

Seattle Domestic Workers Standards Board
Responsibilities, Policies, and Procedures

Section 1. Purpose and Advisory Responsibilities

Seattle Municipal Code 14.23 (the Ordinance) established the Domestic Workers Standards Board (DWSB) to create a place for domestic workers, employers, private households, worker organizations, and the public to consider and suggest ways to improve the working conditions of domestic workers.

The Ordinance requires the Board to provide a place to share information, insights, and experiences on domestic work, and suggest ways to improve working conditions. Suggestions may include possible laws or policy changes, and changes to the City's outreach and enforcement efforts.

The DWSB provides suggestions to the Mayor and City Council on the following:

1. Training for hiring entities and domestic workers on federal, state, and city labor laws, benefits, and protections; discrimination and sexual harassment; workplace safety standards; and requirements on tax payments;
2. Job skills and potential accreditation or certification for domestic workers;
3. Wage standards, such as setting industry standards, overtime, and pay differentials;
4. Access to paid sick leave, paid family leave, paid time off for bereavement, vacation, and retirement and health care benefits, such as through a leave bank or portable benefit structure;
5. Workers' compensation and temporary disability insurance, including alternative ways to provide coverage for domestic workers who are injured on the job but are not currently covered by state law, including consideration of domestic workers' coverage through insurance or through a leave bank or portable benefit structure;
6. Hiring agreements, including notice of rights and recordkeeping template language, and applicability of possible agreements;
7. Any notice or compensation requirements for a work schedule change;
8. Outreach and enforcement strategies to ensure compliance with applicable labor standards and to provide effective information to hiring entities and domestic workers;
9. Elevating the voice and power of domestic workers in shaping their working conditions, including exploring models of collective bargaining; and
10. Any other emerging issues the DWSB wishes to include.

Section 2. Membership

2.1 *Number and Appointments.* In 2019, the DWSB shall consist of nine Members. As of January 1, 2020, the DWSB shall consist of 13 Members.

2.1.1 *Appointments by Mayor.* The Mayor shall appoint Positions 1-4 and 10-11. Mayoral appointments are subject to confirmation by the City Council.

2.1.2 *Appointments by Council.* The City Council shall appoint Positions 5-8 and 12-13.

2.1.2 *Appointment by DWSB.* The DWSB shall appoint Position #9. The DWSB's appointment is subject to confirmation by the City Council.

2.2 *Eligibility and Criteria.* Employees of the City shall be ineligible to be Members of the DWSB. The Members shall also meet the criteria for their position as outlined below:

1	Domestic worker or worker organization representative
2	Domestic worker who are not worker organization representative
3	Hiring entity or their representative
4	Individual who contract with or hire one or more domestic worker
5	Domestic worker or worker organization representative
6	Domestic worker who are not worker organization representative
7	Hiring entity or their representative
8	Individual who contract with or hire one or more domestic worker
9	Community representative
10	Hiring entity or their representative
11	Domestic worker or worker organization representative
12	Hiring entity or their representative
13	Domestic worker or worker organization representative

2.3 Terms of Service. Aside from the initial terms of the first 13, Members shall serve a term of three years. Terms shall begin on March 1. The initial terms of positions 1, 3, 5, 7, 10, and 11 shall be two years. The initial terms of positions 2, 4, 6, 8, 9, 12, and 13 shall be three years.

No Member shall be appointed to more than two terms. For purposes of calculating whether a term has been served, serving more than half of the term period shall count as serving a term.

2.4 No compensation. Members shall serve without pay.

2.5 Resignation. Any Member may resign at any time upon written notice to the appointing authority (Mayor or Council), the Office of Labor Standards, and the DWSB.

2.6 Removal. The Co-Chairs may recommend removal of a Member to the appointing authority for cause, including non-compliance with the DWSB’s attendance policy or the City of Seattle’s Ethics Code.

2.7 Vacancies. Any vacancy in an unexpired term shall be filled in the same manner as the original appointment. A Member whose term is ending may continue on an interim basis as a Member with voting rights until such time as a replacement for that position has been appointed by the City Council or confirmed by City Council. For purposes on the limit to the number of consecutive terms, completing a vacant term is not considered an initial term.

2.8 Return of documents. Each Member is responsible for turning over all relevant documents and work product from their time on the DWSB to the Office of Labor Standards, within one month of the completion of their service.

