

Director's Meeting Agenda

State Human Resources
Office of Financial Management

Revised

- Meeting Date: Tuesday, November 14, 2023
- Meeting Time: 9:00 a.m.
- Hosted By: State Human Resources
Office of Financial Management
- Special Notice: This meeting is available via ZOOM (web) with a call-in option. This event is open to the public and may be photographed, videotaped, webcasted, or otherwise recorded. By participating in this event, you are agreeing your image--and anything you say or submit--may be posted indefinitely on one of OFM's publicly available sites.
- Audio Conferencing Only: To join this public meeting, please click on the following link or use the call-in option below. We will have closed captioning available.
- Zoom [Meeting Launch](#) link.
 - Meeting ID: 881 7165 8224
 - Passcode: 850872
- Call-In Option: Call-in option:
+1-253-215-8782 88171658224# *850872# US (Tacoma)
+1-346-248-7799 88171658224# *850872# US (Houston)
- Dial by your location
+1-253-215-8782 US (Tacoma)
+1-346-248-7799 US (Houston)
+1-669-444-9171 US
+1-669-900-9128 US (San Jose)
+1-719-359-4580 US
+1-309-205-3325 US
+1-312-626-6799 US (Chicago)
+1-386-347-5053 US
+1-564-217-2000 US
+1-646-558-8656 US (New York)
+1-646-931-3860 US
+1-301-715-8592 US (Washington DC)
- Find your local number: <https://ofm-wa.gov.zoom.us/j/kCsPAxPK1>
- Exhibits: The Exempt, Classification, Compensation and Rules items on the following pages have been submitted to staff for study and presentation to the State Human Resources Director at a quarterly scheduled public meeting.

Section A: Previous Minutes Approval

August 10, 2023

Section B: Exempt Compensation

Item 1	B1628 Dir., Integrated Eligibility & Enrollment, Technology Innovation Admin. – DSHS.....	B1-B2
Item 2	B2360 Superintendent, Residential Habilitation Center, DDA – DSHS.....	B3-4
Item 3	B2370 Superintendent, Rainier School	B5
Item 4	B2380 Superintendent, Yakima Valley School, DDA – DSHS	B6-B7
Item 5	B2389 Superintendent, Residential Habilitation Center (Medical), DDA – DSHS	B8-B9
Item 6	B2390 Superintendent, Fircrest School (Non-Medical)	B10
Item 7	B4171 Cascadia High-Speed Rail and I-5 Program Administrator – DOT Revised	B11-B12
Item 8	B4195 Alaska Way Viaduct Program Administrator - DOT	B13
Item 9	B4467 Assistant Director of Service Delivery - ESD	B14-B15
Item 10	B4482 Regional Director	B16-B17
Item 11	B4487 Assistant Director of Operations – ESD	B18-B19
Item 12	B4489 Customer Compliance Director - ESD	B20-B21
Item 13	B5953 Strategic Funding Coordinator - PSP	B22-B23
Item 14	B5954 Administrative Specialist – PSP	B24-B25
Item 15	B7000 Deputy Director - Freight Mobility Strategic Investment Board	B26
Item 16	B9532 Deputy Director, Integrated Eligibility & Enrollment – CTS	B27
Item 17	B9538 Technology Business Management Analyst - CTS	B28-B29
Item 18	B9539 IT Portfolio Manager - CTS.....	B30

Section C: Classification

Item 19	148L Fiscal Technician 1 - Teamsters	C1
Item 20	148N Fiscal Technician 3 - Teamsters	C2
Item 21	148O Fiscal Technician Lead - Teamsters	C3
Item 22	148P Fiscal Technician Supervisor - Teamsters	C4
Item 23	148S Audit Intern Final Adoption	C5-B6
Item 24	163L Retirement Specialist 1	C7-C8
Item 25	163M Retirement Specialist 2	C9-C10
Item 26	163N Retirement Specialist 3	C11-C12
Item 27	163O Retirement Specialist 4	C13-C14
Item 28	165F Financial Benefits Coordinator Final Adoption	C15
Item 29	344F Rehabilitation Technician 2 Final Adoption	C16-C17
Item 30	345G Attendant Counselor 2	C18-C19

Section D: Compensation

Item 31	University of Washington Special Pay	D1-D2
	· 308E Speech Pathologist/Audiologist Specialist 1	
	· 308F Speech Pathologist/Audiologist Specialist 2	
	· 308G Speech Pathologist/Audiologist Specialist 3	
Item 32	WA Fed. of State Employees IAA Shadow Classes 2023, DOC Only Final Adoption	D3
Item 33	WA Fed. of State Employees IAA Shadow Classes 2024, DOC Only Final Adoption	D4
Item 34	WA Fed. of State Employees IAA Shadow Classes 2025, DOC Only Final Adoption	D5
Item 35	WA Fed. of State Employees IAA Shadow Classes 2024, DOC Only	D6
	· 350D Corrections Specialist 3 – DOC WFSE	
	· 383J Community Corrections Officer 4	
Item 36	Apprentice Salary Schedule, July 1, 2023	D7
Item 37	Apprentice Salary Schedule, July 1, 2024 Revised	D8
Item 38	UW Medical Centers Special Pay 1% Grid, Classified, Non-Represented Classes	D9
Item 39	V-Range Salary Schedule, Certificated Teachers	D10-D11

Section E: Rule Amendments

Rule Item 1	Return from Exempt	E1-E2
Rule Item 2	Wage and Salary	E3-E4
Rule Item 3	Cleanup; Compensation and Leave	E5-E9
Rule Item 4	Cleanup; COVID-19 Pandemic and Sick Leave Restoration	E10-E19
Rule Item 5	Family Member Definition Cleanup.....	E20-E26

Website Information

This publication and other State Human Resources Director's meeting related information is available at <https://ofm.wa.gov/state-human-resources/hr-meetings/directors-meetings>.

Proposal Package Submittals

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

Meeting Coordinator

For question and concerns, contact the Meeting Coordinator at <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.

Item 1	
Agency Department of Social and Health Services	C&C Specialist Angie Strozyk
Director's Meeting Action(s) - select all that apply <input checked="" type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Administrative Action(s) resulting from Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Adding Position(s) <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Remove Position(s) <input type="checkbox"/> Salary Exception <input type="checkbox"/> Title Change	
Current Code/Title B1628 Director, Integrated Eligibility and Enrollment, Technology Innovation Administration - DSHS	Current EMS Band/Rate EMS Band IV (\$93,036-160,308)
Proposed Code/Title N/A	Proposed EMS Band/Rate N/A
Current RCW Exemption number and description RCW 41.06.070 (3) Governor's Pool: "...senior expert in enterprise information technology infrastructure, engineering, or systems..."	Proposed RCW Exemption number and description N/A

Scope

Reporting to the Assistant Secretary, Technology Innovation Administration, the Director of Integrated Eligibility and Enrollment has direct oversight and accountability for the strategic implementation of the IE&E Modernization Program. This exempt class makes critical judgements and decisions that ensure the development of the IE&E program and products align with the IE&E Strategic Roadmap as well as the vision and needs of the Health and Human Services Coalition staff, stakeholders, community partners, and the Washingtonians served by these coalition agencies statewide. The Director leads a team of experts in the business, agency readiness, technology, project management office, and serves as the state government operational expert responsible for all activities related to IE&E modernization and operational execution of the program roadmap and organizational change management.

Section B: Exempt Compensation

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

Explanation

The Department of Social and Health Services is requesting to abolish the Director, Integrated Eligibility and Enrollment within DSHS' Technology Innovation Administration. This request is a result of the Health and Human Services Coalition's determination to move this exempt class to the Consolidated Technology Services.

There is no fiscal impact associated with this request.

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type Management	Date of Exempt Position Description on File 2/22/2023
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) 1
Workforce Indicator 80148587 At-Will Governor's Pool	Total Number of Approved Position(s) N/A

Section B: Exempt Compensation

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

Item 2	
Agency Department of Social and Health Services	C&C Specialist Chelsea Lee
Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input checked="" type="checkbox"/> Substantial Scope Change	
Administrative Action(s) resulting from Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Adding Position(s) <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Remove Position(s) <input type="checkbox"/> Salary Exception <input type="checkbox"/> Title Change	
Current Code/Title B2360 Superintendent, Residential Habilitation Center, DDA – DSHS	Current EMS Band/Rate EMS Band IV (\$93,036 - \$160,308)
Proposed Code/Title N/A	Proposed EMS Band/Rate N/A
Current RCW Exemption number and description RCW 41.06.076 "...all superintendents of institutions of which the daily average population equals or exceeds one hundred residents..."	Proposed RCW Exemption number and description N/A

Scope

The Residential Habilitation Center Superintendents report to the RHC Division Director within the Developmental Disabilities Administration and serve as the Chief Executive Officer for the RHC they lead. The Superintendents have leadership, oversight and supervision responsibilities of all aspects of the RHC they lead; serve as the appointing authority of their respective RHC; and represent the governing body in exercising general policy, budget, and the operating direction of the facility, ensuring that all programs and services are provided in a manner consistent with DSHS philosophy.

RCW 71A.20.020 designates these RHCs as the only state and federally funded 24/7 facilities in Washington serving the needs of individuals with developmental and cognitive disabilities that cannot be met in their communities. These RHCs also provide planned and emergency respite care and services to clients from the community, who receive care at home from members of their families.

Section B: Exempt Compensation

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

Explanation

This request is from the Department of Social and Health Services to formally document the scope for this exempt class as one is not on file.

This exempt class continues to meet DSHS' enabling statute, RCW 41.06.076, which allows for "...all superintendents of institutions of which the average daily population equals or exceeds one hundred residents...". Each RHC has a minimum of 200 residents.

State HR staff evaluated the exempt class with a JVAC rating of D4X – 976, which is at the EMS Band IV level.

A Fiscal Impact Statement is not required as there are no costs associated with this request.

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type Management	Date of Exempt Position Description on File 4/19/2023
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) 3
Workforce Indicator 80148586 At-Will	Total Number of Approved Position(s) 3

Section B: Exempt Compensation

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

Item 3	
Agency Department of Social and Health Services	C&C Specialist Chelsea Lee
Director's Meeting Action(s) - select all that apply <input checked="" type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Administrative Action(s) resulting from Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Adding Position(s) <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Remove Position(s) <input type="checkbox"/> Salary Exception <input type="checkbox"/> Title Change	
Current Code/Title B2370 Superintendent, Rainier School	Current EMS Band/Rate EMS Band III (\$77,616 - \$138,360)
Proposed Code/Title N/A	Proposed EMS Band/Rate N/A
Current RCW Exemption number and description RCW 41.06.076 "...all superintendents of institutions of which the daily average population equals or exceeds one hundred residents..."	Proposed RCW Exemption number and description N/A

Explanation

This is a request from the Department of Social and Health Services to abolish B2370 Superintendent, Rainier School. This exempt class was consolidated in May 2023 to B2360 Superintendent, Residential Habilitation Center, DDA – DSHS.

