

Cowlitz 911 Public Authority

Resolution 2018-016

Requesting Transfer of Non-Represented Employees and Authorizing Certain Employment Actions.

WHEREAS, since 1991 certain governmental entities in Cowlitz County have been parties to an Interlocal Agreement pursuant to chapter 39.34 RCW, establishing a joint board, known as "Cowlitz County Communications Center," to provide county-wide 911 emergency communications services to citizens within Cowlitz County ; and

WHEREAS, since 1991, the County has served as the administrator for Cowlitz County Communications Center, and has served as an umbrella organization for all employees of Cowlitz County Communications Center, such that all Cowlitz County Communications Center employees have been employees of Cowlitz County (hereinafter "Cowlitz County Communications Center employees"), with the County administering Cowlitz County Communications Center employees' wages, hours, and working conditions; and

WHEREAS, Cowlitz County Communications Center determined that a separate legal entity should assume the function of providing county-wide 911 emergency communications services, the activities and operations conducted by Cowlitz County Communications Center should be transferred to the separate legal entity, and all Cowlitz County Communications Center employees, Cowlitz County Communications Center employees' existing wages, benefits, working conditions, and all duties, obligations, and liabilities in connection with Cowlitz County Communications Center employees should be transferred to the separate legal entity; and

WHEREAS, on March 13, 2018 the Cowlitz County Board of Commissioners adopted Cowlitz County Ordinance 18-014 which created the Cowlitz 911 Public Authority and approved an initial Charter; and

WHEREAS, Cowlitz 911 (the "Authority") is a public corporation organized pursuant to RCW 35.21.730 through 35.21.754; and

WHEREAS, Cowlitz County Communications Center has authorized the transfer of all Cowlitz County Communications Center assets, liabilities, and administrative functions heretofore performed by Cowlitz County to Cowlitz 911, including but not limited to all Cowlitz County Communications Center employees and their existing wages, benefits, and working conditions, and all duties, obligations, and liabilities in connection with Cowlitz County Communications Center employees; and

WHEREAS, Cowlitz 911 has authorized the transfer of all Cowlitz County Communications Center assets, liabilities, and administrative functions heretofore performed by Cowlitz County to Cowlitz 911, including but not limited to all Cowlitz County Communications Center employees and their existing wages, benefits, and working conditions, and all duties, obligations, and liabilities in connection with Cowlitz County Communications

Center employees; and

WHEREAS, effective as of 23:59:59 (military time) Pacific Standard Time (PST) on January 1, 2019, all Cowlitz County Communications Center employees will be terminated from employment with the County and will no longer be legally employed by Cowlitz County; and

WHEREAS, effective at 00:00(military time) on January 1, 2019, all Cowlitz County Communications Center employees whose employment was terminated at 23:59:59 (military time) on December 31, 2018, and who accepted an offer of employment made by Cowlitz 911, will be employees of Cowlitz 911, which will thereafter be the employer of employees previously employed as Cowlitz County Communications Center employees; and

WHEREAS, the Authority desires a successful transition for Cowlitz County Communications Center employees with as few disruptions as possible; and

WHEREAS, Cowlitz County Communications Center 911 Executive Director Phillip Jurmu, Department Head Secretary Rachael Fair, Communications Director Deanna Wells, Floor supervisor Ashley Eubanks, Floor Supervisor Monique Pellant and Floor Supervisor Jerry Jensen are not represented; and

WHEREAS, the employees that accepted the following employment with Cowlitz 911, Phillip Jurmu, Executive Director; Deanna Wells, IT Vendor Technical Manager; Rachael Fair, Finance/Admin Specialist; Monique Pellant, Human Resource Generalist; Jerry Jensen, Floor Supervisor and Ashley Eubanks, Floor Supervisor; and

WHEREAS, the Authority has adopted Resolution 2018-014- Approving the Cowlitz 911 Employee Manual which includes wages, benefits, and working conditions for non-represented employees.

NOW, THEREFORE, BE IT RESOLVED by the Cowlitz 911 Board of Directors as follows:

Section 1. Termination of Cowlitz County Employment. The Authority requests Cowlitz County terminate the above named Cowlitz County Communications Center employees effective 23:59:59 (military time) on December 31, 2018 without using the layoff article, or annual or sick leave cash out provisions of the Cowlitz County Policy Manual and that the County transfer all personnel files and/or other pertinent documents to Cowlitz 911 as soon as practical after the transition.

Section 2. Cowlitz 911 Employment. Prior to January 1, 2019, Cowlitz 911 will extend an offer of employment to each of the above-named employees. If the employee accepts the offer of employment they will be employed by Cowlitz 911 effective at 00:00(military time) on January 1, 2019 and their employment status, seniority, and annual and sick leave balances will be as they existed at 23:59:59 (military time) on December 31, 2018. Their employment with Cowlitz 911 will be subject to the terms and conditions contained in the Cowlitz 911 Employee Manual.

Section 3. Severability. If any provision of this Resolution or any provision of any

document incorporated by reference shall be held invalid, such invalidity shall not affect the other provisions of this Resolution which can be given effect without the invalid provision, if such remainder conforms to the requirements of applicable law and the fundamental purpose of this agreement, and to this end the provisions of this Resolution are declared to be severable.

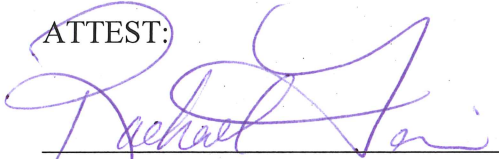
ADOPTED, by the Cowlitz 911 Board of Directors, at a regular open public meeting of such Board on the 28th day of November 2018 and becomes effective immediately upon adoption and signature as provided by law.

COWLITZ 911 BOARD OF DIRECTORS




Chair of the Board, Steve Taylor

ATTEST:



Clerk of the Board, Rachael C. Fair

APPROVED AS TO FORM:



General Counsel, Frank Randolph