Section 3. Leadership

3.1 Leadership. DWSB leadership shall consist of two Co-Chairs. At least one co-chair shall be a domestic worker or worker organization representative. When possible, at least one co-chair shall be a current domestic worker.

3.2 Election of Co-Chairs. On an annual basis, the DWSB shall elect two Members to serve as Co-Chairs. A simple majority vote (more than 50%) of quorum may elect Co-Chairs.

OLS staff will solicit nominations for Co-Chairs in November. Members may self-nominate. OLS staff will contact all nominated to determine interest and ability to serve. OLS staff will prepare a slate of all interested candidates for the DWSB to vote on by November 30.

Each Member shall vote for two Co-Chairs at the DWSB's regular meeting in December provided there is quorum. The two Co-Chair nominees receiving the largest number of votes will become Co-Chairs.

3.3 Responsibilities of Co-Chairs. Unless otherwise noted, Co-Chairs may delegate the performance of their duties described in this section to any willing Member. Duties of the Co-Chairs include:

1. Presiding over and facilitating meetings, utilizing a racial equity lens;
2. Acting as spokespersons for the DWSB and representing official DWSB decisions and actions, as noted in the record;
3. Signing all official documents of the DWSB;
4. Appointing all Members to committees of the DWSB based on the preference of Members;
5. Serving as primary liaison to the Office of Labor Standards;
6. Meeting regularly with the OLS staff liaison to discuss ongoing business and priorities and plan meetings, as deemed appropriate;
7. Creating a plan for division of work and communication between Co-Chairs and sharing that plan with the DWSB and the Office of Labor Standards, within a month of election;
8. Working with OLS staff to communicate with members regarding their participation on the board;
9. Recruit and recommend additional board members for consideration by the City Council and Mayor; and
10. Serving as the signing authority for the appointment of Position #9. Co-Chairs shall not delegate this duty.

3.4 Terms of Office. The terms of office of co-chairs shall be for one year, beginning on January 1 and ending on December 31. Officers may not serve more than two consecutive terms.

3.5 Eligibility. Beginning in 2020, members must serve six months on the DWSB before becoming eligible for service as a Co-Chair.

3.6 Resignation of Co-Chair. Any Member may resign the position of co-chair at any time upon written notice to the Office of Labor Standards and the DWSB.

3.7 Removal of Co-Chair. Any Member may make a motion for cause to consider removal of a Co-Chair from office at a regular meeting, provided that at least seven (7) days written notice of intent to so move shall be given to all Members. The motion to consider shall be made at the first monthly meeting following the required notice and shall be carried by a simple majority (more than 50%) of all Members. The vote to remove shall be made at the following regular monthly meeting and shall be carried if passed by a three-quarter majority vote of all Members.

- 3.8 **Vacancy.** In the case of a permanent vacancy in the co-chair position, the DWSB will hold a special election to fill that position, at the next regular meeting. A simple majority vote (more than 50%) of quorum is required to elect a new Co-Chair. Filing a partial term of less than six months shall not count toward a Member's eligibility to serve as a Co-Chair for a full one-year term or a renewal term.

Section 4. Meetings and Attendance

- 4.1 **Public Meetings.** All meetings shall be open to the public and comply with the requirements of the Open Public Meetings Act (Revised Code of Washington 42.30).
- 4.2 **Public Comment.** The public may speak on issues that come before the DWSB. The Co-Chairs shall designate the appropriate time for public comment and establish time limits for each speaker (usually two minutes per speaker). Additional rules:
1. Public comments made at meetings must be related to issues on the agenda for that meeting or the mission of the Board; and
 2. The DWSB may answer or engage in discussion during public comment at their discretion.
- 4.3 **Meeting Accessibility**
- 4.3.1 **Accessibility for persons with disabilities.** The DWSB shall conduct its meetings in compliance with Title II of the American with Disabilities Act. The DWSB shall hold all meetings in facilities that are accessible to persons with physical disabilities.
- 4.3.2 **Language access.** The DWSB shall conduct its meetings in compliance with Title VI of the Civil Rights Act of 1964. The DWSB shall take reasonable steps to ensure meaningful access to their meetings by those with limited English proficiency.
- 4.4 **Meeting Schedule**
- 4.4.1 **Regular Meetings.** The DWSB shall meet once a month. At the end of each calendar year, the DWSB shall establish a regular meeting schedule annually. This meeting schedule shall start at the beginning of a new year. The Co-Chairs may adjust the regular meeting schedule, with approval from a simple majority (more than 50%) of DWSB Members, based on the annual work plan.
- 4.4.2 **Special Meetings.** The Co-Chairs or a majority of Members may call a special meeting at any time. Written notice of the time, place, and purpose of the meeting must be delivered by email to each DWSB Member at least 72 hours before the meeting. The agenda must be posted on the DWSB webpage 24 hours in advance of the meeting. Special meetings shall not take the place of a regular meeting unless so determined at a prior regular meeting.
- 4.4.3 **Annual Retreat.** The DWSB shall hold an annual retreat to create and/or update its Two-Year Work Plan for submission to the Mayor and Council on a Two-Year basis and/or to improve DWSB process and function. The retreat shall also include a racial equity training for DWSB members. The DWSB shall assess the Two-Year Work Plan approximately six months after the retreat and shall adjust as necessary to respond to emergent or high priority issues.

