



**Leading to Meet the Growing Public Safety Needs of our Regional Communities  
Leadership - Integrity - Trust - Respect - Excellence**

Board of Commissioners  
Special Meeting Agenda  
February 27, 2024

Attendance

7:00 PM

In person at Headquarters and Zoom Virtual Meeting ID 861 5293 4763

- 1. CALL TO ORDER (7:00 p.m.)**
- 2. PLEDGE OF ALLEGIANCE (7:01 p.m.)**
- 3. APPROVAL OF AGENDA (7:02 p.m.)**
- 4. PUBLIC COMMENT Notice: All public comment are public records and may be subject to disclosure pursuant to the Public Records Act, RCW Chapter 42.56. (7:03 p.m.)**
- 5. UNFINISHED BUSINESS (7:10 p.m.)**
  - a. Vacation Sellback Exception for Review and Action - Human Resources Director David Cullen
- 6. EXECUTIVE SESSION (7:25 p.m.)**
  - a. Review the Performance of a Public Employee Pursuant to RCW 42.30.110(1)(g)
- 7. ADJOURNMENT (10:00 p.m.)**
- 8. AGENDA DISCLAIMER - Members of the public are advised that times listed on the agenda are approximate and that items on the agenda may be addressed sooner or later than the time specified.**

South County Fire strives to provide accessible opportunities for all members of the public. Please notify the Board Executive Assistant at 425-551-1251 or [mblankenship@southsnofire.org](mailto:mblankenship@southsnofire.org) at least 48 hours prior to any South County Fire meeting if any accommodations are needed.

## Board Meeting Agenda Bill

### Agenda Item 5.a.

**Meeting Date:** 2/27/2024

**Department:** Human  
Resources

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#### Subject

Vacation Sellback Exception for Review and Action - Human Resources Director David Cullen

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**Prior Board Action:** Board approval to allow an exception to the 80-hour limit for annual vacation sellback, such that Chief Eastman is approved to sell-back 65 additional hours, for a total of 145 hours, at the close of 2023.

**Recommended Action:** Staff Recommends that the Board approve to allow an exception to the 80-hour limit for annual vacation sellback, such that Chief Eastman is approved to sell-back 173.10 additional hours, for a total of 253.10 hours.

**Related Items:** SCF Policy Article 400.180.02 – Vacation #1; Copy of vacation table from the prevailing Agreement with Local 1828 #2; Copy of the vacation table from the prevailing Agreement with Local 1828-S #3

**Staff Contact:** Human Resources Director David Cullen

**Approval Signature:** Human Resources Director David Cullen

**Legal Review:** No Legal Review Required

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#### Summary

*We have a structural incongruity in the amount of vacation hours that can be accrued and carried over from year to year, when we compare and contrast among and between our two labor agreements and the Vacation Policy to which our admin staff are subject.*

#### Discussion

*Our Agreement with Local 1828 allows for a maximum carryover for shift personnel of 768 hours.*

*Our Agreement with Local 1828 - S allows for a maximum carryover of 528 hours.*

*Our Vacation Policy for Admin allows for a maximum carryover of 410 hours.*

*Our Acting Chief currently has 555 hours in his vacation bank, and given both his prior role as Assistant Chief, and current role as Acting Chief, he is subject to the admin policy, which only allows for 410 hours to be carried over from 2023 to 2024. Further the nature of his duty and obligation as Acting Chief has precluded a protracted vacation. As such, barring an exception as to either the rollover or sellback amounts, acting Chief Eastman will lose a benefit as a result of assuming duty that the RFA has needed him to do.*

***As of a January 2024 reconciliation of Chief Eastman's vacation bank it was noted that not only had Chief Eastman already sold 80 hours via the November 2023 process, but also that his accrual had been incorrect for the entirety of his time as Assistant Chief, leaving him with a carryover amount exceeding***

*the 410 hour limit by 173.10 hours.*

**Fiscal Impact**

*\$8K.*

***Post January '24 reconciliation impact is \$21K***

**Recommendation**

***Previously approved:*** Staff Recommends that the Board approve a motion to allow an exception to the 80-hour limit for annual vacation sellback, such that Chief Eastman is approved to sell-back 65 additional hours, for a total of 145 hours, at the close of 2023.

***Current Request:*** Staff Recommends that the Board approve a motion to allow an exception to the 80-hour limit for annual vacation sellback, such that Chief Eastman is approved to sell-back 173.10 additional hours, for a total of 253.10 hours.

