

ORDINANCE O-4835

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO AMENDING SECTION 3.80.090 OF THE KIRKLAND MUNICIPAL CODE REGARDING PERSONNEL AND VACATION LEAVE.

1 WHEREAS, in order to encourage employee wellness, provide  
2 greater flexibility for employees and management, create consistency  
3 with current payroll software programs, and support City efforts to  
4 retain and recruit employees, the City Council desires to modify the  
5 City's personnel vacation leave provisions.

6  
7 NOW, THEREFORE, the City Council of the City of Kirkland do  
8 ordain as follows:

9  
10 Section 1. Kirkland Municipal Code Section 3.80.090 is amended  
11 to read as follows:

12  
13 **3.80.090 Vacation leave.**

14  
15 (a) Approval. An employee shall be eligible to use paid vacation leave  
16 as it is accumulated. Upon satisfactory completion of six months'  
17 service, an employee shall be eligible for paid vacation. All requests for  
18 vacation leave must be scheduled and approved at least five days prior  
19 to the requested vacation time, unless an exception is granted by the  
20 department director. Vacation leave shall be granted by the department  
21 director only in the best interests of the city. Department directors  
22 requesting vacation leave must coordinate such request with the city  
23 manager's office.

24  
25 (b) Vacation Accrual Schedule.

26  
27 (1) Vacation leave does not accrue nor may it be used until the  
28 first day of the following pay period in which it is earned, meaning leave  
29 cannot be used during the period in which it is earned.

30  
31 (2) Each regular and temporary full-time and part-time employee  
32 shall accrue vacation leave according to the following hourly rate  
33 schedule for regular working hours compensated, excluding overtime at  
34 a rate of one twelfth of annual vacation per month of service, and  
35 regular part time employees and temporary employees that will or have  
36 exceeded one thousand and forty hours within six months of hire shall  
37 accrue vacation leave at a rate proportionate to the number of hours  
38 worked per month, based on the following schedule:

	<u>Vacation Leave</u>	<u>Annual Vacation</u>
	<u>Hours per Regular</u>	<u>Accrual Based on</u>
	<u>Hours</u>	<u>2080 Working Hours</u>
<u>Year of Employment</u>	<u>Compensated</u>	<u>per year</u>
*1st year of employment	<u>0.0500 hours</u>	104 hours vacation

<b>Year of Employment</b>	<b><u>Vacation Leave Hours per Regular Hours Compensated</u></b>	<b>Annual Vacation Accrual Based on 2080 Working Hours per year</b>
*2nd year of employment	<u>0.0500 hours</u>	104 hours vacation
*3rd year of employment	<u>0.0500 hours</u>	104 hours vacation
*4th year of employment	<u>0.0500 hours</u>	104 hours vacation
*5th year of employment	<u>0.0616 hours</u>	128 hours vacation
*6th year of employment	<u>0.0616 hours</u>	128 hours vacation
*7th year of employment	<u>0.0616 hours</u>	128 hours vacation
*8th year of employment	<u>0.0658 hours</u>	136 hours vacation
*9th year of employment	<u>0.0658 hours</u>	136 hours vacation
10th year of employment	<u>0.0658 hours</u>	136 hours vacation
11th year of employment	<u>0.0693 hours</u>	144 hours vacation
12th year of employment	<u>0.0693 hours</u>	144 hours vacation
13th year of employment	<u>0.0693 hours</u>	144 hours vacation
14th year of employment	<u>0.0770 hours</u>	160 hours vacation
15th year of employment	<u>0.0770 hours</u>	160 hours vacation

<b>Year of Employment</b>	<b><u>Vacation Leave Hours per Regular Hours Compensated</u></b>	<b>Annual Vacation Accrual Based on 2080 Working Hours per year</b>
16th year of employment	<u>0.0770 hours</u>	160 hours vacation
17th year of employment	<u>0.0847 hours</u>	176 hours vacation
18th year of employment	<u>0.0847 hours</u>	176 hours vacation
19th year of employment	<u>0.0847 hours</u>	176 hours vacation
20th year of employment	<u>0.0924 hours</u>	192 hours vacation
<u>Beyond 20 years 25th year of employment and thereafter</u>	<u>0.0962 hours</u>	<del>192</del> <u>200</u> hours vacation

