

Director's Meeting Agenda
State Human Resources
Office of Financial Management

Revised

Meeting Date: February 13, 2020
Meeting Time: 8:30 a.m.
Location: State Human Resources
Office of Financial Management
128 10th Avenue SW
5th floor, RAAD Building
Olympia, Washington 98501
Limited Parking
Important Note(s): The Exempt, Classification, Compensation, and Rules items on the following pages have been submitted to staff for study and presentation to the State Human Resources Director at the next quarterly scheduled meeting.

Section A: Previous Minutes Approval

Meeting Minutes – November 14, 2019

Section B: Exempt Compensation

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Item 4	B7021 Assistant Secretary, Juvenile Rehab – DCYF	B7-B8
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	▪ B2332 Chief Executive Officer, WSH (Non-Medical) - DSHS	
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	▪ B2342 Chief Executive Officer, WSH (Non-Medical) - DSHS	
	▪ B2360 Superintendent, Lakeland Village - DSHS	
	▪ B2370 Superintendent, Rainier School - DSHS	
	▪ B2389 Superintendent, Fircrest School (Medical) - DSHS	
	▪ B2390 Superintendent, Fircrest School (Non-Medical) - DSHS	
	▪ B2411 Chief Executive Officer, Child Study Treatment Center (Non-Medical) - DSHS	
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Abolishments

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Website Information

This publication and other State Human Resources Director’s meeting related information is available at <http://hr.ofm.wa.gov/meetings/directors-meetings>.

Proposal Package Submittals

All proposal packages should be routed to your assigned classification analyst. Classification and compensation email address classandcomp@ofm.wa.gov.

Meeting Coordinator

For question and concerns, contact the Meeting Coordinator at classandcomp@ofm.wa.gov.

Individuals with Disabilities

If you are a person with a disability and require accommodation for attendance, contact the Meeting Coordinator no later than the first Thursday of the month.

Alternate Publication Formats

This publication will be made available in alternate formats upon request.

What is a Revision?

When changes occur to an exhibit after the original Director's meeting agenda has been posted to the State HR website, a *revised exhibit* is created which reflects the most up-to-date information proposed for adoption. The revised exhibit appears in a separate Revised Agenda that will be available on the day of the meeting.

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

Item 1	
Requester (Agency/HE Institution) Board of Industrial Insurance Appeals	Analyst Melissa Bovenkamp
Primary Action (check all that apply) <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Secondary Action - As a result of Primary Action (check all that apply) <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
Current Code/Title N/A	Current EMS Band/Rate N/A
Proposed Code/Title B3096 Executive Director - BIIA	Proposed EMS Band/Rate EMS Band IV (\$84,120 - \$144,948)
Current RCW Exemption (indicate number and description) N/A	Proposed RCW Exemption (indicate number and description) RCW 41.06.070 (1)(h)(iii): "...If the members of the board...serve on a full-time basis: The chief executive officer...as designated by the board..."
Effective Date 2/14/2020	

Scope

Reporting to the three board members, the Executive Director serves as the agency's chief executive officer and is responsible for management oversight, administration, and operations of the agency. Member of, and leads, the Executive Management Team in the development and achievement of the agency's strategic and operational objectives. Ensures agency compliance with all Executive Orders and Directives from the Governor's Office.

Explanation

The Board of Industrial Insurance Appeals is requesting the establishment of an exempt class to serve as the Executive Director - BIIA. The request is due to increased workload over the years as well as complexity of the appeals and therefore, the agency. This exempt class meets the RCW exemption as the position serves as the agency's chief executive officer and the members of the board serve on a full-time basis

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

BIIA's request for establishment of the class was at the EMS Band IV level with a JVAC score of D5Y-1136. However, State HR staff has reviewed the position description and evaluated the work with a score of D4X-976, which is also EMS Band IV.

A Fiscal Impact Statement has been reviewed and approved by OFM Budget for this action.

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director's Meeting Date 2/13/2020	
Management Type Management	Date of Exempt Position Description on File 1/6/2020
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) N/A
Workforce Indicator 80148586 At-Will	Total Number of Approved Position(s) 1

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

Item 2 withdrawn

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

Item 2 withdrawn

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

Item 3	
Requester (Agency/HE Institution) Employment Security Department	Analyst Melissa Bovenkamp
Primary Action (check all that apply) <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Secondary Action - As a result of Primary Action (check all that apply) <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
Current Code/Title N/A	Current EMS Band/Rate N/A
Proposed Code/Title B4442 Director, Enterprise Project Management Office - ESD	Proposed EMS Band/Rate EMS Band IV (\$84,120 - \$144,948)
Current RCW Exemption (indicate number and description) N/A	Proposed RCW Exemption (indicate number and description) RCW 41.06.070 (1)(v): "...In each agency with fifty or more employees:...division directors... who report directly to the agency head..."
Effective Date 2/14/2020	

Scope

Reporting to the Deputy Commissioner, the Director of the Enterprise Project Management Office is responsible for directing the activities of this division as well as overall responsibility for the agency's strategic plan development, execution and achievement. Serves as the strategic interface within the agency to connect business need and strategy to successful project, product, and change management methodology. Defines and develops enterprise wide project/product management practices, governance standards, change management, processes and metrics. Responsible for overseeing product refinement over its lifecycle and ensuring all enterprise projects, to include information technology projects, are delivered and meet the business need. Member of the Executive Leadership Team.

Explanation

The Employment Security Department is requesting the establishment of an exempt class, Director, Enterprise Project Management – ESD, as a result of an agency reorganization, which resulted in a new division, Enterprise Project Management Office. This exempt class meets the RCW exemption as it is a division director for ESD.

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

State Human Resources and the agency scored this exempt class at D4X-976, which meets the Band IV level. A Fiscal Impact Statement has been reviewed and approved by OFM Budget for this action.

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director's Meeting Date 2/13/2020	
Management Type Management	Date of Exempt Position Description on File 1/6/2020
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) N/A
Workforce Indicator 80148586 At-Will	Total Number of Approved Position(s) 1

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

Item 4	
Requester (Agency/HE Institution) Department of Children, Youth and Families	Analyst Mindy Portschy
Primary Action (check all that apply) <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Secondary Action - As a result of Primary Action (check all that apply) <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
Current Code/Title N/A	Current EMS Band/Rate N/A
Proposed Code/Title B7021 Assistant Secretary, Juvenile Rehabilitation - DCYF	Proposed EMS Band/Rate EMS Band V (\$102,156 - \$165,996)
Current RCW Exemption (indicate number and description) N/A	Proposed RCW Exemption (indicate number and description) RCW 41.06.0971: "...this chapter does not apply in the department of children, youth, and families to the...assistant... secretaries..."
Effective Date 2/14/2020	

Scope

Reporting to the Deputy Secretary of Programs, the Assistant Secretary, Juvenile Rehabilitation oversees the care, custody and treatment of youth committed to the state by county courts to 24/7 residential care and parole aftercare services. This exempt class is responsible for the direct oversight of the Juvenile Rehabilitation business and strategic plan, operating and capital budget and strategic vision for juvenile justice and juvenile rehabilitation. This exempt class establishes operating policies and practices to effectively meet and exceed state law and administrative code and support rehabilitation, treatment and positive reintegration for youth in the juvenile justice system. The position in this exempt class is responsible for providing statewide leadership, oversight and advisement on decisions at both the leadership team and agency levels.

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

Explanation

As a result of the passage of the Second Engrossed Second Substitute House Bill 1661 the Department of Children, Youth and Families was created effective July 1, 2018. Juvenile Rehabilitation transitioned from DSHS to DCYF effective July 1, 2019. This exempt class is responsible for effectively supporting community safety while reducing recidivism and increasing positive community reintegration of youth. This exempt class provides oversight of the direct care and custody of youth, and the safe, secure and effective operations of three institutions. The establishment of this exempt class supports the health, safety and quality of care standards which impact children, youth and families. This exempt class meets the RCW exemption as it is an Assistant Secretary for Juvenile Rehabilitation.

State HR staff evaluated the position description with a JVAC score of E5Y - 1410 which meets EMS Band V. A Fiscal Impact Statement has been reviewed and approved by OFM Budget for this action.

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director's Meeting Date 2/13/2020	
Management Type Management	Date of Exempt Position Description on File 11/26/2019
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) N/A
Workforce Indicator 80148586 At-Will	Total Number of Approved Position(s) 1

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

Item 5	
Requester (Agency/HE Institution) Department of Children, Youth, and Families	Analyst Nichole Gottbreht
Primary Action (check all that apply) <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Secondary Action - As a result of Primary Action (check all that apply) <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
Current Code/Title N/A	Current EMS Band/Rate N/A
Proposed Code/Title B7022 Institution Programs Director – DCYF	Proposed EMS Band/Rate EMS Band III (\$70,176 - \$125,100)
Current RCW Exemption (indicate number and description) N/A	Proposed RCW Exemption (indicate number and description) RCW 41.06.070(1)(v) "In an agency with fifty or more employees...division directors..."
Effective Date 2/14/2020	

Scope

The Institution Programs Director reports directly to the Assistant Secretary of Juvenile Rehabilitation. This exempt class is responsible for the development of policies and procedures within institutions to provide effective rehabilitation to youth prior to their return to the community and ensures access to reentry and transition services. Provides guidance to the Superintendents on facility operations for Echo Glen Children’s Center, Green Hill School and Naselle Youth Camp. Promotes comprehensive rehabilitative services, including specialized services for youth with special needs, such as mental health, substance abuse, or youth with sexual offenses, as well as education and employment pathways to promote improved outcomes upon reentry.

