

**Director’s Meeting Agenda**  
**State Human Resources**  
**Office of Financial Management**

**Revised**

Meeting Date: Thursday, May 12, 2022  
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  
Exhibits: The items on the following pages have been submitted by staff for study and presentation to the State Human Resources Director at this quarterly scheduled public meeting.

**Section A: Previous Minutes Approval**

Meeting Minutes for February 10, 2022

**Section B: Exempt Compensation**

Item 1	B1649 Office Chief, Legal and Records, ALTSA – DSHS .....	B1-B2
Item 2	B1801 Deputy Chief Information Officer, Office of the Secretary – DSHS.....	B3-B4
Item 3	B2003 Office Chief, Program Research & Evaluation Svs., RDA/FFAA - DSHS).	B5-B6
Item 4	B3364 Senior Data Scientist – CFC .....	B7-B8
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Item 6	B5899 Salmon Permitting Project Coordinator – PSP .....	B11-B12
Item 7	B5909 Environmental Justice Coordinator – PSP .....	B13-B14
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**Section C: Classification –**

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Item 10	263A Accompanist.....	C2
Item 11	264A Interpreter/Translator .....	C3
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**Section D: Compensation**

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	· Social Worker 1 - AMC	
	· Social Worker 2 - AMC	
	· Social Worker Supervisor -AMC	
	· Social Worker Assistant 1	
	· Social Worker Assistant 2	
	· Occupational Therapy Assistant 1	

- Occupational Therapy Assistant 2
- Physician Therapy Assistant 1
- Physician Therapy Assistant 2
- Instruction & Classroom Support Tech 1
- Instruction & Classroom Support Tech 2
- Psychometrist Supervisor
- Psychometrist 1
- Psychometrist 2
- Psychometrist Lead
- Custodian 1
- Custodian 2
- Custodian 3
- Custodian 4
- Custodian 5
- Maintenance Custodian
- Electroneurodiagnostic Technologist 1
- Electroneurodiagnostic Technologist 2
- Electroneurodiagnostic Technologist 3
- Electroneurodiagnostic Technologist Supv
- Nuclear Medicine P.E.T. Technologist
- Nuclear Medicine Technologist 1
- Nuclear Medicine Technologist 2
- Nuclear Medicine Technologist Lead
- Nuclear Medicine Technologist Supervisor
- Imaging Tech – Education Quality Assurance
- Imaging Technologist 1
- Imaging Technologist 2
- Imaging Technologist Trainee
- Imaging Technologist-Lead
- Imaging Technologist-Supervisor
- Hospital Central Services Technician 1
- Hospital Central Services – Supervisor
- Cardiac Sonographer 1
- Cardiac Sonographer 2
- Cardiac Sonographer Lead
- Cardiac Sonographer Specialist
- Cardiac Sonographer Supervisor
- Diagnostic Medical Sonographer
- Diagnostic Medical Sonographer Clin Inst
- Diagnostic Medical Sonographer Lead
- Diagnostic Medical Sonographer Spec
- Diagnostic Medical Sonographer Supv
- Vascular Technologist
- Vascular Technologist Lead
- Vascular Technologist Supervisor
- Vascular Technologist Trainee
- Genetics Counselor 1
- Genetics Counselor 2
- Genetics Counselor Lead

- Genetics Counseling Supervisor
- Item 18 University of Washington Special Pay [Permanent Adoption](#)..... D4-D5
  - Social Worker 1 - Academic Medical Centers
  - Social Worker 2 - Academic Medical Centers
  - Social Worker Supervisor - Academic Medical Centers

**Section E: Rule Amendments**

- Rule Item 1 Veterans Placement Program and Choice Performance Confirmation..... E1-E7
- Rule Item 2 Cleanup – Part-Time/Temporary Rules..... E8-E9
- Rule Item 3 COVID-19 Rules..... E10-E20

**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 Social and Health Services	<b>Analyst</b> Chelsea Lee
<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> B1649 Office Chief, Legal and Records, ALTSA – DSHS	<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 41.06.070(3) – Governor’s Pool “...involving substantial responsibility for the formulation of basic agency or executive policy... of ...an administrative division...”
<b>Effective Date</b> 5/13/2022	

### Scope

The Office Chief, Legal and Records reports to the Deputy Director of the Adult Protective Services Division. This exempt class is responsible for overseeing a unit that processes public records and discovery requests, drafts litigation holds, and prepares and conducts administrative hearings that provide due process to alleged perpetrators of harm to the vulnerable adult population and manages placement of names on the registry. This exempt class oversees the provision of technical assistance, administrative, and policy guidance regarding all aspects of the APS Division, which includes drafting and promulgating of administrative rules, legislative bill analysis, policy development, decision packages, and proposed draft legislation. In addition, in the absence of the Deputy Director or Director, this position has delegated authority over decisions, expenditures, constituent inquiries and responses, and legislative responses.

### Explanation

The Department of Social and Health Services is requesting to establish an Office Chief, Legal and Records as a result of the division growing substantially over the last five years creating a demand for this exempt class to oversee the ongoing demands of the APS division.

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This position is exempt from civil service in accordance with RCW 41.06.070(3) Governor's Pool, as it has substantial responsibility for policy development and program implementation. This exempt class is responsible for legal and policy decisions that have significant impact on legal precedent regarding the Adult Protective Services statute and the administrative procedure act as it relates to due process.

State HR and the agency evaluated this exempt class at B2X – 570, which meets the EMS Band II level. OFM Budget has reviewed their fiscal impact statement and verified 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> 5/12/2022	
<b>Management Type</b> Management	<b>Date of Exempt Position Description on File</b> 11/16/2021
<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

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<b>Item 2</b>	
<b>Requester (Agency/HE Institution)</b> Department of Social and Health Services	<b>Analyst</b> Mindy Portschy
<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> B1801 Deputy Chief Information Officer, Office of the Secretary – DSHS	<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 41.06.070 (3): "...or is a senior expert in enterprise information technology infrastructure, engineering, or systems..."
<b>Effective Date</b> 5/13/2022	

### Scope

Reporting to the Chief Information Officer, the Deputy Chief Information Officer serves as the chief operating officer of information technology for the agency and is delegated to serve in full capacity of the CIO in their absence. This exempt class is responsible for the design, development, release and maintenance of technology systems and services for all agency business functions. The Deputy CIO manages professional IT senior managers, IT managers, senior-level technical staff, vendors, and contracted staff in areas of application platform and product design and deployment.

### Explanation

The Department of Social and Health Services is requesting the establishment of the exempt class titled Deputy Chief Information Officer under the Governor’s Pool due to the agency’s responsibilities to the Health and Human Services (HHS) Coalition’s Integrated Eligibility and Enrollment (IE&E) Strategic Roadmap.

## Section B: Exempt Compensation

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This multi-year, multi-agency IT strategic roadmap project requires a senior, executive-level position to ensure that the project is delivered in a timely manner and in accordance with the IE&E project plans and that decisions being made align with DSHS IT strategies and overall mission. Although DSHS is one of five organizations included in the HHS Coalition, the agency has the lead role of steward and integrator for the Coalitions Integrated Eligibility and Enrollment Strategic Roadmap. The Deputy CIO's role will be instrumental ensuring the agency fulfills its responsibilities for the project's success and to the agency's mission.

The Deputy CIO meets the criteria for exemption under RCW 41.06.070 (3) "...or is a senior expert in enterprise information technology infrastructure, engineering, or systems..." as it is responsible for the development of the technology solutions architecture, infrastructure planning, engineering, and deployment.

State HR staff reviewed the position description and documents provided and evaluated this exempt class at D4Y – 1012, which is within EMS Band IV.

A fiscal impact statement was submitted 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> 5/12/2022	
<b>Management Type</b> Management	<b>Date of Exempt Position Description on File</b> 2/15/2022
<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

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<b>Item 3</b>	
<b>Requester (Agency/HE Institution)</b> Department of Social and Health Services	<b>Analyst</b> Shelby Sheldon
<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> B2003 Office Chief, Program Research & Evaluation Services, RDA/FFAA - DSHS	<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 41.06.070(3) – Governor’s Pool “...as it is involving directing and controlling program operations of an administrative division...”
<b>Effective Date</b> 5/13/2022	

### Scope

The Office Chief, Program Research and Evaluation Services reports to the Deputy Director of Research, Data and Analytics division and serves as a member of the RDA leadership team. This exempt class is responsible for providing strategic policy and budget decision support; development and maintenance of integrated services and focused outcome measures for program monitoring and evaluation across multiple state agencies; planning and implementing project-specific data collection; developing, interpreting and reporting performance and data reliability measures; evaluating and reporting program outcomes; reporting and evaluation for major litigation; and providing technical and analytical assistance as required.

This exempt class is accountable for the highest level of leadership in research design, including program research, the development of new outcome measures, and focused research and program evaluation studies for the Secretary and DSHS executives, the Governor, the legislature, and leadership of other agencies.

### Explanation

DSHS is requesting to establish an Office Chief, Program Research and Evaluation Services. The work was previously performed in a Washington Management Service job class. DSHS believes the updated position description, work and responsibility are better aligned within the Exempt Management Structure.



