

# Director's Meeting Minutes

Office of Financial Management, State Human Resources Division

November 14, 2023

## Opening

The State Human Resources Director's meeting was called to order at 9:00 a.m. on Tuesday, November 14, 2023. The session was via the ZOOM platform with a call-in option. The results of this meeting are summarized below. All items were adopted as printed on the Director's meeting agenda unless otherwise noted below.

## Present

Staff:

- Michaela Doelman, Chief Human Resources Officer, State Human Resources, Office of Financial Management
- Brandy Chinn, Rules Manager, State Human Resources
- Mindy Portschy, Senior Classification and Compensation Specialist, State Human Resources

## Logistics and Information

This publication and related materials are available on the Internet at the following web address:

<http://hr.ofm.wa.gov/meetings/directors-meetings>

Comments and suggestions regarding the meeting process, related publications, and requests for alternate formats are welcomed and may be forwarded to:

Logistics Coordinator  
State Human Resources Division  
Office of Financial Management  
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Olympia, Washington 98501

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Requests for historic Director's meeting publications and recordings, may be directed to (360) 407-4162 or <mailto:classandcomp@ofm.wa.gov>.

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### Introduction

Michaela Doelman, Chief Human Resources Officer, State Human Resources: Michaela Doelman, Chief Human Resources Officer, State Human Resources, Office of Financial Management, chaired the meeting.

The meeting was open to the public and held using a Zoom platform and was recorded. Those participating in the meeting agreed to any image selected to share and anything voiced or submitted, would be posted indefinitely on one of the Office of Financial Management's publicly available sites. Those not wishing to be recorded were instructed to use the chat feature in Zoom.

Action was taken on all items presented except the proposed rule amendments. The rule amendment presentations and comments were heard, then summarized for consideration by the OFM Director. A letter was generated the first part of the following week outlining the decision on the proposed rule amendments

### Section A: Previous Minutes Approval

Mindy Portschy, Classification and Compensation Specialist, State HR: The first item of business was the adoption of the August 10, 2023 Director's meeting minutes. Staff recommended final adoption of the minutes as printed, with an effective date of November 15, 2023.

Michaela Doelman, Chief Human Resources Officer, State Human Resources: Hearing no comments, the August 10, 2023 Director's meeting minutes were adopted as presented, with an effective date of November 15, 2023.

### Section B: Exempt Compensation

Mindy Portschy, Classification and Compensation Specialist, State HR: Exempt compensation items 1 through 18 were presented for adoption. Item 7, B4171 Cascadia High Speed Rail and I-5 Program Administrator – DOT, was revised since the original agenda was published. Staff recommended adoption as presented, with an effective date of November 15, 2023.

- Item 1 B1628 Dir., Integrated Eligibility & Enrollment, Technology Innovation Admin. – DSHS
- Item 2 B2360 Superintendent, Residential Habilitation Center, DDA – DSHS
- Item 3 B2370 Superintendent, Rainier School
- Item 4 B2380 Superintendent, Yakima Valley School, DDA – DSHS
- Item 5 B2389 Superintendent, Residential Habilitation Center (Medical), DDA – DSHS
- Item 6 B2390 Superintendent, Fircrest School (Non-Medical)
- Item 7 B4171 Cascadia High-Speed Rail and I-5 Program Administrator – DOT [Revised](#)
- Item 8 B4195 Alaska Way Viaduct Program Administrator - DOT
- Item 9 B4467 Assistant Director of Service Delivery - ESD
- Item 10 B4482 Regional Director
- Item 11 B4487 Assistant Director of Operations – ESD
- Item 12 B4489 Customer Compliance Director - ESD
- Item 13 B5953 Strategic Funding Coordinator - PSP
- Item 14 B5954 Administrative Specialist – PSP
- Item 15 B7000 Deputy Director - Freight Mobility Strategic Investment Board
- Item 16 B9532 Deputy Director, Integrated Eligibility & Enrollment – CTS
- Item 17 B9538 Technology Business Management Analyst - CTS
- Item 18 B9539 IT Portfolio Manager - CTS

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Michaela Doelman, Chief Human Resources Officer, State Human Resources: Hearing no comments, items 1 through 18 were adopted as presented, with an effective date of November 15, 2023.