39 (c) Accumulation. Vacation leave shall not be accumulated in excess  
 40 of two hundred eighty hours within a calendar year without the express  
 41 prior written authorization of the city manager or his or her designee.  
 42 No more than two hundred forty hours may be carried over from one  
 43 calendar year to the next except as provided in this subparagraph.  
 44 Requests to the city manager or designee for exceptions shall be for a  
 45 specific number of hours to be used for a specific purpose and to be  
 46 taken by a specific date. Accrued unused vacation leave shall not, under  
 47 any circumstances, exceed three hundred twenty hours. Any vacation  
 48 leave accrued in excess of the above referenced maximums shall be  
 49 forfeited and shall not form the basis of any severance pay or additional  
 50 compensation.

51  
 52 (d) Payment in Lieu of Vacation Leave. There shall be no pay in lieu  
 53 of unused vacation leave, except in cases of separation from city  
 54 employment. Except as otherwise provided in this section, an An  
 55 employee who has completed at least six months of service and  
 56 successfully completed probation shall receive pay for any vacation time  
 57 earned but not taken, up to the date of separation but not to exceed a  
 58 maximum of two hundred forty hours accumulated vacation leave unless  
 59 specifically authorized by the city manager.

60  
 61 (e) Front-loading. The city manager is authorized to provide new  
 62 employees with a front-loaded, advanced amount of paid vacation leave  
 63 before it has accrued, provided that such front-loading meets the

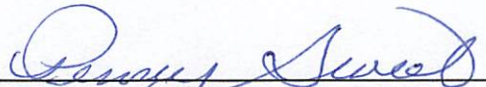
64 requirements of this section for accrual, use, and carryover. In  
65 circumstances where an employee was provided front-loaded vacation  
66 hours, those front-loaded vacation hours are not eligible for payment in  
67 lieu of vacation leave.

68  
69 Section 2. If any provision of this ordinance or its application to  
70 any person or circumstance is held invalid, the remainder of the  
71 ordinance or the application of the provision to other persons or  
72 circumstances is not affected.

73  
74 Section 3. This ordinance shall be in force and effect five days  
75 after its passage by the Kirkland City Council and publication pursuant  
76 to Section 1.08.017 of the Kirkland Municipal Code in the summary form  
77 attached to the original of this ordinance and by this reference approved  
78 by the City Council.

79  
80 Passed by majority vote of the Kirkland City Council in open  
81 meeting this 03 day of January, 2023.

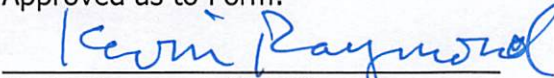
82  
83 Signed in authentication thereof this 03 day of January, 2023.

  
\_\_\_\_\_  
Penny Sweet, Mayor

Attest:

  
\_\_\_\_\_  
Kathi Anderson, City Clerk

Approved as to Form:

  
\_\_\_\_\_  
Kevin Raymond, City Attorney

Publication Date: 01/09/2023

PUBLICATION SUMMARY  
OF ORDINANCE NO. 4835

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO AMENDING SECTION 3.80.090 OF THE KIRKLAND MUNICIPAL CODE REGARDING PERSONNEL AND VACATION LEAVE.

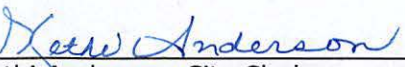
SECTION 1. Amends Kirkland Municipal Code Section 3.80.090 related to personnel vacation leave eligibility, use, and accumulation.

SECTION 2. Provides a severability clause for the ordinance.

SECTION 3. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 03 day of January, 2023.

I certify that the foregoing is a summary of Ordinance 4835 approved by the Kirkland City Council for summary publication.

  
\_\_\_\_\_  
Kathi Anderson, City Clerk