**ATTACHMENTS:**

Description

Vacation Policy Document

Type

Backup Material

## Article 400.180.02 – Vacation

Employees shall receive vacation paid at their position's normal rate of pay. Vacation time off must be pre-approved by the appropriate level supervisor. Vacation hours shall accrue as follows:

Completed Months of Service	Vacation Days Per Year	Hours Earned Per Month	Hours Earned Per Year	Maximum Hours of Carryover
0 – 36	12	8	96	144
37 – 72	15	10	120	180
73 – 120	18	12	144	216
121 – 228	24	16	192	288
229 – 288	29	19.33	232	348
289 and after	34	22.66	272	410

Upon resignation or termination, any unused vacation leave will be included in the employee's final pay calculation on an hour for hour basis.

Exempt employees are charged a vacation day only when they do not spend any part of a scheduled workday at work. Regular part-time employees receive a pro-rated amount of vacation leave based on the number of hours the employee is allocated to work.

In November of each year, employees may sell back accrued, unused vacation hours to South County Fire at their regular rate of pay. A regular employee may sell back up to 80 hours, and a part-time employee working 20 hours per week may sell back up to 40 hours.

**Adopted 8.17.21**

"shift day" (0800-0800) shall have 240 hours of vacation leave available.

39.6 For forty (40) hour per week employees, vacations shall be scheduled by mutual consent of the employee and their supervisor.

39.7 Vacation requests must be written and approved prior to taking such vacation.

39.8 Vacation hours shall be granted in accordance with the following schedule:

For Shift Personnel (12- or 24-hour shifts)

COMPLETED MONTH OF SERVICE	HOURS OF VACATION		MAXIMUM CARRYOVER HOURS ALLOWED
	MONTH	YEAR	
0 – 48	8	96	192
49 – 120	15	180	360
121 – 180	18	216	432
181 – 240	20	240	480
241 – 288	24	288	576
289 – 360	28	336	672
361 +	32	384	768

For Day Personnel (40 hours/week)

COMPLETED MONTH OF SERVICE	HOURS OF VACATION		MAXIMUM CARRYOVER HOURS ALLOWED
	MONTH	YEAR	
0 – 48	8	96	192
49 – 120	12	144	288
121 – 180	15	180	360
181 – 240	17	204	408
241 – 288	19	228	456
289 – 360	20	240	480
361+	22	264	528

## ARTICLE 40 PAID LEAVE BUYBACK

40.1 The RFA shall be entitled to buy-back paid leave hours from employees at the straight time rate.

1. The RFA shall determine the total amount of paid leave to be bought back on a department wide basis.
2. Each employee shall determine the maximum amount of paid leave they are

maximum allowed per Article 32.6, at the end of each year.

However, due to unusual circumstances, the Chief or designee may approve excess accumulation, which shall be taken within three (3) months of the following year. Up to an additional three (3) months may be approved in extenuating circumstances. The Chief or designee may assign vacation days to use time accrued that is not in compliance with the provisions of this article. The Employer shall notify all employees of the status of their vacation/holiday/sick leave balances monthly.

Employees who are granted a leave of absence with pay shall continue to accrue vacation leave at their regular prescribed rate during such absence.

32.3 Upon termination from South County Fire employment, the employee shall be paid as lump sum settlement the hours of unused vacation/holiday leave up to the maximum hours allowed. Vacation leave accrued and unused in excess of the maximum allowed shall be forfeited unless approved in 32.2 above. Cash payment for unused annual leave shall be made under the following conditions:

1. Upon written resignation with a minimum of two (2) calendar weeks' notice. The Board may waive the notice period.
2. Upon separation by death, retirement, layoff, or dismissal of an employee.

32.4 Vacations shall be scheduled by mutual consent of the employee and his/her supervisor.

32.5 Vacation requests must be written and approved prior to taking such vacation.

32.6 Vacation hours shall be granted in accordance with the following schedule:

COMPLETED MONTH OF SERVICE	HOURS OF VACATION		MAXIMUM ACCUMULATED HOURS ALLOWED
	MONTH	YEAR	
0 – 48	8	96	192
49 – 120	12	144	288
121 – 180	15	180	360
181 – 240	17	204	408
241 – 288	19	228	456
289 – 360	20	240	480
361+	22	264	528

32.7 In November of each year, employees may sell back up to 80 accrued, unused vacation hours to South County Fire at their regular rate of pay.