

# Director's Meeting Agenda

## State Human Resources

### Office of Financial Management

Meeting Date: Thursday, August 12, 2021  
Meeting Time: 8:30 a.m.  
Hosted By: State Human Resources  
Office of Financial Management  
Special Note: Due to current COVID-19 safety and health recommendations, this meeting is via conference call only.  
Audio Conferencing Only: · Dial-in: (888) 285-8919  
· Enter pin: 8101730  
· Code (if asked): 415  
Exhibits: 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 a quarterly scheduled public meeting.

## Section A: Previous Minutes Approval

Meeting Minutes – June 10, 2021

## Section B: Exempt Compensation

Item 1	B1121 Equity and Environmental Justice Manager - ECY .....	B1-B2
Item 2	B1582 Dir., Div. of Disability Determination Services, Medical Assist. Admin....	B3-B4
Item 3	B3351 Assistant Director of Support Services - CJTC .....	B5-B6
Item 4	B4169 Ferry System Electrification Program Administrator – DOT/WSF .....	B7-B8
Item 5	B5054 Homes Operations Director - WDVA .....	B9-B10
Item 6	B5161 Assistant Director, Working Families Tax Credit – DOR.....	B11-B12
Item 7	B5942 Equity and Environmental Justice Manager – PSP .....	B13-B14
Item 8	B5943 Tribal Liaison – PSP .....	B15-B16
Item 9	B7141 Corporate Accounts Manager – LOT .....	B17-B18
Item 10	B7142 Assistant Regional Sales Manager – LOT .....	B19-B20
Item 11	B7273 Scratch and Promotions Coordinator - LOT.....	B21-B22

### Abolishments

Item 12	DSHS Abolishments: .....	B23
	· B1803 Senior Policy Advisor, Children's Administration - DSHS	
	· B1860 Dir., Div. of Treatment & Intergovernmental Progm., Juv. Rehab. Admin.	
	· B1862 Juvenile Rehabilitation Regional Administrator	
	· B2030 Dir., Div. of Institution Programs, Juvenile Rehab. Admin.	
	· B2031 Assistant Secretary, Juvenile Rehabilitation - DSHS	
	· B2132 Office Chief, Program and Policy - CA/DSHS	
	· B2300 Superintendent, Green Hill School	
	· B2310 Superintendent, Echo Glen School	
	· B2320 Superintendent, Naselle Youth Camp	
	· B2424 Early Childhood Dev. Cross Systems Coord. - DSHS	

## **Section C: Classification**

None

## **Section D: Compensation**

Item 13 Assignment Pay References #37A, #37C, and #60; Group A and Group B ..... D1-D2

## **Section E: Rule Amendments**

Rules Item 1 Juneteenth Holiday ..... E1

Rules Item 2 Leave Without Pay Impacts on Seniority ..... E2-E3

### **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](mailto:classandcomp@ofm.wa.gov).

### **Meeting Coordinator**

For question and concerns, contact the Meeting Coordinator at [classandcomp@ofm.wa.gov](mailto: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.

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<b>Item 1</b>	
<b>Requester (Agency/HE Institution)</b> Department of Ecology	<b>Analyst</b> Melissa Bovenkamp
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <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	
<b>Current Code/Title</b> N/A	<b>Current EMS Band/Rate</b> N/A
<b>Proposed Code/Title</b> B1121 Equity & Environmental Justice Manager - ECY	<b>Proposed EMS Band/Rate</b> EMS Band III (\$72,276 - \$128,856)
<b>Current RCW Exemption (indicate number and description)</b> N/A	<b>Proposed RCW Exemption (indicate number and description)</b> RCW 41.060.070 (1)(v) – “In each agency with fifty or more employees: “...division directors...who report to the agency head or deputy agency heads;”
<b>Effective Date</b> 8/13/2021	

### Scope

Reporting to the Deputy Director, and functioning as a division director for the agency, the Office of Equity and Environmental Justice Manager directs the creation and ongoing management of the Office of Environmental and Equity Justice and lead Ecology’s implementation of the HEAL Act. Lead the agency’s development of their plan to meet new agency obligations under the HEAL Act to include requirements for environmental justice analyses, community engagement, and public participation principles related to significant agency actions. Additionally, this class leads the agency’s internal and external environmental justice and equity efforts including collaboration with the state Office of Equity and agency Human Resources department on workforce diversity, equity, and inclusion.

### Explanation

The Department of Ecology is requesting to establish an EMS class, Office of Equity and Environmental Justice Manager as a result of the Healthy Environment for All Act (Heal Act) legislation that was signed into law during the 2021 legislative session. The HEAL Act creates new requirements for Ecology in how they fulfill their environmental justice obligations.

This exempt class meets the RCW exemption as the agency states this class will function as a division director similar to the agency’s 10 program manager positions within EMS Band III, Environmental Program Manager, which is exempt under the same subsection 1(v) of RCW 41.06.070.

## Section B: Exempt Compensation

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The agency's request for establishment of this class was at the EMS Band III level with a JVAC score of C4X-800. State HR evaluated the position as C3X-768, which also meets EMS Band III. A Fiscal Impact Statement has been reviewed and approved by OFM Budget for this action.

