

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Wendy Wefer-Clinton	<i>WWC</i>	11/3/06		11/21/06	Finance Committee (consent agenda) and regular Council
Division Head: Karen Sterling Goens	<i>KS</i>	11/3/06			
Dept. Head: Dewey G. Desler	<i>DG</i>	11/15/06			
Prosecutor Daniel L. Gibson	<i>DG</i>	11/08/06			
Purchasing/Budget:					
Executive: Pete Kremen	<i>PK</i>	11/15/06			

SUBJECT:

Unrepresented Resolution

ATTACHMENTS:

None

SEPA review required? () Yes () NO
 SEPA review completed? () Yes () NO

Should Clerk schedule a hearing? () Yes () NO
 Requested Date:

SUMMARY STATEMENT:

Proposed amendments for Resolution No. 2005-067 (2006 Unrepresented Resolution) to be effective January 1, 2007.

Distribution Request

Indicate those who should receive a copy after Council action. List specific names to the right.

AS Facilities Management	
AS Finance	
AS Human Resources	<i>Wendy Wefer-Clinton</i>
AS Info Services	
Assessor	
Auditor	
Cooperative Extension	
District Court	
Executive	
Health	
Hearing Examiner	
Jail	
Juvenile	
Parks	
Planning	
Prosecutor	
Public Works	
Sheriff	
Superior Court	
Treasurer	
Other	

Committee Action:
 11/21/2006: Forwarded to Council for approval

COUNCIL ACTION TAKEN:
 11/21/2006: Council Approved 7-0
 Res. 2006-075

Related County Contract #:

Related File Numbers: Res. 2005-067

Ordinance or Resolution Number (this item): Res. 2006-075

PROPOSED BY: Executive

INTRODUCTION DATE: November 21, 2006

RESOLUTION NO. 2006-075

**A RESOLUTION IN THE MATTER OF ADOPTING A SALARY SCHEDULE AND
POLICIES FOR UNREPRESENTED WHATCOM COUNTY EMPLOYEES FOR THE
YEAR 2007**

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.

1.2 **“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).

1.3 **“Non-represented employee”** is defined as all other unrepresented employees who are appointed to a budgeted full-time equivalent position.

1.4 **“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 MATRIX

The monthly salaries of non-represented positions shall be established within the ranges and steps provided in Exhibit A effective January 1, 2007 which provides for approximately a two percent (2%) general increase over the amended January 1, 2006 matrix. Monthly salary amounts indicated are for one (1.00) FTE. These amounts will be pro-rated for fractional FTEs and may be converted to an hourly rate for FLSA non-exempt positions by dividing the monthly amount by 173.33.

2.1 Exhibit A – Non-Represented Salary Matrix.

For ranges 230 through 410, step "J" will be increased one percent (1.0%), and steps A & B will be dropped.

3. OTHER NON-REPRESENTED POSITIONS

Those non-represented positions not on an established matrix shall be paid a monthly salary, pro-rated for fractional FTEs, effective January 1, 2007 unless otherwise noted.

3.1 Court Commissioners.

Court Commissioners are to be paid at a rate equivalent to a percentage of the comparable state Court Judge salary level. Any changes in these Judges' salaries during 2007 will be reflected in the comparable Court Commissioners' salaries.

	% of Comp. Judge
Superior Court Commissioner	85%
District Court Commissioner	80%

3.2 Other Positions not on a Salary Matrix.

Court Reporter	\$4,895
Health Officer	\$9,392

4. COMPENSATION & EMPLOYMENT

4.1 Step Movement. Within the salary matrices contained in Exhibit A, B and C, all steps shall be awarded on the basis of successful job performance. Non-represented employees shall advance to the next step twelve (12) months after their previous movement, on the first day of the appropriate month, if the overall performance evaluation is "meets job requirements" or better.

4.2 Reclassification or Promotion. In compliance with County policy on reclassifications (AD140000Z), individuals who are reclassified (because of the addition of significantly higher-level duties), per written approval of the Executive's Office, or promoted into a higher position shall move to 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 step date.