Explanation

As a result of the passage of the Second Engrossed Second Substitute House Bill 1661, DCYF was established July 1, 2018, resulting in the transfers of authority, duties and functions from DSHS pertaining to child welfare services and on July 1, 2019 juvenile justice services to DCYF. This exempt class is responsible for providing leadership and oversight of quality of care by all staff members consistent with national, DCYF and JR standards for institution programs that includes safety, security, order, programming and treatment to best serve the youth within maximum and medium security institutions. This exempt class meets the RCW exemption, as it is a division director within the Juvenile Rehabilitation Administration.

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

A fiscal impact statement was submitted and approved by OFM Budget, confirming the agency can absorb all costs associated with this request.

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director's Meeting Date 2/13/2020	
Management Type Management	Date of Exempt Position Description on File 9/6/2019
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) N/A
Workforce Indicator 80148586 At-Will	Total Number of Approved Position(s) 1

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

Item 6	
Requester (Agency/HE Institution) Department of Children, Youth, and Families	Analyst Barb Ursini
Primary Action (check all that apply) <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Secondary Action - As a result of Primary Action (check all that apply) <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
Current Code/Title N/A	Current EMS Band/Rate N/A
Proposed Code/Title B7023 Community, Reentry and Parole Director - DCYF	Proposed EMS Band/Rate EMS Band III (\$70,176 - \$125,100)
Current RCW Exemption (indicate number and description) N/A	Proposed RCW Exemption (indicate number and description) RCW 41.06.070(1)(v): "...In each agency with fifty or more employees:...division directors... who report directly to the agency head..."
Effective Date 2/14/2020	

Scope

The Community, Reentry and Parole Director reports directly to the Assistant Secretary of the Juvenile Rehabilitation Administration within the Department of Children, Youth, and Families. This exempt class provides statewide leadership and consultation with both the executive leadership team and departmental levels. This exempt class is responsible for the oversight, direction and operation of statewide rehabilitation programs, services, and facilities for youth, young adult and family-centered community-based services. Programs and services include, but are not limited to, functional family parole, consolidated juvenile services, reentry and transition, legal advocacy and programs for youth who have sexually offended, which are provided at the county, tribal, state, and federal level throughout the Washington state juvenile justice system.

Explanation

As a result of the passage of the Second Engrossed Second Substitute House Bill 1661, the Department of Children, Youth, and Families was established July 1, 2018. Effective July 1, 2019, the Juvenile Rehabilitation Administration transitioned from the Department of Social and Health Services to DCYF. This position will oversee the implementation of and compliance of statutes related to juvenile justice to ensure public safety by providing programs and services to youth returning to the community.

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

This exempt class meets RCW 41.06.070(1)(v) which encompasses the establishment of division directors. State HR and DCYF reviewed this exempt class and scored C4Y-888, EMS Band III.

A fiscal impact statement was submitted and approved by OFM Budget, confirming the agency can absorb all costs associated with this request.

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director's Meeting Date 2/13/2020	
Management Type Management	Date of Exempt Position Description on File 9/6/2019
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) N/A
Workforce Indicator 80148586 At-Will	Total Number of Approved Position(s) 1

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

Item 7	
Requester (Agency/HE Institution) Department of Children, Youth and Families	Analyst Angie Strozyk
Primary Action (check all that apply) <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Secondary Action - As a result of Primary Action (check all that apply) <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
Current Code/Title N/A	Current EMS Band/Rate N/A
Proposed Code/Title B7024 Superintendent - DCYF	Proposed EMS Band/Rate Band III (\$70,176 – \$125,100)
Current RCW Exemption (indicate number and description) N/A	Proposed RCW Exemption (indicate number and description) 41.06.0971 "...this chapter does not apply in the department of children, youth and families...".
Effective Date 2/14/2020	

Scope

The Superintendent of Green Hill School, Echo Glen Children’s Center and Naselle Youth Camp report directly to the Institution Programs Director of the Department of Children, Youth and Families. This exempt class manages, directs and provides leadership for the operations of the correctional institution for serious juvenile offenders and implements the strategic plan and Integrated Treatment Model. This exempt class establishes, manages and adheres to policies and procedures to maintain compliance with local, state and national standards including the design, development, implementation and management of programs and services consistent with best practices. This exempt class develops and manages the biennial budget and expenditures for the institution, and manages community, public and media relations and communication with agency management, the Legislature and public sector organizations. This exempt class is the appointing authority for personnel including managing human resources and collective bargaining agreements.

Explanation

As a result of the passage of the Second Engrossed Substitute House Bill 1661 the Department of Children, Youth and Families (DCYF) was created July 1, 2018. In addition to the exemptions under RCW 41.06.070, this chapter does not apply in the department of children, youth, and families to the secretary; the secretary's confidential secretary; deputy, assistant, and regional secretaries, one confidential secretary for each of the aforesaid officers; and any other exempt staff members provided for in chapter 6, Laws of 2017 3rd sp. sess.

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

A fiscal impact statement was submitted and approved by OFM Budget, confirming the agency can absorb all costs associated with this request.

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director's Meeting Date 2/13/2020	
Management Type Management	Date of Exempt Position Description on File 5/10/2019
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) N/A
Workforce Indicator 80148586 At-Will	Total Number of Approved Position(s) 3

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

Item 8	
Requester (Agency/HE Institution) Liquor and Cannabis Board	Analyst Mindy Portschy
Primary Action (check all that apply) <input type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input checked="" type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Secondary Action - As a result of Primary Action (check all that apply) <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input checked="" type="checkbox"/> Minor Scope Change <input checked="" type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
Current Code/Title B7935 Administrative Director	Current EMS Band/Rate EMS Band IV (\$84,120 - \$144,948)
Proposed Code/Title B7935 Administrative Director - LCB	Proposed EMS Band/Rate N/A
Current RCW Exemption (indicate number and description) 41.06.070 (25): "...In an agency with fifty or more employees:... who report directly to the agency head or deputy agency head."	Proposed RCW Exemption (indicate number and description) 41.06.070 (3) Governor's Pool: "In addition to the exemptions specifically provided by this chapter... one involving substantial responsibility for the formulation of basic agency or executive policy..."
Effective Date 2/14/2020	

Scope

This exempt class position will be appointed by, reports to and serves at the pleasure of the members of the Liquor Control and Cannabis Board. This exempt classification is and be accountable and responsible for the daily administration of all the agency operational programs. The Administrative Director is responsible for implementing the Board's policies for leading and managing statewide staff within the authority of the Board and oversees the licensing and regulation of liquor, cannabis, tobacco and vapor.

This exempt class provides strategic leadership for the agency by working with the Board, deputy director and senior management team to establish long-range goals, set strategic direction and priorities, develop statewide policies and allocate resources. This requires the highest level of independent management. These efforts engage a wide spectrum of stakeholders including state agencies, tribes, legislators, licensees and the public.

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

Explanation

This action is housekeeping in nature as a result of the EMS Pilot Audit Project with the Liquor and Cannabis Board. State Human Resources is requesting an exemption change, title change and a minor scope change to this exempt class due to restructuring of agency programs and services. This exempt class sets strategic direction for the agency and provides vision and leadership for implementation of the state's laws regarding Liquor and Cannabis Board activities. This exempt class meets the Governor's Pool criteria as it has substantial responsibility for the formulation of basic agency or executive policy.

State HR staff scored this exempt class at D5Y- 1136, which meets the EMS Band IV level, resulting in no change in banding. There is no cost associated with this request.

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director's Meeting Date 2/13/2020	
Management Type Management	Date of Exempt Position Description on File 3/14/2019
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) 1
Workforce Indicator 80148587 At-Will Governor's Pool	Total Number of Approved Position(s) 1

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

Item 9	
Requester (Agency/HE Institution) Consolidated Technology Services	Analyst Mindy Portschy
Primary Action (check all that apply) <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Secondary Action - As a result of Primary Action (check all that apply) <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
Current Code/Title N/A	Current EMS Band/Rate N/A
Proposed Code/Title B9530 Deputy Director of the OCIO - CTS	Proposed EMS Band/Rate EMS Band V (\$102,156 - \$165,996)
Current RCW Exemption (indicate number and description) N/A	Proposed RCW Exemption (indicate number and description) RCW 41.06.070 (1)(v): "The provisions of this chapter do not apply to:... In each agency with fifty or more employees... Deputy agency heads... who report directly to the agency head..."
Effective Date 2/14/2020	

Scope

The Deputy Director of the Office of the Chief Information Officer reports to the State Chief Information Officer. This exempt class is responsible for development of the statewide information technology strategy, statewide policies and standards governing all aspects of procurement, development and maintenance of IT investments across all state agencies and state colleges. In addition, this position serves as Executive Director to the Technology Services Board consisting of legislative and gubernatorial appointees, established in statute to formally oversee and adopt the state's IT Strategy, IT Policies and Portfolio Management practices.