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 8/12/2021	
<b>Management Type</b> Management	<b>Date of Exempt Position Description on File</b> 5/18/21
<b>EEOC Code</b> 41 Officials & Administrators	<b>Current Number of Approved Position(s)</b> N/A
<b>Workforce Indicator</b> 80148586 At-Will	<b>Total Number of Approved Position(s)</b> 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.

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<b>Item 2</b>	
<b>Requester (Agency/HE Institution)</b> Department of Social and Health Services	<b>Analyst</b> Barb Ursini
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input checked="" type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <input type="checkbox"/> Add Position <input checked="" type="checkbox"/> Band Change <input checked="" type="checkbox"/> Minor Scope Change <input checked="" type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
<b>Current Code/Title</b> B1582 Director, Division of Disability Determination Services, Medical Assistance Administration	<b>Current EMS Band/Rate</b> EMS Band III (\$72,276 - \$128,856)
<b>Proposed Code/Title</b> B1582 Director, Division of Disability Determination Services, ESA - DSHS	<b>Proposed EMS Band/Rate</b> EMS Band IV (\$86,640 - \$149,292)
<b>Current RCW Exemption (indicate number and description)</b> RCW 41.06.070(1)(v) – "... agency with fifty or more employees:...division directors..."	<b>Proposed RCW Exemption (indicate number and description)</b> Agency enabling statute: RCW 41.06.076 ...provisions of this chapter shall ...not exceed...thirteen division directors,...
<b>Effective Date</b> 8/13/2021	

### Scope

~~Directs all activities related to disability determinations for Social Security, Supplemental Security Income (SSI) and medically needy applicants. Acts as the contract manager for the federal Social Security Administration in the area of disability determinations.~~

Reporting to the Assistant Secretary of the Economic Services Administration, the Director, Division of Disability Determination Services, ESA - DSHS serves as the Department of Social and Health Services appointing authority, responsible for providing leadership, direction and accountability for all aspects of strategic organization-wide management of the state's operations of the Disability Determination Services program. Additional responsibilities include, but are not limited to policy-making, staffing, resource allocation, budget management, facilities management, IT services, professional relations services, DDS adjudication services, disability hearings, contracted medical consultation, quality assurance, training, annual performance goal setting, fraud prevention, and support services. On a national level, this exempt class develops and influences a partnership with the Social Security Administration and the Washington State Health Care Authority, to ensure the delivery of timely and accurate disability eligibility determinations to individuals applying for Social Security (Title II and Title XVI) disability benefits and individuals applying for Medicaid Medically Needy (Title XIX) services.

## 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.

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### Explanation

The Department of Social and Health Services is requesting a no-cost impact, re-banding for this exempt class from an EMS Band III to an EMS Band IV. In addition, the agency is requesting an exemption change from RCW 41.06.070(1)(v) "...In each agency with fifty or more employees: Deputy agency heads, assistant directors or division directors..." to the agency's enabling statute RCW 41.06.076 "...not to exceed...thirteen division directors,..."; minor scope change; and title change of from "Director, Division of Disability Determination Services, Medical Assistance Administration" to the proposed title of "Director, Division of Disability Determination Services, ESA – DSHS." The agency organization structure has changed since the exempt class was established in November 13, 1992.

State HR staff reviewed the updated position description and found functions, duties and responsibilities have changed to reflect a higher level of leadership, management, planning, and accountability for all aspects of strategic organization-wide management of the state's operations of the Disability Determination Services program.

The Director of DDDS, leads and supervises senior executive management level staff which includes seven Exempt Management Services (EMS) positions, including: An Assistant Director (who supervises four WMS managers of separate and distinct programs), five Office Chiefs responsible for management of policy and operations in the regional offices, and a Confidential Secretary. The Director also supervises WMS leadership positions, including the Policy/Training/Quality Assurance Manager and the Division Resource Manager. Controls federal and state funds in a combined operating budget of \$50,000,000.

Two State HR staff reviewed the updated position description using the JVAC tool and scored D4Y (1012) which is an EMS Band IV. The agency's proposed JVAC rating was also EMS Band IV.

The Office of Financial Management's Budget signed and approved the Fiscal Impact Statement for this exempt class. There are no cost impacts.

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 8/12/2021	
<b>Management Type</b> Management	<b>Date of Exempt Position Description on File</b> 1/7/2021
<b>EEOC Code</b> 41 Officials & Administrators	<b>Current Number of Approved Position(s)</b> 1
<b>Workforce Indicator</b> 80148586 At-Will	<b>Total Number of Approved Position(s)</b> 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.

<b>Item 3</b>	
<b>Requester (Agency/HE Institution)</b> Washington State Criminal Justice Training Commission	<b>Analyst</b> Lynley Coffman
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <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	
<b>Current Code/Title</b> N/A	<b>Current EMS Band/Rate</b> N/A
<b>Proposed Code/Title</b> B3351 Assistant Director of Support Services - CJTC	<b>Proposed EMS Band/Rate</b> EMS Band IV (\$86,640 - \$149,292)
<b>Current RCW Exemption (indicate number and description)</b> N/A	<b>Proposed RCW Exemption (indicate number and description)</b> 41.06.070(1)(v): "...In an agency with fifty or more employees...assistant directors...who report directly to the agency head..."
<b>Effective Date</b> 8/13/2021	

### Scope

Reporting to the agency Executive Director, the Assistant Director of Support Services, ensures plans and projects are implemented and executed to achieve legislative, strategic, and agency goals, in cooperation and coordination with the Executive Director and Deputy Director. Responsible for overseeing the internal agency support units (Information Technology, Facilities and Fiscal Services, Communications and Website, Government Affairs, Training delivery platforms (LMS), and Public and Stakeholder Records.) Responsible for executive level direction and administration of the support units and their development and implementation of policy and operating procedures. The AD will also be responsible for implementing the legislature's expansion of certification and decertification of peace officers statewide through SB 5051 (2021), carrying out new law, expanding the program, developing necessary WAC's and achieving the mission of the agency through strategic and tactical considerations.

