts, reporting and annual contract monitoring.

12 A. The plan should endeavor to gather information on human services provider wages,
13 including the percentage of contracts that fund human services provider wages; identify options
14 for balancing wage equity and deliverables, as addressing wage equity may mean hiring fewer
15 staff at increased wages, which may impact deliverables.

16 B. In developing the plan, HSD should create a team of key partners, human services
17 providers and advocates that includes the Office of Housing, King County, Seattle Human
18 Services Coalition, Seattle/King County Coalition on Homelessness, and the King County
19 Regional Homelessness Authority.

20 C. The plan should include recommendations for legislation to ensure that contract
21 increases for wage equity and inflationary adjustments are used to increase the wages of non-
22 profit human services workers.

1 D. The Council requests that HSD submit the plan to the Council’s committee overseeing
2 human services by April 1, 2024.

3 Section 10. The Council understands that other City departments may administer human
4 services contracts and requests those departments to consider wage equity increases and
5 inflationary adjustments when renewing or renegotiating human services contracts. The Council
6 requests that the City Budget Office work in collaboration Central Staff, the Department of Early
7 Learning, Office of Labor Standards, Department of Neighborhoods, the Office of Immigrant
8 and Refugee Affairs and any other departments that administer human services contracts to:

9 A. Determine other contracts that meet the criteria for human services work, using SMC
10 3.20.050 as a starting point for determining the criteria for a human services contract;

11 B. Determine the total number and amount of those contracts; and

12 C. Submit a report with this information to the Council’s committee overseeing human
13 services by April 1, 2024.

14 Section 11. Council recognizes that given the current economic forecast that identifying
15 funding for wage equity increases may require other policy trade-offs.

1 Adopted by the City Council the _____ day of _____, 2023,
2 and signed by me in open session in authentication of its adoption this _____ day of
3 _____, 2023.

4 _____
5 President _____ of the City Council

6 The Mayor concurred the _____ day of _____, 2023.
7 _____
8 Bruce A. Harrell, Mayor

9 Filed by me this _____ day of _____, 2023.
10 _____
11 Elizabeth M. Adkisson, Interim City Clerk

12 (Seal)

13 Attachments (if any):