4.3 Realignment. Department heads can request for consideration during the budget process, realignment of positions the following January, which are paid at least five percent (5%) 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 a realignment of non-represented positions or ranges shall be placed in their current step (but no higher than the top step) in their new 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. By mutual agreement, and per written approval of the department head, an employee may cash out accrued compensatory time at the end of each 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 assignment pay with Human Resources.

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 who apply or who are selected for the opening. The County, at its sole discretion, may or may not 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 and will not receive a 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 their current 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 or by County policy.

4.10 Emergency Response. Non-represented employees authorized in advance and required to respond in person to extraordinary emergencies 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 \$100 stipend per incident. If 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, an additional stipend will be awarded. Pre-authorization is provided by an employee's supervisor with final written approval of the department head for a specific incident requested after the incident. 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. Beginning with the non-represented employee's fifth (5th) year of employment, employees who are .5 FTE or above shall receive five dollars (\$5.00) per month times each year of service (\$25.00) in addition to their regular pay as a recognition and retention premium. Thereafter, on January 1st of each year, they shall receive five dollars (\$5.00) per month times each year of service to a maximum of twenty-five (25) years – one hundred and twenty-five dollars (\$125.00) per month. Employees must have had a performance evaluation within the last year with an overall rating of "3.38" or better to receive and maintain the premium. Employees receiving an overall rating of less than "3.38" shall not receive the premium for a calendar year. Prior regular County employment with verifiable performance at or above the required level may be considered when determining years of service.

4.12 Probable Cause Compensation. Any attorney in the Prosecuting Attorney's Office required to appear on a Saturday or Sunday at a scheduled Probable Cause hearing shall receive \$175 for his/her appearance.

4.13 Nomination for Merit Step.

4.13.1 Merit Step. Non-represented employees who are not at the top 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 if funding is available within the current year's 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, including retroactivity (non-represented employees only).
- The same basis for calculating Recognition and Retention Premium (Longevity). Parameters in section 4.11 of the Unrepresented Resolution must be met 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.

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 Flexible Schedule and Flex Time. Flexible 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. Periodic flex time may be used for personal employee business, to make up doctor, vision or dental appointments or to accommodate meetings. Approval of flexible scheduling or flex time 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. Both flexible scheduling and flex time require the mutual agreement of the employee and the department head. Flexible scheduling also requires the approval of the Executive's Office. 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 non-represented employee from their date of hire in the amount of eight (8) hours for each month of employment, if benefits eligibility criteria is met, to a maximum of nine hundred and sixty (960) hours.

6.1.1 Additional Accrual. A non-LEOFF II employee who has accrued nine hundred and sixty (960) hours as of December 31 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 year.

6.1.2 Sick Leave Usage. 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.

6.1.3 Proof of Illness. Upon request, an employee shall provide the County with proof of incapacitating illness.

6.1.4 Retirement Health Savings Plan. Employees who have at least 960 hours in a sick leave bank at beginning and end of a calendar year (or at the beginning of a calendar year and upon termination in that same year) are eligible to receive a County-paid Retirement Health Savings (RHS) plan contribution, based upon a portion of the hours accrued but not used during the year if they are enrolled in the plan. Sick leave hours accrued to a maximum of forty-eight (48) hours may be eligible for partial contribution to a 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.

6.1.5 Sick Leave for Family Care. Sick leave can be used to care for the child of an employee with a health condition that requires treatment or supervision, or for the care of an employee's spouse, registered spousal equivalent (up to forty (40) hours per year), parent, parent-in-law or grandparent with a serious health condition or an emergency condition. Spousal equivalents must be registered with AS-Human Resources prior to requesting sick leave usage.

6.1.6 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 or layoff in the amount of twenty five (25%) percent, or fifty (50%) percent if hired before May 15, 1984. Employees must give at least two (2) weeks' notice prior to separation to be eligible for sick leave cashout.

6.1.7 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.

6.1.8 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 6.1.4 for partial contribution to 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.

6.1.9 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.