### Explanation

The Washington State Criminal Justice Training Commission is requesting the establishment of an exempt class, Assistant Director of Support Services – CJTC, because of an agency reorganization due to I-940/HB 1064 (2019) and SB 5051 (2021). This exempt class will oversee all support structures of the agency in place to allow the agency to carry out legal mandates by delivering the highest quality training to law enforcement and criminal justice professionals. Based on the roles and responsibilities, this exempt class meets the criteria for RCW 41.06.070(1)(v): "...In an agency with fifty or more employees...assistant directors...who report directly to the agency head..."

## Section B: Exempt Compensation

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State HR staff reviewed the position description, dated February 18, 2021, and evaluated the work with a JVAC of D5Y-1136, which meets the EMS Band IV level. A Fiscal Impact Statement was submitted and approved by OFM Budget, confirming the agency can absorb all costs associated with this request.

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 8/12/2021	
<b>Management Type</b> Management	<b>Date of Exempt Position Description on File</b> 2/18/2021
<b>EEOC Code</b> 41 Officials & Administrators	<b>Current Number of Approved Position(s)</b> N/A
<b>Workforce Indicator</b> 80148586 At-Will	<b>Total Number of Approved Position(s)</b> 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.

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<b>Item 4</b>	
<b>Requester (Agency/HE Institution)</b> Department of Transportation	<b>Analyst</b> Tricia Mackin
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Pay Outside Band <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
<b>Current Code/Title</b> N/A	<b>Current EMS Band/Rate</b> N/A
<b>Proposed Code/Title</b> B4169 Ferry System Electrification Program Administrator – DOT/WSF	<b>Proposed EMS Band/Rate</b> EMS Band V (\$105,216 – \$170,976)
<b>Current RCW Exemption (indicate number and description)</b> N/A	<b>Proposed RCW Exemption (indicate number and description)</b> RCW 41.06.070(3) "...Governor's pool involving directing and controlling program operations of an agency or a major administrative division thereof..."
<b>Effective Date</b> 8/13/2021	

### Scope

Reporting to the Chief of Staff Ferries Division, the Ferry System Electrification Program Administrator is responsible to direct and control agency-wide implementation of the Washington State Ferry System Electrification Plan. This exempt class leads the transition of the largest ferry system in the United States to hybrid-electric propulsion and provides management oversight of a major, long-term, multi-dimensional undertaking of the transition to a zero-carbon emission ferry fleet, including the accelerated adoption of both ferry electrification and operational improvements that will conserve energy and cut fuel use. They are responsible to develop policies, transportation system plans, financial strategies and agreements, environmental streamlining initiatives, implement design-build and innovation construction methodologies for delivery and resolve policy and funding issues.

### Explanation

The Department of Transportation is requesting the establishment of an exempt class, Ferry System Electrification Program Administrator. The Governor's Executive Order 20-01 includes that for State Ferries, the agency shall ensure the Ferry system begins the transition to a zero-carbon emission ferry fleet. This exempt class serves as the program administrator to direct and control the efforts of all agency departments to include WSF Terminal Engineering, WSF Marine Operations, WSF Vessel Engineering and Maintenance, WSF Safety Systems, WSF Finance and Administration, WSF Community Services and Planning, WSF Communications, and Budget and Financial Analysis.

## 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.

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They provide leadership for planning, design, construction and delivery of vessels and terminal improvements with implementation spanning approximately 20 years. Based on the roles and responsibilities, this exempt class meets the criteria for RCW 41.06.070(3) "...Governor's pool involving directing and controlling program operations of an agency or a major administrative division thereof..."

State Human Resources and the agency scored this exempt class at D5Z-1256, which meets the EMS Band V level. A Fiscal Impact Statement was submitted and approved by OFM Budget, confirming the agency can absorb all costs associated with this request.

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 8/12/2021	
<b>Management Type</b> Policy	<b>Date of Exempt Position Description on File</b> 5/11/2021
<b>EEOC Code</b> 41 Officials & Administrators	<b>Current Number of Approved Position(s)</b> N/A
<b>Workforce Indicator</b> 80148587 At-Will Governor's Pool	<b>Total Number of Approved Position(s)</b> 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.