Explanation

Consolidated Technology Services is requesting to establish an exempt position titled Deputy Director of the Office of the Chief Information Officer. This is a result of the legislature passing Engrossed Second Substitute Senate Bill 5315, relating to the alignment of the Consolidated Technology Services. This bill transferred the Office of the Chief Information Officer from the Office of Financial Management to Consolidated Technology Services on July 1, 2015. This exempt class meets exemption criteria as it is a Deputy Director reporting directly to the agency Director. Staff reviewed the position description and evaluated the work with a score of E5Y - 1410, which is within the EMS Band V level. A Fiscal Impact Statement has been reviewed and approved by OFM Budget for this action.

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director's Meeting Date 2/13/2020	
Management Type Policy	Date of Exempt Position Description on File 9/10/2019
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) N/A
Workforce Indicator 80148586 At-Will	Total Number of Approved Position(s) 1

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

Item 10 (A- K)					
Action Exemption Change			Effective Date 2/14/2020		
Requesting Agency Department of Social and Health Services			Analyst Brett Alongi		
	Exempt "B" Code	Current Title	Current RCW Exemption	Proposed Exemption	Number of Approved Positions
A)	B2330	Chief Executive Officer, WSH (Medical)	41.06.070 (3) Governor's Pool	RCW 41.06.076	1
B)	B2332	Chief Executive Officer, WSH (Non-Medical)	41.06.070 (3) Governor's Pool	RCW 41.06.076	1
C)	B2340	Chief Executive Officer, ESH (Medical)	41.06.070 (3) Governor's Pool	RCW 41.06.076	1
D)	B2342	Chief Executive Officer, WSH (Non-Medical)	41.06.070 (3) Governor's Pool	RCW 41.06.076	1
E)	B2360	Superintendent, Lakeland Village	41.06.070 (3) Governor's Pool	RCW 41.06.076	1
F)	B2370	Superintendent, Rainier School	41.06.070 (3) Governor's Pool	RCW 41.06.076	1
G)	B2389	Superintendent, Fircrest School (Medical)	41.06.070 (3) Governor's Pool	RCW 41.06.076	1
H)	B2390	Superintendent, Fircrest School (Non-Medical)	41.06.070 (3) Governor's Pool	RCW 41.06.076	1
I)	B2411	Chief Executive Officer, Child Study Treatment Center (Non-Medical)	41.06.070 (3) Governor's Pool	RCW 41.06.076	1
J)	B2412	Chief Executive Officer, Child Study Treatment Center (Medical)	41.06.070 (3) Governor's Pool	RCW 41.06.076	1
K)	B2420	Chief Executive Officer, Special Commitment Center	41.06.070 (3) Governor's Pool	RCW 41.06.076	1

Explanation

This exhibit is housekeeping in nature to change the exemption of the above exempt classes from the Governor's Pool exemption to DSHS' enabling statute, RCW 41.06.076, which allows for the exemption of "...all superintendents of institutions of which the average daily population equals or exceeds one hundred residents."

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

In 2005, the agency moved the above exempt classes to the Governor's Pool, stating their agency enabling statute expired on June 30, 2005. The statute did not expire, but it was revised to remove specific portions, which were unrelated to the above exempt classes.

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.

Director's Meeting Date

2/13/2020

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

Item 11	
Requester (Agency/HE Institution) Department of Social and Health Services	Analyst Nichole Gottbreht
Primary Action (check all that apply) <input checked="" type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Secondary Action - As a result of Primary Action (check all that apply) <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
Current Code/Title B2437 Chief, Office of Information Technology - Finance	Current EMS Band/Rate EMS III (\$70,176 - \$125,100)
Proposed Code/Title N/A	Proposed EMS Band/Rate N/A
Current RCW Exemption (indicate number and description) RCW 41.06.070(3) Governor's Pool... "involving substantial responsibility for the formulation of executive policy ..."	Proposed RCW Exemption (indicate number and description) N/A
Effective Date 2/14/2020	

Explanation

The Department of Social and Health Services requests the abolishment of exempt class B2437, Chief of Office of Information Technology - Finance. The agency states this exempt class has not been filled since March 2011. This scope of work and the Medical Assistant Administration transitioned to Health Care Authority in August 2011.

State HR supports the agency's request to abolish this exempt class and has confirmed this is a vacant exempt class. There is no cost associated with this request.

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director's Meeting Date 2/13/2020	
Management Type Management	Date of Exempt Position Description on File 1/11/1999
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) 1
Workforce Indicator 80148587 At-Will Governor's Pool	Total Number of Approved Position(s) N/A

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

Item 12	
Requester (Agency/HE Institution) Board of Industrial Insurance Appeals	Analyst Melissa Bovenkamp
Primary Action (check all that apply) <input checked="" type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Secondary Action - As a result of Primary Action (check all that apply) <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
Current Code/Title B3095 Senior Assistant Chief Industrial Appeals Judge	Current EMS Band/Rate EMS Band IV (\$84,120 - \$144,948)
Proposed Code/Title N/A	Proposed EMS Band/Rate N/A
Current RCW Exemption (indicate number and description) RCW 41.06.070 (3) Governors Pool	Proposed RCW Exemption (indicate number and description) N/A
Effective Date 2/14/2020	

Explanation

The Board of Industrial Insurance Appeals requests abolishment of EMS B3095 Senior Assistant Chief Industrial Appeals Judge. The agency had not been utilizing this class as it is currently established. The agency has instead used the incumbent in this class as an Assistant Chief Industrial Appeals Judge, which is EMS B3090. The agency has requested to add a position under class EMS B3090 Assistant Chief, Industrial Appeals Judge under a separate action. State HR supports this request.

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director's Meeting Date 2/13/2020	
Management Type Management	Date of Exempt Position Description on File N/A
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) 1
Workforce Indicator 80148587 At-Will Governor's Pool	Total Number of Approved Position(s) 0

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

Item 13	
Requester (Agency/HE Institution) Employment Security Department	Analyst Cindy Wulff
Primary Action (check all that apply) <input checked="" type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Secondary Action - As a result of Primary Action (check all that apply) <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
Current Code/Title B4450 Personnel Manager – Employment Security	Current EMS Band/Rate EMS Band III (\$70,176 - \$125,100)
Proposed Code/Title N/A	Proposed EMS Band/Rate N/A
Current RCW Exemption (indicate number and description) RCW 41.06.070 (1) (v) “In each agency with fifty or more employees...and not more than three principal policy assistants....”	Proposed RCW Exemption (indicate number and description) N/A
Effective Date 2/14/2020	

Explanation

Employment Security Department is requesting abolishment of exempt class B4450 due to reorganization. The restructure eliminated the need for this exempt class and this exempt class is vacant. This exempt class is vacant. The work performed by this exempt class was moved into exempt class B4481 Deputy Assistant Commissioner as Deputy Assistant Commissioner Human Resources effective October 1, 2018.

State HR supports the agency’s request to abolish this exempt class. There is no fiscal impact with this action.

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director's Meeting Date 2/13/2020	
Management Type Management	Date of Exempt Position Description on File 10/10/13
EEOC Code 42 Professionals	Current Number of Approved Position(s) 1
Workforce Indicator 80148586 At-Will	Total Number of Approved Position(s) N/A

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

Item 14	
Requester (Agency/HE Institution) Employment Security Department	Analyst Cindy Wulff
Primary Action (check all that apply) <input checked="" type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Secondary Action - As a result of Primary Action (check all that apply) <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
Current Code/Title B4485 Legislative Liaison, E.S.	Current EMS Band/Rate EMS Band III (\$70,176 - \$125,100)
Proposed Code/Title N/A	Proposed EMS Band/Rate N/A
Current RCW Exemption (indicate number and description) RCW 41.06.070 (3) Governor's Pool	Proposed RCW Exemption (indicate number and description) N/A
Effective Date 2/14/2020	

Explanation

Employment Security Department is requesting abolishment of exempt class B4485 due to reorganization. The restructure eliminated the need for this exempt class. This exempt class is vacant. The work performed by this exempt class has been moved into B4430 Director, Office of Communication Band IV. State HR has requested an updated position description for the files.

State HR supports the agency's request to abolish this exempt class. There is no fiscal impact with this action.

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director's Meeting Date 2/13/2020	
Management Type Policy	Date of Exempt Position Description on File 07/2000
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) 1
Workforce Indicator 80148587 At-Will Governor's Pool	Total Number of Approved Position(s) N/A

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

Item 15	
Requester (Agency/HE Institution) Employment Security Department	Analyst Cindy Wulff
Primary Action (check all that apply) <input checked="" type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Secondary Action - As a result of Primary Action (check all that apply) <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
Current Code/Title B4491 Director, Government Relations - ESD	Current EMS Band/Rate EMS Band III (\$70,176 - \$125,100)
Proposed Code/Title N/A	Proposed EMS Band/Rate N/A
Current RCW Exemption (indicate number and description) RCW 41.06.070 (1) (v) "In each agency with fifty or more employees...and not more than three principal policy assistants...."	Proposed RCW Exemption (indicate number and description) N/A
Effective Date 2/14/2020	

Explanation

Employment Security Department is requesting abolishment of exempt class B4491 due to reorganization. The restructure eliminated the need for this exempt class. This exempt class is vacant. The work performed by this exempt class has been moved into a WMS Band 3. State HR has requested an updated position description for the files.