- 4.5 **Approval and Notice of Regular Meeting Agendas.** The Co-Chairs, with support from City staff as deemed appropriate, will prepare an agenda for each regular meeting. The Co-Chairs shall approve the agenda. The agenda will be sent by email to all Members and posted to the DWSB webpage no later than 24 hours in advance of the published start time of the meeting. The email shall have the following written at the top: “For informational purposes only. Do not reply.”
- 4.6 **Quorum.** A simple majority (more than 50%) constitutes a quorum in meetings so long as that simple majority consists of members from at least ½ of the total positions allocated for domestic workers or representatives and ½ of the total positions allocated for hiring entities or representatives. Provided there is a quorum, the DWSB may make decisions on proposals, issues, or formal actions.
- 4.7 **Advanced or Proxy Voting.** Members may not vote in advance or by proxy at DWSB meetings.
- 4.8 **Member Attendance.** It is the responsibility of each Member to attend all scheduled meetings of the DWSB, including committee meetings, unless the absence is due to DWSB related business. A member may attend and participate in a meeting remotely, using either a phone or web-based software that allows for the member to hear all public comment, engage in discussion, and participate in votes during the meeting.
- 4.8.1 **Absence Type.** An excused absence is one due to one or more of the following: (1) any reason protected by the Paid Sick and Safe Time Ordinance, Seattle Municipal Code 14.16 or major life event; (2) an out-of-town trip; (3) an emergency; or (4) work-related business. Absences for any other reason shall be unexcused.
- 4.8.2 **Requesting an Excused Absence.** To request an excused absence, Members shall notify the Co-Chairs at least 4 hours prior to the meeting, stating the specific reason for the request.
- 4.8.3 **Addressing Attendance Issues.** The Co-Chairs shall notify a Member in writing when a Member has accrued two unexcused absences within a 12-month period starting from the first unexcused absence. The Co-Chairs shall request a meeting with the Member regarding commitment and attendance policies if the Member accrues two additional absences, excused or unexcused, in that same twelve month period. One additional absence may, at the Co-Chairs’ discretion, result in a recommendation to the appointing authority that the Member be removed from the DWSB due to four or more absences within a 12-month period.
- 4.8.4 **Leave of Absence.** If a Member anticipates an extended absence from DWSB activities, or at any time before a Member accrues four excused or three unexcused absences within a 12-month period, the Member shall immediately submit a written request for a leave of absence to the appropriate appointing authority with a copy sent to the DWSB for review and decision. The written request shall state the reasons for the request and the expected date of return to active participation on the DWSB. A leave of absence shall not be for more than a four-month period. A leave of absence runs concurrently to the DWSB’s term and shall not extend a Member’s term expiration.