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<b>Item 5</b>	
<b>Requester (Agency/HE Institution)</b> Department of Veterans Affairs	<b>Analyst</b> Cindy Wulff
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <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	
<b>Current Code/Title</b> N/A	<b>Current EMS Band/Rate</b> N/A
<b>Proposed Code/Title</b> B5054 Homes Operations Director - WDVA	<b>Proposed EMS Band/Rate</b> EMS Band IV (\$84,120-\$144,948)
<b>Current RCW Exemption (indicate number and description)</b> N/A	<b>Proposed RCW Exemption (indicate number and description)</b> RCW 41.06.070(3) – "...Governor's Pool...directing and controlling program operations of an agency or major administrative division..."
<b>Effective Date</b> 8/13/2021	

### Scope

The Homes Operations Director reports to the Deputy Director and is responsible for ensuring the effective development of all operational processes, targeted operational goals and performance outcomes are achieved for the four State Veterans Homes and the WDVA Pharmacy. Responsible for development and standardization of approved business, clinical, and financial processes, and ensuring compliance rules governing long term care requirements from Medicare, Medicaid, and the US Department of Veterans Affairs. Develops and implements policy and strategic direction within established area of responsibility and is a member of the Leadership Management Team.

### Explanation

The Department of Veterans Affairs is requesting to establish the exempt class titled Homes Operations Director. The agency states this request is based on the business need to have a dedicated exempt class to executively support the day-to-day operations of the agency's four veteran's homes and WDVA Pharmacy. Currently these duties are being performed by exempt class B5040 Deputy Director-WDVA. They state the lack of a dedicated position to manage the veterans homes and WDVA pharmacy has created a situation where the agency cannot meet their overall business needs in an effective or timely manner which creates risk for the agency and the veteran residents served.

## 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.

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State HR staff supports the establishment of the Homes Operations Director for WDVA. State HR staff reviewed the position description submitted by the agency and the proposed exempt class meets the exemption criteria within RCW 41.06.070(3). Additionally, State HR staff evaluated the proposed class at D4Y-1012, which is the same as the agency JVAC and meets the EMS Band IV level.

The agency can absorb the costs associated with this request. A Fiscal Impact Statement has been approved by OFM Budget.

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 8/12/2021	
<b>Management Type</b> Management	<b>Date of Exempt Position Description on File</b> July 15, 2019
<b>EEOC Code</b> 41 Officials & Administrators	<b>Current Number of Approved Position(s)</b> N/A
<b>Workforce Indicator</b> 80148587 At-Will Governor's Pool	<b>Total Number of Approved Position(s)</b> 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.

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<b>Item 6</b>	
<b>Requester (Agency/HE Institution)</b> Department of Revenue	<b>Analyst</b> Melissa Bovenkamp
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <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	
<b>Current Code/Title</b> N/A	<b>Current EMS Band/Rate</b> N/A
<b>Proposed Code/Title</b> B5161 Assistant Director, Working Families Tax Credit - DOR	<b>Proposed EMS Band/Rate</b> EMS Band IV (\$86,640 - \$149,292)
<b>Current RCW Exemption (indicate number and description)</b> N/A	<b>Proposed RCW Exemption (indicate number and description)</b> RCW 41.060.070 (1)(v) – “In each agency with fifty or more employees: “...assistant directors...who report to the agency head or deputy agency heads;”
<b>Effective Date</b> 8/13/2021	

### Scope

Reporting to the Deputy Director, plan, lead, and direct the statewide operations of the Working Families Tax Credit Division to include the establishment and administration of the tax credit to eligible low income families for benefits. Develop and implement tax remittance policies, strategies and innovations for underserved communities and individuals throughout Washington, to ensure a clear and effective process for low income households to access benefits. Oversee the development of enhancements to the agency’s existing tax and licensing system.

### Explanation

The Department of Revenue is requesting the establishment of an exempt class for the Assistant Director, Working Families Tax Credit - DOR. The request is a result of the passing of Engrossed Substitute House Bill 1297 Working Families Tax Exemption. The Department of Revenue is assigned responsibility under the new law to establish and administer this new program, which will help over 420,000 low income individuals each year who qualify for the new tax credit. This is a new type of program for the department and will have significant impact on underserved communities and individuals throughout Washington. The department is establishing the Division of Working Families Tax Credit, reporting to the Deputy Director to establish and administer this program.

## Section B: Exempt Compensation

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This exempt class meets the RCW 41.060.070 (1)(v) – “In each agency with fifty or more employees: “...assistant directors...who report to the agency head or deputy agency heads.”

The request for establishment of the class was at the EMS Band IV level with a JVAC score of D4Y-1012. State HR has reviewed the position description and agrees with the band and JVAC evaluation.

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

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director’s Meeting Date</b> 8/12/2021	
<b>Management Type</b> Management	<b>Date of Exempt Position Description on File</b> 5/21/21
<b>EEOC Code</b> 41 Officials & Administrators	<b>Current Number of Approved Position(s)</b> N/A
<b>Workforce Indicator</b> 80148586 At-Will	<b>Total Number of Approved Position(s)</b> 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.

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<b>Item 7</b>	
<b>Requester (Agency/HE Institution)</b> Puget Sound Partnership	<b>Analyst</b> Tricia Mackin
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Pay Outside Band <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
<b>Current Code/Title</b> N/A	<b>Current EMS Band/Rate</b> N/A
<b>Proposed Code/Title</b> B5942 Equity and Environmental Justice Manager – PSP	<b>Proposed EMS Band/Rate</b> EMS Band II (\$62,328 – \$114,396)
<b>Current RCW Exemption (indicate number and description)</b> N/A	<b>Proposed RCW Exemption (indicate number and description)</b> RCW 41.06.098 "...this chapter shall not apply...to all professional staff."
<b>Effective Date</b> 8/13/2021	

### Scope

Reporting to the Executive Director, the Equity and Environmental Justice Manager is responsible to develop, oversee and implement the agency’s Diversity, Equity, Inclusion, and Environmental Justice Action Plan. This exempt class leads the long-term evaluation and adaptive management with tribal partners and all programs within the agency to ensure engagement in work related to human and social aspects of ecosystem recovery, inequitable community impacts of environmental planning decisions, equitable allocation of recovery resources and needs of cultural competency training for agency staff and executive leadership. They are responsible for developing agency staff cultural competencies and awareness of DEI and EJ, procuring contracts and identifying opportunities to improve more equitable and inclusive decision-making processes.