6.1.10 Part-Time Employees' Sick Leave Accrual Rate. Part-time employees' sick leave accrual rate will be pro-rated per FTE.

6.2 Vacation. Non-represented employees (except court reporters and superior court commissioners) shall be entitled to vacation accrual benefits if benefits eligibility criteria is met. Accruals 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, unless extraordinary circumstances exist and prior approval from the Executive's Office is obtained. Unused vacation in excess of two hundred and forty (240) hours on December 31 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 County and the employee. Under extraordinary circumstances and by mutual written agreement between the non-represented employee, the department head and the Executive's Office, up to eighty (80) hours of vacation can be cashed out each calendar year.

6.2.1 Part-Time Employees' Vacation Accrual Rate. Part-time employees' vacation accrual rate will be pro-rated per FTE. FLSA non-exempt employees will receive extra vacation pay, on a quarterly basis, based on extra hours worked above the assigned FTE (not to exceed equivalent of 1.00 FTE).

6.2.2 Compassionate Leave. Employees may donate accrued vacation leave to employees for the serious health condition (as defined by FMLA) of the employee per County policy.

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

6.3.1 Personal Holiday. Each non-represented employee (except court reporters and district 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, unless prior to the end of that year, written approval to carry it over is obtained from the department head and the Executive's Office. 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 FTE. FLSA non-exempt employees will receive extra holiday pay, on a quarterly basis, based on extra hours worked above the assigned FTE (not to exceed equivalent of 1.00 FTE).

6.4 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 Personnel Policies and Procedures or per current laws.

6.5 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 (maximum of forty hours) off without loss in pay. Immediate family members include a spouse or registered spousal equivalent, child or parent (including step) of either the employee or the employee's spouse. Spousal equivalents must be registered with AS-Human Resources prior to requesting bereavement leave. 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 of paid time off 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 any type of leave without pay in a calendar year requires Executive Office approval.

6.6 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.

6.7 Family Leave. The County provides unpaid leave to any eligible non-represented employee covered by this Agreement, consistent with the Washington State Family Leave Act, Washington State Family Care Act and the Federal Family and Medical Leave Act (FMLA). Employees are not required to use accrued vacation time or sick leave time 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 allowable accrued vacation, sick and personal holiday time before beginning unpaid leave during any subsequent twelve-month FMLA period. Unpaid leave used prior to January 1, 2006, will not count towards the 12-week unpaid limit. 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 and will apply toward an employee's entitlement for each type of leave that may be applicable.

6.8 Maternity Leave. Accrued sick leave may be utilized for maternity/disability leave. In the event sick leave is exhausted before the employee returns to work, any vacation 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 statutes, the period of leave will apply toward the employee's entitlement to leave under any applicable statute consistent with section 6.7. 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.

6.9 Leave for Illness or Injury. Non-represented employees may request leave for major illness or injury utilizing Family/Medical Leave, accrued leaves, and unpaid leaves, as appropriate, in writing with appropriate health care provider verification. 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 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.

6.10 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, personal holiday, leave without pay, unless an employee who wishes to take leave without pay notifies his/her payroll preparer before the department's payroll cut-off time.

7. ELECTED OFFICIALS

7.1 Wage Adjustments for Elected Officials. Elected Officials, except Council Members, shall receive the same overall wage adjustment to their 2006 salary as granted non-represented employees for 2007. Council Members shall be compensated per Resolution 2005-020.

7.1.2 Realignment. During the first quarter of each year, Elected Officials salaries, except Council Members and the County Executive, shall be compared to positions in comparable counties per relevant parts of the realignment process described in Section 4.3. If the stated parameters are met, impacted Elected Officials would receive an increase not to exceed 4.3%, effective retroactively to January 1. Only positions which meet realignment criteria are adjusted, with the County Executive always remaining at 101% of the Prosecuting Attorney.

7.2 District Court Judges. District Court Judges shall accrue sick leave at the same rate as non-represented employees. 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 benefits (including, but not limited to, sick leave, vacation, and health and welfare). Compensation is defined as payment of wages for work performed, vacation, accrued sick leave, or other paid leave. 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. For elected officials, hours of compensation would be determined based on budgeted FTE with 173.33 standard hours in a month. Income resulting from an industrial injury to a maximum of twelve (12) months from the date of injury shall also be credited as compensation.