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type Management	Date of Exempt Position Description on File 4/19/2023
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) 1
Workforce Indicator 80148586 At-Will	Total Number of Approved Position(s) N/A

Section B: Exempt Compensation

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

Item 4	
Agency Department of Social and Health Services	C&C Specialist Chelsea Lee
Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input checked="" type="checkbox"/> Substantial Scope Change	
Administrative Action(s) resulting from Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Adding Position(s) <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Remove Position(s) <input type="checkbox"/> Salary Exception <input type="checkbox"/> Title Change	
Current Code/Title B2380 Superintendent, Yakima Valley School, DDA – DSHS	Current EMS Band/Rate EMS Band IV (\$93,036 - \$160,308)
Proposed Code/Title N/A	Proposed EMS Band/Rate N/A
Current RCW Exemption number and description RCW 41.06.070 (3) Governor's Pool: "...involving directing and controlling program operations of an ...administrative division..."	Proposed RCW Exemption number and description N/A

Scope

The Superintendent, Yakima Valley School, also referred to as the Residential Habilitation Center Superintendent, reports to the RHC Division Director within the Developmental Disabilities Administration and serve as the Chief Executive Officer for the RHC they lead. The Superintendents have leadership, oversight and supervision responsibilities of all aspects of the RHC they lead; serve as the appointing authority of their respective RHC; and represent the governing body in exercising general policy, budget, and the operating direction of the facility, ensuring that all programs and services are provided in a manner consistent with DSHS philosophy.

RCW 71A.20.020 designates these RHCs as the only state and federally funded 24/7 facilities in Washington serving the needs of individuals with developmental and cognitive disabilities that cannot be met in their communities. These RHCs also provide planned and emergency respite care and services to clients from the community, who receive care at home from members of their families.

Section B: Exempt Compensation

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

Explanation

This request is from the Department of Social and Health Services to formally document the scope for this exempt class as one is not on file.

This exempt class remains exempted from civil service in accordance with RCW 41.06.070 (3) Governor's Pool as it is one "...involving directing and controlling program operations of an ...administrative division..." as it did not meet DSHS' enabling statute for superintendents as the average daily population did not equal or exceed one hundred residents.

State HR staff evaluated the exempt class with a JVAC rating of D4X – 976, which is at the EMS Band IV level.

A Fiscal Impact Statement is not required as there are no costs associated with this request.

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type Management	Date of Exempt Position Description on File 4/19/2023
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) 1
Workforce Indicator 80148587 At-Will Governor's Pool	Total Number of Approved Position(s) 1

Section B: Exempt Compensation

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

Item 5	
Agency Department of Social and Health Services	C&C Specialist Chelsea Lee
Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input checked="" type="checkbox"/> Substantial Scope Change	
Administrative Action(s) resulting from Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Adding Position(s) <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Remove Position(s) <input type="checkbox"/> Salary Exception <input type="checkbox"/> Title Change	
Current Code/Title B2389 Superintendent, Residential Habilitation Center (Medical), DDA – DSHS	Current EMS Band/Rate EMS Medical Band (\$168,732 - \$339,672)
Proposed Code/Title N/A	Proposed EMS Band/Rate N/A
Current RCW Exemption number and description RCW 41.06.076 "...all superintendents of institutions of which the daily average population equals or exceeds one hundred residents..."	Proposed RCW Exemption number and description N/A

Scope

The Residential Habilitation Center Superintendents report to the RHC Division Director within the Developmental Disabilities Administration and serve as the Chief Executive Officer for the RHC they lead. The Superintendents have leadership, oversight and supervision responsibilities of all aspects of the RHC they lead; serve as the appointing authority of their respective RHC; and represent the governing body in exercising general policy, budget, and the operating direction of the facility, ensuring that all programs and services are provided in a manner consistent with DSHS philosophy.

RCW 71A.20.020 designates these RHCs as the only state and federally funded 24/7 facilities in Washington serving the needs of individuals with developmental and cognitive disabilities that cannot be met in their communities. These RHCs also provide planned and emergency respite care and services to clients from the community, who receive care at home from members of their families.

Section B: Exempt Compensation

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

Explanation

This request is from the Department of Social and Health Services to formally document the scope for this exempt class as one is not on file.

This exempt class continues to meet DSHS' enabling statute, RCW 41.06.076, which allows for "...all superintendents of institutions of which the average daily population equals or exceeds one hundred residents...". Each RHC has a minimum of 200 residents.

State HR staff confirmed this exempt class still has the requirement to be a medical doctor and hold a valid medical license to practice medicine in the state of Washington, therefore the EMS Medical Band placement is still appropriate.

A Fiscal Impact Statement is not required as there are no costs associated with this request.

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type Management	Date of Exempt Position Description on File 1/3/1995
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) 1
Workforce Indicator 80148586 At-Will	Total Number of Approved Position(s) 1

Section B: Exempt Compensation

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

Item 6	
Agency Department of Social and Health Services	C&C Specialist Chelsea Lee
Director's Meeting Action(s) - select all that apply <input checked="" type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Administrative Action(s) resulting from Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Adding Position(s) <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Remove Position(s) <input type="checkbox"/> Salary Exception <input type="checkbox"/> Title Change	
Current Code/Title B2390 Superintendent, Fircrest School (Non-Medical)	Current EMS Band/Rate EMS Band III (\$77,616 - \$138,360)
Proposed Code/Title N/A	Proposed EMS Band/Rate N/A
Current RCW Exemption number and description RCW 41.06.076 "...all superintendents of institutions of which the daily average population equals or exceeds one hundred residents..."	Proposed RCW Exemption number and description N/A

Explanation

This is a request from the Department of Social and Health Services to abolish B2390 Superintendent, Fircrest School (Non-Medical). This exempt class was consolidated in May 2023 to B2360 Superintendent, Residential Habilitation Center, DDA – DSHS.

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type Management	Date of Exempt Position Description on File 4/19/2023
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) 1
Workforce Indicator 80148586 At-Will	Total Number of Approved Position(s) N/A

Section B: Exempt Compensation

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

[Revised](#)

Item 7	
Agency Department of Transportation	C&C Specialist Tricia Mackin
Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Administrative Action(s) resulting from Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Adding Position(s) <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Remove Position(s) <input type="checkbox"/> Salary Exception <input type="checkbox"/> Title Change	
Current Code/Title N/A	Current EMS Band/Rate N/A
Proposed Code/Title B4171 Cascadia High-Speed Rail and I-5 Program Administrator – DOT	Proposed EMS Band/Rate EMS Band V (\$112,980 - \$183,588)
Current RCW Exemption number and description N/A	Proposed RCW Exemption number and description RCW 41.06.070(3) "Governor's pool involving substantial responsibility for the formulation of basic agency or executive policy..."

Scope

Serving as the Cascadia High-Speed Rail and I-5 Program Administrator, reporting to the Assistant Secretary Urban Mobility & Access and Megaprograms Division, this exempt class directs and controls all aspects of implementation of the program. This exempt class develops and implements policy and executes strategic objectives. Advises senior executive management and key partners and directs consultant teams, project managers, communications and government relations teams. This exempt class provides management oversight of major, long-term projects and coordinates work focused on western Washington transportation systems including the Cascadia HSR Program and I-5 Program.

Explanation

The Department of Transportation is requesting the establishment of an exempt class, Cascadia High-Speed Rail and I-5 Program Administrator, to comply with legislative direction provided in the 2023-25 transportation budget proviso. This exempt class is responsible for directing and controlling all aspects of implementation of the Cascadia High-Speed Rail and I-5 Program for the agency. Consistent with the legislative direction, expectations established in the 2021 Memo of Understanding between the State of Washington, Province of British Columbia, State of Oregon and DOT leadership, the agency is working to coordinate major planning efforts across transportation modes in western Washington, to include the future of I-5, Cascadia HSR, current rail systems and air mobility. Based on the roles and responsibilities, this exempt class meets the criteria for RCW 41.06.070(3) "Governor's pool involving substantial responsibility for the formulation of basic agency or executive policy..."

Section B: Exempt Compensation

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

State Human Resources supports the agency's request to establish an exempt class, Cascadia High-Speed Rail and I-5 Program Administrator – DOT at the EMS Band V level. The agency and SHR staff reviewed the position description for the Cascadia High-Speed Rail and I-5 Program Administrator and rated it with a JVAC score of D5Z-1256, which meets the EMS Band V level.

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

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type Policy	Date of Exempt Position Description on File 8/4/2023
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) N/A
Workforce Indicator 80148587 At-Will Governor's Pool	Total Number of Approved Position(s) 1

Section B: Exempt Compensation

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

Item 8	
Agency Department of Transportation	C&C Specialist Tricia Mackin
Director's Meeting Action(s) - select all that apply <input checked="" type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Administrative Action(s) resulting from Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Adding Position(s) <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Remove Position(s) <input type="checkbox"/> Salary Exception <input type="checkbox"/> Title Change	
Current Code/Title B4195 Alaska Way Viaduct Program Administrator - DOT	Current EMS Band/Rate EMS Band V (\$112,980 - \$183,588)
Proposed Code/Title N/A	Proposed EMS Band/Rate N/A
Current RCW Exemption number and description RCW 41.06.070(3) – "...Governor's Pool...directing and controlling program operations of an agency or major administrative division..."	Proposed RCW Exemption number and description 1

Explanation

The Department of Transportation is requesting abolishment of exempt class B4195 Alaska Way Viaduct Program Administrator - DOT. The agency states there are no positions assigned to this exempt class and once the remaining elements of the Alaska Way Viaduct Program wound down in November 2020, this exempt class has been vacant.

State Human Resources support the agency's request to abolish this exempt class. There is no fiscal impact associated with this request.

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type Management	Date of Exempt Position Description on File 7/24/2018
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) N/A
Workforce Indicator 80148587 At-Will Governor's Pool	Total Number of Approved Position(s) 1

Section B: Exempt Compensation

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

Item 9	
Agency Department of Employment Security	EC&C Specialist Cindy Wulff
Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Administrative Action(s) resulting from Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Adding Position(s) <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Remove Position(s) <input type="checkbox"/> Salary Exception <input type="checkbox"/> Title Change	
Current Code/Title N/A	Current EMS Band/Rate N/A
Proposed Code/Title B4467 Assistant Director of Service Delivery - ESD	Proposed EMS Band/Rate EMS Band III (\$77,616 - \$138,360)
Current RCW Exemption number and description N/A	Proposed RCW Exemption number and description RCW – 41.06.070(1)(v) "In an agency with fifty or more employees: Deputy agency heads, assistant director,"

Scope

Serving as the Assistant Director of Service Delivery, reporting to the Employment Connections Director, this exempt class is the lead for the division on workforce service delivery provided through WorkSource Centers in Washington State and supervises ESD's regional teams and the Virtual Services team. This exempt class is responsible for overseeing the development of policies and procedures for the regions to ensure compliance with the Department of Labor's Workforce Innovation and Opportunity Act (WIOA) Title III.