### Explanation

The Puget Sound Partnership is requesting the establishment of an exempt class, Equity and Environmental Justice Manager. Funding for this position was appropriated by the legislature for the FY 21-23 biennium using general state funds under the policy level line of P501 Equity Plan. This exempt class serves as the senior advisor and agency expert on DEI topics, environmental justice best practices and engagement. They provide leadership and management to develop, implement and oversee policies, proposals, resolutions and agency commitments in coordination with internal and external partners to implement the DEI and EJ action plan in advancement of Puget Sound recovery efforts. Based on the roles and responsibilities, this exempt class meets the criteria for RCW 41.06.098 "...this chapter shall not apply...to all professional staff."

## 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.

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State Human Resources and the agency scored this exempt class at B2X-570, which meets the EMS Band II level. A Fiscal Impact Statement was submitted and approved by OFM Budget, confirming the agency can absorb all costs associated with this request.

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 8/12/2021	
<b>Management Type</b> Policy	<b>Date of Exempt Position Description on File</b> 5/24/2021
<b>EEOC Code</b> 42 Professionals	<b>Current Number of Approved Position(s)</b> N/A
<b>Workforce Indicator</b> 80148586 At-Will	<b>Total Number of Approved Position(s)</b> 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.

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<b>Item 8</b>	
<b>Requester (Agency/HE Institution)</b> Puget Sound Partnership	<b>Analyst</b> Lynley Coffman
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <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	
<b>Current Code/Title</b> N/A	<b>Current EMS Band/Rate</b> N/A
<b>Proposed Code/Title</b> B5943 Tribal Liaison - PSP	<b>Proposed EMS Band/Rate</b> EMS Band I (\$47,220 - \$96,324)
<b>Current RCW Exemption (indicate number and description)</b> N/A	<b>Proposed RCW Exemption (indicate number and description)</b> RCW 41.06.098 "...this chapter shall not apply...to all professional staff."
<b>Effective Date</b> 8/13/2021	

### Scope

Reporting to the Equity and Environmental Justice Manager, the Tribal Liaison serves as the lead for tribal consultation to ensure alignments with Section 18 and 23 of the HEAL Act. This exempt class will maintain, enhance, and build new relationships with the tribal governments and consortia. They are responsible for collaborating with all partnership programs in work related to tribal engagement and government-to-government relationships, including salmon recovery efforts, and working with tribal treaty rights.

### Explanation

The Puget Sound Partnership is requesting the establishment of an exempt class, Tribal Liaison. Funding for this position was appropriated by the legislature for the FY 21-23 biennium using general state funds under the policy level line of P501 Environmental Justice Task Force. This exempt class provides analysis and recommendations for the agency's approach to tribal treaty rights. They support the work of the agency's Equity and Environmental Justice Manager and other staff to develop strategies and provide advice for implementation of actions relating to tribal treaty rights. Based on the roles and responsibilities, this exempt class meets the criteria for RCW 41.06.098 "...this chapter shall not apply...to all professional staff."

## 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.

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State Human Resources scored this exempt class at A1W-422, which meets the EMS Band I level. A Fiscal Impact Statement was submitted and approved by OFM Budget, confirming the agency can absorb all costs associated with this request.

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 8/12/2021	
<b>Management Type</b> Consultant	<b>Date of Exempt Position Description on File</b> 6/11/2021
<b>EEOC Code</b> 42 Professionals	<b>Current Number of Approved Position(s)</b> N/A
<b>Workforce Indicator</b> 80148586 At-Will	<b>Total Number of Approved Position(s)</b> 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.

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<b>Item 9</b>	
<b>Requester (Agency/HE Institution)</b> Lottery Commission	<b>Analyst</b> Melissa Bovenkamp
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <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	
<b>Current Code/Title</b> N/A	<b>Current EMS Band/Rate</b> N/A
<b>Proposed Code/Title</b> B7141 Corporate Accounts Manager - LOT	<b>Proposed EMS Band/Rate</b> EMS Band I (\$47,220 - \$96,324)
<b>Current RCW Exemption (indicate number and description)</b> N/A	<b>Proposed RCW Exemption (indicate number and description)</b> RCW 67.70.050 (3) – "...That the provisions of the state civil service law, chapter 41.06 RCW, shall not apply to such employees as are engaged in undercover audit or investigative work or security operations..."
<b>Effective Date</b> 8/13/2021	

### Scope

Manages the sales activities and performance for an assigned segment of the Lottery corporate accounts. Responsible to develop sales plan, achieve sales goals, and to structure promotional programs for assigned corporate accounts. Security operations involvement includes access to the structure of corporate account promotional programs as well as to other sensitive retailer information that, if not handled responsibly, could adversely affect the security of Lottery sales and products.