### Section C: Classification

Mindy Portschy, Classification and Compensation Specialist, State HR: Classification items 19 through 30 were found in Section C of the revised agenda for consideration. Items 23, 28 and 29 were adopted on an emergency basis at the August 10, 2023 Director's meeting and returned for final adoption. Item 23 was presented with an effective date of August 16, 2023, and items 28 and 29 were presented with an effective date of November 15, 2023. State HR staff proposes consideration of adoption with the effective date of November 15, 2023 and as otherwise noted.

- Item 19 148L Fiscal Technician 1 - Teamsters
- Item 20 148N Fiscal Technician 3 - Teamsters
- Item 21 148O Fiscal Technician Lead - Teamsters
- Item 22 148P Fiscal Technician Supervisor - Teamsters
- Item 23 148S Audit Intern [Final Adoption](#)
- Item 24 163L Retirement Specialist 1
- Item 25 163M Retirement Specialist 2
- Item 26 163N Retirement Specialist 3
- Item 27 163O Retirement Specialist 4
- Item 28 165F Financial Benefits Coordinator [Final Adoption](#)
- Item 29 344F Rehabilitation Technician 2 [Final Adoption](#)
- Item 30 345G Attendant Counselor 2

Michaela Doelman, Chief Human Resources Officer, State Human Resources: Hearing no comments, items 19 through 30 were adopted as presented effective November 15, 2023, and item 23 was adopted as presented effective August 16, 2023.

### Section D: Compensation

Mindy Portschy, Classification and Compensation Specialist, State HR: Compensation items 31 through item 39 were found in section D of the revised agenda.

Mindy Portschy, Classification and Compensation Specialist, State HR: Item 31 was University of Washington Special Pay for the 308E Speech Pathologist/Audiologist Specialist 1, 308F Speech Pathologist/Audiologist Specialist 2, and 308G Speech Pathologist/Audiologist Specialist 3. State HR staff proposes adoption as presented with an effective date of November 16, 2023.

- Item 31 University of Washington Special Pay
  - 308E Speech Pathologist/Audiologist Specialist 1
  - 308F Speech Pathologist/Audiologist Specialist 2
  - 308G Speech Pathologist/Audiologist Specialist 3

Michaela Doelman, Chief Human Resources Officer, State Human Resources: Hearing no comments, item 31, was adopted as presented, with an effective date of July 1, 2023.

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Mindy Portschy, Classification and Compensation Specialist, State HR: Presented for final adoption were items 32 through 35 which was the Washington Federation of State Employees IAA Shadow Classes for DOC Only – Corrections Specialist 4 – WFSE. Item 32's effective date was July 1, **2023**, Item 33's effective date was July 1, **2024**. Item 34's effective date is January 1, **2025**. State HR staff present these items for consideration of final adoption.

- |         |  |                                |
|---------|--|--------------------------------|
| Item 32 | WA Fed. of State Employees IAA Shadow Classes 2023, DOC Only | <a href="#">Final Adoption</a> |
| Item 33 | WA Fed. of State Employees IAA Shadow Classes 2024, DOC Only | <a href="#">Final Adoption</a> |
| Item 34 | WA Fed. of State Employees IAA Shadow Classes 2025, DOC Only | <a href="#">Final Adoption</a> |

Michaela Doelman, Chief Human Resources Officer, State Human Resources: Hearing no comments, items 32 through item 34 were adopted as presented.

Mindy Portschy, Classification and Compensation Specialist, State HR: In section D of the revised agenda, was Item 35 the Washington Federation of State Employees IAA Shadow Classes for DOC Only for the Corrections Specialist 3 – DOC WFSE and Community Corrections Officer 4. The base range salary adjustments were a correction of error. State HR staff proposed adoption with an effective date of July 1, **2024**.

- |         |  |  |
|---------|--|--|
| Item 35 | WA Fed. of State Employees IAA Shadow Classes 2024, DOC Only |  |
|         | · 350D Corrections Specialist 3 – DOC WFSE                   |  |
|         | · 383J Community Corrections Officer 4                       |  |

Michaela Doelman, Chief Human Resources Officer, State Human Resources: Hearing no comments, item 35 was adopted as presented.