Explanation

Department of Employment Security is requesting to establish exempt class B4467 Assistant Director of Service Delivery in the Employment Connections division due to a reorganization in Employment Connections division to address workload capacity. This exempt class is responsible for leading and managing statewide service delivery in WorkSource Centers across WA state, which consists of five regional teams and the Virtual Services team. They are responsible for overseeing the development of policies and procedures for the regions to ensure compliance with federal and state requirements and provide a seamless integrated service delivery across the state. This exempt class is part of the division leadership team and provides strategic insight to assist in accomplishing the agency and division's mission, strategic goals, and local plans. Based on the roles and responsibilities, this exempt class meets the criteria for RCW 41.06.070(1)(v) "In an agency with fifty or more employees: Deputy agency heads, assistant director,".

Section B: Exempt Compensation

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

This body of work was previously performed by B4481 Deputy Assistant Commissioner and B4474 E.S. Asst. Commissioner for Workforce & Career Development. The agency has submitted updated position descriptions for SHR review and a title change for B4474 to Employment Connections Director.

SHR supports with modification the agency's request to establish an exempt class, Assistant Director of Service Delivery – ESD at the EMS Band III level. The agency and SHR staff reviewed the position description and rated it with a JVAC score of C3X-768, which meets the EMS Band III level.

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

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type Management	Date of Exempt Position Description on File 7/20/2023
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) N/A
Workforce Indicator 80148586 At-Will	Total Number of Approved Position(s) 1

Section B: Exempt Compensation

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

Item 10	
Agency Department of Employment Security	EC&C Specialist Cindy Wulff
Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Administrative Action(s) resulting from Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Adding Position(s) <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Remove Position(s) <input type="checkbox"/> Salary Exception <input type="checkbox"/> Title Change	
Current Code/Title N/A	Current EMS Band/Rate N/A
Proposed Code/Title B4467 Assistant Director of Service Delivery - ESD	Proposed EMS Band/Rate EMS Band III (\$77,616 - \$138,360)
Current RCW Exemption number and description N/A	Proposed RCW Exemption number and description RCW – 41.06.070(1)(v) "In an agency with fifty or more employees: Deputy agency heads, assistant director,"

Scope

Serving as the Assistant Director of Service Delivery, reporting to the Employment Connections Director, this exempt class is the lead for the division on workforce service delivery provided through WorkSource Centers in Washington State and supervises ESD's regional teams and the Virtual Services team. This exempt class is responsible for overseeing the development of policies and procedures for the regions to ensure compliance with the Department of Labor's Workforce Innovation and Opportunity Act (WIOA) Title III.

Explanation

Department of Employment Security is requesting to establish exempt class B4467 Assistant Director of Service Delivery in the Employment Connections division due to a reorganization in Employment Connections division to address workload capacity. This exempt class is responsible for leading and managing statewide service delivery in WorkSource Centers across WA state, which consists of five regional teams and the Virtual Services team. They are responsible for overseeing the development of policies and procedures for the regions to ensure compliance with federal and state requirements and provide a seamless integrated service delivery across the state. This exempt class is part of the division leadership team and provides strategic insight to assist in accomplishing the agency and division's mission, strategic goals, and local plans. Based on the roles and responsibilities, this exempt class meets the criteria for RCW 41.06.070(1)(v) "In an agency with fifty or more employees: Deputy agency heads, assistant director,".

Section B: Exempt Compensation

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

This body of work was previously performed by B4481 Deputy Assistant Commissioner and B4474 E.S. Asst. Commissioner for Workforce & Career Development. The agency has submitted updated position descriptions for SHR review and a title change for B4474 to Employment Connections Director.

SHR supports with modification the agency's request to establish an exempt class, Assistant Director of Service Delivery – ESD at the EMS Band III level. The agency and SHR staff reviewed the position description and rated it with a JVAC score of C3X-768, which meets the EMS Band III level.

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

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type Management	Date of Exempt Position Description on File 7/20/2023
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) N/A
Workforce Indicator 80148586 At-Will	Total Number of Approved Position(s) 1

Section B: Exempt Compensation

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

Item 11	
Agency Employment Security Department	Analyst Cindy Wulff
Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Administrative Action(s) resulting from Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Adding Position(s) <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Remove Position(s) <input type="checkbox"/> Salary Exception <input type="checkbox"/> Title Change	
Current Code/Title NA	Current EMS Band/Rate NA
Proposed Code/Title B4487 Assistant Director of Operations – ESD	Proposed EMS Band/Rate EMS Band III (\$77,616 - \$138,360)
Current RCW Exemption number and description NA	Proposed RCW Exemption number and description RCW 41.06.070(1)(v) "In an agency with fifty or more employees: Deputy agency heads, assistant director, director..."

Scope

Serving as the Assistant Director of Operations, reporting to the Employment Connections Director, this exempt class is responsible for statewide strategic initiatives including grant acquisition, overseeing central operations of programs, administrative projects, and division operating budget and performance. This exempt class has oversight of the Employment Connections Central Operations team which includes program operations, business operations, division contracts management, and Washington State Service Corps.

Explanation

Department of Employment Security is requesting to establish exempt class B4487 Assistant Director of Operations-ESD due to restructuring of the Employment Connections division to address workload capacity concerns. The Assistant Director of Operations-ESD reports to B4474 Employment Connections Director – ESD and has oversight and accountability for the Employment Connections Central Operations team which includes program operations, business operations, division contracts management, and Washington State Service Corps. This exempt class is part of the division leadership team and provides strategic insight to assist in accomplishing the agency and division's mission, strategic goals, and local plans. Serves as a primary back-up to the division director and represents the division director to external stakeholders and partners on state and national committees. Based on the role and responsibilities, this exempt class meets the criteria of RCW 41.06.070 (1)(v) "In an agency with fifty or more employees: Deputy agency heads, assistant director,". This work is currently being completed by an incumbent in one of the nine positions assigned to B4481 Deputy Assistant Commissioner. As a result of the division restructuring to address workload capacity concerns the

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.

duties and responsibilities of this position no longer meets the scope of B4481. The agency has submitted a request to remove one position from B4481 resulting in the total approved positions for B4481, Deputy Assistant Commissioner dropping from nine (9) to eight (8).

SHR supports the agency's request to establish an exempt class, Assistant Director of Operations – ESD at the EMS Band III level. The agency and SHR staff reviewed the position description and rated it with a JVAC score of C3X-768, which meets the EMS Band III level.

The agency plans on moving a position #70073735 from EMS class B4481 to the newly established EMS class B4487. Both classes are at EMS Band 3 making this action cost neutral.

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type Management	Date of Exempt Position Description on File 7/20/2023
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) NA
Workforce Indicator 80148586 At-Will	Total Number of Approved Position(s) 1

Section B: Exempt Compensation

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

Item 12	
Agency Employment Security Department	Analyst Lynley Coffman
Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Administrative Action(s) resulting from Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Adding Position(s) <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Remove Position(s) <input type="checkbox"/> Salary Exception <input type="checkbox"/> Title Change	
Current Code/Title N/A	Current EMS Band/Rate N/A
Proposed Code/Title B4489 Customer Compliance Director - ESD	Proposed EMS Band/Rate EMS Band IV (\$93,036 - \$160,308)
Current RCW Exemption number and description N/A	Proposed RCW Exemption number and description RCW 41.06.070(V): "In an agency with fifty or more employees...division directors...who report directly to the agency head or deputy agency heads;"

Scope

Reporting to the Chief Strategy and Innovation Officer, the Customer Compliance Director works with the Commissioner, Deputy Commissioner and is a member of the Executive Leadership Team. This exempt class develops and implements the statewide strategic policy objectives for the Customer Compliance Division that is responsible for the agency's compliance efforts that include fraud detection, collections, and financial recovery. As an expert on program compliance laws, policies and procedures, the Customer Compliance Director is responsible for interpreting and implementing legislation that have significant impacts to the agency's employer and benefit recipient fund. This class also recommends law and rule changes to the legislature based on identified systemic inequities related to compliance functions.

Explanation

The Employment Security Department is requesting the establishment of an exempt class, Customer Compliance Director at the EMS Band IV level. This exempt class is responsible for providing the overall leadership, oversight and strategic direction for the newly established Customer Compliance Division that is responsible for the agency's compliance efforts that include fraud detection, collections, and financial recovery. This class is directly responsible for the compliance activities in the Unemployment Insurance, Paid Family and Medical Leave, and Long-Term Services and Support (WACares) programs and units within those programs, ensuring the compliance efforts are conducted in accordance with agency policies and procedures, EDI principles and applicable legal requirements.

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.

The work of the Customer Compliance Director and functions of the division are critical to the success and stewardship of the agency's trust funds totaling an average of \$3-5 billion daily. Based on the roles and responsibilities, this exempt class meets the criteria for RCW 41.06.070(v): "In an agency with fifty or more employees...division directors...who report directly to the agency head or deputy agency heads;" SHR supports the agency's request to establish an exempt class, Customer Compliance Director – ESD at the EMS Band IV level. SHR staff reviewed the position description and evaluated this class with a JVAC score of D4X-976, which meets the EMS Band IV level.

A Fiscal Impact Statement was submitted and approved by OFM Budget on 10/12/23, confirming the agency can absorb costs associated with this request.

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type Management	Date of Exempt Position Description on File 9/1/2023
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) 0
Workforce Indicator 80148586 At-Will	Total Number of Approved Position(s) 1

Section B: Exempt Compensation

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

Item 13	
Agency Puget Sound Partnership	C&C Specialist Julie Moultime
Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Administrative Action(s) resulting from Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Adding Position(s) <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Remove Position(s) <input type="checkbox"/> Salary Exception <input type="checkbox"/> Title Change	
Current Code/Title N/A	Current EMS Band/Rate N/A
Proposed Code/Title B5953 Strategic Funding Coordinator - PSP	Proposed EMS Band/Rate EMS Band I (\$50,712 - \$103,440)
Current RCW Exemption number and description N/A	Proposed RCW Exemption number and description RCW 41.06.098 "...the provisions of this chapter shall not apply in the Puget Sound partnership ... to all professional staff."

Scope

The Strategic Funding Coordinator reports to the Strategic Funding Manager, External Operations Division. This exempt class is responsible for collaborating with internal programs, tribes, local partners, strategic initiative leads, state and federal funding programs, as well as other partners and parties as needed to support programs and projects for nature-based and green infrastructure, climate resilience, and equity and environmental justice.

Explanation

This exempt class is responsible for collaborating with internal programs, tribes, local partners, strategic initiative leads, state and federal funding programs, as well as other partners and parties as needed to support programs and projects for nature-based and green infrastructure, climate resilience, and equity and environmental justice. Based on the roles and responsibilities, this exempt class meets the criteria for RCW 41.06.098 "...the provisions of this chapter shall not apply in the Puget Sound partnership ... 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.