### Explanation

The Lottery Commission is requesting the establishment of an exempt class titled Corporate Accounts Manager – LOT. The request is a result of a review of Lottery’s EMS classes that contain multiple positions. The Corporate Accounts Manager position has been in the EMS class B7310, currently titled, Lottery Regional/Program Manager which includes the agency’s multiple Regional Sales Manager positions. Records show EMS class B7310 has been in EMS Band II since broad banding in 1999, however, there is no record of a JVAC evaluation ever having been conducted. The establishment of this class will result in an accurate scope and band. This exempt class meets the RCW exemption as the class is responsible for structuring promotional programs and access to sensitive information that, if not handled responsibly, could adversely affect the security of Lottery sales and products.

## 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.

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The request for establishment of the class was at the EMS Band I level with a JVAC score of A2X-452. State HR has reviewed the position description and agrees with the band and JVAC evaluation.

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

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 8/12/2021	
<b>Management Type</b> Management	<b>Date of Exempt Position Description on File</b> November 20, 2020
<b>EEOC Code</b> 42 Professionals	<b>Current Number of Approved Position(s)</b> N/A
<b>Workforce Indicator</b> 80148586 At-Will	<b>Total Number of Approved Position(s)</b> 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.

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<b>Item 10</b>	
<b>Requester (Agency/HE Institution)</b> Lottery Commission	<b>Analyst</b> Melissa Bovenkamp
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <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	
<b>Current Code/Title</b> N/A	<b>Current EMS Band/Rate</b> N/A
<b>Proposed Code/Title</b> B7142 Assistant Regional Sales Manager - LOT	<b>Proposed EMS Band/Rate</b> EMS Band I (\$47,220 - \$96,324)
<b>Current RCW Exemption (indicate number and description)</b> N/A	<b>Proposed RCW Exemption (indicate number and description)</b> RCW 67.70.050 (3) – "...That the provisions of the state civil service law, chapter 41.06 RCW, shall not apply to such employees as are engaged in undercover audit or investigative work or security operations..."
<b>Effective Date</b> 8/13/2021	

### Scope

Reporting to the Regional Sales Manager, responsible for leading professional regional staff and assisting with managing the operational functions of a regional sales office, including the security and sale of Lottery products to support agency goals and maximize sales potential within the region. Additional security operations involvement includes assisting the RSM in the security operations of the region's physical facilities, Scratch tickets and access to other sensitive regional retailer account information that, if not handled responsibly, could adversely affect the security of Lottery sales and products.

### Explanation

The Lottery Commission is requesting the establishment of an exempt class titled Assistant Regional Sales Manager – LOT. The request is a result of a review of Lottery's EMS classes that contain multiple positions. The Assistant Regional Sales Manager position has been in the EMS class B7310, currently titled, Lottery Regional/Program Manager which includes the agency's multiple Regional Sales Manager positions. Records show EMS class B7310 has been in EMS Band II since broad banding in 1999, however, there is no record of a JVAC evaluation ever having been conducted. The establishment of this class will result in an accurate scope and band.

## 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.

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This exempt class meets the RCW exemption as the class is responsible for assisting the RSM in managing the security operations of the region's physical facilities, Scratch tickets, and access to sensitive information that, if not handled responsibly, could adversely affect the security of Lottery sales and products.

State HR staff evaluated the proposed class at EMS Band I with a JVAC score of A1W-422.

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

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 8/12/2021	
<b>Management Type</b> Management	<b>Date of Exempt Position Description on File</b> March 11, 2021
<b>EEOC Code</b> 42 Professionals	<b>Current Number of Approved Position(s)</b> N/A
<b>Workforce Indicator</b> 80148586 At-Will	<b>Total Number of Approved Position(s)</b> 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.

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<b>Item 11</b>	
<b>Requester (Agency/HE Institution)</b> State Lottery Commission	<b>Analyst</b> Cindy Wulff
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <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	
<b>Current Code/Title</b> N/A	<b>Current EMS Band/Rate</b> N/A
<b>Proposed Code/Title</b> B7273 Scratch & Promotions Coordinator - LOT	<b>Proposed EMS Band/Rate</b> EMS Band I (\$47,220 - \$96,324)
<b>Current RCW Exemption (indicate number and description)</b> N/A	<b>Proposed RCW Exemption (indicate number and description)</b> RCW 67.70.050 (3) – "...That the provisions of the state civil service law, chapter 41.06 RCW, shall not apply to such employees as are engaged in undercover audit or investigative work or security operations..."
<b>Effective Date</b> 8/13/2021	

### Scope

Under the direction of the Instant Product Manager, participates in the planning, development, and management of individual Scratch games, as well as the broader responsibility to manage the overall Scratch portfolio including ticket design, prize structure, and security features of the tickets. Serves as the agency expert in technical set-up of Lottery promotions. Management of this product is critical to Lottery's mission of offering games of chance with integrity and imagination to maximize beneficiary contributions.

### Explanation

The State Lottery Commission is requesting the establishment of an exempt class Scratch & Promotions Coordinator – LOT. The request is a result of a review of Lottery's EMS classes that have multiple positions.

After a review of HRMS, CC Jobs, agency records and State HR records, the Scratch & Promotions Coordinator position has been in the EMS class B7370, currently titled, Marketing/Sales Coordinator. There is no record of a JVAC evaluation ever having been conducted by State HR, or from Lottery. The EMS class has been in the EMS Band I level since broad banding in 1999.

