

FINAL BILL REPORT

SHB 1156

C 189 L 93
Synopsis as Enacted

Brief Description: Transferring county sheriff's office employees.

By House Committee on Local Government (originally sponsored by Representatives H. Myers, Ludwig, Scott, Riley, Cothorn, R. Meyers, L. Johnson and Ogden).

House Committee on Local Government
Senate Committee on Government Operations

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.

To be eligible 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 must 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: 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. A city or town is not required 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 will 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 sheriff's office 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 classification. The employee is eligible for promotion after completion of the probationary period, and must receive 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 on the combined seniority of the employee in 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.

Votes on Final Passage:

House	97	0
Senate	44	1

Effective: July 25, 1993