State HR supports the agency's request to abolish this exempt class. There is no fiscal impact with this action.

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director's Meeting Date 2/13/2020	
Management Type Policy	Date of Exempt Position Description on File 08/14/15
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) 1
Workforce Indicator 80148586 At-Will	Total Number of Approved Position(s) N/A

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

Item 16	
Requester (Agency/HE Institution) Employment Security Department	Analyst Cindy Wulff
Primary Action (check all that apply) <input checked="" type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Secondary Action - As a result of Primary Action (check all that apply) <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
Current Code/Title B4492 Assistant Commissioner, Unemployment Insurance Claim Center Operations - ESD	Current EMS Band/Rate EMS Band IV (\$84,120 - \$144,948)
Proposed Code/Title N/A	Proposed EMS Band/Rate N/A
Current RCW Exemption (indicate number and description) RCW 41.06.070 (1) (v) "In each agency with fifty or more employees...and not more than three principal policy assistants...."	Proposed RCW Exemption (indicate number and description) N/A
Effective Date 2/14/2020	

Explanation

Employment Security Department is requesting abolishment of exempt class B4492 due to reorganization. The restructure eliminated the need for this exempt class. This exempt class is vacant. State HR supports the agency's request to abolish this exempt class. The work performed by this exempt class was updated and moved into a WMS position.

State HR supports the agency's request to abolish this exempt class. There is no fiscal impact with this action.

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director's Meeting Date 2/13/2020	
Management Type Management	Date of Exempt Position Description on File 1/2013
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) 1
Workforce Indicator 80148586 At-Will	Total Number of Approved Position(s) N/A

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

Item 17	
Requester (Agency/HE Institution) Employment Security Department	Analyst Cindy Wulff
Primary Action (check all that apply) <input checked="" type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Secondary Action - As a result of Primary Action (check all that apply) <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
Current Code/Title B4496 Director, Labor Market & Performance Analysis - ESD	Current EMS Band/Rate EMS Band IV (\$84,120 - \$144,948)
Proposed Code/Title N/A	Proposed EMS Band/Rate N/A
Current RCW Exemption (indicate number and description) RCW 41.06.070 (1) (v) "In each agency with fifty or more employees...and not more than three principal policy assistants...."	Proposed RCW Exemption (indicate number and description) N/A
Effective Date 2/14/2020	

Explanation

Employment Security Department is requesting abolishment of exempt class B4496 due to reorganization. The restructure of the Labor Market Economic Analysis division eliminated the need for this exempt class and this exempt class has been vacant since April 30, 2017.

State HR supports the agency's request to abolish this exempt class. There is no fiscal impact with this action.

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director's Meeting Date 2/13/2020	
Management Type Policy	Date of Exempt Position Description on File 08/01/15
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) 1
Workforce Indicator 80148586 At-Will	Total Number of Approved Position(s) N/A

Section B: Exempt Compensation

Positions in this listing are under the State Human Resources Director for the setting of salaries and fringe benefits, but are otherwise exempt from civil service.

Item 18	
Requester (Agency/HE Institution) Liquor & Cannabis Board	Analyst Cindy Wulff
Primary Action (check all that apply) <input checked="" type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Secondary Action - As a result of Primary Action (check all that apply) <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
Current Code/Title B9722 Deputy Chief Information Officer - LCB	Current EMS Band/Rate EMS Band III (\$66,804 - \$119,076)
Proposed Code/Title N/A	Proposed EMS Band/Rate N/A
Current RCW Exemption (indicate number and description) RCW 41.06.070(3) Governor's Pool "...a senior expert in enterprise information technology infrastructure, engineering, or systems ..."	Proposed RCW Exemption (indicate number and description) N/A
Effective Date 2/14/2020	

Explanation

Liquor & Cannabis Board is requesting abolishment of exempt class B9722 due to reallocation into the IT professional structure. The reallocation of the Deputy Chief Information Officer has eliminated the need for this exempt class. This exempt class is vacant.

State HR supports the agency's request to abolish this exempt class. There is no fiscal impact with this action.

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director's Meeting Date 2/13/2020	
Management Type Management	Date of Exempt Position Description on File 6/27/18
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) 1
Workforce Indicator 80148587 At-Will Governor's Pool	Total Number of Approved Position(s) N/A

Section C: Classification

Item 19	
Requester (Agency/HE Institution) Department of Social and Health Services	Analyst Nichole Gottbreht
Actions <input type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input checked="" type="checkbox"/> Revision <input type="checkbox"/> Salary Adjustment	If Revision, check all that apply: <input type="checkbox"/> Title Change <input type="checkbox"/> Class Series Concept <input type="checkbox"/> Definition <input checked="" type="checkbox"/> Distinguishing Characteristics
Current Class Code/Title 351L WorkFirst Program Specialist	Current Salary Range/Rate 49 (\$45,288 - \$60,924)
Proposed Class Code/Title N/A	Proposed Salary Range/Rate N/A
Effective Date 2/14/2020	

Distinguishing Characteristics

Positions are distinguished from the ~~Financial Services Specialist~~ Public Benefits Specialist classes in that the majority of the work involves comprehensive case management of WorkFirst program activities for clients while balancing eligibility determinations for program services. Positions in this class are distinguished from the Community Service Office Social Service Specialists who provide formal in-depth physical and psychological assessments when clients are referred to them by the WorkFirst Program Specialist.

Explanation

The Department of Social and Health Services is requesting a minor revision to the distinguishing characteristics for the WorkFirst Program Specialist due to an outdated title reference within the distinguishing characteristics. As a result of the 2019-21 Collective Bargaining and Budget Negotiations, the Financial Services Specialist's title changed to Public Benefits Specialist. State HR supports this update and there is no cost associated with this action.

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director's Meeting Date 2/13/2020	
Management Type N/A	Workforce Indicator 80148588 Classified WA General Service
EEOC Code 42 Professionals	Number of Position(s) Affected 254

Section D: Compensation

Permanent Adoption

Item 20	
Requester (Agency/HE Institution) Office of Financial Management	Analyst Barb Ursini
Actions <input type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input checked="" type="checkbox"/> Revision <input type="checkbox"/> Salary Adjustment	If Revision, check all that apply: <input type="checkbox"/> Title Change <input type="checkbox"/> Class Series Concept <input type="checkbox"/> Definition <input type="checkbox"/> Distinguishing Characteristics
Current Class Code/Title N/A	Current Salary Range/Rate N/A
Proposed Class Code/Title Correction of error	Proposed Salary Range/Rate N/A
Effective Date 2/14/2020	

Group A Assignment Pay Effective July 1, 2019

WAC 357-28-175 - *Assignment pay is a premium added to base salary to recognize specialized skills, assigned duties, and/or unique circumstances that exceed the ordinary. Assignment pay is intended to be used only as long as skills, duties, or circumstances it is based on are in effect.*

Class Title	Class Code	Premium	Reference Number
Bridge Maintenance Specialist 3	597I <u>597K</u>	See Reference*	5, 22
Bridge Maintenance Specialist Lead	597H <u>597N</u>	See Reference*	5, 21, 22
Fish & Wildlife Biologist 1	523L <u>523Y</u>	Fifteen percent (15%)	41
Fish & Wildlife Biologist 2	523M <u>523Z</u>	Fifteen percent (15%)	41
Highway Maintenance Worker 2	596Q <u>596R</u>	See Reference*	5, 16, 22, 36
LCB Enforcement Officer 4	390G <u>390I</u>	\$10.00/hour	37A
Natural Resource Police Officer	427G <u>387R</u>	Ten percent (10%)	7
Rest Area Attendant Transportation	596G <u>595G</u>	See Reference*	36, 52

*Refer to specific [reference](#) for details and compensation.

Section D: Compensation

Explanation

This item is a correction of error and housekeeping.

As a result of the 2019 - 2021 Collective Bargaining Negotiations and Budget Process, "Group A" Assignment Pay (AP) was adopted at the June 13, 2019 Special Director's Meeting and effective July 1, 2019. Inadvertently, some class codes appeared in error, and the "Rest Area Attendant Transportation" is now abolished effective July 1, 2019 and should be removed from the "Group A" Assignment Pay listing. Staff has corrected inaccuracies.

This "Group A" item was adopted on an emergency basis at the November 13, 2019 Director's meeting, effective November 15, 2019, and returns for final adoption.