## Testimony

### Items 32 through 35

Teresa Parsons, HR Classification Analyst, Washington Federation of State Employees: Referencing the IAA shadow classes for DOC only and called out the correction specialist job class(es) was incorrect. Teresa stated the arbitration decision specifically said *Correction Specialists 4*, and she was curious why it would be a different job class that they have not used. State HR staff stated they would follow-up and clarify after the meeting. Michaela Doelman, Chief Human Resources Officer, stated she would adopt the items, and if there were any other corrections that needed to be made, would be brought back for the next Director's meeting.

Proceedings continued with item 35 WFSE, IAA Shadow classes for DOC only pertaining to the Corrections Specialist 3 DOC, WFC, and Community Corrections Officer for the base range salary adjustment was a correction of error of the effective date. Teresa stated it was actually item 35 they had an issue with, class code 383J Community Correction Specialist. She stated they do not have members in the job class and the arbitration decision.

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Mindy Portschy, Classification and Compensation Specialist, State HR: In section D of the revised agenda, item 36 was the Apprentice Salary Schedule effective July 1, 2023, and revised item 37 was the Apprentice Salary Schedule effective July 1, **2024**. State HR staff proposes consideration of adoption with proposed effective dates.

- Item 36 Apprentice Salary Schedule, July 1, 2023
- Item 37 Apprentice Salary Schedule, July 1, 2024 Revised

Michaela Doelman, Chief Human Resources Officer, State Human Resources: Hearing no comments, items 36 and 37 were adopted as presented.

Mindy Portschy, Classification and Compensation Specialist, State HR: In section D of the revised agenda, item 38 was the UW Medical Centers Special Pay 1% Grid, Classified, Non-Represented Classes. State HR staff proposed adoption with an effective date of July 1, 2023.

- Item 38 UW Medical Centers Special Pay 1% Grid, Classified, Non-Represented Classes

Michaela Doelman, Chief Human Resources Officer, State Human Resources: Hearing no comments, item 38 was adopted as presented, with an effective date of July 1, 2023.

Mindy Portschy, Classification and Compensation Specialist, State HR: In section D of the revised agenda, item 39 was the V-Range Salary Schedule, Certificated Teachers at the Washington State School for the Blind and Washington State Center for Childhood Deafness and Hearing Loss . State HR staff proposed adoption with an effective date of September 1, 2023.

- Item 39 V-Range Salary Schedule, Certificated Teachers

Michaela Doelman, Chief Human Resources Officer, State Human Resources: Hearing no comments, item 39 was adopted as presented, with an effective date of September 1, 2023.

## Section E: Rule Amendments

Brandy Chinn, Rules Manager, State Human Resources: Presented five rule items for consideration.

### Rules Item 1: Return from Exempt

Brandy Chinn, Rules Manager, State Human Resources: Engrossed Substitute House Bill 1361 passed during the 2023 legislative session with an effective date of July 23, 2023. Section 3 of the bill amends RCW 41.06.070 to add subsection 6 which suspends a person's right to reversion during the pendency of a workplace investigation if the allegations being investigated could result in a finding of gross misconduct or malfeasance. Staff proposed the amendments as reflected in Rule item 1 to align with the changes to the law. Staff proposed permanent adoption effective January 1, 2024.

Michaela Doelman, Chief Human Resources Officer, State Human Resources: No comments.

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### Rules Item 2: Wage and Salary

Brandy Chinn, Rules Manager, State Human Resources: Engrossed Substitute Senate Bill 5761 passed during the 2022 legislative session with an effective date of January 1, 2023. The bill amends RCW 49.58.110, to state an employer must disclose the wage scale and salary range and provide a general description of all the benefits or other compensation in each job posting. It also stated upon request of an employee who is offered an internal transfer to a new position or promotion that the employer must provide the employee with the wage scale or the salary range of the position they would be transferring into. Staff proposed the amendments as reflected in Rule item 2 to align with the changes to the law.

Michaela Doelman, Chief Human Resources Officer, State Human Resources: No comments.

