

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON CHANGING CHAPTER 15 OF THE REDMOND PERSONNEL MANUAL TO CREATE A CATEGORY OF SUPPLEMENTAL EMPLOYEE, CONTRACT INSTRUCTOR.

WHEREAS the Redmond Parks Department has a need for instructors for classes that it offers requiring special skills and training, and

WHEREAS, these employees do not qualify for independent contractor status as defined by the Internal Revenue Service, and

WHEREAS, compensation for these employees is based on factors other than a standard hourly wage, now therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND WASHINGTON,
HEREBY RESOLVES AS FOLLOWS:

Section 1. Employee Category. Section 15.15 of the City of Redmond Personnel Manual is hereby changed to the following, creating a new category of supplemental employee titled Contract Employee:

15.15 Supplemental Employee Categories

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|-------------------------|---|--|
| <u>Temporary</u> | ● | Specific starting and ending dates. |
| | ● | Maximum hours: 1040 in a 12 month period. |
| <u>Ongoing</u> | ● | Works year round. |
| | ● | Maximum hours: 1040 in a 12 month period. |
| <u>Intern</u> | ● | Undergraduate or graduate student or recent college graduate obtaining on- |

the-job experience in a field related to their course of study. [Recent graduates are those who graduated within the preceding two years.]

- Specific starting and ending dates.
- Maximum hours: 1040 in a 12 month period.

Project

- Specific starting and ending dates.
- Work confined to a clearly definable undertaking that does not represent usual bargaining unit work.
- Project duration: 6 to 24 months
- Employment Agreement approved by the City Attorney.
- The City may also contract for such services.

Contract Employee

- Specific starting and ending dates.
- Work confined to a clearly definable undertaking (preparation for and instruction of classes offered by Parks Department) that does not represent usual bargaining unit work.
- At-will employment
- Maximum hours: 1040 in a 12 month period.
- Employment Agreement approved by the Parks Director.
- Employee does not meet the standards for independent contractor as established by the Internal Revenue Service.
- Compensation is based on a percentage or a portion of the revenue received or on a per-student basis rather than on an hourly wage rate.

Section 2. Compensation. Compensation for Employees in the Contract Employee category may be a flat rate or will be based on a percentage or portion of the revenue received by the City or on a per-student basis. Contract Instructors will keep

track of their hours worked for reporting purposes and to assure that the amount that they are paid will not fall below the minimum wage under state or federal law. An employment contract will be entered into by the employee and the City specifying that employment is at-will, the scope of work, dates of employment, method and timing of payment and the amount of compensation to be received. The Mayor will delegate signature authority to the Parks Director who will approve employment contracts for employees in the Contract Instructor category.

Section 3. Benefits. Contract Instructor employees receive no other benefits except as required by law.

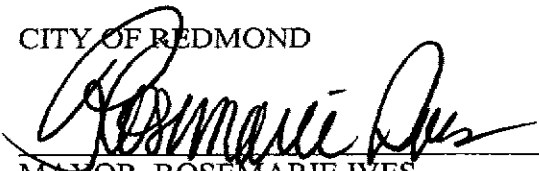
Section 4. Implementation. The Mayor, or designee, and Human Resources Director are hereby authorized and directed to implement the necessary changes in the City of Redmond Personnel Manual and any other administrative policies and procedures to carry out the provisions of this resolution.

Section 5. Validity. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

~~Section 6. Effective Date. This Ordinance, being an administrative action, is not subject to referendum and shall take effect five days after its publication, or publication of a summary thereof, in the City's official newspaper. Changes to the Personnel Manual contained herein shall be effective upon the date of approval.~~

Scrivener's Error

CITY OF REDMOND



MAYOR, ROSEMARIE IVES

ATTEST/AUTHENTICATED:



CITY CLERK, MALISA FILES

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
EFFECTIVE DATE:
RESOLUTION NO.: 1264

December 14, 2007
December 18, 2007
December 18, 2007