

"Permatemps" to get millions

By Bob Young
Seattle Times staff reporter

Seattle taxpayers will pay \$11.5 million to city "permatemp" workers and their lawyers under a proposed settlement announced Monday.

The city will pay primarily for health benefits that about 2,000 employees did not receive between 1996 and 2005 because the city classified them as temporary although they were longtime workers.

Eligible employees will get several hundred to several thousand dollars each, depending on how long they worked for the city, said David Stobaugh, a lawyer for employees who filed a class-action lawsuit in 2002.

Larry Glaser, lead plaintiff in the case, said he was happy with the outcome. "There will never be anyone else in the city treated like I was for the longest time," said Glaser, now a supervisor at the city's Jefferson Park Golf Course.

The settlement is not yet final. King County Superior Court Judge Douglas McBroom gave preliminary approval to the deal Monday. McBroom will hold a hearing on final approval March 6.

The tentative deal is the latest in a string of permatemp settlements that have involved Microsoft, King County, the Seattle Public Library and the city of Bellevue.

The Seattle settlement will not bring dramatic changes because city officials have modified hiring practices in recent years, representatives for plaintiffs and the city said Monday. Since 2002, the city has turned 223 permatemp jobs into regular positions with full benefits, said Mark McDermott, an aide to Mayor Greg Nickels.

The most significant difference in City Hall will be more tracking of employees to make sure they are properly classified, and a new appeals process for workers who think they've been shortchanged.

Under the proposed settlement, the city will limit the term of temporary assignments to less than one year or less than halftime.

Many of the permatemp employees worked at Seattle Center and the Parks Department and "tended to be in laborer and clerical positions," McDermott said.

The Bendich, Stobaugh & Strong law firm will get \$3.45 million, or 30 percent of the settlement, which is considered a standard fee in class-action lawsuits.

The firm also has settled a case involving Microsoft employees for \$97 million and two cases on behalf of King County employees totaling approximately \$42 million.

The city has budgeted for the settlement, McDermott said, so it will not require cuts to services planned for next year.

The tentative agreement defines class members as city employees who worked at least halftime for more than one year and did not receive some or all of the pay or benefits received by the city's "regular employees." It covers the period from October 1996 through May 2005.

When the lawsuit was filed, Glaser had worked full time for more than four years as a "temporary" employee at city golf courses. "It was kind of degrading to see co-workers getting paid for going to the dentist and having full benefits while we always had to pay out of our pocket," he said Monday.

Glaser said he was glad for all the employees who "worked long and hard to secure full-time jobs because the city really is a great place to work."

The city still has roughly 1,200 temporary workers, McDermott said, in addition to about 10,500 regular employees. Many temporary workers are filling in for employees on family, education, health or military leave. Other temporary employees work at "event-driven" jobs, such as setting up concerts at KeyArena, or in seasonal jobs, such as mowing park lawns, he added.

Under the proposed settlement, the city will identify eligible class members through payroll records and will send them a claim form in the mail or with their paycheck if they are still employed by the city. Class members must return a signed and completed form to receive payment.

If the agreement is approved, new temporary employees are going to be working under a system in which "the rights and responsibilities of all parties will be better understood than in the past," McDermott said.

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