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director's Meeting Date 2/13/2020	
Management Type N/A	Workforce Indicator N/A
EEOC Code N/A	Number of Position(s) Affected N/A

Section D: Compensation

**Higher Education
Special Pay Request
Exhibit**

Item 21				
Requester (Higher Education Institution) University of Washington		Analyst Brett Alongi		
Actions <input type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input checked="" type="checkbox"/> Revision		Effective Date 2/16/2020		
WAC 357-28-025 The director may adopt special pay salary ranges for positions based upon pay practices found in private industry or other governmental units. This includes special pay salary ranges and/or compensation practices for higher education institutions and related higher education boards as authorized in RCW 41.06.133. The classes or positions assigned special pay ranges and the associated special salary schedule must be specified in the compensation plan.				
Class Title(s)	Class Code(s)	Current Salary Range or Special Pay Range	Proposed Special Pay Range	Proposed Special Pay Increase
Cardiac Sonographer Supervisor	301P	J5-T6	T5-D7	10.5%
Cardiac Sonographer Lead	301N	I5-S6	N5-X6	5.1%
Cardiac Sonographer Specialist	301M	C5-M6	J5-T6	7.2%
Cardiac Sonographer 2	301L	A5-K6	F5-P6	5.1%
Cardiac Sonographer 1	301K	V4-F6	A5-K6	5.1%
Imaging Technologist - Supervisor	300P	L5-Y6	U5-H7	9.3%
Imaging Tech - Education Quality Assurance	300N	G5-T6	O5-B7	8.3%
Imaging Technologist - Lead	300M	D5-Q6	K5-X6	7.2%
Imaging Technologist - Mag Resonance Imaging	300K	Y4-L6	D5-Q6	5.1%
Imaging Technologist - Angiography	300J	V4-I6	A5-N6	5.1%
Imaging Tech - Computed Tomography Mammogram	300I	M4-Z5	R4-E6	5.1%
Imaging Technologist 2	300G	F4-S5	M4-Z5	7.2%
Imaging Technologist 1	300F	A4-N5	H4-U5	7.3%
Imaging Technologist Trainee	300E	F3-S4	K3-X4	5.1%

Section D: Compensation

Category (select all that apply):

- Unique Skills/Duties Recruitment/Retention Effective Operations
 Salary Compression/Inversion

Explanation

The University of Washington is requesting special pay increases for the job classes identified above. The basis for this request is effective operations, substantiated by data provided by Milliman Inc. Northwest Health Care Salary Survey. The data is from January 1, 2019 and has been aged to January 1, 2020 at an annual rate of three (3) percent.

State HR staff supports this special pay request, which would increase the median monthly pay by a range of approximately 5 to 10.5 percent depending on the job class listed above, which would not exceed the market average. These increases will aid in UW's efforts to remain competitive and to recruit and retain highly skilled individuals. UW has certified the funding does not include tuition dollars and they have identified local funds to support these health care special pay salary increases. UW is requesting an effective date of February 16, 2020.

<i>Internal Use Only</i>
Director's Meeting Date 2/13/2020

Section E: Rule Amendments

ITEM #1

Staff note: We are proposing to amend WAC 357-49-023 and WAC 357-52-225 to allow Director's review requests and Personnel Resources Board appeals to be filed online.

We are proposing to amend WAC 357-49-023(2) and WAC 357-52-225(2) to update the fax filing requirements. Because of online filing capabilities, we are also proposing to amend WAC 357-49-023(3) to remove email as an option to file director's review requests. The new subsection (3) in both rules states that director's review requests and appeal requests are considered filed when a legible copy is received.

Staff is proposing permanent adoption effective March 30, 2020.

AMENDATORY SECTION

WAC 357-49-023 (~~((For purposes of this chapter,))~~) **How must ((documents)) director's review requests be filed with the director?** (~~((1) Filing by mail:))~~)

Director's review requests must be filed with the director by filing online through the director's website, by fax, by mail, or in person.

(1) Director's review requests are considered filed when received in the director's review office in Olympia, Washington, during the office hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. Documents received in the director's review office in Olympia, Washington, outside of office hours or on a legal holiday will be deemed filed on the next business day.

(2) ((Filing by fax:

(a) Documents by fax are considered filed when a legible copy of the documents is received. If transmission begins after office hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding legal holidays, the document will be deemed filed on the next business day.

(b) Documents)) Director's review requests filed by fax must have a cover page identifying the addressee; the person making the transmission, including the address, telephone ((and fax)) number; and the review to which the documents ((relates; the date of transmission; and the total number of pages included in the transmission.

(c) The person attempting to file by fax bears the risk that the papers may not be timely received or legibly printed, regardless of the cause. If the fax is not legible, it will not be considered sent.

(3) Filing by electronic mail (email): If the document is sent after office hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding legal holidays, the document will be deemed filed on the next business day)) are related.

(3) Director's review requests are considered filed when a legible copy of the documents is received in accordance with subsection (1) of this section.

Section E: Rule Amendments

AMENDATORY SECTION

WAC 357-52-225 How must ~~((written documents))~~ appeal requests be filed with the board? ~~((1))~~ **Filing generally.**

~~Papers that must be filed with the board))~~ Appeal requests must be filed with the board by filing online through the board's website, by fax, by mail, or in person.

(1) Appeal requests are considered ~~((to be))~~ filed ~~((only))~~ when ~~((the papers are actually))~~ received in the board's office in Olympia, Washington, during the office hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. Documents received in the board's office in Olympia, Washington, outside of office hours or on a legal holiday will be deemed filed on the next business day.

(2) **Filing by telephone facsimile.**

~~(a) Written documents filed with the board by telephone facsimile are considered received when a legible copy of the document is reproduced on the board's telephone facsimile equipment in the board's office. If transmission begins after customary office hours, which are 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding legal holidays, the document will be deemed filed on the next business day.~~

~~(b) Any document filed with the board by telephone facsimile should be preceded by))~~ Appeals filed by fax must have a cover page identifying the addressee; the ~~((party))~~ person making the transmission, including the address, telephone ~~((and telephone facsimile))~~ number ~~((of such party))~~; and the appeal to which the documents ~~((relates; the date of transmission; and the total number of pages included in the transmission.~~

~~(c) The party attempting to file papers by telephone facsimile bears the risk that the papers will not be timely received or legibly printed, regardless of the cause. If the telephone facsimile is not legible, it will be considered as if it had never been sent.~~

~~(d) The original of any document filed by telephone facsimile should be mailed to the board within twenty-four hours of the time that the telephone facsimile was sent.~~

~~(e) The filing of papers by electronic mail ("email") is not authorized without the express prior approval of the board, and only under such circumstances as the board allows))~~ are related.

(3) Appeal requests are considered filed when a legible copy of the documents is received in accordance with subsection (1) of this section.

Section E: Rule Amendments

ITEM #2

Staff Note: Engrossed Substitute House Bill (ESHB) 1696 passed during the 2019 legislative session with an effective date of July 28, 2019. This bill amends RCW 49.58.005 and adds new sections to chapter 49.58 RCW which prohibit an employer from seeking the wage or salary history of an applicant for employment or from a current or former employer. The bill also prohibits the employer from requiring that the applicant's prior wage or salary history meet certain criteria and requires employers, upon request of an applicant for employment, to provide the wage or salary range for the position for which the applicant is applying. We are proposing the following rules to align with these new requirements.

Staff is proposing permanent adoption effective March 30, 2020.

NEW SECTION

WAC 357-16-017 When must an employer provide the salary range or management band for a position?

In accordance with RCW 49.58.110, an employer must provide the salary range or management band in the following circumstances:

(1) Upon request of an individual for employment after an employer has initially offered the individual the position; and

(2) Upon request of a current employee who is offered an appointment to another position.

If no salary range or management band exists, an employer must provide the minimum wage set by the employer prior to posting the position or appointing an employee to another position.

For the purposes of this section "employer" also includes those employers with less than fifteen employees.

NEW SECTION

WAC 357-16-215 May an employer seek the wage or salary history of an individual for employment?

In accordance with RCW 49.58.100, an employer may not:

(1) Seek the wage or salary history of an individual applying for employment, including current employees, from the individual or the individual's current or former employer; or

(2) Require that an individual's prior wage or salary history meet certain criteria, except as provided in WAC 357-16-220.

For the purposes of this section "employer" also includes those employers with fewer than fifteen employees.

Section E: Rule Amendments

NEW SECTION

WAC 357-16-220 May an employer confirm an individual's wage or salary history?

In accordance with RCW 49.58.100, an employer may confirm an individual's wage or salary history if:

- (1) The individual has voluntarily disclosed their wage or salary history; or
- (2) After the employer has negotiated an offer and made an offer of employment including compensation to the individual.

For the purposes of this section "employer" also includes those employers with fewer than fifteen employees.

AMENDATORY SECTION

WAC 357-58-190 What must be addressed in agency's WMS recruitment and selection policy and/or procedure?

An agency's WMS recruitment and selection policy must:

- (1) Provide for the ability to consider any or all qualified candidates for hire, promotion, or internal movement;
- (2) Ensure that hiring decisions are fair, objective, and based on the evaluation of leadership and other job related competencies and characteristics required for successful job performance and performance management;
- (3) Support workforce diversity and affirmative action goals;
- (4) Consider the career development of the agency's employees and other state employees;
- (5) Ensure that hiring decisions are not based on patronage or political affiliation;
- (6) Ensure compliance with state and federal laws relating to employee selection and nondiscrimination;
- (7) Encourage decentralized and regional administration of the recruitment and selection processes when it is appropriate for the agency;
- (8) Ensure compliance with requirements governing wage and salary information in accordance with RCW 49.58.100, 49.58.110, WAC 357-16-017, 357-16-215 and 357-16-220.

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ITEM #3

Staff note: The state implemented a new information technology professional/technical classification and compensation structure effective July 1, 2019. At that time we amended rules to address those employees who were placed into the new structure. We are proposing the following modifications/new rules to clean up what was missed during our initial review.