This position does not meet the current scope for EMS B7370; however, it does meet the exemption RCW 67.70.050 (3). A separate EMS class establishment for the Scratch & Promotions Coordinator is appropriate.

## 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.

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The Scratch & Promotions Coordinator is responsible for managing individual Scratch games and promotions, including ticket design, prize structure, and security features of the ticket, as well as sharing the workload with the Instant Product Manager in the planning, development, and management of the overall Scratch games portfolio. Historical interpretation of the term “security operations” in in RCW 67.70.050 (3) has included to access to this information and if not handled responsibly, could adversely affect the security and successful marketing and sales of current and future Lottery products.

State HR staff supports the establishment of the Scratch and Promotions Coordinator for Lottery. State HR has reviewed the position description submitted by the agency and JVAC evaluated the proposed class at A2W – 432.

A Fiscal Impact Statement was submitted and approved by OFM Budget, confirming the agency can absorb all costs associated with this request.

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director’s Meeting Date</b> 8/12/2021	
<b>Management Type</b> Consultant	<b>Date of Exempt Position Description on File</b> 5/24/21
<b>EEOC Code</b> 42 Professionals	<b>Current Number of Approved Position(s)</b> N/A
<b>Workforce Indicator</b> 80148586 At-Will	<b>Total Number of Approved Position(s)</b> 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 12 A-J					
<b>Agency</b> Department of Social and Health Services			<b>Analyst</b> Barb Ursini		
<b>Action</b> Abolishment			<b>Effective Date</b> 8/13/2021		
	Exempt "B" Code	Current Title	Current Salary Band	RCW Exemption	Number of Approved Positions
A)	B1803	Senior Policy Advisor, Children's Administration - DSHS	EMS III	41.06.070(3)	1
B)	B1860	Director, Division of Treatment and Intergovernmental Programs, Juvenile Rehabilitation Administration	EMS III	41.06.070(1)(v)	1
C)	B1862	Juvenile Rehabilitation Regional Administrator	EMS II	41.06.070(3)	1
D)	B2030	Director, Division of Institution Programs, Juvenile Rehabilitation Administration	EMS III	41.06.070(1)(v)	1
E)	B2031	Assistant Secretary, Juvenile Rehabilitation - DSHS	EMS V	41.06.070(1)(v)	1
F)	B2132	Office Chief, Program and Policy - CA/DSHS	EMS II	41.06.070(3)	2
G)	B2300	Superintendent, Green Hill School	EMS III	41.06.070(3)	1
H)	B2310	Superintendent, Echo Glen School	EMS III	41.06.070(3)	1
I)	B2320	Superintendent, Naselle Youth Camp	EMS III	41.06.070(3)	1
J)	B2424	Early Childhood Development Cross Systems Coordinator - DSHS	EMS I	41.06.070(3)	1

### 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 effective July 1, 2018. The Department of Social and Health Services' Children's Administration transitioned to DCYF effective July 1, 2018; and DSHS's Juvenile Rehabilitation Administration transitioned to DCYF effective July 1, 2019. The exempt classes listed above are vacant and will need to be abolished as a result of these agency organizational changes.

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 8/12/2021	

## **Section C: Classification**

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No classification items for this period.

## Section D: Compensation

### Assignment Pay References Group A and Group B

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.

Item 13	
<b>Requester (Agency/HE Institution)</b> Office of Financial Management, State Human Resources	<b>Analyst</b> Shelby Sheldon
<b>Action</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input checked="" type="checkbox"/> Revision	<b>Effective Date</b> 7/1/2021
<b>Reference #(s) and Description</b>	
<p><b>Reference #37A</b> LCB Enforcement Officer 4s at the Liquor and Cannabis Board; <u>and</u> Assistant Fire Chiefs of Department of Social and Health Services at the Special Commitment Center, McNeil Island <del>and the Department of Fish and Wildlife Enforcement Program</del> certified instructors of hazardous materials, defensive tactics, tactical advanced first aid (excluding basic first aid/AED training), firearms, fitness, bicycle, boating safety, MOCC, EVOC and pistol maintenance, will be compensated an additional \$10.00 (ten dollars) per hour, over and above regular salary and benefits, for every hour engaged in giving instruction to or receiving re-certification training. Pistol maintenance instructors are eligible for this additional compensation when they are instructing in a classroom setting, providing one-on-one instruction or repairing at the firing range. (Eff. 7/05; Rev. 7/07; 7/17, 7/19, <u>7/21</u>).</p>	
<p><b>Reference #37C (WDFW FWOG/TEAMSTERS 760 ONLY)</b> <u>Certified instructors of defensive tactics, tactical advanced first aid (excluding basic first aid/AED training), firearms, boating safety, MOCC, and EVOC will be compensated an additional \$10.00 (ten dollars) per hour, over and above regular salary and benefits, for every hour engaged in giving instruction to or receiving re-certification training. Time spent for certified instructors receiving additional instruction in classes pre-approved by the Chief in disciplines identified in the reference shall receive ten dollars (\$10.00) per hour and above regular salary benefits. Eff. 7/21.</u></p>	
<p><b>Reference #60</b> <del>Within the Department of Fish and Wildlife,</del> <u>Employees</u> who are assigned by the appointing authority to work as a Field Training Officer (FTO) will be compensated for documenting daily observations of a Student Officer for up to one (1) hour at the overtime rate for each duty day worked as an FTO, and up to one (1) hour at the overtime rate for time spent on the end of phase report. (Eff. 7/17, <u>7/21</u>)</p>	

## Section D: Compensation

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### Explanation

As a result of the 2021 – 2023 Collective Bargaining Negotiations and Budget Process, the Office of Financial Management, State Human Resources is requesting modifications to the Assignment Pay Reference listing.