Section 5. Records and Public Communications

- 5.1 **Record of Decisions.** The DWSB shall memorialize its decisions in writing.
- 5.2 **Meeting Minutes.** The Office of Labor Standards' staff shall promptly record and prepare minutes of all meetings. Meeting minutes shall be posted on the DWSB webpage as a public record after approval by the DWSB.
- 5.3. **Two-Year Work Plan and Recommendations.** As specified in the Domestic Workers Standards Ordinance (Seattle Municipal Code 14.23), the DWSB shall submit a Two-Year Work Plan to the Mayor and provide periodic recommendations to the Mayor and to the City Council Committee that has oversight of the Office of Labor Standards and domestic workers. Copies of any final Two-Year Work Plan or official recommendations shall be posted on the DWSB webpage as a public record.
- 5.4 **Other Records.** Copies of specific DWSB documents will be made available to the public upon written request to the Office of Labor Standard's Public Information Officer and in compliance with the Public Records Act (Revised Code of Washington 42.56).
- 5.5 **Public Communications.** Only the Co-Chairs are authorized to speak on behalf of the DWSB unless designated by the Co-Chairs. A Member not so delegated to speak on behalf of the DWSB may indicate by stating that the Member is acting or speaking in his or her personal capacity.

Section X. Responsibilities, Committees, and Conducting Business

- 6.1 **Member Responsibilities.** The responsibilities of the Members are as follows:
1. Attend DWSB meetings, functions, and events;
 2. Read and review the DWSB Responsibilities, Policies, and Procedures;
 3. Be informed about the DWSB's purpose, programs, and policies;
 4. Review the agenda and supporting materials prior to DWSB and Committee meetings
 5. Serve on at least one DWSB Committee;
 6. Understand that the individual Member has no specific organizational authority except as delegated by the DWSB and that the overall authority is the DWSB as a whole; and
- 6.2 **DWSB Responsibilities.** Every two years, the DWSB must submit a Two-Year Work Plan to the Mayor and present such Work Plan to the City Council Committee that is responsible for oversight of the Office of Labor Standards (Council Committee) pursuant to the requirements of SMC 14.23. The DWSB must also submit recommendations to the Mayor and Council Committee pursuant to the requirements of SMC 14.23.
- 6.3 **Committees.** The DWSB may establish committees as it determines necessary, including standing or ad hoc committees. Committees shall consist of two or more DWSB Members. Committees may research and develop proposals and recommendations for DWSB review and approval. Any formal action or decision requires approval from the DWSB.
- 6.4 **Decision-Making.** The DWSB will strive to make decisions by modified consensus whenever possible to assure that the opinions of everyone are heard, discussed, and valued. In a modified consensus approach, when there is disagreement, members have the opportunity to stand aside or block consensus.

Stand asides provide a way for DWSB members to express concerns, but allow the group to proceed with the decision. (*"I can't support this proposal because...But I don't want to stop the group, so I'll let the decision happen without me."*)

Blocks provide a way for members to express firm opposition to the issue or proposal. (*"I have a fundamental disagreement with the core of the proposal that has not been resolved. We need to look for a new proposal."*)

The DWSB may use a "thumbs up" approach to test for consensus, accomplished by raising hands as in voting, with the position of the thumbs that indicates level of agreement:

Thumbs down means: "I vote NO." In consensus, this is the same as a block.

Thumbs sideways means "I don't like this much, but I'll go along."

Thumbs up means: "I like this a lot, I think it's the best possible decision."

If there are any thumbs down or sideways, the Co-Chairs or meeting facilitator will ensure these concerns are heard

Process for making a final decision:

1. Clearly state the final proposal and check that everyone understands what is being proposed.
2. Check if there are any blocks or stand asides. It takes two blocks to stop the proposal.
3. If there are fewer than two blocks, check for active agreement from everyone.
4. Verbally summarize the result (e.g. number of blocks or stand asides) and be explicit whether a decision has been reached.

Two or more blocking votes indicates that consensus has not been attained. If the DWSB is ultimately paralyzed by the modified consensus process, then action will be approved by majority vote. There will be a minimum of two attempts at reaching consensus. After two attempts, it is up to the Co-Chairs to decide if the consensus process should continue or transition to majority vote.

All final decisions, including results from the consensus process or voting, shall be included in the DWSB meeting minutes (see section 5.2).

Section 7. Ethics

7.1 Ethics Code. Members shall conduct themselves in a manner consistent with the Seattle Ethics Code (Seattle Municipal Code 4.16). The Ethics Code sets high ethical standards for Members of advisory boards and commissions, whose advice may have a major impact on City policies.

7.2 Disclosure of Interests. The Ethics Code requires full disclosure if a Member engages or has engaged in an activity or transaction that would appear to a reasonable person to impair the Member's independent judgment.

To satisfy the disclosure requirement, Members must fully disclose the facts on the record of the meeting using the Disclosure Form downloadable in PDF version or Microsoft Word version.

