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ORDINANCE NO. 3447

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE EDMONDS CITY CODE TO ADD A NEW CHAPTER 2.37 MISCELLANEOUS LEAVE AND BREAK PROVISION IN ORDER TO PERMIT FLEXIBILITY IN THE SCHEDULING OF BREAKS AS MAY BE REQUIRED PURSUANT TO THE WASHINGTON ADMINISTRATIVE CODE, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, the Division of Labor & Industries of the State of Washington requires employers to provide a fifteen minute break to its employees during any four hour period; and

WHEREAS, those provisions permit the exemption of public employees upon the passage of an ordinance by the affected municipal government; and

WHEREAS, members in certain city departments have been permitted flexibility in the scheduling of breaks for their own personal convenience; and

WHEREAS, absent the adoption of this ordinance, such flexibility would be prohibited, and

WHEREAS, the City Council believes it to be in the public interest to permit greater flexibility in the scheduling of breaks, so long as the City complies with any and all collective bargaining obligations; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. The Edmonds City Code is hereby amended by the addition of a new Chapter 2.37 Miscellaneous Leave and Break Provisions to read as follows:

Chapter 2.37
Miscellaneous Leave and Break Provisions

2.37.010 Breaks

1. Pursuant to the provisions of the Washington Administrative Code Section 296-126-001(4), the City of Edmonds hereby exempts its employees from the provisions of Chapter 296-126 of the Washington Administrative Code. By way of illustration and not limitation, the City's employees shall not be governed by the provisions of WAC 296-126-092 relating to meal periods and rest periods.

This exemption shall be interpreted in accordance with the City's bargaining obligations pursuant to the provisions of Washington law. Nothing herein shall be interpreted to abrogate past practice or to permit the alteration of any term or condition of employment which is a mandatory subject of bargaining, without notice to and, where appropriate, bargaining with the appropriate collective bargaining representatives.

Section 2. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:

MAYOR GARY HAAKENSEN

ATTEST/AUTHENTICATED:

CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY _____
W. Scott Snyder

FILED WITH THE CITY CLERK:	03/21/2003
PASSED BY THE CITY COUNCIL:	03/25/2003
PUBLISHED:	03/30/2003
EFFECTIVE DATE:	04/04/2003
ORDINANCE NO. <u>3447</u>	

SUMMARY OF ORDINANCE NO. 3447

of the City of Edmonds, Washington

On the 25th day of March, 2003, the City Council of the City of Edmonds, passed Ordinance No. 3447. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE EDMONDS CITY CODE TO ADD A NEW CHAPTER 2.37 MISCELLANEOUS LEAVE AND BREAK PROVISION IN ORDER TO PERMIT FLEXIBILITY IN THE SCHEDULING OF BREAKS AS MAY BE REQUIRED PURSUANT TO THE WASHINGTON ADMINISTRATIVE CODE, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.

DATED this 26th day of March, 2004.

CITY CLERK, SANDRA S. CHASE