State Human Resources scored this exempt class at A1W-422, which meets the EMS Band I level. A fiscal impact statement was submitted and approved by OFM Budget, confirming the agency can absorb the cost associated with this request.

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type Consultant	Date of Exempt Position Description on File 6/27/2023
EEOC Code 42 Professionals	Current Number of Approved Position(s) N/A
Workforce Indicator 80148586 At-Will	Total Number of Approved Position(s) 4

Section B: Exempt Compensation

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

Item 14	
Agency Puget Sound Partnership	Analyst Cindy Wulff
Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Administrative Action(s) resulting from Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Adding Position(s) <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Remove Position(s) <input type="checkbox"/> Salary Exception <input type="checkbox"/> Title Change	
Current Code/Title N/A	Current EMS Band/Rate N/A
Proposed Code/Title B5954 Administrative Specialist – PSP	Proposed EMS Band/Rate EMS Band I (\$48,756 - \$99,456)
Current RCW Exemption number and description N/A	Proposed RCW Exemption number and description RCW 41.06.098 "...this chapter shall not apply...to all professional staff."

Scope

Reporting to the EPA Grant Coordinator within the Internal Operations Division, the Administrative Specialist is responsible for facilitating the agency's work planning and business planning processes by providing high level administrative support services. In collaboration with staff this exempt class provides policy recommendations regarding internal agency operational processes and serves as the Public Disclosure and Records Retention Officer for the agency.

Explanation

Puget Sound Partnership is requesting the establishment of an exempt class, Administrative Specialist, due to a 25% growth in agency staffing over the last two years. The additional 13 positions have exceeded the Partnerships internal operations staff's ability to support them adequately. This position is the central point of contact for the agency work planning and budgeting process and is responsible for facilitating the agency's work planning and business planning processes on a technical level. Additionally, this exempt class will assume the duties of Public Disclosure and Record Retention Officer, which currently are part of the Human Resource Manager responsibilities. Based on the roles and responsibilities, this exempt class meets the criteria for the agency's enabling statute 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.

State Human Resources supports agency's request to establish an exempt class, Administrative Specialist – PSP at the EMS Band I level. The agency and SHR staff reviewed the position description dated 8/08/2023 and rated it with a JVAC score of A1W – 422, which meets the EMS Band I.

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

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type N/A	Date of Exempt Position Description on File 8/8/2023
EEOC Code 42 Professionals	Current Number of Approved Position(s) N/A
Workforce Indicator 80148586 At-Will	Total Number of Approved Position(s) 1

Section B: Exempt Compensation

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

Item 15	
Agency Freight Mobility Strategic Investment Board	C&C Specialist Tricia Mackin
Director's Meeting Action(s) - select all that apply <input checked="" type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Administrative Action(s) resulting from Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Adding Position(s) <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Remove Position(s) <input type="checkbox"/> Salary Exception <input type="checkbox"/> Title Change	
Current Code/Title B7000 Deputy Director - Freight Mobility Strategic Investment Board	Current EMS Band/Rate EMS Band II (\$66,936 - \$122,844)
Proposed Code/Title N/A	Proposed EMS Band/Rate N/A
Current RCW Exemption number and description RCW 41.06.070(3) – "...Governor's Pool...directing and controlling program operations of an agency or major administrative division..."	Proposed RCW Exemption number and description N/A

Explanation

The Freight Mobility Strategic Investment Board is requesting abolishment of exempt class B7000 Deputy Director - Freight Mobility Strategic Investment Board. The agency states this exempt class is vacant and will not be filled.

State Human Resources support the agency's request to abolish this exempt class. There is no fiscal impact associated with this request.

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type Management	Date of Exempt Position Description on File 8/9/2012
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) 1
Workforce Indicator 80148587 At-Will Governor's Pool	Total Number of Approved Position(s) N/A

Section B: Exempt Compensation

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

Item 16	
Agency Consolidated Technology Services	Analyst Angie Strozyk
Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Administrative Action(s) resulting from Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Adding Position(s) <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Remove Position(s) <input type="checkbox"/> Salary Exception <input type="checkbox"/> Title Change	
Current Code/Title N/A	Current EMS Band/Rate N/A
Proposed Code/Title B9532 Deputy Director, Integrated Eligibility & Enrollment – CTS	Proposed EMS Band/Rate EMS Band IV (\$93,036 – \$160,308)
Current RCW Exemption number and description N/A	Proposed RCW Exemption number and description RCW 41.06.070 (3) Governor's Pool: "In addition to the exemptions specifically followed by this chapter...senior expert in enterprise information technology infrastructure, engineering, or systems..."

Scope

The Deputy Director, Integrated Eligibility & Enrollment reports to the Director. Serves as the IE&E Program Deputy Director and has direct oversight and accountability for the strategic implementation of the program. Supports the Washington Health and Human Services Enterprise Coalition goals of removing barriers to access for client benefits and improving equitable access and outcomes for all by directing and leading the IE&E Modernization Program. Leads a team in the business, agency readiness, technology, project management office, and contractual functions. Accountable and responsible for the IE&E Program governance structure, including evaluating and updating the responsibilities and practices exercised by the governance bodies to provide strategic direction, ensuring objectives are achieved, appropriately managing risks and change, and ensuring good stewardship of State resources.

Explanation

The agency is requesting the establishment of this exempt class based upon the determination of the Health and Human Services Coalition to move this body of work from the Department of Social and Health Services to Consolidated Technology Services.

Section B: Exempt Compensation

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

This exempt class is exempt from civil service in accordance with RCW 41.06.070 (3) Governor’s Pool as it is a “...senior expert in enterprise information technology infrastructure, engineering, or systems...”. This exempt class will have direct oversight and accountability for the strategic implementation of the program and is vital to the IE&E work and requires deep subject matter expertise on state and federal policy and business operations to make critical judgments and decisions that ensure the development of the IE&E program and products align with the IE&E Roadmap. This exempt class is tasked with alleviating client and technology issues by modernizing and integrating the eligibility and enrollment process for healthcare and social service programs through IE&E.

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.

This information is entered into Human Resources Management System and CC Jobs.	
Director’s Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type Management	Date of Exempt Position Description on File 8/16/2023
EEOC Code 41 Officials & Administrators	Current Number of Approved Position(s) N/A
Workforce Indicator 80148587 At-Will Governor's Pool	Total Number of Approved Position(s) 1

Section B: Exempt Compensation

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

Item 17	
Agency Consolidated Technical Services	C&C Specialist Barb Ursini
Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Administrative Action(s) resulting from Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Adding Position(s) <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Remove Position(s) <input type="checkbox"/> Salary Exception <input type="checkbox"/> Title Change	
Current Code/Title N/A	Current EMS Band/Rate N/A
Proposed Code/Title B9538 Technology Business Management Analyst - CTS	Proposed EMS Band/Rate EMS Band III (\$77,616 - \$138,360)
Current RCW Exemption number and description N/A	Proposed RCW Exemption number and description RCW 41.06.070.1(aa) "...information technology contracting; information technology customer relations management..."

Scope

Reporting directly to the Assistant Director of Performance and Accountability, the Technology Business Management Analyst serves as the highest expert level Technological Business Management analyst in the state. The exempt class architects and manages multiple databases and datasets to support statewide business analytics; leverages technology and financial management analytics for statewide solutions; and collaborates with agencies, agency TBMA's, and state leaders for inclusion in statewide programs.

The Consolidated Technology Services' Strategy and Management Division is accountable for preparing and leading the implementation of a strategic direction for Information Technology within state government, establishing standards and policies for IT services statewide, evaluating agency IT spending and budget requests, enabling the standardization and consolidation of IT infrastructure to support enterprise-based system development to improve and maintain service delivery, evaluating and contributing to the success of major IT projects for the State of Washington.

This exempt class provides enterprise Portfolio Management program support and accountable for translating statewide vision into technical architecture; requirements and deliverables communicating the cost, quality, and value of IT Services in the state. The role provides executive-level reports for statewide IT expenditures and investments for agency leaders and influences other agencies' own internal Technology Business Management Analyst positions. Specialized analysis and recommendations impact evolving legislation, which may have a critical effect on an agency's viability.

Explanation

Consolidated Technology Services is requesting the establishment of an exempt class, Technology Business Management Analyst, to ensure the organization manages the IT portfolio in accordance with state technology policies and as applicable Revised Code of Washington.

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.

The CTS Strategy and Management Division (SMD) is responsible for the state's Information Technology (IT) strategic vision and planning which includes establishment of IT policy, enterprise architecture and project approval oversight. Legislation also requires implementation of Technology Business Management (TBM) program and reporting on the capacity and health of the state's enterprise IT Portfolio.

The CTS Strategy and Management Division is accountable for preparing and leading the implementation of a strategic direction for Information Technology within state government, establishing standards and policies for IT services throughout the state, evaluating state agency IT spending and budget requests, enabling the standardization and consolidation of IT infrastructure to support enterprise-based system development to improve and maintain service delivery, evaluating and contributing to the success of major IT projects for the state of Washington.

The IT Portfolio Management and Technology Business Management programs are responsible for establishing governance, policies, standards, practices, and processes needed to monitor the State's IT investments on an ongoing basis. CTS's role in carrying out this function has been defined in RCW 43.105.054

This position currently exists as a WMS Band III, with a JVAC score of X3C – 995. State HR staff has reviewed the position description along with supporting documentation and evaluated this exempt position with the JVAC score of C3X (768), which also meets EMS Band III.

This exempt class meets the agency's enabling statute, RCW 41.06.070.1(aa) as it performs the following functions "...information technology contracting; information technology customer relations management.

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

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type Consultant	Date of Exempt Position Description on File 7/21/2023
EEOC Code 42 Professionals	Current Number of Approved Position(s) N/A
Workforce Indicator 80148586 At-Will	Total Number of Approved Position(s) 1

Section B: Exempt Compensation

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

Item 18	
Agency Consolidated Technology Services	C&C Specialist Barb Ursini
Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
Administrative Action(s) resulting from Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Adding Position(s) <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Remove Position(s) <input type="checkbox"/> Salary Exception <input type="checkbox"/> Title Change	
Current Code/Title N/A	Current EMS Band/Rate N/A
Proposed Code/Title B9539 IT Portfolio Manager - CTS	Proposed EMS Band/Rate EMS Band II (\$66,936 - \$122,844)
Current RCW Exemption number and description N/A	Proposed RCW Exemption number and description RCW 41.06.070.1(aa) "...information technology contracting; information technology customer relations management..."

Scope

Reporting directly to the Assistant Director of Performance and Accountability, the IT Portfolio Manager position serves as the agency's Technology Business Management and Information Technology Portfolio Management Program analyst. This role ensures Consolidated Technology Services' ongoing alignment with the state enterprise portfolio requirements and manages the ongoing operation and maintenance of CTS's internal IT portfolio.