OLS staff will file copies of any completed disclosure forms and send a copy to the Seattle Ethics and Elections Commission.

Regular disclosures should be filed annually at the start of the calendar year. Ad hoc disclosures should be made in writing at the meeting before or as soon as the relevant matter comes before the DWSB. The Co-Chairs and OLS staff will ensure there are regular opportunities for ad hoc disclosures of interest at meetings.

7.3 Conflicts of Interest and Recusal.

7.3.1 Financial Conflicts. Members shall recuse themselves from discussing or participating in a matter in which they have a financial interest. The financial interest may be direct, indirect, personally or through an immediate family Member, a person residing with the Member, a person with whom the Member serves as an officer, director, trustee, partner, or employee; or a person with whom the Member is seeking or has an arrangement concerning future employment.

7.3.2 Conflict in Duties. If the Members' interest are not financial, but if they engage or have engaged in any transaction or activity which would appear to be in conflict with or incompatible with their duties or would appear to impair their independence of judgment, then they must disclose the circumstances publicly to the DWSB. When individual Members disclose interests where there is a possibility of conflict of interest that may limit the Members' participation in a matter which comes before the DWSB, the DWSB will decide if the Member should be disqualified from participation. If the DWSB is uncertain about whether a Member should be disqualified from participation, it will seek advice from the Seattle Ethics and Elections Commission.

7.3.3 Other. Members may recuse themselves from any matter or activity they choose even if there is not a financial conflict of interest.

7.3.4. Recusal Procedures. Members who have recused themselves from a matter before the DWSB will:

1. Refrain from deliberation in forming recommendations or advice on the matter and will not participate in any DWSB action on the recommendations or advice.
2. Remove themselves from the room during the formation of formal advice or recommendations.
3. Refrain from engaging in conversation or communication with other Members of the DWSB on the matter for which they have recused themselves.

Section 8. Responsibilities of Department Staff

8.1 The Office of Labor Standards. The Office of Labor Standards (OLS) shall provide administrative support for the DWSB. OLS will work with the appropriate City departments to help make the DWSB's work successful. OLS staff provide general DSWB and meeting support, coordination, and communication as follows:

8.2 General Support. OLS staff will:

1. Maintain and distribute Member rosters;
2. Assist with elections of co-chairs as outlined in Section 3.2;

3. Facilitate communication with appointing authorities; and
4. Provide the DWSB with information and policy support that it needs to conduct its business.

8.3 Meeting Support. OLS staff will:

1. Assist the Co-Chairs in developing and distributing meeting agendas;
2. Provide information or follow-up with department staff on questions or requests by the DWSB;
3. Work with department staff to keep the DWSB updated on City projects or issues;
4. Manage facility reservations, audio-visual needs, and other logistical issues;
5. Arrange language interpretation and translation needs;
6. Maintain the meeting schedule;
7. Assist with coordination and communication with presenters for meetings;
8. Assist in scheduling meetings between DWSB and the Mayor and City Council; and
9. Support special DWSB events such as annual retreats.

8.4 City Department Coordination. OLS staff will:

1. Keep City departments informed of DWSB interests in issues related to the implementation of the DWSB's recommendations;
2. Ensure City departments have an opportunity to timely brief the DWSB on issues that may impact the DWSB's recommendations and advice; and
3. Facilitate ongoing communication between the DWSB and City departments.

8.5 Communications. OLS staff will:

1. Field and response to requests from the public for information about the DWSB;
2. Assist with preparing, formatting and distributing DWSB correspondence and minutes;
3. Maintain an accurate and updated webpage, including posting meeting agendas, minutes, and other materials;
4. Help the DWSB assure that internal and external DWSB communications comply with the Open Public Meetings Act;
5. Assist with drafting reports, recommendations, advice or correspondence with the Mayor, City Council, and the departments

Section 9. Amendments

This document may be amended at any regular or special meeting by written resolution adopted by a vote of not less than two-thirds of the Membership so long as it consists of members from at least ½ of the total positions allocated for domestic workers or representatives and ½ of the total positions allocated for hiring entities or representatives. Any written resolution shall be presented at the meeting prior to any vote taken.

Section 10. Adoption

These Responsibilities, Policies, and Procedures are adopted on August 26, 2019, unanimously by the entire Board.