The proposed amendments to WAC 357-28-110 and WAC 357-28-115 are to state that an employee who is promoted or is reallocated to a class with a higher salary range must advance to a step of the range for the new class that is nearest to five percent above their pre-promotional salary. This change is stemming from the Information Technology Professional Structure implementation that went into effect on July 1, 2019. The ITPS salary schedules for ranges 1-11 are not square which mean that the current two step promotional language does not work for those employees who move in and out of the ITPS. The proposed amendments to WAC 357-28-110 and WAC 357-28-115 address when an employee's pre-promotional salary is set above the maximum of the new salary range. In addition, the purpose of the proposed amendment to WAC 357-28-110(2) is to clarify that if an employer grants a higher increase for internal alignment, retention or other business needs it is done so in accordance with WAC 357-28-090.

The proposed amendments to WAC 357-46-035 is to break up the subsections and assign them to separate WAC numbers (WAC 357-46-036, WAC 357-46-037 and WAC 357-46-038) to address the different stages of determining layoff options when a permanent employee is scheduled for layoff. The proposed amendment to WAC 357-46-035 is to include what options a permanent employee has when they are scheduled for layoff and restructures the WAC for simplicity.

The proposed new section WAC 357-46-036 is to address what happens if the employee does not have an option under WAC 357-46-035. This language was taken and removed from WAC 357-46-035(2).

The proposed new section WAC 357-46-037 is to address what happens when a class in which the employee previously held permanent status has been revised or abolished. This language was taken and removed from WAC 357-46-035(3). In addition, the proposed language is to address when an employee has held permanent status in any abolished IT class and it has been determined that the closest matching class falls within the ITPS, the employee will have layoff options in any class within the ITPS with the same or lower salary range maximum.

The proposed new section WAC 357-46-038 is to address if an employee has layoff option rights to classes they held permanent status in prior to any breaks in state service. This language was taken and removed from WAC 357-46-035(4).

The proposed amendment to WAC 357-58-040 is to clarify that manager positions or managerial employees that are included in professional structures are excluded from WMS and are not covered by chapter 357-58 WAC. This was an oversight when we reviewed and amended the WACs for the ITPS implementation which became effective on July 1, 2019.

Staff is proposing permanent adoption effective March 30, 2020.

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AMENDATORY SECTION

WAC 357-28-110 Must an employee who is promoted receive a salary increase?

An employee who is promoted must ~~((receive a minimum increase of two steps))~~ advance to a step of the range for the new class that is nearest to five percent above their prepromotional salary, not to exceed step M of the salary range. If the employee's prepromotional salary is set above the maximum of the salary range in accordance with WAC 357-28-040, the promotional increase will be based off of the maximum of the new salary range of the class the employee is promoting from. The employer may grant ~~((more than an increase of two steps not to exceed step L))~~ a higher increase if:

- (1) Significant increases in duties and responsibilities, as documented by the employer, warrant greater compensation;
- (2) The increase is necessary for internal salary alignment, retention of the employee~~((;))~~ or other documented business needs in accordance with WAC 357-28-090; or
- (3) The increase is necessary to bring the employee to the minimum of the salary range for the position.

AMENDATORY SECTION

WAC 357-28-115 Must an employee occupying a position that is reallocated to a class with a higher salary range receive a salary increase?

An employee occupying a position that is reallocated to a class with a higher salary range must ~~((receive a minimum increase of at least two steps))~~ advance to a step of the range for the new class that is nearest to five percent above their previous salary, not to exceed step M of the salary range in accordance with WAC 357-28-110. When the employee's previous salary was set above the maximum of the salary range in accordance with WAC 357-28-040, the employee's salary will be determined as follows:

- (1) When the employee's previous salary is the same or lower than the maximum of the new salary range, the salary increase will be based off the maximum of the salary range the employee is reallocated from, not to exceed step M of the salary range in accordance with WAC 357-28-110.
- (2) When the employee's previous salary is above the salary range of the new class, the employee will retain their current salary in accordance with WAC 357-28-040.

AMENDATORY SECTION

WAC 357-46-035 ~~((Layoff option.))~~ What option for placement in a position does a permanent employee have when the employee is scheduled for layoff? ~~((1) What option does a permanent employee have to take a position when the employee is scheduled for layoff?))~~

(1) The employer will identify a position, if available, within the layoff unit~~((;))~~ for a permanent employee who is scheduled for layoff ~~((must be offered the option to take a position, if available,))~~ that meets when the following criteria are met:

- (a) The position is comparable to the employee's current position as defined by the employer's layoff procedure;
- (b) For revised or abolished job classes, the employer must identify the closest matching class in accordance with WAC 357-46-037;

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(c) The employee satisfies the competencies and other position requirements; and

(d) The position is funded and vacant, or if no vacant funded position is available, the position is occupied by the employee with the lowest employment retention rating.

(2) The employer will consider positions in the following order:

(a) The position is allocated to the class in which the employee holds permanent status at the time of the layoff. If no option to a position in the current class is available, the employee's option is to a position in a class in which the employee has held permanent status that has the same salary range maximum.

(b) If the employee ~~((has no))~~ does not have an option to take a position that has the same salary range maximum, the employee must be given an opportunity to take a position in a lower class in a class series in which the employee has held permanent status, in descending salary order. The employee does not have to have held permanent status in the a lower class of the series in order to be offered the option to take a position in the class.

~~((b) The position is comparable to the employee's current position as defined by the employer's layoff procedure.~~

~~(c) The employee satisfies the competencies and other position requirements.~~

~~(d) The position is funded and vacant, or if no vacant funded position is available, the position is occupied by the employee with the lowest employment retention rating.~~

~~(2) **What if the employee has no option under subsection (1) of this section?**~~

~~(a) If a permanent employee has no option available under subsection (1) of this section, the employer must determine if there is an available position in the layoff unit to offer the employee in lieu of separation that meets the following criteria:~~

~~(i) The position is at the same or lower salary range maximum as the position from which the employee is being laid off;~~

~~(ii) The position is vacant or held by a probationary employee or an employee in a nonpermanent appointment;~~

~~(iii) The position is comparable or less than comparable; and~~

~~(iv) The position is one for which the employee meets the competencies and other position requirements.~~

~~(b) If more than one qualifying position is available, the position with the highest salary range maximum is the one that must be offered.~~

~~(3) **What happens when a class in which the employee previously held permanent status has been revised or abolished?**~~

~~(a) If a class in which an employee has previously held permanent status has been revised or abolished, the employer shall determine the closest matching class to offer as a layoff option. The closest matching class must be at the same or lower salary range maximum as the class from which the employee is being laid off.~~

~~(b) For employees who held permanent status in abolished information technology (IT) classes, an employer may use the IT Assessment form along with any other documentation to determine the closest matching class to offer as a layoff option.~~

~~(4) **Does an employee have layoff option rights as provided in subsection (1) of this section to classifications the employee held permanent status in prior to any breaks in state service?**~~

~~General government employees have layoff option rights as provided in subsection (1) of this section to classifications the employee has held permanent status in regardless of any breaks in state service.~~

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~~Higher education employers must address in their layoff procedure whether or not employees will be given layoff options to classes they held permanent status in prior to any breaks in state service.))~~

NEW SECTION

WAC 357-46-036 What if the employee does not have an option under WAC 357-46-035?

(1) If a permanent employee does not have an option available under WAC 357-46-035, the employer must determine if there is an available position in the layoff unit to offer the employee in lieu of separation that meets the ~~following~~ criteria in the following order:

(a) The position is at the same or lower salary range maximum as the position from which the employee is being laid off;

(b) The position is vacant, held by a nonpermanent employee or held by a probationary employee;

(c) The position is comparable or less than comparable; and

(d) The position is one for which the employee meets the competencies and other position requirements.

(2) If more than one qualifying position is available, the position with the highest salary range maximum is the one that must be offered.

NEW SECTION

WAC 357-46-037 When identifying layoff options, what happens when a class in which the employee previously held permanent status has been revised or abolished?

If a class in which an employee has previously held permanent status has been revised or abolished, the employer shall determine the closest matching class to offer as a layoff option. The closest matching class must be at the same or lower salary range maximum as the class from which the employee is being laid off.

If an employee has previously held permanent status in any abolished information technology (IT) class and it has been determined that the closest matching class falls within the information technology professional structure (ITPS), the employee will have layoff options in any class within the ITPS with the same or lower salary range maximum and meets the criteria in accordance with WAC 357-46-035. To determine the closest matching class to offer, an employer may use the IT assessment form and any other documentation which will aid in determining the closest matching class.

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NEW SECTION

WAC 357-46-038 Does an employee have layoff option rights as provided in WAC 357-46-035 to classes the employee held permanent status in prior to any breaks in state service?

General government employees have layoff option rights as provided in WAC 357-46-035 to classes the employee has held permanent status in regardless of any breaks in state service.

Higher education employers must address in their layoff procedure whether or not employees will be given layoff options to classes they held permanent status in prior to any breaks in state service.

AMENDATORY SECTION

WAC 357-58-040 ~~((Are there any))~~ Which manager positions or managerial employees ((that are not included in the)) are excluded from WMS and not covered by chapter 357-58 WAC?