- The exempt class manages the implementation and refinement of the CTS's IT Portfolio program to ensure the organization manages the IT portfolio in accordance with state technology policies and Revised Code of Washington. This includes responsibility for establishing, managing, and directing business processes that support the analytics needed for prioritization, selection, resourcing and control of the agency's IT products and services. This work entails establishing performance metrics along with developing, implementing, and directing IT Portfolio business practices for all business managers agencywide.
- This exempt class is required to ensure CTS remains in compliance with all waivers to state technology policies authorized under RCW. This activity includes capturing, monitoring, and reporting CTS's adherence and progress to the approved compliance plan. This class also manages, implements, directs, and operationalizes on-going support for CTS's internal Technology Business Management program.
- The exempt class manages, implements, directs, and operationalizes the statewide IT Portfolio Management Community of Practice including establishing ongoing continued support in future years. This work provides many state agencies resources to mature their IT Portfolio Program and ensures their alignment with applicable RCWs.

Section B: Exempt Compensation

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

Explanation

Consolidated Technology Services is requesting the establishment of the exempt class, IT Portfolio Manager - CTS, to ensure the organization manages the IT portfolio in accordance with state technology policies and RCW 43.105.220 and RCW 43.105.341.

The WaTech Strategy and Management Division is responsible for the state's Information Technology strategic vision and planning which includes establishment of IT policy, enterprise architecture and project approval oversight. Legislation also requires implementation of a Technology Business Management program and reporting on the capacity and health of the state's enterprise IT Portfolio.

The IT Portfolio Management and Technology Business Management programs are responsible for establishing governance, policies, standards, practices, and processes needed to monitor the State's IT investments on an ongoing basis. WaTech's role in carrying out this function has been defined in RCW 43.105.054.

This position currently exists as a WMS Band II, with a JVAC score of X2B – 589. State HR staff has reviewed the position description along with supporting documentation and evaluated this exempt position with the JVAC score of B2X - 570, which also meets EMS Band II.

This exempt class meets the agency's enabling statute, RCW 41.06.070.1(aa) as it performs the following functions "...information technology contracting; information technology customer relations management.

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

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type Consultant	Date of Exempt Position Description on File 7/21/2023
EEOC Code 42 Professionals	Current Number of Approved Position(s) N/A
Workforce Indicator 80148586 At-Will	Total Number of Approved Position(s) 1

Section C: Classification

Item 19	
Agency/HE Institution Department of Corrections	Analyst Mindy Portschy
Director's Meeting Action(s) - select all that apply <input checked="" type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input type="checkbox"/> Revision <input type="checkbox"/> Salary Adjustment	If Revision(s) - select all that apply <input type="checkbox"/> Title Change <input type="checkbox"/> Class Series Concept <input type="checkbox"/> Definition <input type="checkbox"/> Distinguishing Characteristics
Current Class Code/Title 148L Fiscal Technician 1 - Teamsters	Current Salary Range/Rate 29 (\$36,528 - \$48,168)
Proposed Class Code/Title N/A	Proposed Salary Range/Rate N/A

Explanation

State Human Resources proposed abolishment of this shadow class as it has not been used since established July 1, 2019. There are no positions assigned to this job class and the agency is supportive of this request.

There is no fiscal impact associated with this request.

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type N/A	Workforce Indicator 80148588 Classified WA General Service
EEOC Code 45 Paraprofessionals	Number of Position(s) Affected N/A

Section C: Classification

Item 20	
Agency/HE Institution Department of Corrections	Analyst Mindy Portschy
Director's Meeting Action(s) - select all that apply <input checked="" type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input type="checkbox"/> Revision <input type="checkbox"/> Salary Adjustment	If Revision(s) - select all that apply <input type="checkbox"/> Title Change <input type="checkbox"/> Class Series Concept <input type="checkbox"/> Definition <input type="checkbox"/> Distinguishing Characteristics
Current Class Code/Title 148N Fiscal Technician 3 - Teamsters	Current Salary Range/Rate 35 (\$41,916 - \$55,452)
Proposed Class Code/Title N/A	Proposed Salary Range/Rate N/A

Explanation

State Human Resources proposed abolishment of this shadow class as it has not been used since established July 1, 2019. There are no positions assigned to this job class and the agency is supportive of this request.

There is no fiscal impact associated with this request.

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type N/A	Workforce Indicator 80148588 Classified WA General Service
EEOC Code 46 Office and Clerical	Number of Position(s) Affected N/A

Section C: Classification

Item 21	
Agency/HE Institution Department of Corrections	Analyst Mindy Portschy
Director's Meeting Action(s) - select all that apply <input checked="" type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input type="checkbox"/> Revision <input type="checkbox"/> Salary Adjustment	If Revision(s) - select all that apply <input type="checkbox"/> Title Change <input type="checkbox"/> Class Series Concept <input type="checkbox"/> Definition <input type="checkbox"/> Distinguishing Characteristics
Current Class Code/Title 1480 Fiscal Technician Lead - Teamsters	Current Salary Range/Rate 36 (\$42,888 - \$56,808)
Proposed Class Code/Title N/A	Proposed Salary Range/Rate N/A

Explanation

State Human Resources proposed abolishment of this shadow class as it has not been used since established July 1, 2019. There are no positions assigned to this job class and the agency is supportive of this request.

There is no fiscal impact associated with this request.

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type N/A	Workforce Indicator 80148588 Classified WA General Service
EEOC Code 46 Office and Clerical	Number of Position(s) Affected N/A

Section C: Classification

Item 22	
Agency/HE Institution Department of Corrections	Analyst Mindy Portschy
Director's Meeting Action(s) - select all that apply <input checked="" type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input type="checkbox"/> Revision <input type="checkbox"/> Salary Adjustment	If Revision(s) - select all that apply <input type="checkbox"/> Title Change <input type="checkbox"/> Class Series Concept <input type="checkbox"/> Definition <input type="checkbox"/> Distinguishing Characteristics
Current Class Code/Title 148P Fiscal Technician Supervisor - Teamsters	Current Salary Range/Rate 39 (\$45,912 - \$61,140)
Proposed Class Code/Title N/A	Proposed Salary Range/Rate N/A

Explanation

State Human Resources proposed abolishment of this shadow class as it has not been used since established July 1, 2019. There are no positions assigned to this job class and the agency is supportive of this request.

There is no fiscal impact associated with this request.

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type N/A	Workforce Indicator 80148588 Classified WA General Service
EEOC Code 46 Office and Clerical	Number of Position(s) Affected N/A

Section C: Classification

Final Adoption

Item 23	
Agency/HE Institution Washington State Auditor's Office	Analyst Mindy Portschy
Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input checked="" type="checkbox"/> Revision <input checked="" type="checkbox"/> Salary Adjustment	If Revision(s) - select all that apply <input checked="" type="checkbox"/> Title Change <input type="checkbox"/> Class Series Concept <input checked="" type="checkbox"/> Definition <input checked="" type="checkbox"/> Distinguishing Characteristics
Current Class Code/Title 148S Audit Intern	Current Salary Range/Rate 30 (\$32,340 - \$42,444)
Proposed Class Code/Title 148S Assistant State Auditor Intern	Proposed Salary Range/Rate 35 (\$36,072 - \$47,688)

Definition

Within the Washington State Auditor's Office, and working under close supervision in a learning capacity, serves as audit support to the auditor in charge of financial, compliance, information technology and/or federal audits of in a training capacity assists higher level auditors in audits of state and local government agencies, or in the research and development of uniform budgeting, accounting, and reporting systems for local and/or state governments entities.

Distinguishing Characteristics

The Assistant State Auditor Intern is distinguished from the Assistant State Auditor series as positions in this class work to develop and gain familiarity and knowledge of national performance standards including Generally Accepted Auditing Standards, Generally Accepted Governmental Auditing Standards, the U.S. Office of Management and Budget Uniform Guidance, Audits of State and Local Government, and agency audit policies. Assignments provide the opportunity to gain valuable experience in the practical application of a variety of audit practices and principles for career growth.

Explanation

The Washington State Auditors Office is requesting class plan maintenance to the Audit Intern class due to business needs and the scope of the work for positions allocated to this job classification. Changes to the job specification include revising the title, adding distinguishing characteristics, and revisions typical work, knowledge and abilities, and desired qualifications to better align with the types of audits performed. In addition to class plan maintenance, State Human Resources staff supports a salary range increase based on the job class responsibility, accountability, and inequities with other similar job classifications.

Section C: Classification

The SAO has identified the intern as being advantageous for the agency as recruitments for the Assistant State Auditor job classification occur. The internship program introduces students to the auditing field, builds their skillset and develops strong mentorships within the agency, as well as providing a career pathway for growth. Positions in this job classification work with state and/or local government staff during audit work. This includes understanding of the internal controls, policy clarification, and requesting and providing information during the audit process. In addition, depending on the type of audit intern position, the levels of education are, at minimum, enrollment in their sophomore year of a college level degree in a major course of study equivalent to that of the position they are applying (financial and compliance, IT, or performance audits).

A fiscal impact statement was submitted and approved by OFM budget stating the agency can absorb costs associated with this request. This job classification is not represented by a collective bargaining agreement.

This item was presented as an emergency item at the August 10, 2023 Director's meeting on an emergency basis and returns for final adoption with the original effective date as proposed.

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 8/16/2023
Management Type N/A	Workforce Indicator 80148588 Classified WA General Service
EEOC Code 45 Paraprofessionals	Number of Position(s) Affected 21

Section C: Classification

Item 24	
Agency/HE Institution Department of Retirement Systems	Analyst Tina Cooley/Julie Moultime
Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input checked="" type="checkbox"/> Revision <input type="checkbox"/> Salary Adjustment	If Revision(s) - select all that apply <input type="checkbox"/> Title Change <input checked="" type="checkbox"/> Class Series Concept <input checked="" type="checkbox"/> Definition <input checked="" type="checkbox"/> Distinguishing Characteristics
Current Class Code/Title 163L Retirement Specialist 1	Current Salary Range/Rate 44 (\$44,400 - \$58,104)
Proposed Class Code/Title N/A	Proposed Salary Range/Rate N/A

Class Series Concept

The Retirement Specialist is a professional series that administers and provides services for customers of the public employee retirement system plans and the Deferred Compensation Program administered by the Department of Retirement Systems. This series is responsible for the administration of multiple retirement systems and plans, including hybrid plans, covering nearly all public employees in the state to- This includes but is not limited to Fire fighters, City, county and state law enforcement officers, Teachers and school district employees, public safety officers, State and local government employees. This series is responsible for the collection of contributions as well as the dispersement of retirement benefit payments to members.

Definition

~~In the Department of Retirement Systems,~~ This is the entry level of the series. Performs entry-level to routine retirement or benefits program administration and assistance work. In a training capacity and under close supervision, Incumbents learn regulatory rules, laws, policies, procedures and processes necessary to provide retirement services for customers of the public employee retirement system plans and the Deferred Compensation Program.