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 premiums 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 absent on account of such illness or injury unless employment is terminated. This waiver period is deducted from COBRA eligibility. Dental, vision and life premiums will be paid by the County for the first three months only. Periodic health care provider reports may be required.

8.1.2 Benefits Coverage for Rehired Employees. Employees who were in an FTE position and are rehired by the County into an FTE position within one year of separation from employment will be eligible for benefits if the employee met the Unrepresented Resolution and plan eligibility requirements and was enrolled in County provided health & welfare plans prior to leaving County employment. Coverage will begin the first of the month following the meeting of benefits eligibility requirements of each individual benefit plan.

8.1.3 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, and the benefits shall include full premium contribution by the County for the employee, spouse, and dependent children of the employee, except as noted below.

- A) Medical, prescription and hospital benefits
- B) Dental coverage
- C) Vision care
- D) Life insurance in the face amount of each elected official or non-represented employee's annual salary to a maximum of \$50,000. (Under the County's current life insurance carrier, employees may be eligible to purchase additional employee, as well as spouse and dependent coverage via payroll deduction.)

8.2.1 Medical Contribution Cap. For 2006, the County will contribute for each employee, up to \$732 per month for medical coverage under the Cap Plan.

8.2.2 LEOFF I Medical Coverage. LEOFF I unrepresented employees will not need to make individual co-payment for themselves and when they incur \$3,000 in personal medical expenses during the year, he or she is entitled to a credit of \$600 against the family stop loss.

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 Disability Plan. The County provides administrative oversight for an employee-paid disability plan. Minimum participation requirements for offering the plan must be met and employee payment will be via payroll deduction. Participation in the plan will be voluntary unless participation drops below 60%. If participation drops below 60%, participation in the plan will be mandatory for new hires. Employees covered under the Sheriff's Office disability plan are not eligible for this employee-paid disability plan. If an employee does not enroll within thirty (30) days of hire, a physical examination may be required to determine eligibility for the plan.

8.3.5.1 Sheriff's Office Disability Plan. LEOFF II and PERS unrepresented employees in the Sheriff's Office will be provided the same or substantially equivalent disability plan as provided to employees directly reporting to them.

8.3.6 Retirement Health Savings. The County provides a tax-free retirement health savings plan for medical expenses into which unrepresented employees can make voluntary contributions per plan documents. Open enrollment is October 1 – November 29 each year for participation the following year. New employees may enroll within thirty (30) days of hire.

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.

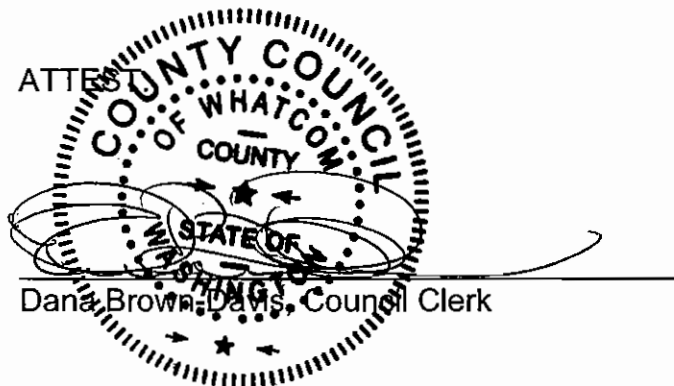
10. EFFECTIVE DATE

All changes in salaries and benefits under this resolution shall become effective on January 1, 2007, except where noted otherwise and except that any further changes during 2007 may be retroactively applied as approved by the County Council.

AND FURTHER, THEREFORE, BE IT RESOLVED, that Resolution No. 2005-067 is hereby rescinded effective January 1, 2007, and this Resolution shall become effective that same date.

APPROVED this 21st day of November, 2006

ATTEST



Dana Brown-Davis, Council Clerk

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

A handwritten signature in cursive script, appearing to read "L. Caskey-Schreiber", is written over a horizontal line.