## Section B: Exempt Compensation

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This position is exempt from civil service in accordance with RCW 41.06.070(3) Governor's Pool, as it involves directing and controlling program operations of an administrative division. This exempt class is responsible for the highest level of leadership in research design and evaluation of metrics used for strategic planning, and focused research and program evaluation. This exempt class independently plans, organizes, and manages a system of rigorous policy analysis, business intelligence and research that has impacts department wide.

State HR and the agency evaluated this exempt class at D4X – 976, which meets the EMS Band IV level.

OFM Budget has reviewed their fiscal impact statement and verified 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> 5/12/2022	
<b>Management Type</b> Policy	<b>Date of Exempt Position Description on File</b> 01/27/2022
<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

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<b>Item 4</b>	
<b>Requester (Agency/HE Institution)</b> Caseload Forecast Council (CFC)	<b>Analyst</b> Tina Cooley
<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> B3364, Senior Data Scientist - CFC	<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 41.06.087 <i>"in addition to the exemptions set forth in RCW 41.06.070, this chapter does not apply to the "...or the caseload forecast supervisor and staff employed under RCW 43.88C.010."</i>
<b>Effective Date</b> 5/13/2022	

### Scope

Reporting to the Executive Director, the Senior Data Scientist serves as the agency's leader in forecasting data infrastructure and is responsible for defining and driving agency analytics and intelligence initiatives, such as assessing the current state of forecast data and analytics capacities. The position is critical to the CFC's mission of providing state government with accurate, unbiased and transparent caseload forecasts as a foundation to the state budget process. The position prioritizes, maintains and applies data and information in order to support agency goals and processes. The position defines and develops the CFC's forecast data architecture strategic plan and works directly with the Executive Director to implement it. The accuracy of the data used to drive the forecasts has critical statewide impact by directly driving the accuracy of the state operating maintenance-level budget and the financial solvency of large state agencies including the Health Care Authority (HCA), the Department of Social and Health Services (DSHS) and the Department of Children, Youth, and Families (DCYF).

### Explanation

The Caseload Forecast Council is requesting to establish a Senior Data Scientist. This action is a result of increased forecast duties while the data and statistical forecasting methodologies have grown increasing complex. The CFC needs a Senior Data Scientist to lead the agency in its forecasting data infrastructure, application of best practices in forecast methodologies, and strategic planning.

## 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 position is exempt from civil service in accordance with RCW 41.06.087 *“in addition to the exemptions set forth in RCW 41.06.070, this chapter does not apply to the “...or the caseload forecast supervisor and staff employed under RCW 43.88C.010.”*

This exempt class is responsible for defining and driving agency analytics and intelligence initiatives. The position is critical to the CFC’s mission of providing state government with accurate, unbiased and transparent caseload forecasts as a foundation to the state budget process.

SHR and the agency evaluated this exempt class at C5Y-948, 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> 5/12/2022	
<b>Management Type</b> Policy	<b>Date of Exempt Position Description on File</b> February 17, 2022
<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 5</b>	
<b>Requester (Agency/HE Institution)</b> Employment Security Department (ESD)	<b>Analyst</b> Julie Moultime
<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> B4473 Chief Analytics Officer - ESD	<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 each agency with fifty or more employees...division directors..."
<b>Effective Date</b> 5/13/2022	

### Scope

Reporting to the Deputy Commissioner, the Chief Analytics Officer manages the agency's Data Architecture, Testing and Analytics Division and is responsible for developing labor market data used to inform policy and decision making by the State and Federal Legislature, the Governor's Office, and state agencies on economic and workforce conditions, programs and services. This exempt class is the subject matter expert for data and information for the Employment Security Department. This exempt class is responsible for high-profile, precedent-setting work collecting agricultural wage and practices information used by the U.S. Department of Labor to set wage and practice standards for the federal agricultural H-2A guest worker program. They serve as the state's authority on the labor market, impacting policy and decision making by the State and Federal Legislature, the Governor's Office, and state agencies on economic and workforce conditions, programs and services. They are responsible for program and policy impact analysis, as well as performance reporting for all ESD's major programs and federal grants and this analysis leads to billions of dollars in financial impacts. This exempt class is directly responsible for the design, development and maintenance of the employment-related measures and indicators for the Governor's Results Washington initiative and serves as a member of the agency's Executive Leadership Team.

## 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

On October 19, 2019, the agency made a request to abolish exempt class B4496 Director of Labor Market & Performance Analysis – ESD and the request was approved at the February 13, 2020, Director’s Meeting. The job duties previously assigned to exempt class B4496 went to exempt class B4481 Deputy Director, Workforce Analysis.

In July 2021, the agency restructured and created a new division, Data Architecture, Testing, and Analytics. The work is still being performed by exempt class B4481, Deputy Director, Workforce Analytics at the EMS Band III level, however the agency believes the work that is being performed is at EMS Band IV level. As a result, the agency is requesting the establishment of an exempt class, Chief Analytics Officer-ESD responsible for oversight and management of the Data Architecture, Testing, and Analytics division.

This position is exempt from civil service in accordance with RCW 41.06.070(1)(v) *“In each agency with fifty or more employees...division directors...”* This exempt class serves as the key adviser on strategic and operational measures, research and data analysis for the agency and the broader state workforce development system and labor market.

State Human Resources and the agency scored this exempt class at D4X-976, which meets 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> 5/12/2022	
<b>Management Type</b> Management	<b>Date of Exempt Position Description on File</b> 9/22/2021
<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 6</b>	
<b>Requester (Agency/HE Institution)</b> Puget Sound Partnership	<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> B5899 Salmon Permitting Project Coordinator - 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> 5/13/2022	

### Scope

Reporting to the Salmon Recovery Manager, the Salmon Permitting Project Coordinator serves as the agency representative on the statewide Pilot Program’s Multiagency Permitting (MAP) Team and is responsible for facilitating consultative meetings and reviewing projects that invoke the MAP Team. This exempt class manages the implementation of E2SHB 1382 four-year Habitat Recovery Piloting Program. This position assists with the development of policies and priorities for implementing Puget Sound recovery efforts, outreach strategies, and promoting the pilot program goals in coordination with Department of Fish & Wildlife. They are responsible for developing and maintaining working partnerships with agency programs, other state agencies, local governments, tribes, restoration partners, and other stakeholders.

### Explanation

The Puget Sound Partnership is requesting the establishment of an exempt class, Salmon Permitting Projects Coordinator due to the new body of work created by the passing of E2SHB 1382. This exempt class will support the implementation of the four-year Habitat Recovery Pilot Program through E2SHB 1382 and will be a key connection between the agency and other state agencies, tribes, and local governments involved with the coordination and implementation of the pilot program. 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

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State Human Resources supports the agency's request to establish an exempt class, Salmon Permitting Projects Coordinator – PSP at the EMS Band I level. The agency and SHR reviewed the position description and rated it with a JVAC score A1W-422, which meets the EMS Band I level. This is a project position and is expected to end 6/30/2026.

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> 5/12/2022	
<b>Management Type</b> N/A	<b>Date of Exempt Position Description on File</b> 12/2/2021
<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

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<b>Item 7</b>	
<b>Requester (Agency/HE Institution)</b> Puget Sound Partnership	<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> B5909 Environmental Justice Coordinator - 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> 5/13/2022	

### Scope

Reporting to the Equity and Environmental Justice Manager, the Environmental Justice Coordinator supports the work of the agency to develop strategies for environmental justice and the implementation of the Environmental Justice Task Force’s recommendations through the HEAL Act across the Puget Sound. This exempt class is the liaison responsible for engagement and collaboration between Partnership teams and the agencies named in the HEAL Act to accomplish all phases of creating and implementing environmental justice principles, assessments and strategic plans. This position serves as a technical advisor and assist the Equity and Environmental Justice Manager in executing the diversity, equity and inclusion action plan across the agency.

### Explanation

The Puget Sound Partnership is requesting the establishment of an exempt class, Environmental Justice Coordinator due to the body of work created by the passing of E2SSB 5141 Healthy Environment for All Act (HEAL), effective July 25, 2021. This exempt class is the liaison responsible for engaging and collaborating with Partnership teams and the agencies named in the HEAL Act to accomplish all phases of creating and implementing environmental justice principles, assessments and strategic plans. Additionally, the position serves as a technical advisor and assists with the executing of the agency’s diversity, equity, and inclusion action plan. 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 supports the agency's request to establish an exempt class, Environmental Justice Coordinator – PSP at the EMS Band I level. The agency and SHR reviewed the position description and rated it with a JVAC score A1W-422, which meets the EMS Band I level. This is a project position and is expected to end 6/30/2024.

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> 5/12/2022	
<b>Management Type</b> N/A	<b>Date of Exempt Position Description on File</b> 1/31/2022
<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> Department of Corrections	<b>Analyst</b> Tina Cooley
<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> B6901, Deputy Director of Correctional Industries – DOC	<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 41.06.071 "the provisions of this chapter shall not apply... all management and sales staff of correctional industries."
<b>Effective Date</b> 5/13/2022	

### Scope

Reporting to the Director of Correctional Industries, The Deputy Director of CI-DOC is responsible for a variety of CI operations and related program activities statewide, such as 1) agency administration 2) personnel activities and 3) business partnerships. This exempt class serves as a key member of the Director of Correctional Industries leadership team and the Secretary’s extended leadership team. Deputy Director’s scope of authority and impact encompasses the entire CI program both within and outside state government. This position influences and impacts statewide policy and procedures and operations and provides direction for assuring the efficiency, consistency and accountability of operations, programs and services statewide. Acts on behalf of the Deputy Director in their absence.