Distinguishing Characteristics (delete if none exists/not applicable)

Positions work under close supervision, this is an in-training class designed to provide guidelines, training opportunities, and direct work experience through a comprehensive structured in-training program. Incumbents attend and complete required modules of the structured Retirement Specialist Training training Pprogram, assuming work of increasing complexity as skills develop. Performing more difficult and complex tasks associated with retirement calculations, interviewing members and explaining and interpreting regulations, policies and benefits. .

- ~~• Participates in individualized counseling for active and retired members of all retirement system plans and the Deferred Compensation Program;~~
-
- ~~• Research member benefits; calculate retirement benefit estimates by analyzing member accounts and forecasting the impact of various scenarios on the member's benefits.~~

Section C: Classification

Upon satisfactory completion of the structured training program, incumbents will advance to the Retirement Specialist 2 classification.

Explanation

This is a request from Department of Retirement Systems for class plan maintenance and an increase in compensation to the Retirement Specialist 1 classification. The class plan maintenance includes revisions to the class series concept, definition and distinguishing characteristics and is in conjunction with the salary range increase of four ranges which went into effect July 1, 2023, and was due to higher level duties.

A Fiscal Impact Statement was submitted and approved by OFM Budget, confirming the agency can absorb all costs associated with this request. The effective date of this action is November 15, 2023.

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type Consultant	Workforce Indicator 80148588 Classified WA General Service
EEOC Code 42 Professionals	Number of Position(s) Affected 27

Section C: Classification

Item 25	
Agency/HE Institution Department of Retirement Systems	Analyst Tina Cooley/Julie Moultime
Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input checked="" type="checkbox"/> Revision <input type="checkbox"/> Salary Adjustment	If Revision(s) - select all that apply <input type="checkbox"/> Title Change <input checked="" type="checkbox"/> Class Series Concept <input checked="" type="checkbox"/> Definition <input checked="" type="checkbox"/> Distinguishing Characteristics
Current Class Code/Title 163M Retirement Specialist 2	Current Salary Range/Rate 51 (\$52,620 - \$69,072)
Proposed Class Code/Title N/A	Proposed Salary Range/Rate N/A

Class Series Concept

See RETIREMENT SPECIALIST 1

Definition

This is the journey level of the series. Positions at this level Independently provide retirement services for customers of the public ~~employees~~ employee's retirement system plans and the Deferred Compensation Program.

Distinguishing Characteristics

~~At the journey level and~~ Working under general supervision, incumbents are responsible for providing the complete range of retirement services including but not limited to: consultation, education, analysis, audit and determination of member eligibility and benefits related to membership, defined benefit/defined contribution, withdrawal, portability, death disability, and service retirement. ~~Work assignments typically include one or more of the following:~~

- ~~• Calculates initial and final retirement benefit for members;—~~
- ~~• Provides individualized counseling for active and retired members of all retirement system plans and the Deferred Compensation Program;—~~
- ~~• Applies in-depth knowledge of past and present retirement laws and rules to ensure all rights and benefits are enacted;—~~
- ~~• Analyzes member accounts and interviews members to determine additional factors which may affect benefit eligibility;—~~
- ~~• Explains to members, their financial advisors and other representatives the federal and state laws that apply to their individual accounts and the impact on their benefit; ensures members understand their individual retirement options and the impact irrevocable decisions have on their benefit.~~

Section C: Classification

Explanation

This is a request from Department of Retirement Systems for class plan maintenance and an increase in compensation to the Retirement Specialist 2 classification. The class plan maintenance includes revisions to the class series concept, definition and distinguishing characteristics and is in conjunction with the salary range increase of four ranges which went into effect July 1, 2023, and was due to higher level duties.

A Fiscal Impact Statement was submitted and approved by OFM Budget, confirming the agency can absorb all costs associated with this request. The effective date of this action is November 15, 2023.

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type Consultant	Workforce Indicator 80148588 Classified WA General Service
EEOC Code 42 Professionals	Number of Position(s) Affected 46

Section C: Classification

Item 26	
Agency/HE Institution Department of Retirement Systems	Analyst Tina Cooley/Julie Moultime
Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input checked="" type="checkbox"/> Revision <input type="checkbox"/> Salary Adjustment	If Revision(s) - select all that apply <input type="checkbox"/> Title Change <input checked="" type="checkbox"/> Class Series Concept <input checked="" type="checkbox"/> Definition <input checked="" type="checkbox"/> Distinguishing Characteristics
Current Class Code/Title 163N Retirement Specialist 3	Current Salary Range/Rate 53 (\$55,224 - \$72,552)
Proposed Class Code/Title N/A	Proposed Salary Range/Rate N/A

Class Series Concept

See RETIREMENT SPECIALIST 1.

Definition

This is the senior, ~~specialist, lead worker or level of the series. Positions are designated as a lead worker; OR as a subject matter specialist OR; as a~~ designated trainer for the Retirement Specialist structured training program.

Distinguishing Characteristics

Under general direction positions perform complex assignments requiring an in-depth knowledge of the public employee retirement system plans and the Deferred Compensation Program. These assignments often require proactive intervention and have statewide or precedent setting impact. Provides advice and consultation to agency management, lower-level professional staff and peers. Handles or oversees the agency's most sensitive, complex or critical program issues. Provides advice and guidance and/or leads professional or other staff. These positions serve the majority of the time in one of the following capacities:

- ~~Positions assigned to this level function as lead workers with~~ have responsibility to regularly assign, instruct, and check the work of a team of Retirement Specialists. ~~Monitors work queues; analyzes and develops strategies to address increases or changes in workload. Assigns and schedules work of team members; monitors work for timeliness and quality; observes team member performance and provides feedback to team supervisor for performance management purposes. Serves as liaison between team members and team supervisor for resolution of complex issues and problems;~~

~~OR~~

- Positions assigned as the specialist ~~S~~serve as subject matter specialists in areas involving the interpretation, investigation development, application and resolution of complex retirement statute, regulation, policy or legislative issues. Serves as a resource for customers, employers and team members regarding the retirement system plans and the Deferred Compensation Program.

Section C: Classification

~~Serves as the content/legal order specialist. Performs in-depth research and analysis in preparing summaries or recommendations on issues of administrative policy or procedure. Interprets, investigates and resolves complex issues related to political agencies, disabled members, deceased member beneficiaries, portability, employer contracts, or optional service;~~

~~OR~~

- ~~• Positions ~~serve as a~~ assigned as a designated trainer for the Retirement Specialist structured training program. ~~Develop~~ Retirement Specialist structured training curriculum and materials; delivers in-depth training on modules including the use of agency computer systems and databases. ~~Develops performance standards for all Retirement Specialist structured training modules; observes, monitors and verifies satisfactory completion of training; develops corrective action plan with team supervisor as needed. Develops and conducts training for all team members to maintain current skill sets; updates training materials as needed for legislative and agency policy changes; develops and delivers ad hoc training as needed.~~~~

Explanation

This is a request from Department of Retirement Systems for class plan maintenance and an increase in compensation to the Retirement Specialist 3 classification. The class plan maintenance includes revisions to the class series concept, definition and distinguishing characteristics and is in conjunction with the salary range increase of four ranges which went into effect July 1, 2023, and was due to higher level duties.

A Fiscal Impact Statement was submitted and approved by OFM Budget, confirming the agency can absorb all costs associated with this request. The effective date of this action is November 15, 2023.

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type Consultant	Workforce Indicator 80148588 Classified WA General Service
EEOC Code 42 Professionals	Number of Position(s) Affected 14

Section C: Classification

Item 27	
Agency/HE Institution Department of Retirement Systems	Analyst Tina Cooley/Julie Moultime
Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input checked="" type="checkbox"/> Revision <input type="checkbox"/> Salary Adjustment	If Revision(s) - select all that apply <input type="checkbox"/> Title Change <input checked="" type="checkbox"/> Class Series Concept <input checked="" type="checkbox"/> Definition <input checked="" type="checkbox"/> Distinguishing Characteristics
Current Class Code/Title 1630 Retirement Specialist 4	Current Salary Range/Rate 56 (\$59,616 - \$78,120)
Proposed Class Code/Title N/A	Proposed Salary Range/Rate N/A

Class Series Concept

See RETIREMENT SPECIALIST 1

Definition

This is the supervisory or expert level of the series. Supervises an assigned team of Retirement Specialists; OR is a designated ~~as a~~ technical expert for administrative policy issues related to retirement system plans and the Deferred Compensation Program.

Distinguishing Characteristics

Positions at this level work under administrative direction. Responsibilities include overseeing and resolving the most sensitive, complex issues having broad potential impact.- Perform a wide scope of highly complex duties and responsibilities, exercising independent judgment and decision making. Supervises an assigned team of Retirement Specialists. Directs team members in the provision of retirement coverage for customer caseload and support functions. ~~Establishes and implements unit standards, processes and procedures. Provides leadership, coaching mentoring and support to team members and establishes goals and expectations for work performance and behavior. Observes team members on a regular basis as part of assessing performance; provides regular, ongoing feedback; conducts performance evaluations in accordance with established rules and agency policy;~~

OR

Serves as a technical expert for highly complex retirement issues related to administrative policy and procedures. Positions independently devise methods and processes to resolve complex or difficult issues that have broad potential impact and typically involve competing interests, multiple clients, conflicting rules or practices, a range of possible solutions, or other elements.

~~Assignments typically include one or more of the following:-~~

- ~~• Facilitates development of new administrative policies and procedures;-~~
- ~~• Prepares decision papers and drafts administrative decisions for review by the Plan Administrator on matters of retirement system laws, rules and policies; drafts Washington Administrative Code rules;-~~

Section C: Classification

- ~~Prepares and gives testimony for administrative hearings or court cases regarding retirement issues. Interprets new and revised laws and regulations to determine impact on retirement systems.~~

Positions at this level are characterized by a high level of independent judgment and broad responsibilities and decision-making authority in determining the nature and scope of problems to be resolved.

Explanation

This is a request from Department of Retirement Systems for class plan maintenance for the Retirement Specialist 4 classification. The class plan maintenance includes revisions to the class series concept, definition and distinguishing characteristics and is in conjunction with the salary range increase of four ranges which went into effect July 1, 2023, and was due to higher level duties.

A Fiscal Impact Statement was submitted and approved by OFM Budget, confirming the agency can absorb all costs associated with this request. The effective date of this action is November 15, 2023.