Laurie Caskey-Schreiber, Chair

APPROVED as to form:

A handwritten signature in cursive script, appearing to read "Daniel L. Libron", is written over a horizontal line.

Assistant Chief Civil Deputy Prosecuting Attorney

Exhibit "A"
2007 Non-Represented Salary Matrix – effective January 1, 2007

Range	Step A	Step B	Step C	Step D	Step E	Step F	Step G	Step H	Step I	Step J
100	1765	1834	1907	1982	2057	2135	2216	2300	2346	
110	1839	1913	1988	2068	2146	2228	2311	2399	2447	
120	1919	1994	2074	2155	2238	2324	2411	2503	2553	
130	2001	2081	2163	2248	2334	2423	2513	2609	2661	
140	2088	2171	2255	2345	2435	2528	2622	2722	2776	
150	2178	2264	2353	2446	2539	2636	2736	2840	2897	
160	2272	2360	2454	2551	2648	2749	2853	2961	3020	
170	2369	2462	2559	2660	2761	2866	2975	3089	3151	
180	2469	2567	2669	2774	2879	2989	3103	3220	3284	
190	2577	2678	2785	2895	3005	3119	3237	3361	3428	
200	2689	2795	2905	3019	3133	3253	3376	3504	3574	
210	2804	2914	3029	3150	3269	3393	3522	3656	3729	
220	2924	3040	3160	3284	3410	3539	3674	3813	3889	
230			3296	3426	3556	3691	3832	3977	4128	4253
240			3437	3574	3710	3852	3998	4150	4308	4438
250			3586	3728	3869	4016	4169	4327	4491	4627
260			3740	3888	4036	4189	4348	4514	4685	4826
270			3902	4056	4210	4370	4536	4709	4888	5036
280			4069	4230	4391	4558	4731	4910	5097	5251
290			4245	4413	4580	4753	4935	5121	5316	5477
300			4427	4601	4777	4957	5146	5342	5545	5712
310			4618	4799	4982	5170	5367	5571	5782	5957
320			4815	5005	5196	5394	5599	5811	6031	6213
330			5022	5220	5419	5625	5838	6061	6290	6480
340			5239	5446	5653	5867	6089	6321	6561	6759
350			5464	5679	5895	6119	6351	6592	6843	7050
360			5700	5924	6149	6383	6625	6877	7138	7354
370			5944	6179	6414	6658	6911	7173	7445	7670
380			6200	6444	6689	6942	7207	7481	7764	7998
390			6466	6721	6976	7241	7515	7802	8099	8344
400			6744	7010	7277	7553	7841	8138	8447	8702
410			7034	7312	7590	7877	8177	8488	8811	9077

Exhibit "B"
2007 Binding Arbitration Adjustment Matrix only – effective January 1, 2007

Range	Step A	Step B	Step C	Step D	Step E	Step F	Step G	Step H	Step I
320SBA	4768	4956	5152	5355	5558	5769	5988	6216	6384
330SBA	5005	5203	5409	5623	5837	6059	6289	6528	6704
340SBA	5256	5464	5680	5904	6128	6361	6603	6854	7039
350SBA	5518	5736	5963	6199	6435	6680	6934	7197	7391
360SBA	5795	6024	6262	6509	6756	7013	7279	7556	7760
370 SBA	6084	6324	6574	6834	7094	7364	7644	7934	8148

Exhibit "C"
2006 Binding Arbitration Adjustment Matrix only – effective January 1, 2006
(remains in place in 2007 until changed)

Range	Step A	Step B	Step C	Step D	Step E	Step F	Step G	Step H
700CBA	4631	4814	5004	5202	5400	5605	5818	6051
710CBA	4862	5054	5254	5462	5670	5885	6109	6353
720CBA	5105	5307	5517	5735	5953	6179	6414	6671
730CBA	5361	5573	5793	6022	6251	6489	6736	7005
740CBA	5630	5852	6083	6323	6563	6812	7071	7354