The following manager positions or managerial employees are excluded from WMS and not covered by chapter 357-58 WAC:

(1) Manager positions or managerial employees that are exempt from civil service ((and));

(2) Manager positions or managerial employees that are included in professional structures;

and

(3) Manager positions or managerial employees of institutions of higher education and related boards ((are not included in WMS or covered by chapter 357-58 WAC)).

ITEM #4

Staff note: Washington's Paid Family and Medical Leave, or PFML insurance program, as codified in Title 50A RCW, became effective on October 19, 2017. Beginning January 1, 2020, the Paid Family and Medical Leave, or PFML program, provides a partial wage replacement for Washington workers for an employee's own medical condition, to care for family members, bonding with a child or for certain military-related events. Under the PFML program, the Employment Security Department will replace up to 90% of an employee's average weekly wage (up to \$1,000 per week). During the 2019 legislative session, the law was amended to allow the employer to offer a "supplemental benefit" to employees while they are on approved PFML.

We are proposing two new sections to addresses the ability for an employee to choose whether or not they want to use their accrued paid leave as a supplemental benefit and to define what leave an employee may use as a supplemental benefit. We are proposing to amend existing WAC to allow an employee the ability to request to use their accrued leave as a supplemental benefit, to require employers to update their leave policies and to removing the Washington Family Leave Law from WAC 357-31-520.

We are also proposing to amend WAC 357-31-490 and WAC 357-31-515 to add shared leave as a type of leave an employee can request for a pregnancy related disability and for parental reasons in accordance with WAC 357-31-390 subsections 1(g) and 1(h).

Staff is proposing permanent adoption effective May 1, 2020.

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AMENDATORY SECTION

WAC 357-31-070 When is an employer required to approve an employee's request to use a personal holiday?

(1) An employer must approve the use of a personal holiday as long as:

(a) The employee is entitled to a personal holiday in accordance with RCW 1.16.050 and WAC 357-31-055;

(b) The employee has requested the personal holiday in accordance with the employer's leave procedures; and

(c) The employee's absence does not interfere with the operational needs of the employer.

(2) At any time, an employer must allow an employee to use part or all of the personal holiday for any of the following reasons:

(a) To care for a minor/dependent child with a health condition that requires treatment or supervision;

(b) To care for a spouse, registered domestic partner, parent, parent-in-law or grandparent of the employee who has a serious health condition or an emergency health condition;

(c) If the employee or the employee's family member is a victim of domestic violence, sexual assault, or stalking as defined in RCW 49.76.020. An employer may require the request for leave under this section be supported by verification in accordance with WAC 357-31-730; ~~((e))~~

(d) In accordance with WAC 357-31-373, for an employee to be with a spouse or registered domestic partner who is a member of the armed forces of the United States, National Guard, or reserves after the military spouse or registered domestic partner has been notified of an impending call or order to active duty, before deployment, or when the military spouse or registered domestic partner is on leave from deployment; or

(e) If the employee requests to use their personal holiday as a supplemental benefit while receiving a partial wage replacement for paid family and/or medical leave under Title 50A RCW. Leave taken under this subsection may be subject to verification that the employee has been approved to receive benefits for paid family and/or medical leave under Title 50A RCW.

AMENDATORY SECTION

WAC 357-31-100 Must an employer have a policy for requesting and approving leave?

Each employer must develop a leave policy which specifies the procedure for requesting and approving all leave, as provided in the civil service rules. The employer's policy must:

(1) Allow an employee to use vacation leave without advance approval when the employee is requesting to use vacation leave to respond to family care emergencies or for an emergency health condition as provided in WAC 357-31-200 (1)(b);

(2) Allow an employee to use a reasonable amount of accrued leave or unpaid leave when the employee is a victim or has a family member, as defined in chapter 357-01 WAC, who is a victim of domestic violence, sexual assault or stalking as defined in RCW 49.76.020;

(3) Allow an employee to use accrued leave as a supplemental benefit as provided in WAC 357-31-248;

(4) Address advance notice from the employee when the employee is seeking leave under subsections (2) and (3) of this section. When advance notice cannot be given because of an emergency or unforeseen circumstances due to domestic violence, sexual assault or stalking, the

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employee or the employee's designee must give notice to the employer no later than the end of the first day that the employee takes such leave;

~~((4))~~ (5) Allow an employee to use sick leave for the purpose of parental leave to bond with a newborn, adoptive or foster child. The policy must state the total amount of sick leave allowed to be used beyond eighteen weeks in accordance with WAC 357-31-130;

~~((5))~~ (6) Address overtime eligible employees that are required to provide medical certification or verification to their employer for the use of paid sick leave under chapter 296-128 WAC; and

~~((6))~~ (7) Address overtime eligible employees that are required to provide reasonable notice to their employer for an absence from work for the use of paid sick leave under chapter 296-128 WAC.

AMENDATORY SECTION

WAC 357-31-130 When may an employee use accrued sick leave?

The employer may require medical verification or certification of the reason for sick leave use in accordance with the employer's leave policy and in compliance with chapter 296-128 WAC.

(1) Employers **must** allow the use of accrued sick leave under the following conditions:

(a) An employee's mental or physical illness, disability, injury or health condition that has incapacitated the employee from performing required duties; to accommodate the employee's need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; or an employee's need for preventive medical care.

(b) By reason of exposure of the employee to a contagious disease when the employee's presence at work would jeopardize the health of others.

(c) When the employee's place of business has been closed by order of a public official for any health-related reason, or when an employee's child's school or place of care has been closed for such reason.

(d) To allow an employee to provide care for a family member with a mental or physical illness, injury or health condition; care of a family member who needs medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; or care for a family member who needs preventive medical care.

(e) For family care emergencies per WAC 357-31-290, 357-31-295, 357-31-300 and 357-31-305.

(f) When an employee is required to be absent from work to care for members of the employee's household or relatives of the employee or relatives of the employee's spouse/registered domestic partner who experience an illness or injury, not including situations covered by subsection (1)(d) of this section.

(i) The employer must approve up to five days of accumulated sick leave each occurrence. Employers may approve more than five days.

(ii) For purposes of this subsection, "relatives" is limited to spouse, registered domestic partner, child, grandchild, grandparent or parent.

(g) When requested as a supplemental benefit while receiving a partial wage replacement for paid family and/or medical leave under Title 50A RCW as provided in WAC 357-31-248. Leave taken under this subsection may be subject to verification that the employee has been approved to receive benefits for paid family and/or medical leave under Title 50A RCW.

(h) If the employee or the employee's family member, as defined in chapter 357-01 WAC, is a victim of domestic violence, sexual assault((7)) or stalking as defined in RCW 49.76.020. An employer

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may require the request for leave under this section be supported by verification in accordance with WAC 357-31-730.

~~((#))~~ (i) In accordance with WAC 357-31-373, for an employee to be with a spouse or registered domestic partner who is a member of the armed forces of the United States, National Guard, or reserves after the military spouse or registered domestic partner has been notified of an impending call or order to active duty, before deployment, or when the military spouse or registered domestic partner is on leave from deployment.

~~((#))~~ (j) When an employee requests to use sick leave for the purpose of parental leave to bond with a newborn, adoptive or foster child for a period up to eighteen weeks. Sick leave for this purpose must be taken during the first year following the child's birth or placement.

(2) Employers **may** allow the use of accrued sick leave under the following conditions:

(a) For condolence or bereavement;

(b) When an employee is unable to report to work due to inclement weather in accordance with the employer's policy on inclement weather as described in WAC 357-31-255; or

(c) To bond with a newborn, adoptive or foster child for a period beyond eighteen weeks as allowed in subsection (1)(i) of this section. Sick leave for this purpose must be taken during the first year following the child's birth or placement. The total amount of sick leave allowed to be used, beyond subsection (1)(i) of this section must be addressed in the employer's leave policy in accordance with WAC 357-31-100.

AMENDATORY SECTION

WAC 357-31-200 When must an employer grant the use of vacation leave?

(1) An employee's request to use vacation leave must be approved under the following conditions:

(a) As a result of the employee's serious health condition.

(b) To care for a spouse, registered domestic partner, parent, parent-in-law, or grandparent of the employee who has a serious health condition or an emergency health condition.

(c) To care for a minor/dependent child with a health condition that requires treatment or supervision.

(d) For parental leave as provided in WAC 357-31-460.

(e) If the employee or the employee's family member, as defined in chapter 357-01 WAC, is a victim of domestic violence, sexual assault, or stalking as defined in RCW 49.76.020. An employer may require the request for leave under this section be supported by verification in accordance with WAC 357-31-730.

(f) In accordance with WAC 357-31-373, for an employee to be with a spouse or registered domestic partner who is a member of the armed forces of the United States, National Guard, or reserves after the military spouse or registered domestic partner has been notified of an impending call or order to active duty, before deployment, or when the military spouse or registered domestic partner is on leave from deployment.

(g) When requested as a supplemental benefit while receiving a partial wage replacement for paid family and/or medical leave under Title 50A RCW as provided in WAC 357-31-248.

(2) In accordance with the employer's leave policy, approval for the reasons listed in (1)(a) through ~~((#))~~ (g) above may be subject to verification that the condition or circumstance exists or that paid family and/or medical leave under Title 50A RCW has been approved.