### Explanation

This position is located within the Department of Corrections, Correctional Industries and is responsible for providing overall leadership, direction, strategic planning and oversight of incarcerated work programs within CI, which includes ten adult male and two female facilities and also two offsite operations.

The agency and State Human Resources staff reviewed the proposed scope and position description and based on the roles and responsibilities, this exempt class meets the criteria for RCW 41.06.071 “the provisions of this chapter shall not apply... all management and sales staff of correctional industries.”

## 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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SHR evaluated this exempt class at D4X-976, 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> 5/12/2022	
<b>Management Type</b> Management	<b>Date of Exempt Position Description on File</b> 12/17/21
<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 C: Classification

<b>Item 9</b>	
<b>Requester (Agency/HE Institution)</b> Office of Financial Management	<b>Analyst</b> Chelsea Lee
<b>Actions</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Revision <input type="checkbox"/> Salary Adjustment	<b>If Revision, check all that apply:</b> <input type="checkbox"/> Title Change <input type="checkbox"/> Class Series Concept <input type="checkbox"/> Definition <input type="checkbox"/> Distinguishing Characteristics
<b>Current Class Code/Title</b> N/A	<b>Current Salary Range/Rate</b> N/A
<b>Proposed Class Code/Title</b> 196A Event Attendant/Usher	<b>Proposed Salary Range/Rate</b> 30 (\$30,108 - \$39,528)
<b>Effective Date</b> 5/13/2022	

### Definition

Under the direction of professional staff or faculty, provides assistance with ushering, clerical support, and customer service responsibilities in a variety of settings, such as sports programs and events, social activities, performing arts, and graduation/commencement activities and events.

### Explanation

The part-time/temporary/higher education non-perm rule changes that resulted from Chapter 246, Laws of 2018 (HB 2669) will become effective July 1, 2022. Over the past couple years, OFM State HR worked with members of the higher education community to identify what needs to occur prior to implementation of the rule changes this upcoming July. One of the areas identified is the need to create or revise job classifications to encompass the work that is currently performed by exempt staff, specifically those staff who are hourly and work no more than 1,050 hours in a year. The new established classifications are available for use to permanent employees prior to July 1, 2022, and to non-permanent employees effective July 1, 2022.

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 5/12/2022	
<b>Management Type</b> N/A	<b>Workforce Indicator</b> 80148588 Classified WA General Service
<b>EEOC Code</b> 46 Office and Clerical	<b>Number of Position(s) Affected</b>

## Section C: Classification

<b>Item 10</b>	
<b>Requester (Agency/HE Institution)</b> Office of Financial Management	<b>Analyst</b> Chelsea Lee
<b>Actions</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Revision <input type="checkbox"/> Salary Adjustment	<b>If Revision, check all that apply:</b> <input type="checkbox"/> Title Change <input type="checkbox"/> Class Series Concept <input type="checkbox"/> Definition <input type="checkbox"/> Distinguishing Characteristics
<b>Current Class Code/Title</b> N/A	<b>Current Salary Range/Rate</b> N/A
<b>Proposed Class Code/Title</b> 263A Accompanist	<b>Proposed Salary Range/Rate</b> 44 (\$41,352 - \$55,524)
<b>Effective Date</b> 5/13/2022	

### Definition

Under the supervision of faculty or staff, provides support to the instructional program with specific responsibilities for providing accompaniment for rehearsals and performances; assists with related tasks; and serves as an instructional resource for students and faculty in the area of fine arts.

### Explanation

The part-time/temporary/higher education non-perm rule changes that resulted from Chapter 246, Laws of 2018 (HB 2669) will become effective July 1, 2022. Over the past couple years, OFM State HR worked with members of the higher education community to identify what needs to occur prior to implementation of the rule changes this upcoming July. One of the areas identified is the need to create or revise job classifications to encompass the work that is currently performed by exempt staff, specifically those staff who are hourly and work no more than 1,050 hours in a year. The new established classifications are available for use to permanent employees prior to July 1, 2022, and to non-permanent employees effective July 1, 2022.

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 5/12/2022	
<b>Management Type</b> N/A	<b>Workforce Indicator</b> 80148588 Classified WA General Service
<b>EEOC Code</b> 45 Paraprofessionals	<b>Number of Position(s) Affected</b>

## Section C: Classification

<b>Item 11</b>	
<b>Requester (Agency/HE Institution)</b> Office of Financial Management	<b>Analyst</b> Chelsea Lee
<b>Actions</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Revision <input type="checkbox"/> Salary Adjustment	<b>If Revision, check all that apply:</b> <input type="checkbox"/> Title Change <input type="checkbox"/> Class Series Concept <input type="checkbox"/> Definition <input type="checkbox"/> Distinguishing Characteristics
<b>Current Class Code/Title</b> N/A	<b>Current Salary Range/Rate</b> N/A
<b>Proposed Class Code/Title</b> 264A Interpreter/Translator	<b>Proposed Salary Range/Rate</b> 38 (\$35,988 - \$47,844)
<b>Effective Date</b> 5/13/2022	

### Definition

Facilitates communication between individuals who speak two different languages. Interprets and/or translates and re-communicates both verbal and written messages from one language into another.

### Explanation

The part-time/temporary/higher education non-perm rule changes that resulted from Chapter 246, Laws of 2018 (HB 2669) will become effective July 1, 2022. Over the past couple years, OFM State HR worked with members of the higher education community to identify what needs to occur prior to implementation of the rule changes this upcoming July. One of the areas identified is the need to create or revise job classifications to encompass the work that is currently performed by exempt staff, specifically those staff who are hourly and work no more than 1,050 hours in a year. The new established classifications are available for use to permanent employees prior to July 1, 2022, and to non-permanent employees effective July 1, 2022.

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 5/12/2022	
<b>Management Type</b> N/A	<b>Workforce Indicator</b> 80148588 Classified WA General Service
<b>EEOC Code</b> 45 Paraprofessionals	<b>Number of Position(s) Affected</b>

## Section C: Classification

### Emergency

<b>Item 12</b>	
<b>Requester (Agency/HE Institution)</b> Office of Financial Management	<b>Analyst</b> Chelsea Lee
<b>Actions</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Revision <input type="checkbox"/> Salary Adjustment	<b>If Revision, check all that apply:</b> <input type="checkbox"/> Title Change <input type="checkbox"/> Class Series Concept <input type="checkbox"/> Definition <input type="checkbox"/> Distinguishing Characteristics
<b>Current Class Code/Title</b> N/A	<b>Current Salary Range/Rate</b> N/A
<b>Proposed Class Code/Title</b> 312A First Aid Attendant	<b>Proposed Salary Range/Rate</b> 31 (\$30,624 - \$40,440)
<b>Effective Date</b> 5/13/2022	

### Definition

Under close supervision of staff, renders first aid and subsequent treatment to injured or ill individuals in a variety of settings, such as sports programs/events, social activities, performing arts, or graduation/commencement activities and events.

### Explanation

The part-time/temporary/higher education non-perm rule changes that resulted from Chapter 246, Laws of 2018 (HB 2669) will become effective July 1, 2022. Over the past couple years, OFM State HR worked with members of the higher education community to identify what needs to occur prior to implementation of the rule changes this upcoming July. One of the areas identified is the need to create or revise job classifications to encompass the work that is currently performed by exempt staff, specifically those staff who are hourly and work no more than 1,050 hours in a year. The new established classifications are available for use to permanent employees prior to July 1, 2022, and to non-permanent employees effective July 1, 2022.

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 5/12/2022	
<b>Management Type</b> N/A	<b>Workforce Indicator</b> 80148588 Classified WA General Service
<b>EEOC Code</b> 48 Service-Maintenance	<b>Number of Position(s) Affected</b>

## Section C: Classification

### Emergency

<b>Item 13</b>	
<b>Requester (Agency/HE Institution)</b> Office of Financial Management	<b>Analyst</b> Chelsea Lee
<b>Actions</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Revision <input type="checkbox"/> Salary Adjustment	<b>If Revision, check all that apply:</b> <input type="checkbox"/> Title Change <input type="checkbox"/> Class Series Concept <input type="checkbox"/> Definition <input type="checkbox"/> Distinguishing Characteristics
<b>Current Class Code/Title</b> N/A	<b>Current Salary Range/Rate</b> N/A
<b>Proposed Class Code/Title</b> 613A Boat Assistant	<b>Proposed Salary Range/Rate</b> 31 (\$30,624 - \$40,440)
<b>Effective Date</b> 5/13/2022	

### Definition

Under direct supervision, maintains a safe environment of docks on game days or special events; handles lines and rigging to launch or dock the boat; performs custodial or general maintenance tasks as directed.

### Distinguishing Characteristics

This classification is distinguished from the Boat Operator by the absence of regular assignment to operate shuttle boats for the University of Washington Athletic Department on gamedays or special events.