<i>Internal Use Only</i>	
<b>Director's Meeting Date</b> 8/12/2021	<b>Reference Type</b> Reference Listing

## Section E: Rule Amendments

### ITEM #1

**Staff note:** Chapter 295, Laws of 2021 (Substitute House Bill 1016) passed during the 2021 legislative session with an effective date of July 25, 2021. This bill amends RCW 1.16.050 to add Juneteenth (June 19<sup>th</sup>) as a legal holiday in recognition of the date of remembrance for the day African slaves learned of their freedom. The proposed amendment to WAC 357-31-005 adds Juneteenth as a legal holiday and will be available to employees in 2022.

Staff is proposing permanent adoption effective October 1, 2021.

### AMENDATORY SECTION

**WAC 357-31-005 For the purpose of chapter 357-31 WAC, what days are recognized as holidays?**

The following days are designated as holidays for the purpose of chapter 357-31 WAC:

- (1) The first day of January (New Year's Day);
- (2) The third Monday of January (Martin Luther King, Jr.'s birthday);
- (3) The third Monday of February (Presidents' Day);
- (4) The last Monday of May (Memorial Day);
- (5) The nineteenth day of June (Juneteenth);
- (6) The fourth day of July (Independence Day);
- ~~((6))~~ (7) The first Monday in September (Labor Day);
- ~~((7))~~ (8) The eleventh day of November (Veterans Day);
- ~~((8))~~ (9) The fourth Thursday in November (Thanksgiving Day);
- ~~((9))~~ (10) The Friday immediately following the fourth Thursday in November (Native American Heritage Day); and
- ~~((10))~~ (11) The twenty-fifth day of December (Christmas Day).

Higher education employers may designate other days to be observed in place of the above holidays. Holiday schedules for higher education employers may be determined on a calendar or fiscal year basis. When a higher education employer establishes a modified schedule, paid holidays must be granted based on the modified schedule.

## Section E: Rule Amendments

### ITEM #2

**Staff note:** Emergency rule amendments to WAC 357-46-053 and WAC 357-46-055 were filed with the Office of the Code Reviser on April 16, 2021, WSR 21-09-057. Unlike the emergency rules, the permanent rules will not be tied to a specific proclamation (Proclamation 20-46). Staff is proposing the following amendments to address when an employee is on approved leave without pay as authorized by a proclamation issued by the Governor. This category of leave without pay which is directly related to health and safety must not cause the employee's seniority date to be adjusted.

Staff is proposing permanent adoption effective October 1, 2021.

### AMENDATORY SECTION

#### **WAC 357-46-053 How is a higher education employee's seniority date determined?**

For higher education employees, the seniority date is determined as follows:

(1) In accordance with the employer's layoff procedure. The employer's layoff procedure must specify a uniform method for determining the seniority date for employees of the higher education institution or related board who are covered by the civil service rules.

(2) Employees on military leave as provided in WAC 357-31-370 must not have their seniority date adjusted for the time spent on military leave without pay.

(3) Employees on leave without pay as authorized by a proclamation issued by the governor directly related to health and safety must not have their seniority date adjusted for the time spent on leave without pay.

### AMENDATORY SECTION

#### **WAC 357-46-055 How is a general government employee's seniority date determined?**

(1) For a full-time general government employee, the seniority date is the employee's most recent date of hire into state service (including exempt service) as adjusted for any period of leave without pay which exceeds fifteen consecutive calendar days except when the leave without pay is taken for:

(a) Military leave as provided in WAC 357-31-370;

(b) Compensable work-related injury or illness leave;

(c) Government service leave not to exceed two years and one month;

(d) Educational leave, contingent upon successful completion of the coursework;

((and/or))

(e) Reducing the effects of layoff((-)); and/or

(f) Leave without pay as authorized by a proclamation issued by the governor directly related to health and safety.

## Section E: Rule Amendments

(2) When an employee is on leave without pay for more than fifteen consecutive calendar days and the absence is not due to one of the reasons listed above, the employee's seniority date must be moved forward in an amount equal to the number of calendar days on leave without pay.

~~((2))~~ (3) For a part-time general government employee, the seniority date is calculated by determining the number of actual hours worked and/or in paid status, excluding compensatory time off. Actual hours worked includes overtime hours regardless of whether or not the employee receives monetary payment or compensatory time for the hours worked. Time spent in leave without pay status is not credited unless the leave without pay is taken for:

- (a) Military leave as provided in WAC 357-31-370;
- (b) Compensable work-related injury or illness leave;
- (c) Government service leave not to exceed two years and one month;
- (d) Educational leave, contingent upon successful completion of the coursework;

~~((and/or))~~

(e) Reducing the effects of layoff; and/or

(f) Leave without pay as authorized by a proclamation issued by the governor directly related to health and safety.