

HOUSE BILL REPORT

HB 1156

As Reported By House Committee On:
Local Government

Title: An act relating to transfer of county sheriff's office employees.

Brief Description: Transferring county sheriff's office employees.

Sponsors: Representatives H. Myers, Ludwig, Scott, Riley, Cothorn, R. Meyers, L. Johnson and Ogden.

Brief History:

Reported by House Committee on:
Local Government, February 23, 1993, DPS.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives H. Myers, Chair; Bray, Vice Chair; Reams, Assistant Ranking Minority Member; Dunshee; Rayburn; Romero; Springer; Van Luven; and Zellinsky.

Minority Report: Do not pass. Signed by 3 members: Representatives Edmondson, Ranking Minority Member; R. Fisher; and Horn.

Staff: Bill Lynch (786-7092).

Background: City police department employees are allowed to transfer to the county sheriff's office if the employees are separated from employment because the city contracts with the county for law enforcement services.

In order to transfer, the police department employee: must have been employed exclusively or principally in performing the duties to be performed by the county sheriff's office under the contract; will be separated from the employment of the city as a direct consequence of the contract; and meet the minimum standards and qualifications of the sheriff's office. There is no law authorizing the transfer of employees of the sheriff's office to a city police department.

Summary of Substitute Bill: When any portion of the unincorporated area of a county is to be annexed by, or incorporated into, a city or town, an employee of the sheriff's office may transfer employment to the police department of the city or town if the employee: was employed exclusively or principally in performing duties of the sheriff's office; will as a direct consequence of the annexation or incorporation be separated from the employment of the county; and can perform the duties and meets the minimum standards and qualifications of the position to be filled with the police department of the city or town. Nothing requires a city or town to accept the voluntary transfer of employment of a person who would not be laid off.

An eligible employee who wishes to transfer into a police department must file a written request with the civil service commission of the city or town. The employee shall become a police officer of the city or town if the city or town determines that such services are needed. The needed employees are taken in order of seniority. Employees who are not immediately hired are placed on a reemployment list for a period not to exceed 36 months, unless a longer time period is agreed upon. This 36 month time period commences on the effective date of an annexation, or in the case of an incorporation, on the date the city creates its own police force. The county must rehire former employees on this re-employment list before hiring new employees in the sheriff's office.

An employee who transfers into a police department is placed on probation for the same period as are new employees in the same class. The employee is eligible for promotion after completion of the probationary period, and receives at least the same salary as new employees in the same classification. The employee may not transfer accrued benefits to the city or town unless the city or town agrees. The county is responsible for compensating the employee for accrued benefits unless the county and the city or town reach a different agreement. Benefits will accrue based upon the combined seniority of the employee between the sheriff's office and the police department. For purposes of layoffs by the city or town, only the time of service accrued with the city or town shall apply unless a different agreement is reached.

A city or town retains the right to select the police chief regardless of seniority.

Substitute Bill Compared to Original Bill: Accrued benefits are no longer transferred unless the city or town agrees. The county is now responsible for compensating an employee

for accrued unless a different agreement is reached. Voluntary transfers are limited. Dates are established for commencement of the 36-month re-employment period. References to retirement are deleted. The county must rehire former employees on the re-employment roster before hiring new employees. An employee must meet a city's minimum standards, as well as qualifications.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: This is an attempt to make some equity in the system. Currently this is offered to police officers and fire fighters. People laid off are recently trained, so it is cost-effective for the city.

Testimony Against: (original bill) Voluntary transfers should be limited. The county should be required to rehire anyone they laid off before they hire new people. Cities with their own pension systems should not be required to let people into the system with accrual rates based on seniority accrued outside the system.

Witnesses: (Pro): Dennis Tangborn and Mike Patrick, WSCPO; and (con to original): Stan Finkelstein, Association of Washington Cities.