### Explanation

The part-time/temporary/higher education non-perm rule changes that resulted from Chapter 246, Laws of 2018 (HB 2669) will become effective July 1, 2022. Over the past couple years, OFM State HR worked with members of the higher education community to identify what needs to occur prior to implementation of the rule changes this upcoming July. One of the areas identified is the need to create or revise job classifications to encompass the work that is currently performed by exempt staff, specifically those staff who are hourly and work no more than 1,050 hours in a year. The new established classifications are available for use to permanent employees prior to July 1, 2022, and to non-permanent employees effective July 1, 2022.

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 5/12/2022	
<b>Management Type</b> N/A	<b>Workforce Indicator</b> 80148588 Classified WA General Service
<b>EEOC Code</b> 48 Service-Maintenance	<b>Number of Position(s) Affected</b>



## Section C: Classification

<b>Item 14</b>	
<b>Requester (Agency/HE Institution)</b> Office of Financial Management	<b>Analyst</b> Chelsea Lee
<b>Actions</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Revision <input type="checkbox"/> Salary Adjustment	<b>If Revision, check all that apply:</b> <input type="checkbox"/> Title Change <input type="checkbox"/> Class Series Concept <input type="checkbox"/> Definition <input type="checkbox"/> Distinguishing Characteristics
<b>Current Class Code/Title</b> N/A	<b>Current Salary Range/Rate</b> N/A
<b>Proposed Class Code/Title</b> 629F Band Instrument Repair Technician	<b>Proposed Salary Range/Rate</b> 33 (\$32,124 - \$42,420)
<b>Effective Date</b> 5/13/2022	

### Definition

Provides repairs, adjustments, and preventive/routine maintenance to a variety of wind, brass, and percussion instruments, all of which can be held or carried, such as: piccolos, clarinets, alto and tenor saxophones, trumpets, mellophones, trombones, baritones, sousaphones, and the drumline.

### Explanation

The part-time/temporary/higher education non-perm rule changes that resulted from Chapter 246, Laws of 2018 (HB 2669) will become effective July 1, 2022. Over the past couple years, OFM State HR worked with members of the higher education community to identify what needs to occur prior to implementation of the rule changes this upcoming July. One of the areas identified is the need to create or revise job classifications to encompass the work that is currently performed by exempt staff, specifically those staff who are hourly and work no more than 1,050 hours in a year. The new established classifications are available for use to permanent employees prior to July 1, 2022, and to non-permanent employees effective July 1, 2022.

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 5/12/2022	
<b>Management Type</b> N/A	<b>Workforce Indicator</b> 80148588 Classified WA General Service
<b>EEOC Code</b> 47 Skilled Craft Workers	<b>Number of Position(s) Affected</b>

## Section C: Classification

<b>Item 15</b>	
<b>Requester (Agency/HE Institution)</b> Office of Financial Management	<b>Analyst</b> Chelsea Lee
<b>Actions</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Revision <input type="checkbox"/> Salary Adjustment	<b>If Revision, check all that apply:</b> <input type="checkbox"/> Title Change <input type="checkbox"/> Class Series Concept <input type="checkbox"/> Definition <input type="checkbox"/> Distinguishing Characteristics
<b>Current Class Code/Title</b> N/A	<b>Current Salary Range/Rate</b> N/A
<b>Proposed Class Code/Title</b> 651A Boat Operator	<b>Proposed Salary Range/Rate</b> 43 (\$40,440 - \$54,108)
<b>Effective Date</b> 5/13/2022	

### Definition

Operates shuttle boats for the University of Washington Athletic Department on gamedays or special events.

### Distinguishing Characteristics

Operates motor-driven shuttle boats that carry passengers to and from anchored boats located in Union Bay to Waterfront Activities Center docks.

### Explanation

The part-time/temporary/higher education non-perm rule changes that resulted from Chapter 246, Laws of 2018 (HB 2669) will become effective July 1, 2022. Over the past couple years, OFM State HR worked with members of the higher education community to identify what needs to occur prior to implementation of the rule changes this upcoming July. One of the areas identified is the need to create or revise job classifications to encompass the work that is currently performed by exempt staff, specifically those staff who are hourly and work no more than 1,050 hours in a year. The new established classifications are available for use to permanent employees prior to July 1, 2022, and to non-permanent employees effective July 1, 2022.

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 5/12/2022	
<b>Management Type</b> N/A	<b>Workforce Indicator</b> 80148588 Classified WA General Service
<b>EEOC Code</b> 47 Skilled Craft Workers	<b>Number of Position(s) Affected</b>

## Section C: Classification

<b>Item 16</b>	
<b>Requester (Agency/HE Institution)</b> Office of Financial Management	<b>Analyst</b> Chelsea Lee
<b>Actions</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Revision <input type="checkbox"/> Salary Adjustment	<b>If Revision, check all that apply:</b> <input type="checkbox"/> Title Change <input type="checkbox"/> Class Series Concept <input type="checkbox"/> Definition <input type="checkbox"/> Distinguishing Characteristics
<b>Current Class Code/Title</b> N/A	<b>Current Salary Range/Rate</b> N/A
<b>Proposed Class Code/Title</b> 703A Art Model	<b>Proposed Salary Range/Rate</b> 31 (\$30,624 - \$40,440)
<b>Effective Date</b> 5/13/2022	

### Definition

Under the supervision of faculty or staff, presents themselves for artists to draw, paint, sculpt or photograph.

### Explanation

The part-time/temporary/higher education non-perm rule changes that resulted from Chapter 246, Laws of 2018 (HB 2669) will become effective July 1, 2022. Over the past couple years, OFM State HR worked with members of the higher education community to identify what needs to occur prior to implementation of the rule changes this upcoming July. One of the areas identified is the need to create or revise job classifications to encompass the work that is currently performed by exempt staff, specifically those staff who are hourly and work no more than 1,050 hours in a year. The new established classifications are available for use to permanent employees prior to July 1, 2022, and to non-permanent employees effective July 1, 2022.

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 5/12/2022	
<b>Management Type</b> N/A	<b>Workforce Indicator</b> 80148588 Classified WA General Service
<b>EEOC Code</b> 45 Paraprofessionals	<b>Number of Position(s) Affected</b>

## Section D: Compensation

### Higher Education Special Pay Revised

<b>Item 17</b>	
<b>Requester (HE Institution)</b> University of Washington	<b>Analyst</b> Shelby Sheldon
<b>Action</b> <input type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input checked="" type="checkbox"/> Revision	<b>Effective Date</b> 5/16/2022
<b><i>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.</i></b>	

Class Title(s)	Class Code(s)	Current Salary Range or Special Pay Range	Proposed Special Pay Range	Proposed Special Pay Increase
Social Worker 1 - AMC	351E	K4-A6	M4-C6	2%
Social Worker 2 - AMC	351F	S4-I6	U4-K6	2%
Social Worker Supervisor -AMC	351H	E5-U6	G5-W6	2%
Social Worker Assistant 1	343H	C3-S4	I3-Y4	6%
Social Worker Assistant 2	343I	L3-B5	T3-J5	8%
Occupational Therapy Assistant 1	310H	E3-O4	M3-W4	8%
Occupational Therapy Assistant 2	310I	J3-T4	P3-Z4	6%
Physician Therapy Assistant 1	310E	L3-V4	R3-B5	6%
Physician Therapy Assistant 2	310F	R3-B5	Z3-J5	8%
Instruction & Classroom Support Tech 1	255M	N/A	N/A	13%
Instruction & Classroom Support Tech 2	255N	N/A	N/A	13%
Psychometrist Supervisor	323U	D4-K5	P4-W5	13%
Psychometrist 1	323R	T2-A4	F3-M4	13%
Psychometrist 2	323S	E3-L4	Q3-X4	13%
Psychometrist Lead	323T	O3-V4	A4-H5	13%
Custodian 1	678I	N/A	N/A	4%
Custodian 2	678J	N/A	N/A	4%
Custodian 3	678K	N/A	N/A	8%
Custodian 4	678L	N/A	N/A	19%
Custodian 5	678M	N/A	N/A	21%
Maintenance Custodian	678H	N/A	N/A	4%
Electroneurodiagnostic Technologist 1	297J	S3-C5	Y3-I5	6%
Electroneurodiagnostic Technologist 2	297K	C4-M5	I4-S5	6%
Electroneurodiagnostic Technologist 3	297L	J4-T5	P4-Z5	6%