### Rules Item 3: Compensation and Leave Cleanup

Brandy Chinn, Rules Manager, State Human Resources: Staff proposed to amend WAC 357-28-082, WAC 357-28-084, WAC 357-28-086, WAC 357-28-088, WAC 357-28-120, WAC 357-28-135, and WAC 357-28-155 to clarify certain scenarios based on questions received from stakeholders since the inception of step M. Staff proposed to amend WAC 357-31-480 to update the correct references from RCW 49.78.390 to RCW 50A.15.110. RCW 49.78.390 was repealed in 2018 therefore was no longer applicable.

Staff proposed to amend WAC 357-31-500 to clarify that an employee was not required to hold permanent status to qualify for a leave of absence for reasons of pregnancy disability and childbirth. Staff proposed housekeeping changes to WAC 357-31-687, WAC 357-31-797 and WAC 357-58-141. Staff proposed permanent adoption effective January 1, 2024.

Michaela Doelman, Chief Human Resources Officer, State Human Resources: No comments.

### Rules Item 4: Cleanup; COVID-19 Pandemic and Sick Leave Restoration

Brandy Chinn, Rules Manager, State Human Resources: Health Emergency Labor Standards Act codified as [RCW 49.17.062](#) stated "during a public health emergency, no employer may discharge, permanently replace, or in any manner discriminate against an employee who was 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, utilizing all available leave options, including but not limited to leave without pay and unemployment insurance until completion of the public health emergency or accommodation is made available." As a result of the passage of HELSA, amendments were made to Chapter 357-31 WAC in 2022 to align with the law.

A policy decision had been made to allow any high-risk employee outside of a declared public health emergency to utilize all accrued leave types when seeking an accommodation to protect themselves from risk of exposure to an infectious or contagious disease if no accommodation is reasonable. However, the requirement for employers to approve leave without pay for a high-risk employee if no accommodation was reasonable would be limited to the duration of a declared public health emergency as defined in RCW 49.17.062.

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Additionally, a policy decision was made to propose an amendment to WAC 357-31-330(14) to remove the reference to coronavirus 2019 and instead state the risk of exposure to an infectious or contagious disease to allow for consistent language within WAC. In determining whether to grant leave, an employer would continue to be able to consider current workload demands and business needs that require employees to perform their duties.

The proposed amendment to WAC 357-28-265 is to align with Washington State Department of Labor and Industries guidance which stated if an employer requires employees to receive a COVID-19 vaccine, the time associated with receiving the vaccine must be considered hours worked and overtime must be paid under the Washington State Minimum Wage Act.

The proposed amendment to WAC 357-31-160 is to coincide with a longstanding rule interpretation. Staff proposed to amend WAC 357-31-100 to add subsection (13) which stated an employer's leave policy must address whether former employees who are re-employed after five years of separation from state service may be restored unused sick leave credits in accordance with WAC 357-31-160. Staff proposed permanent adoption effective January 1, 2024.

Michaela Doelman, Chief Human Resources Officer, State Human Resources: No comments.

### Rules Item 5: Family Member Definition Cleanup

Brandy Chinn, Rules Manager, State Human Resources: Engrossed Substitute Senate Bill 1320 passed during the 2021 legislative session. The act modernized, harmonized, and improved the efficacy and accessibility of laws concerning civil protection order. In part the act repealed chapter 26.50 RCW, domestic violence prevention, and amended RCW 46.76.020, Domestic Violence Leave, to define dating relationship in accordance with RCW 7.105.010. Staff were proposing to amend WAC 357-01-172, Definition Family Member, to replace the reference to RCW 26.50.010 with RCW 49.76.020. Staff proposed permanent adoption effective January 1, 2024.

Michaela Doelman, Chief Human Resources Officer, State Human Resources: No comments.

Michaela Doelman, Chief Human Resources Officer, State Human Resources: Hearing no comments for rule items 1 through 5, the items would be brought to the OFM Director for consideration.

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### Adjournment

Mindy Portschy, Classification and Compensation Specialist, State HR: There were no other items for consideration, and the business was concluded.

The next regularly scheduled meeting was announced for Thursday, February 8, 2024 beginning at 8:30 a.m. and would be via Zoom with a dial-in option. The Zoom and telephone dial-in information would be included in the posted agenda.

### Minutes Approved By

\_\_\_\_\_  
Michaela Doelman, Chief Human Resources Officer, State Human Resources  
Office of Financial Management

\_\_\_\_\_  
Date