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type Consultant	Workforce Indicator 80148588 Classified WA General Service
EEOC Code 42 Professionals	Number of Position(s) Affected 2

Section C: Classification

Final Adoption

Item 28	
Agency/HE Institution Department of Social and Health Services	Analyst Barb Ursini
Director's Meeting Action(s) - select all that apply <input checked="" type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input type="checkbox"/> Revision <input type="checkbox"/> Salary Adjustment	If Revision(s) - select all that apply <input type="checkbox"/> Title Change <input type="checkbox"/> Class Series Concept <input type="checkbox"/> Definition <input type="checkbox"/> Distinguishing Characteristics
Current Class Code/Title 165F Financial Benefits Coordinator	Current Salary Range/Rate 41
Proposed Class Code/Title N/A	Proposed Salary Range/Rate N/A

Definition

Provides support and direct assistance to clients with significant disabilities. Provides benefits counseling with customers, Division of Vocational Rehabilitation staff, legal guardians, representative payees, Community Rehabilitation Programs, lawyers, mental health practitioners, transition teachers, and Developmental Disabilities Administration case managers by creating individualized Social Security Administration guides and writing an individualized benefits planning analysis. Provides in depth counseling regarding how work will impact the customer's benefits. Financial Benefits Coordinators Performs social work with DVR customers to increase their ability for placement into meaningful work with pathways to improve financial stability and independence.

Explanation

The Department of Social and Health Services is requesting to abolish this job classification as it has not been utilized for a number of years. This item was adopted as an emergency item at the August 10, 2023 State HR Director's meeting and returns for final adoption.

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type N/A	Workforce Indicator 80148588 Classified WA General Service
EEOC Code 45 Paraprofessionals	Number of Position(s) Affected N/A

Section C: Classification

Final Adoption

Item 29	
Agency/HE Institution Department of Social and Health Services	Analyst Barb Ursini
Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input checked="" type="checkbox"/> Revision <input type="checkbox"/> Salary Adjustment	If Revision(s) - select all that apply <input type="checkbox"/> Title Change <input type="checkbox"/> Class Series Concept <input checked="" type="checkbox"/> Definition <input checked="" type="checkbox"/> Distinguishing Characteristics
Current Class Code/Title 344F Rehabilitation Technician 2	Current Salary Range/Rate 46
Proposed Current Class Code/Title N/A	Proposed Salary Range/Rate N/A

Definition

Provides support and direct assistance to clients with significant disabilities. Provides a limited scope of services to a small caseload of clients referred by Vocational Rehabilitation Counselors (VCR) such as: vocational services, calculation of benefits analysis, job readiness preparation, and/or job search assistance, and makes recommendations regarding the vocational rehabilitation needs of individuals with disabilities.

Distinguishing Characteristics

~~Under general supervision with the guidance and approval of a Vocational Rehabilitation Counselor or supervisory staff, this job class demonstrates limited case management responsibilities with a limited number of cases involving direct service delivery to referred clients. Assists referred clients in performing one or more of the following:~~

- ~~• Conducts self-directed job searches including resume development, identifying and applying for job openings, and practicing for job interviews;~~
- ~~• Collaborates with WorkSource Business Services Teams, by conducting outreach and providing information to employers who recruit and hire vocational rehabilitation clients;~~
- ~~• Provides direct services to referred clients by utilizing knowledge of agency vocational rehabilitation and independent living processes, administrative policies and administrative support functions.~~

For the Division of Vocational Rehabilitation (DVR), this class is distinguished from the Rehabilitation Technician 1 by having limited case management responsibilities involving direct service delivery to referred clients. Under general supervision and with the guidance and approval of a Vocational Rehabilitation Counselor or supervisory staff, the Rehabilitation Technician 2 performs limited case management responsibilities with referred customers by assisting referred customers in either:

- 1) assisting clients in conducting self-directed job searches including resume development, identifying and applying for job openings, and practicing for job interviews; in collaboration with WorkSource Business Services Teams, conducting outreach and providing information to employers who recruit and/or hire DVR clients; or

Section C: Classification

2) calculating how clients' Social Security Disability Insurance (SSDI) and/or Supplemental Security Income (SSI) benefits will be affected by earned income when the individual goes to work; providing a standardized written benefits analysis report to the Vocational Rehabilitation Counselor and client that shows the results of this calculation, which the VRC uses to provide VR counseling to the client on their choice of employment and salary goals, hours of work, as well as other key vocational decisions.

Cases are limited in number.

For the Department of Services for the Blind, this class is distinguished from the Rehabilitation Technician 1 by often making independent judgments and applying knowledge of agency vocational rehabilitation and independent living processes, administrative policies and "good practices" in performing direct services and administrative support functions necessary for the successful vocational rehabilitation and increased independence of agency participants. The Rehabilitation Technician 2 may be given responsibility for a small caseload of participants within the vocational rehabilitation process.

Explanation

The Department of Social and Health Services is requesting to transition duties which were originally moved to the "165F Financial Benefits Coordinator" through the 2023-25 collective bargaining cycle, back to the Rehabilitation Technician 2. An agreement was reached between the agency and union stakeholders to this approach in order to allow the agency to make appropriate allocation determinations. The salary adjustment for the RT2 effective July 1, 2023 will remain. In addition, the FBC will be abolished as it has not been utilized in a number of years. This item was adopted as an emergency item at the August 10, 2023 State HR Director's meeting and returns for final adoption.

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 11/15/2023
Management Type N/A	Workforce Indicator 80148588 Classified WA General Service
EEOC Code 42 Professionals	Number of Position(s) Affected 25

Section C: Classification

Item 30	
Agency/HE Institution Department of Social and Health Services	Analyst Barb Ursini
Director's Meeting Action(s) - select all that apply <input type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input checked="" type="checkbox"/> Revision <input type="checkbox"/> Salary Adjustment	If Revision(s) - select all that apply <input type="checkbox"/> Title Change <input type="checkbox"/> Class Series Concept <input checked="" type="checkbox"/> Definition <input checked="" type="checkbox"/> Distinguishing Characteristics
Current Class Code/Title 345G Attendant Counselor 2	Current Salary Range/Rate Range 43 (\$43,428 - \$56,676)
Proposed Class Code/Title N/A	Proposed Salary Range/Rate N/A

Definition

Within the Department of Social and Health Services Developmental Disabilities Administration provides habilitation support services to individuals with developmental disabilities in a Residential Habilitation Center (RHC) or a State Operated Community Residential (SOCR):

Within a Division of Developmental Disabilities Residential Habilitation Center (RHC), under the supervision of higher level Attendant Counselors (ACs) and/or the direction of other individuals with specific professional qualifications, writes, implements, monitors, assesses, and revises individual habilitation training programs. Develops and/or writes formal skill acquisition training programs, evaluates the effectiveness of the programs by means of periodic review of client response and modifies the program as necessary. Writes Individual Habilitation Plan (IHP) assessments and functions as a member of the interdisciplinary team, and participates in development of the client's annual IHP. Provides the client's training, care, and assistance in a residential living area or other areas on or off campus, depending upon the location of the client.

OR

Within a State Operated Community Residential (SOCR) program, provides direct support to individuals with developmental disabilities living in state operated homes in a community setting. Implements, monitors, assesses the clients' individualized plans. Documents and provides feedback on the implementation of the goals in the individual's plan. Participates in the development and the implementation of habilitative goals. Provides daily habilitative services, support and instruction with activities of daily living in the clients' home and the community. Works under the general supervision of an Attendant Counselor Manager (ACM).

Explanation

This request from Department of Social and Health Services for class plan maintenance to the Attendant Counselor 2 classification and revise the definition.

Section C: Classification

These changes are a result of the 2023-2025 Collective Bargaining Negotiations and Budget Process.

This item was presented at the July 24, 2023 Special Director's meeting, and now returns for a *correction of error* to be adopted at the November 9, 2023 Director's meeting with the original effective date of July 1, 2023.

This information is entered into Human Resources Management System and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 7/1/2023
Management Type N/A	Workforce Indicator 80148588 Classified WA General Service
EEOC Code 45 Paraprofessionals	Number of Position(s) Affected 891

Section D: Compensation

**Higher Education
Special Pay**

Item 31			
Requester (HE Institution) University of Washington		Analyst Shelby Sheldon	
Action <input type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input checked="" type="checkbox"/> Revision		Effective Date 11/16/2023	
<i><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></i>			
Non-Represented Class Title(s)	Number of Positions	Current Certification Premium	Proposed Certification Premium
Speech Pathologist/Audiologist Specialist 1	20	\$0.00	\$1.25
Speech Pathologist/Audiologist Specialist 2	12	\$0.00	\$1.25
Speech Pathologist/Audiologist Specialist 3	1	\$0.00	\$1.25

Category (select all that apply):

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

Explanation

The University of Washington is requesting to pay certification premium pay for the Speech Pathologist/Audiologist Specialist 1 – 3 jobs classes affecting 33 employees. The basis of this request is effective operations.

Section D: Compensation

State HR supports the institution's request based on effective operations. This request is to pay certification premium pay for the Speech Pathologist/Audiologist job classes listed above and will provide incentive to those who achieve specialty certifications on top of the minimum qualifications for their positions. These employees diagnose and treat cognitive-communication and language disorders and swallowing problems. The certifications designate the clinicians advanced knowledge, skills, and expertise in their areas of specialty. The achievement supports high-quality care and highlights the clinician's active engagement in professional development within the area of expertise.

UW has identified local funds to support the certification premium pay increases, which does not include tuition dollars. UW is requesting an effective date of November 16, 2023.

<i>Internal Use Only</i>
Director's Meeting Date 11/14/2023

Section D: Compensation

**Washington Federation of State Employees IAA Shadow Classes
Department of Corrections Only**
Final Adoption

Item 32	
Action Base Range Salary Adjustment	Analyst Melissa Bovenkamp

Item subsection number	Class Code	Job Title	Current Salary Range	Proposed Salary Range
a	350F	Corrections Specialist 4 – WFSE	61CC	62

Explanation

The proposed salary range establishments of this shadow class are a result of Washington Federation of State Employees Department of Corrections Interest Arbitration Award, dated September 23, 2022.

This item was adopted at the July 24, 2023 Director’s meeting on an emergency basis and is back for final adoption with the original proposed effective date as proposed.

For Office of Financial Management, State Human Resources use only. This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director’s Meeting Date 11/14/2023	Effective Date 7/1/2023

Section D: Compensation

**Washington Federation of State Employees IAA Shadow Classes
Department of Corrections Only**

Final Adoption

Item 33	
Action Base Range Salary Adjustment (Correction of Error)	Analyst Melissa Bovenkamp

Item subsection number	Class Code	Job Title	Current Salary Range	Proposed Salary Range
a	350F	Corrections Specialist 4 – WFSE	62	63

Explanation

The proposed salary range establishments of this shadow class are a result of Washington Federation of State Employees Department of Corrections Interest Arbitration Award, dated September 23, 2022.

This item was adopted at the July 24, 2023 Director’s meeting on an emergency basis and is back for final adoption with a revised proposed effective date. Per the collective bargaining agreement, the effective date should be July 1, 2024.

For Office of Financial Management, State Human Resources use only. This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director’s Meeting Date 11/14/2023	Effective Date 7/1/2024

Section D: Compensation

Washington Federation of State Employees IAA Shadow Classes
Department of Corrections Only

Final Adoption

Item 34	
Action Base Range Salary Adjustment	Analyst Melissa Bovenkamp

Item subsection number	Class Code	Job Title	Current Salary Range	Proposed Salary Range
a	350F	Corrections Specialist 4 – WFSE	63	64

Explanation

The proposed salary range establishments of this shadow class are a result of Washington Federation of State Employees Department of Corrections Interest Arbitration Award, dated September 23, 2022.