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AMENDATORY SECTION

WAC 357-31-230 When ~~((can))~~ may an employee use accrued compensatory time?

(1) Employees must request to use accrued compensatory time in accordance with the employer's leave policy. When considering employees' requests, employers must consider their business needs and the wishes of the employee.

(2) An employee must be granted the use of accrued compensatory time to care for a spouse, registered domestic partner, parent, parent-in-law, or grandparent of the employee who has a serious health condition or an emergency health condition, or to care for a minor/dependent child with a health condition that requires treatment or supervision. In accordance with the employer's leave policy, approval of the employee's request to use accrued compensatory time may be subject to verification that the condition exists.

(3) An employee must be granted the use of accrued compensatory time if the employee or the employee's family member, as defined in chapter 357-01 WAC, is a victim of domestic violence, sexual assault, or stalking as defined in RCW 49.76.020. An employer may require the request for leave under this section be supported by verification in accordance with WAC 357-31-730.

(4) In accordance with WAC 357-31-373, an employee must be granted the use of accrued compensatory time to be with a spouse or registered domestic partner who is a member of the armed forces of the United States, National Guard, or reserves after the military spouse or registered domestic partner has been notified of an impending call or order to active duty, before deployment, or when the military spouse or registered domestic partner is on leave from deployment.

(5) When requested as a supplemental benefit while receiving a partial wage replacement for paid family and/or medical leave under Title 50A RCW as provided in WAC 357-31-248. Leave taken under this subsection may be subject to verification that the employee has been approved to receive benefits for approved paid family and/or medical leave under Title 50A RCW.

(6) Compensatory time off may be scheduled by the employer during the final sixty days of a biennium.

~~((6))~~ (7) Employers may require that accumulated compensatory time be used before vacation leave is approved, except in those instances where this requirement would result in loss of accumulated vacation leave.

~~((7))~~ (8) During the 2009-2011 fiscal biennium only, an employee whose monthly full-time equivalent base salary is two thousand five hundred dollars or less is eligible to use compensatory time in lieu of temporary layoff as described in chapter 32, Laws of 2010.

NEW SECTION

WAC 357-31-247 May an employee use leave if the employee is approved to receive partial wage replacement for paid family and/or medical leave under Title 50A RCW?

An employee who is approved to receive partial wage replacement for paid family and/or medical leave under Title 50A RCW may choose to receive partial wage replacement for paid family and/or medical leave exclusively, use accrued paid leave exclusively, or combine the partial wage replacement for paid family and/or medical leave and accrued paid leave as a supplemental benefit.

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NEW SECTION

WAC 357-31-248 May an employee use vacation leave, sick leave, personal holiday, compensatory time, recognition leave, or holiday pay as a supplemental benefit during a period when the employee is receiving partial wage replacement for paid family and/or medical leave under Title 50A RCW?

An employee may use vacation leave, sick leave, personal holiday, compensatory time, recognition leave, or holiday pay during a period when the employee is receiving partial wage replacement under Title 50A RCW as a supplemental benefit.

NEW SECTION

WAC 357-31-249 May a higher education employer deny an employee's request to use accrued leave in accordance with WAC 357-31-248 as a supplemental benefit during a period when the employee is receiving partial wage replacement for paid family and/or medical leave under Title 50A RCW?

A higher education employer may deny an employee's request to use accrued leave in accordance with WAC 357-31-248 as a supplemental benefit during a period when the employee is receiving partial wage replacement for paid family and/or medical leave under Title 50A RCW from May 1, 2020, to August 1, 2020, to allow for system readiness.

AMENDATORY SECTION

WAC 357-31-327 When must an employer grant leave without pay?

An employer must grant leave without pay under the following conditions:

- (1) When an employee who is a volunteer firefighter is called to duty to respond to a fire, natural disaster, or medical emergency;
- (2) If the employee or the employee's family member, as defined in chapter 357-01 WAC, is a victim of domestic violence, sexual assault, or stalking as defined in RCW 49.76.020. An employer may require the request for leave under this section be supported by verification in accordance with WAC 357-31-730; or
- (3) In accordance with WAC 357-31-373, for an employee to be with a spouse or registered domestic partner who is a member of the armed forces of the United States, National Guard, or reserves after the military spouse or registered domestic partner has been notified of an impending call or order to active duty, before deployment, or when the military spouse or registered domestic partner is on leave from deployment.
- (4) When an employee requests a day off for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization in accordance with WAC 357-31-052.
- (5) When an employee is on approved paid family and/or medical leave under Title 50A RCW. Leave taken under this subsection may be subject to verification that the employee has been approved to receive benefits for paid family and/or medical leave under Title 50A RCW and qualifies for employment protection in accordance with RCW 50A.35.010.

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AMENDATORY SECTION

WAC 357-31-335 How long can an employee remain on leave without pay?

The employer determines the length of time an employee may remain on leave without pay. The employer's leave policy must address any limitations on the length of time for which leave without pay will be approved. When an employee has been approved to receive benefits for approved paid family and/or medical leave under Title 50A RCW and qualifies for employment protection in accordance with RCW 50A.35.010, an employee must remain on leave without pay while receiving a partial wage replacement.

AMENDATORY SECTION

WAC 357-31-490 Will time off for parental leave be paid or unpaid?

(1) Parental leave may be a combination of vacation leave, personal holiday, compensatory time, shared leave and leave of absence without pay. Sick leave may be used if the criteria in WAC 357-31-130 are met. The combination and use of paid and unpaid leave during a parental leave is at the employee's choice.

(2) If necessary while on approved parental leave, the employee must be allowed to use a minimum of eight hours per month of the accrued paid leave identified in subsection (1) of this section during a parental leave of absence without pay to provide for continuation of benefits as provided by the public employees' benefits board. The employer designates when during the month paid leave will be interspersed to maintain benefits.

AMENDATORY SECTION

WAC 357-31-515 Will time off during the period of disability leave due to pregnancy and/or childbirth be paid?

Disability leave due to pregnancy and/or childbirth may be a combination of sick leave, vacation leave, personal holiday, compensatory time, shared leave and leave without pay. The combination and use of paid and unpaid leave must be per the choice of the employee.

AMENDATORY SECTION

WAC 357-31-520 How does the Family and Medical Leave Act of 1993 and the ~~((family leave law))~~ Washington Paid Family and Medical Leave Act interact with the civil service rules?

Benefits provided through state laws and civil service rules must not be diminished or withheld in complying with the Family and Medical Leave Act of 1993 ~~((FMLA)).~~

~~Washington's family leave law (chapter 49.78 RCW) generally is similar to and runs concurrently with the federal FMLA for those provisions outlined in WAC 357-31-525 (1)(a) through (c) but also allows leave to be taken for the care of an employee's registered domestic partner with a serious health condition. However, Washington's family leave law does not address exigency leave, described in WAC 357-31-525 (1)(d), or leave for a covered service member, described in WAC 357-~~

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~~31-525(2). Therefore, an employer is not required to provide exigency leave or leave for a covered service member for a registered domestic partner.~~

~~Because the FMLA does not recognize registered domestic partners, an absence to care for an employee's registered domestic partner is not counted towards the twelve weeks of the FMLA entitlement described in WAC 357-31-525. For example:~~

~~If an employee uses twelve weeks of leave to care for their registered domestic partner during a twelve-month period, and no other FMLA leave was used, the employee is still entitled to his or her full twelve-week FMLA entitlement during the same twelve-month period, as the leave used was provided for a purpose not covered by FMLA; however, if an employee uses twelve weeks of leave to care for their parent or for another FMLA qualifying reason, then during that same twelve-month period the employer would not be required to provide additional leave under Washington's family leave law to care for the employee's registered domestic partner because the twelve-week entitlement under FMLA and Washington's family leave law has been exhausted)) or the Washington Paid Family and Medical Leave Act.~~

AMENDATORY SECTION

WAC 357-31-567 When must an employer grant the use of recognition leave?

- (1) An employee's request to use recognition leave must be approved under the following conditions:
- (a) An employee must be granted the use of recognition leave if the employee or the employee's family member, as defined in chapter 357-01 WAC, is a victim of domestic violence, sexual assault, or stalking as defined in RCW 49.76.020. An employer may require the request for leave under this section be supported by verification in accordance with WAC 357-31-730; ~~((and))~~
 - (b) In accordance with WAC 357-31-373, an employee must be granted the use of recognition leave to be with a spouse or registered domestic partner who is a member of the Armed Forces of the United States, National Guard, or Reserves after the military spouse or registered domestic partner has been notified of an impending call or order to active duty, before deployment, or when the military spouse or registered domestic partner is on leave from deployment; and
 - (c) When requested as a supplemental benefit while receiving a partial wage replacement for paid family and/or medical leave under Title 50A RCW as provided in WAC 357-31-248. Leave taken under this subsection may be subject to verification that the employee has been approved to receive benefits for approved paid family and/or medical leave under Title 50A RCW.
- (2) In accordance with the employer's leave policy, approval for the reasons listed in (1)(a) and (b) above may be subject to verification that the condition or circumstance exists.
- (3) During the 2009-2011 fiscal biennium only, an employee whose monthly full-time equivalent base salary is two thousand five hundred dollars or less is eligible to use recognition leave in lieu of temporary layoff as described in chapter 32, Laws of 2010.