## Section D: Compensation

Class Title(s)	Class Code(s)	Current Salary Range or Special Pay Range	Proposed Special Pay Range	Proposed Special Pay Increase
Electroneurodiagnostic Technologist Supv	297M	X4-H6	D5-N6	6%
Nuclear Medicine P.E.T. Technologist	298G	U5-H7	C6-P7	8%
Nuclear Medicine Technologist 1	298E	F5-S6	M5-Z6	7%
Nuclear Medicine Technologist 2	298F	M5-Z6	T5-G7	7%
Nuclear Medicine Technologist Lead	298H	Z5-M7	H6-U7	8%
Nuclear Medicine Technologist Supervisor	298I	G6-T7	O6-B8	8%
Imaging Tech – Education Quality Assurance	300N	O5-B7	U5-H7	6%
Imaging Technologist 1	300F	H4-U5	N4-A6	6%
Imaging Technologist 2	300G	M4-Z5	S4-F6	6%
Imaging Technologist Trainee	300E	K3-X4	Q3-D5	6%
Imaging Technologist-Lead	300M	K5-X6	Q5-D7	6%
Imaging Technologist-Supervisor	300P	U5-H7	A6-N7	6%
Hospital Central Services Technician 1	313F	N/A	L2-S3	12%
Hospital Central Services – Supervisor	313I	U3-B5	G4-N5	13%
Cardiac Sonographer 1	301K	A5-K6	E5-O6	4%
Cardiac Sonographer 2	301L	F5-P6	J5-T6	4%
Cardiac Sonographer Lead	301N	N5-X6	R5-B7	4%
Cardiac Sonographer Specialist	301M	J5-T6	N5-X6	4%
Cardiac Sonographer Supervisor	301P	T5-D7	X5-H7	4%
Diagnostic Medical Sonographer	301E	E5-R6	I5-V6	4%
Diagnostic Medical Sonographer Clin Inst	301G	P5-C7	T5-G7	4%
Diagnostic Medical Sonographer Lead	301H	N5-A7	R5-E7	4%
Diagnostic Medical Sonographer Spec	301F	H5-U6	L5-Y6	4%
Diagnostic Medical Sonographer Supv	301I	C6-P7	G6-T7	4%
Vascular Technologist	299F	D5-N6	H5-R6	4%
Vascular Technologist Lead	299G	K5-U6	O5-Y6	4%
Vascular Technologist Supervisor	299H	U5-E7	Y5-I7	4%
Vascular Technologist Trainee	299E	R4-B6	V4-F6	4%
Genetics Counselor 1	360E	L4-S5	U4-B6	9%
Genetics Counselor 2	360F	X4-E6	G5-N6	9%
Genetics Counselor Lead	360G	F5-M6	O5-V6	9%
Genetics Counseling Supervisor	360H	R5-B7	A6-K7	9%

**Category (select all that apply):**

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

## Section D: Compensation

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### Explanation

The University of Washington is requesting special pay increases for the above job classifications. The basis for this request is effective operations, substantiated by data provided by the Milliman Inc. Health Care Salary Survey. The data is from January 1, 2021, and has been aged to May 1, 2022 at an average rate of three (3) percent.

State HR Staff supports with modification this special pay request based on effective operations for the above job classes except for the Custodian job classes. For the Custodian job classes, State HR Staff supports with modification this special pay based on recruitment and retention challenges. This special pay would increase the median monthly pay for the job classes identified above but would not exceed the market average. These increases will aid UW's efforts to remain competitive and to recruit and retain highly skilled individuals. UW has certified the funding does not come from tuition dollars and they have identified local funds to support these health care special pay salary increases. UW is requesting an effective date of May 16, 2022.

<b><i>Internal Use Only</i></b>
<b>Director's Meeting Date</b> 5/12/2022

## Section D: Compensation

### Higher Education Special Pay Permanent Adoption

<b>Item 18</b>		
<b>Requester (HE Institution)</b> University of Washington	<b>Analyst</b> Brett Alongi	
<b>Action</b> <input type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input checked="" type="checkbox"/> Revision	<b>Effective Date</b> 2/16/2022	
<b><u>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.</u></b>		
<b>Non-Represented Class Title(s)</b>	<b>Number of Positions</b>	<b>Agency/HE Institution</b>
Social Worker 1 - Academic Medical Centers	40	University of Washington
Social Worker 2 - Academic Medical Centers	71	University of Washington
Social Worker Supervisor - Academic Medical Centers	13	University of Washington

**Category (select all that apply):**

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

**Explanation**

The University of Washington is proposing an incentive pay for the job classes identified above for specific shifts as designated by UW department management, to ensure effective operations of the University of Washington Medical Center and Harborview Medical Center. Individuals would be able to volunteer to work an additional shift and receive the proposed incentive pay only when they have been scheduled to meet their full-time equivalent hours. The UW will monitor incentive pay shifts to ensure staff are working their regularly scheduled shifts, in addition to the incentivized shift(s), and have processes in place to identify any concerns. This incentive pay for applicable shifts is intended to address ongoing staffing concerns related to the COVID-19 pandemic. The incentive pay rates are as follows:

Shift Length	Compensation
Eight (8) hours	\$200.00
Ten (10) hours	\$250.00
Twelve (12) hours	\$300.00

## Section D: Compensation

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State HR supports the institution's request based on effective operations as well as recruitment and retention issues. Currently, between the two hospitals, recruitments are open to fill approximately 18 vacancies in this job class series alone. This incentive pay for the Social Worker Academic Medical Centers job classes, will aide in UW's efforts to remain competitive with their peers and to ensure staffing needs are met within the medical centers. UW management intends to utilize this incentive pay as long as is needed to fill vacant shifts. Once staffing issues are resolved, these shifts would no longer be eligible for this additional compensation.

UW has identified local funds to support this special incentive pay, which does not include tuition dollars. UW is requesting an effective date of February 16, 2022.

This exhibit item was adopted on an emergency basis at the February 10, 2022 Director's meeting, and now returns for final adoption at the May 12, 2022 Director's meeting.

<b><i>Internal Use Only</i></b>
<b>Director's Meeting Date</b> 2/10/2022



## Section E: Rule Amendments

### Item #1 Veterans Placement Program and Choice Performance Confirmation

**Staff note:** Staff is proposing to amend the civil service rules (Title 357 WAC) to align with Governor Jay Inslee's [Executive Order 19-01](#), *Veteran and Military Family Transition and Readiness Support*, directing state agencies to bridge employment opportunities to increase veteran employment. Veteran placement programs (VPP) are considered bridge employment opportunities and state employers are strongly encouraged to use them. Staff is proposing to create a new section to define VPP; amend WAC 357-19-400 to state when an employer uses a VPP to fill a nonpermanent position the agency may change the status of the appointment to probationary or trial service if the employee held permanent status prior to the nonpermanent appointment; amend WAC 357-58-065 to define VPP for WMS employees; and amend WAC 357-58-190 to state that an agency's WMS recruitment and selection policy and/or procedure should consider making appointments from a VPP.

Staff is also proposing to amend the Civil Service Rules to align with the changes to the Choice Performance Confirmation Program (CPC). In September 2016 SHR launched the CPC pilot program, a modified version of the Performance Management Confirmation program. The pilot was designed to assist state employers in the development of a performance management program that 1) creates and manages a performance-based culture; 2) links individual, team and organizational performance goals; 3) meaningfully distinguishes among different levels of performance; and 4) develops a fair and transparent performance program. The pilot program included changes to the performance-based incentives for confirmed agencies. While the CPC was operating as a pilot program, it remained operating under the PMC program title. During the preparation for the pilot, SHR met with all CPC confirmed agencies to solicit feedback and recommendations. During that process, SHR learned that participating agencies had never and do not intend on using layoff as part of the program. Staff is proposing to amend the civil service rules to reflect the Choice Performance Confirmation program title change and remove language referencing the ability to factor employee performance when making layoff decisions.

Staff is proposing permanent adoption effective July 1, 2022.

#### REFERENCE ONLY (Effective July 1, 2022)

WAC 357-19-360 For what reasons may an employer make nonpermanent appointments?  
An employer may fill a position with a nonpermanent appointment when any of the following conditions exist:

- (1) A permanent employee is absent from the position;
- (2) The employer is recruiting to fill a vacant position with a permanent appointment;
- (3) The employer needs to address a short-term immediate workload peak or other short-term needs;
- (4) The employer is not filling a position with a permanent appointment due to the impending or actual layoff of a permanent employee(s); or
- (5) The nature of the work is sporadic and does not fit a particular pattern.

## Section E: Rule Amendments

### NEW SECTION

#### **WAC 357-01-073 Choice performance confirmation.**

Approval granted by the director to an employer allowing the employer to factor in individual employee performance when granting recognition leave.

### NEW SECTION

#### **WAC 357-01-351 Veterans placement program.**

A program that is designed to grant transitioning service members and veterans additional support to attain state employment.

### REPEALER

#### **WAC 357-01-230 Performance management confirmation.**

Approval granted by the director to an employer allowing the employer to factor in individual employee performance when granting recognition leave or when making layoff decisions.

### AMENDATORY SECTION (Effective July 1, 2022)

#### **WAC 357-19-400 May an employer convert a nonpermanent appointment to a probationary or trial service appointment?**

(1) When an employer uses a competitive process to make a nonpermanent appointment to fill a position in the absence of a permanent employee or fill a position nonpermanently due to the impending or actual layoff of a permanent employee(s), the employer may change the status of the appointment to probationary or ~~((if the employee held permanent status prior to the nonpermanent appointment))~~ to trial service if:

(a) The permanent employee does not return to the position or the layoff action has been implemented; and

(b) The employer needs to fill the position permanently.

(2) When an employer uses a veterans placement program to fill a nonpermanent position for any reason listed in WAC 357-19-360, the employer may change the status of the appointment to probationary or to trial service.

(3) At the discretion of the appointing authority, time spent in the nonpermanent appointment may count towards the probationary or trial service period for the permanent position.

## Section E: Rule Amendments

### AMENDATORY SECTION

#### **WAC 357-31-565 May employers grant paid leave for purposes of recognition?**

Employers who have received choice performance (~~((management))~~) confirmation may grant employees up to five days of paid leave within a (~~((twelve-month))~~) 12-month period to recognize outstanding accomplishments or the achievement of predefined work goals by individual employees or units. Leave granted under this provision:

- (1) Is not payable upon layoff, dismissal, separation, or resignation or transferable between employers;
- (2) Must be used within (~~((twelve))~~) 12 months of the leave being granted.

### AMENDATORY SECTION

#### **WAC 357-37-050 May an employer factor in employee performance when granting recognition leave (~~((and when making layoff decisions))~~)?**

An employer may factor in an employee's performance when granting recognition leave (~~((and when making layoff decisions))~~) if the employer has received choice performance (~~((management))~~) confirmation.

### AMENDATORY SECTION

#### **WAC 357-37-055 How does an employer receive choice performance (~~((management))~~) confirmation which enables them to factor in employee performance when granting recognition leave (~~((and when making layoff decisions))~~)?**

Employers may request choice performance (~~((management))~~) confirmation from the director. The director will use the elements listed in WAC 357-37-060 to assess and evaluate an employer's readiness to fairly and objectively factor in employee performance when granting recognition leave (~~((and when making layoff decisions))~~). If the director determines that the employer has developed a performance management program that encompasses the necessary elements, the employer will be granted choice performance (~~((management))~~) confirmation.

### AMENDATORY SECTION

#### **WAC 357-37-060 What elements will the director evaluate to determine if an employer should be granted choice performance (~~((management))~~) confirmation?**

The director will evaluate the following elements to determine if an employer should receive choice performance (~~((management))~~) confirmation:

- (1) Executive commitment to a performance-based culture;
- (2) Present status of performance management in the organization;
- (3) Defined roles and responsibilities for implementing and sustaining a performance management system;

## Section E: Rule Amendments

- (4) Policy and process for holding managers accountable for properly carrying out their roles and responsibilities in performance management;
- (5) Internal policies and procedures for a performance management system;
- (6) Strategy for communicating to employees regarding policies, procedures and timelines for performance management;
- (7) Performance management orientation and training for managers and supervisors;
- (8) Internal mechanisms for managing funding for performance-based recognition leave;
- (9) Implementation of a performance and development plan for all employees subject to performance factor decisions; and
- (10) Process for monitoring and measuring success.

### AMENDATORY SECTION

#### **WAC 357-46-020 What must be included in the employer's layoff procedure?**

The employer's layoff procedure must:

- (1) Identify clearly defined layoff unit(s) that minimize disruption of the employer's total operation and provide options to employees scheduled for layoff;
  - Employers may establish separate and exclusive layoff units for project employment, employee business units, or special employment programs.
- (2) Provide opportunities to avoid or minimize layoff, such as transfers, voluntary demotion, voluntary reduced work schedule, or voluntary leave without pay;
- (3) Require the appointing authority to provide written notice of layoff to employees in accordance with WAC 357-46-025;
- (4) Provide layoff options for permanent employees being laid off as provided in WAC 357-46-035;
- (5) Address the time frame in which employees must select a layoff option;
- (6) Define what the employer considers when determining the comparability of a position;
- (7) Identify the employer's legitimate business requirements if the employer is going to consider those requirements in determining layoff options under WAC 357-46-035;
  - Legitimate business requirements may include requirements such as circumstances or characteristics that render a position uniquely sensitive to disruption in continuity such as meeting critical deadlines, continuity in patient care, or research progress.
- (8) Describe how employment retention ratings will be calculated(~~(, including options for factoring performance into ratings)~~); and
- (9) Specify how the employer will break ties when more than one employee has the same employment retention rating.
- (10) Higher education employers address in their layoff procedure whether or not employees have layoff list rights to classes they held permanent status in prior to any breaks in state service.

### AMENDATORY SECTION

#### **WAC 357-46-050 How does an employer determine an employee's employment retention rating?**

## Section E: Rule Amendments

The employer determines an employee's employment retention rating using seniority as calculated in WAC 357-46-055 for general government employees and 357-46-053 for higher education employees. ~~((Employers with performance management confirmation may consider properly documented performance in addition to seniority. If performance is not considered, an employee's employment retention rating is equal to the employee's seniority.))~~

### AMENDATORY SECTION

#### **WAC 357-58-065 Definitions for WMS.**

The following definitions apply to chapter 357-58 WAC:

(1) **Break in service.** An employee has a break in continuous state service if the employee is separated, dismissed or resigns from state service. A furlough for the purposes of temporary layoff as provided in WAC 357-58-550 is not considered a break in continuous state service.

~~((2))~~ (2) **Choice performance confirmation.** Approval granted by the director to an employer allowing the employer to factor in individual employee performance when granting recognition leave.

(3) **Competencies.** Those measurable or observable knowledge, skills, abilities and behaviors critical to success in a key job role or function.

~~((3))~~ (4) **Director.** State human resources director within the office of financial management.

~~((4))~~ (5) **Dismissal.** The termination of an individual's employment for disciplinary reasons.

~~((5))~~ (6) **Employee.** An individual working in the classified service. Employee business unit members are defined in WAC 357-43-001.

~~((6))~~ (7) **Evaluation points.** The points resulting from an evaluation of a position using the managerial job value assessment chart.

~~((7))~~ (8) **Layoff unit.** A clearly identified structure within an employer's organization within which layoff options are determined in accordance with the employer's layoff procedure. Layoff units may be a series of progressively larger units within an employer's organization.

~~((8))~~ (9) **Management bands.** A series of management levels included in the WMS. Placement in a band reflects the nature of management, decision-making environment and policy impact and scope of management accountability and control assigned to the position.

~~((9))~~ ~~**Performance management confirmation.** Approval granted by the director to an employer allowing the employer to factor in individual employee performance when granting recognition leave and when making layoff decisions.~~

(10) **Premium.** Pay added to an employee's base salary on a contingent basis in recognition of special requirements, conditions or circumstances associated with the job.

(11) **Reassignment.** An employer initiated movement of:

(a) A WMS employee from one position to a different position within WMS with the same salary standard and/or evaluation points; or

(b) A WMS position and the employee in that position from one section, department or geographical location to another section, department or geographical location.

(12) **Review period.** A period of time that allows the employer an opportunity to ensure the WMS employee meets the requirements and performance standards of the position.

(13) **Salary standard.** Within a management band a salary standard is the maximum dollar amount assigned to a position in those agencies that use a salary standard in addition to, or in place of, evaluation points.

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(14) **Separation.** Separation from state employment for nondisciplinary reasons.

(15) **Suspension.** An absence without pay for disciplinary reasons.

(16) **Transfer.** An employee initiated movement from one position to a different position with the same salary standard and/or same evaluation points.

(17) **Veterans placement program.** A program that is designated to grant transitioning service members and veterans additional support to attain state employment.

~~(18)~~ **Washington general service (WGS).** The system of personnel administration that applies to classified employees or positions under the jurisdiction of chapter 41.06 RCW which do not meet the definition of manager found in RCW 41.06.022.

~~((18))~~ **(19) Washington management service (WMS).** The system of personnel administration that applies to classified managerial employees or positions under the jurisdiction of RCW 41.06.022 and 41.06.500.

### 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) Consider making appointments from a veterans placement program;

~~(6)~~ (6) Ensure that hiring decisions are not based on patronage or political affiliation;

~~((6))~~ (7) Ensure compliance with state and federal laws relating to employee selection and nondiscrimination;

~~((7))~~ (8) Encourage decentralized and regional administration of the recruitment and selection processes when it is appropriate for the agency;

~~((8))~~ (9) 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.

### AMENDATORY SECTION

#### **WAC 357-58-425 May an employer factor in employee performance when granting recognition leave ~~((and when making layoff decisions))~~ for WMS employees?**

A general government employer may factor in an employee's performance when granting recognition leave ~~((and when making layoff decisions))~~ if the employer has received choice performance ~~((management))~~ confirmation.

## Section E: Rule Amendments

### AMENDATORY SECTION

**WAC 357-58-430** How does an employer receive choice performance ((~~management~~)) confirmation which enables them to factor in performance when granting recognition leave ((~~and when making layoff decisions~~)) for WMS employees?

Employers may request choice performance ((~~management~~)) confirmation from the director for WMS employees. The director will use the elements listed in WAC 357-58-435 to assess and evaluate an employer's readiness to fairly and objectively factor in performance when granting recognition leave ((~~and when making layoff decisions~~)). If the director determines that the employer has developed a performance management program that encompasses the necessary elements, the employer will be granted choice performance ((~~management~~)) confirmation.

### AMENDATORY SECTION

**WAC 357-58-435** What elements will the director evaluate to determine if an employer should be granted choice performance ((~~management~~)) confirmation?

The director will evaluate the following elements to determine if an employer should receive choice performance ((~~management~~)) confirmation:

- (1) Executive commitment to a performance-based culture;
- (2) Present status of performance management in the organization;
- (3) Defined roles and responsibilities for implementing and sustaining a performance management system;
- (4) Policy and process for holding managers accountable for properly carrying out their roles and responsibilities in performance management;
- (5) Internal policies and procedures for a performance management system;
- (6) Strategy for communicating to employees regarding policies, procedures and timelines for performance management;
- (7) Performance management orientation and training for managers and supervisors;
- (8) Internal mechanisms for managing funding for performance-based recognition leave;
- (9) Implementation of a performance and development plan for all employees subject to performance factor decisions; and
- (10) Process for monitoring and measuring success.

## Section E: Rule Amendments

### Item #2 Cleanup – Part-Time/Temporary Rules

**Staff note:** RCW 41.06.070 previously exempted both part-time and temporary employees, as defined by the Office of Financial Management, from state civil service rules (Title 357 WAC). In 2018, the legislature amended RCW 41.06.070 by removing part-time employees from the exemption; only temporary employees, as defined by OFM, are now exempt from civil service rules. Title 357 WAC does not distinguish between part-time and temporary employees for higher education employers; therefore, OFM worked with both higher education employers and union organizations to amend Title 357 WAC to align with the new law. The rule amendments redefine temporary higher education appointments and expand the current general government nonpermanent rules to include higher education employers. These rules were proposed for permanent adoption at the June 10<sup>th</sup> Special Director's Meeting. David Schumacher, OFM Director, adopted these rules on a permanent basis effective on January 1, 2022.

On December 15, 2021, an extension was filed with the Code Revisers Office to extend the implementation rule effective date for the part-time/temporary/non-permanent rules from January 1, 2022, to July 1, 2022. The purpose of this extension was to allow an appropriate amount of time for 1) the Washington State Public Employment Relations Commission to finalize rulemaking and to clarify bargaining unit descriptions; 2) higher education employers and unions to bargain changes for represented employees; 3) and higher education employers to configure their payroll systems.

Staff is proposing to amend WACs 357-04-045, 357-19-435, WAC 357-19-450 to align with the July 1, 2022, part-time implementation effective date and other housekeeping changes.

Staff is proposing permanent adoption effective July 1, 2022.

AMENDATORY SECTION (Effective July 1, 2022)

#### **WAC 357-04-045 Which temporary employees of higher education employers are exempt from civil service rules?**

(1) Temporary higher education employees are exempt from civil service rules under the following circumstances:

- (a) The employee is employed (~~((twelve))~~) 12 consecutive months or less;
- (b) The employee is employed for (~~((one thousand fifty))~~) 1,050 hours or less in that same (~~((twelve))~~) 12 consecutive month period which begins from the original date of hire or (~~((January))~~) July 1, 2022, whichever is later; and
- (c) The employee is limited to one appointment only with the same higher education employer that meets the criteria in (a) and (b) of this subsection.

(2) Temporary appointments under the provisions of this section are subject to remedial action in accordance with WAC 357-19-450.

(3) Temporary employees who are exempt under subsection (1) of this section and who work more than (~~((three hundred fifty))~~) 350 hours in a (~~((twelve))~~) 12 consecutive month period from the original date of hire or January 1, 2004, whichever is later, may be included in an appropriate bargaining unit for purposes of collective bargaining, as determined by the public employment



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relations commission. Overtime and time worked as a student employee under the provisions of WAC 357-04-040 are not counted in the (~~three hundred fifty~~) 350 hours. For purposes of counting the (~~three hundred fifty~~) 350 hours, the (~~twelve-month~~) 12-month period will begin on the employee's original date of hire or January 1, 2004, whichever is later.

AMENDATORY SECTION (Effective July 1, 2022)

### **WAC 357-19-435 For what reasons may a higher education employer appoint an individual to a temporary appointment?**

A higher education employer may appoint an individual to a temporary appointment for the following reasons:

(1) The number of hours to be worked by the individual will not exceed (~~one thousand fifty~~) 1,050 hours in a (~~twelve~~) 12 consecutive month period from the original date of hire or (~~January~~) July 1, 2022, whichever is later, in accordance with WAC 357-04-045; or

(2) The employing official formally assigns a classified employee the duties and responsibilities of a higher-level class for a period of less than six consecutive months. In accordance with WAC 357-19-441(2), temporary appointments under this subsection are not exempt from civil service rules.

AMENDATORY SECTION (Effective July 1, 2022)

### **WAC 357-19-450 When may the director take remedial action for individuals in higher education temporary appointments and what does remedial action include?**

For individuals in higher education temporary appointments under the provisions of WAC 357-19-435(1), the director may take remedial action to confer permanent status, set base salary and establish seniority when it is determined that the following conditions exist:

(1) The individual has worked in one or more temporary positions as identified in WAC 357-04-045 for more than (~~one thousand fifty~~) 1,050 hours in any (~~twelve~~) 12 consecutive month period since the original hire date or (~~January~~) July 1, 2022, whichever is later. (Overtime and time worked as a student employee under the provisions of WAC 357-04-040 are not counted in the (~~one thousand fifty~~) 1,050 hours.)

(2) The position or positions are subject to civil service.

(3) The employee has not taken part in any willful failure to comply with these rules.

## Section E: Rule Amendments

### Item #3 COVID-19 Rules

**Staff note:** Engrossed Substitute Senate Bill (ESSB) [5115](#) passed during the 2021 legislative session with an effective date of May 11, 2021. This bill added a new section to chapter 49.17 RCW (codified as [RCW 49.17.062](#)), The Washington Industrial Safety and Health Act. RCW 49.17.062(6)(a) states “during a public health emergency, no employer may discharge, permanently replace, or in any manner discriminate against an employee who is high risk as a result of the employee seeking accommodation that protects them from the risk of exposure to the infectious or contagious disease, or, if no accommodation is reasonable.” Employers must allow an employee to use all available leave options including leave without pay. The Washington State Labor and Industries confirmed that leave may be used in any order and employers may not prescribe the type of leave an employee chooses or the order in which leave is taken. Staff is proposing to amend chapter 357-31 WAC to expand leave options for high risk employees seeking an accommodation to protect themselves during a public health emergency if the employer determines no other accommodation is reasonable besides the use of leave.

In addition, during the course of the COVID-19 pandemic, certain proclamations and requirements impacted employees and their families. As a result, staff is proposing to expand sick leave use to employees when the employee needs to provide care for a child, household or family member who has been exposed to a contagious disease and is required to quarantine, or when a child’s school or place of care has been closed for health-related reasons; remove references to the emergency proclamation; repeal outdated language addressing an employee’s eligibility to use compensatory time in lieu of temporary layoff during the 2009-2011 biennium; expand leave with pay options to include COVID-19 booster vaccines; expand leave without pay options from “essential services” to “current workload demands and business needs”.

Staff is proposing permanent adoption effective July 1, 2022.

### 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;

## Section E: Rule Amendments

(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;

(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; ~~((e))~~

(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; or

(f) When a high risk employee, as defined in RCW 49.17.062, seeks a reasonable accommodation to protect themselves from the risk of exposure to an infectious or contagious disease and the employer determines no other accommodation is reasonable besides the use of leave.

### 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 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;

(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))~~ 18 weeks in accordance with WAC ~~((357-31-130))~~ 357-31-133;

(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;

(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; ~~((and))~~

## Section E: Rule Amendments

(8) Address whether a general government employee may take additional accrued leave beyond ~~((thirty))~~ 30 days in a two-year period to participate in life-giving procedures in accordance with RCW 41.06.570; and

(9) Allow a high risk employee, as defined in RCW 49.17.062, seeking a reasonable accommodation to protect themselves from the risk of exposure to an infectious or contagious disease to use their accrued leave and leave without pay if the employer determines no other accommodation is reasonable besides the use of leave.

### AMENDATORY SECTION

#### **WAC 357-31-130** When ~~((may))~~ must an employer allow an employee to use their 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))~~ (1) 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))~~ (2) 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))~~ (3) When a high risk employee, as defined in RCW 49.17.062, seeks a reasonable accommodation to protect themselves from the risk of exposure to an infectious or contagious disease and the employer determines no other accommodation is reasonable besides the use of leave.

(4) To allow an employee to provide care for a child who has been exposed to a contagious disease and is required to quarantine; or when a household or family member needs additional care, not covered by subsection (6) of this section, who has been exposed to a contagious disease and is required to quarantine.

(5) 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))~~ (6) 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))~~ (7) For family care emergencies per WAC 357-31-290, 357-31-295, 357-31-300 and 357-31-305.

~~((f))~~ (8) 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))~~ (6) of this section.

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

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

~~((g))~~ (9) 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))~~ (10) 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.

~~((i))~~ (11) 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))~~ (12) 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))~~ 18 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;

~~(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; or

~~(d)~~ When a child is a family member of an employee or member of an employee's household and the child's school or place of care has been closed while proclamation 20-05, issued February 29, 2020, by the governor and declaring an emergency in the state of Washington, or any amendment thereto, is in effect.)

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### NEW SECTION

#### **WAC 357-31-133 When may an employer allow an employee to use their accrued sick leave?**

The employer may require verification or certification of the reason for sick leave use in accordance with the employer's leave policy.

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

- (1) For condolence or bereavement;
- (2) 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;
- (3) To bond with a newborn, adoptive or foster child for a period beyond 18 weeks as allowed in WAC 357-31-130 (1)(j). 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 WAC 357-31-130 (1)(i) must be addressed in the employer's leave policy in accordance with WAC 357-31-100; or
- (4) When a child is a family member of an employee or member of an employee's household and:
  - (a) The child's school or place of care has been closed by order or recommendation of a public official for any health-related reason; or
  - (b) The child has been exposed to a contagious disease and is required to quarantine.

### AMENDATORY SECTION

#### **WAC 357-31-145 When an employee is on vacation leave and a condition listed in WAC 357-31-130(~~(1)~~) arises, can the employee use sick leave in place of vacation leave?**

When a condition listed in WAC 357-31-130(~~(1)~~) arises while the employee is on vacation leave, the employer may allow the employee to use accrued sick leave in place of vacation leave. The employee must request the use of accrued sick leave in place of vacation leave according to the employer's leave policy.

### AMENDATORY SECTION

#### **WAC 357-31-160 When a former employee is re-employed, is sick leave restored?**

Former employees who are re-employed within five years of their separation from service must be restored unused sick leave credits, if any, to which they were entitled at the time of separation. The employee may use the restored balance in accordance with WAC 357-31-130 and 357-31-133.

If the employee was retired from government service before being re-employed, when the employee subsequently retires again or dies, only that unused sick leave accrued since the date of reemployment minus that taken within the same period may be compensated per the conversion provisions of WAC 357-31-150.

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### 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.
  - (h) When a high risk employee, as defined in RCW 49.17.062, seeks a reasonable accommodation to protect themselves from the risk of exposure to an infectious or contagious disease and the employer determines no other accommodation is reasonable besides the use of leave.
- (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.

### AMENDATORY SECTION

#### **WAC 357-31-230 When ((~~may~~)) must an employee be granted the use of 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,

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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))~~ 60 days of a biennium.

(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.

(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.))~~ A high risk employee, as defined in RCW 49.17.062, seeking a reasonable accommodation to protect themselves from the risk of exposure to an infectious or contagious disease must be granted the use of accrued compensatory time if the employer determines no other accommodation is reasonable besides the use of leave.

### AMENDATORY SECTION

#### **WAC 357-31-325 When must an employer grant leave with pay for other miscellaneous reasons?**

Leave with pay **must** be granted to an employee in accordance with WAC 357-31-320 and for the following reasons:

(1) To allow an employee to receive assessment from the employee assistance program.

(2) When an employee is scheduled to take an examination or participate in an interview for a position with a state employer during scheduled work hours.

(a) Employers may limit the number of occurrences or the total amount of paid leave that will be granted to an employee to participate in an interview or take an examination during scheduled work hours.

(b) Employers may deny an employee's request to participate in an interview or take an examination during scheduled work hours based upon operational necessity.

(3) When an employee is required to appear during working hours for a physical examination to determine physical fitness for military service.

(4) To allow a general government employee to take paid leave, not to exceed ~~((thirty))~~ 30 days in a two-year period to participate in life-giving procedures, such as medical procedures, including testing, sampling, or donation of organs, tissues, and other body components for the purpose of donation, without compensation. For this subsection blood or plasma donations are not considered life-giving procedures.



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(a) General government employers may take operational necessity into account and require the employee to provide reasonable advance notice.

(b) Employees must provide written proof from an accredited medical institution, physician, or other medical professional that the employee will or has participated in a life-giving procedure.

(5) To allow a general government employee to take a reasonable amount of leave with pay for the employee to travel and receive each dose or booster of COVID-19 ~~((immunization))~~ vaccine if the vaccine is not offered at the workplace. An employer may authorize leave in excess of one day in extraordinary circumstances, such as to accommodate travel where the vaccine is unavailable locally. The employer may require that the request for leave be supported by documentation, which may include proof of the vaccination. ~~((This subsection is effective until the expiration of proclamation 20-05, issued February 29, 2020, by the governor and declaring an emergency in the state of Washington, or any amendment thereto, whichever is later.))~~ This subsection no longer applies if state or federal law otherwise provides paid leave specifically for employees to receive the COVID-19 ~~((immunization))~~ vaccine.

### AMENDATORY SECTION

#### **WAC 357-31-326 When may an employer grant leave with pay?**

(1) A general government employer **may** grant leave with pay for an employee to perform civil duties as a volunteer including, but not limited to, firefighting, search and rescue efforts, or donating blood. Leave granted to participate in blood and plasma donations must not exceed five days in a two-year period.

(2) A higher education employer may grant leave with pay for an employee to perform civil duties as a volunteer including, but not limited to, firefighting, search and rescue efforts, participating in life-giving procedures, or donating blood. Leave granted to participate in life-giving procedures must not exceed five days in a two-year period.

(3) In the department of natural resources, leave with pay equivalent to one regular workshift **may** be allowed for the purpose of rest and recuperation after ~~((ten))~~ 10 consecutive calendar days performing emergency work under an incident command system, defined in RCW 38.52.010. The employer may grant one additional day of leave with pay for rest and recuperation after ~~((twenty-one))~~ 21 consecutive calendar days performing emergency work under an incident command system.

(4) A general government employer may grant a reasonable amount of leave with pay for an employee to receive each dose or booster of COVID-19 ~~((immunization))~~ vaccine if the vaccine is offered at the workplace. An employer may authorize leave in excess of one day for receipt of the vaccine in extraordinary circumstances, such as to accommodate travel where the vaccine is unavailable locally. The employer may require that the request for leave be supported by documentation, which may include proof of the vaccination. ~~((This subsection is effective until the expiration of proclamation 20-05, issued February 29, 2020, by the governor and declaring an emergency in the state of Washington, or any amendment thereto, whichever is later.))~~ This subsection no longer applies if state or federal law otherwise provides paid leave specifically for employees to receive the COVID-19 ~~((immunization))~~ vaccine.

(5) A higher education employer may grant a reasonable amount of leave with pay for an employee to receive each dose or booster of COVID-19 ~~((immunization))~~ vaccine if the vaccine is not offered at the workplace. An employer may authorize leave in excess of one day for receipt of the vaccine in extraordinary circumstances, such as to accommodate travel where the vaccine is

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unavailable locally. The employer may require that the request for leave be supported by documentation, which may include proof of the vaccination. ~~((This subsection is effective until the expiration of proclamation 20-05, issued February 29, 2020, by the governor and declaring an emergency in the state of Washington, or any amendment thereto, whichever is later.))~~ This subsection no longer applies if state or federal law otherwise provides paid leave specifically for employees to receive the COVID-19 ~~((immunization))~~ vaccine.

### 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.
- (6) When a high risk employee, as defined in RCW 49.17.062, seeks a reasonable accommodation to protect themselves from the risk of exposure to an infectious or contagious disease and the employer determines no other accommodation is reasonable besides the use of leave.

### AMENDATORY SECTION

#### **WAC 357-31-330 For what reasons may an employer grant leave without pay?**

Leave without pay may be allowed for any of the following reasons in accordance with the employer's leave policy:

- (1) For any reason leave with pay may be granted, as long as the conditions for leave with pay are met;
- (2) Educational leave;
- (3) Leave for government service in the public interest;
- (4) Military leave of absence as required by WAC 357-31-370;

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- (5) Parental leave as required by WAC 357-31-460;
- (6) Family care emergencies as required by WAC 357-31-295;
- (7) Bereavement or condolence;
- (8) Absence due to inclement weather as provided in WAC 357-31-255;
- (9) To accommodate annual work schedules of employees occupying cyclic year positions as specified in WAC 357-19-295;
- (10) Serious health condition of an eligible employee's child, spouse, registered domestic partner, or parent as required by WAC 357-31-525;
- (11) Leave taken voluntarily to reduce the effect of an employer's layoff;
- (12) Leave that is authorized in advance by the appointing authority as part of a plan to reasonably accommodate a person of disability;
- (13) Employees receiving time loss compensation; or
- (14) For an employee to protect themselves, or a relative or household member, from risks related to coronavirus disease 2019 (COVID-19). In determining whether to grant leave, an employer may consider ~~((whether the employee is needed to provide essential services because the employee is a health care provider, an emergency responder or otherwise necessary to maintain public safety. This subsection is effective until the expiration of proclamation 20-05, issued February 29, 2020, by the governor and declaring an emergency in the state of Washington, or any amendment thereto, whichever is later))~~ current workload demands and business needs that require employees to perform their duties.

### 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, holiday credit, shared leave and leave of absence without pay. Sick leave may be used if the criteria in WAC 357-31-130 and 357-31-133 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 357-31-567 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;

(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

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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; and

(d) When a high risk employee, as defined in RCW 49.17.062, seeks a reasonable accommodation to protect themselves from the risk of exposure to an infectious or contagious disease and the employer determines no other accommodation is reasonable besides the use of leave.

(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.))~~

### AMENDATORY SECTION

#### **WAC 357-31-845 What definitions apply to the foster parent shared leave pool?**

The following definitions apply to the foster parent shared leave pool:

"Caring for" means taking a foster child to health care appointments, court appointments, visitation with family members and/or any other reasons that sick leave may be used for in WAC 357-31-130 and 357-31-133.

"Employee" means any employee of the state, including employees of school districts and educational service districts, who are entitled to accrue sick leave or vacation leave and for whom accurate leave records are maintained as defined in RCW 41.04.655.

"Monthly salary" means the monthly salary and special pay and shift differential, or the monthly equivalent for hourly employees. Monthly salary does not include overtime pay, callback pay, standby pay or performance bonuses.

"Preparing for" means arranging a foster child's living space, enrolling in school, and/or enrolling in child care.