This item was adopted at the July 24, 2023 Director’s meeting on an emergency basis and is back for final adoption with the original proposed effective date as proposed.

For Office of Financial Management, State Human Resources use only. This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director’s Meeting Date 11/14/2023	Effective Date 1/1/2025

Section D: Compensation

**Washington Federation of State Employees IAA Shadow Classes
Department of Corrections Only**

Item 35	
Action Base Range Salary Adjustments (Correction of error)	Analyst Mindy Portschy

Item subsection number	Class Code	Job Title	Current Salary Range	Proposed Salary Range
a	350D	CORRECTIONS SPECIALIST 3 – DOC WFSE	58	59
b	383J	COMMUNITY CORRECTIONS OFFICER 4	62	63

Explanation

The proposed salary range establishments of these shadow classes are a result of Washington Federation of State Employees Department of Corrections Interest Arbitration Award, dated September 23, 2022.

This compensation item was adopted on June 22, 2023, with an effective date of January 1, 2024, in error. Per the collective bargaining agreement effective date should be July 1, 2024.

For Office of Financial Management, State Human Resources use only. This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director's Meeting Date 11/14/2023	Effective Date 7/1/2024

Section D: Compensation

Item: 36

APPRENTICE SALARY SCHEDULE
Effective 7/1/2023

*Revised 9/6/2023

APPRENTICE LEVEL JOB CLASSES											
Class Code	Class Title	Percentage of Journey Level Jobs (Monthly Salary Amount)									
154A	APP Auditor 1 (Range 50C)	Entry 80% \$3,598	6 months 85% \$3,822	12 months 90% \$4,047	18 months. 95% \$4,272	24 months 100% 4497 Journey Range 50C					
152P	Journey Level Labor and Industries Auditor 3										
169E	APP Workers' Compensation Adjudicator 2 (Range 49G) (Revised 7/12/2023)	Entry 87% \$4,213	6 months 90% \$4,358	10 months 93% \$4,503	22 months 100% \$4,842 Journey Range 49G						
168P	Journey Level Workers' Comp Adj 2										
628E	APP Construction and Maintenance Project Specialist 1 (Range 51G)	Entry 80% \$4,070	6 months 82.50% \$4,198	12 months 85% \$4,325	18 months 87.50% \$4,452	24 months 90% \$4,579	30 months 92.50% \$4,706	36 months 95% \$4,834	42 months 97.50% \$4,961	48 months 100% 5088 Journey Range 51G	
627E	Journey Level Const. & Maint Project Spec										
121A	APP Industrial Relations Agent Apprentice 1 (Range 51C)	Entry 75% \$3,452	6 months 80.00% \$3,682	12 months 85% \$3,912	18 months 90.00% \$4,142	24 months 95% \$4,372	27 months 100% \$4,602 Journey Range 51C				
124B	Journey Level Industrial Relations Agent 2										
620E	Painter Apprentice (Range 42G)	Entry 70% \$2,850	12 months 80% \$3,258	24 months 90% \$3,665	36 months 100% \$4,072 Journey Range 42G						
619F	Journey Level Painter										
609E	Electrician Apprentice (Range 50G)	Entry 70% \$3,478	12 months 80% \$3,974	24 months 90% \$4,471	36 months 95% \$4,720	48 months 100% \$4,968 Journey Range 50G					
608F	Journey Level Electrician										
606E	Carpenter Apprentice (Range 42G)	Entry 80% \$3,258	6 months 82.5% \$3,359	12 months 85% \$3,461	18 months 87.5% \$3,563	24 months 90% \$3,665	30 months 92.5% \$3,767	36 months 95% \$3,868.40	42 months 97.50% \$3,970	48 months 100% \$4,072 Journey Range 42G	
605E	Journey Level Carpenter										
621D	Plumber/Pipefitter/Steamfitter Apprentice (Range 50G)	Entry 70% \$3,478	12 months 80% \$3,974	24 months 90% \$4,471	36 months 95% \$4,720	48 months 100% \$4,968 Journey Range 50G					
621F	Journey Level Plumber/Pipefitter/Steamfitter										

Note:
169E was calculated incorrectly by using step F instead of G. This was corrected 7/12/2023.

Section D: Compensation

Item: 37 Revised

APPRENTICE SALARY SCHEDULE

Effective 7/1/2024

*REVISED 9/6/2023

APPRENTICE LEVEL JOB CLASSES										
Class Code	Class Title	Percentage of Journey Level Jobs (Monthly Salary Amount)								
		Entry	6 months	12 months	18 months	24 months	30 months	36 months	42 months	48 months
154A	APP Auditor 1 (Range 50C)	Entry 80% \$3,706	6 months 85% \$3,937	12 months 90% \$4,169	18 months 95% \$4,400	24 months 100% 4632 Journey Range 50C				
152P	Journey Level Labor and Industries Auditor 3									
169E	APP Workers' Compensation Adjudicator 2 (Range 49G)	Entry 87% \$4,339	6 months 90% \$4,488	10 months 93% \$4,638	22 months 100% 4987 Journey Range 49G					
168P	Journey Level Workers' Comp Adj 2									
628E	APP Construction and Maintenance Project Specialist 1 (Range 51G)	Entry 80% \$4,193	6 months 82.50% \$4,324	12 months 85% \$4,455	18 months 87.50% \$4,586	24 months 90% \$4,717	30 months 92.50% \$4,848	36 months 95% \$4,979	42 months 97.50% \$5,110	48 months 100% 5241 Journey Range 51G
627E	Journey Level Const. & Maint Project Spec									
121A	APP Industrial Relations Agent Apprentice 1 (Range 51C)	Entry 75% \$3,555	6 months 80.00% \$3,792	12 months 85% \$4,029	18 months 90.00% \$4,266	24 months 95% \$4,503	27 months 100% \$4,740 Journey Range 51C			
124B	Journey Level Industrial Relations Agent 2									
620E	Painter Apprentice (Range 42G)	Entry 70% \$2,936	12 months 80% \$3,355	24 months 90% \$3,775	36 months 100% 4194 Journey Range 42G					
619F	Journey Level Painter									
609E	Electrician Apprentice (Range 50G)	Entry 70% \$3,582	12 months 80% \$4,094	24 months 90% \$4,605	36 months 95% \$4,861	48 months 100% \$5,117 Journey Range 50G				
608F	Journey Level Electrician									
606E	Carpenter Apprentice (Range 42G)	Entry 80% \$3,355	6 months 82.5% \$3,460	12 months 85% \$3,565	18 months 87.5% \$3,670	24 months 90% \$3,775	30 months 92.5% \$3,879	36 months 95% \$3,984.30	42 months 97.50% \$4,089	48 months 100% 4194 Journey Range 42G
605E	Journey Level Carpenter									
621D	Plumber/Pipefitter/Steamfitter Apprentice (Range 50G)	Entry 70% \$3,582	12 months 80% \$4,094	24 months 90% \$4,605	36 months 95% \$4,861	48 months 100% \$5,117 Journey Range 50G				
621F	Journey Level Plumber/Pipefitter/Steamfitter									

*Salary ranges were updated to reflect 7/1/2023 salary range adjustments for 124B, 608F and 621F.

Section D: Compensation

Item: 38

**UNIVERSITY OF WASHINGTON
Medical Centers Special Pay
Classified, Non-Represented Classes**

7/1/2023 1% Grid (As calculated by the UW Compensation Office) Rounded to the nearest whole dollar.

The following special pay 1% salary grid is a proposal from the University of Washington to reflect their approved 4% adjustment effective July 1, 2023.

STEP																									
AA1	BB1	CC1	DD1	EE1	FF1	GG1	HH1	II1	JJ1	KK1	LL1	MM1	NN1	OO1	PP1	QQ1	RR1	SS1	TT1	UU1	VV1	WW1	XX1	YY1	ZZ1
1852	1874	1891	1909	1924	1948	1967	1987	2007	2026	2047	2069	2086	2109	2130	2152	2172	2194	2215	2238	2262	2283	2306	2331	2351	2375
A1	B1	C1	D1	E1	F1	G1	H1	I1	J1	K1	L1	M1	N1	O1	P1	Q1	R1	S1	T1	U1	V1	W1	X1	Y1	Z1
2401	2424	2449	2473	2497	2523	2548	2573	2603	2623	2653	2677	2704	2733	2757	2786	2812	2843	2869	2901	2927	2959	2987	3017	3047	3077
A2	B2	C2	D2	E2	F2	G2	H2	I2	J2	K2	L2	M2	N2	O2	P2	Q2	R2	S2	T2	U2	V2	W2	X2	Y2	Z2
3109	3141	3173	3202	3235	3269	3302	3335	3366	3401	3433	3470	3503	3540	3571	3609	3646	3682	3721	3758	3795	3831	3871	3908	3949	3987
A3	B3	C3	D3	E3	F3	G3	H3	I3	J3	K3	L3	M3	N3	O3	P3	Q3	R3	S3	T3	U3	V3	W3	X3	Y3	Z3
4027	4066	4107	4149	4190	4231	4274	4317	4361	4403	4449	4492	4540	4582	4629	4676	4722	4767	4817	4867	4916	4964	5015	5064	5115	5164
A4	B4	C4	D4	E4	F4	G4	H4	I4	J4	K4	L4	M4	N4	O4	P4	Q4	R4	S4	T4	U4	V4	W4	X4	Y4	Z4
5219	5271	5321	5376	5429	5484	5538	5591	5648	5706	5762	5820	5880	5936	5999	6057	6120	6179	6242	6303	6369	6429	6496	6560	6628	6696
A5	B5	C5	D5	E5	F5	G5	H5	I5	J5	K5	L5	M5	N5	O5	P5	Q5	R5	S5	T5	U5	V5	W5	X5	Y5	Z5
6760	6830	6896	6964	7035	7105	7173	7245	7317	7391	7465	7539	7615	7692	7768	7845	7925	8003	8086	8165	8247	8328	8415	8496	8583	8665
A6	B6	C6	D6	E6	F6	G6	H6	I6	J6	K6	L6	M6	N6	O6	P6	Q6	R6	S6	T6	U6	V6	W6	X6	Y6	Z6
8756	8840	8929	9022	9111	9200	9294	9387	9481	9575	9670	9769	9866	9963	10065	10164	10266	10370	10471	10577	10683	10790	10897	11006	11116	11227
A7	B7	C7	D7	E7	F7	G7	H7	I7	J7	K7	L7	M7	N7	O7	P7	Q7	R7	S7	T7	U7	V7	W7	X7	Y7	Z7
11338	11454	11567	11682	11799	11917	12036	12157	12279	12401	12527	12651	12778	12906	13035	13164	13295	13428	13564	13700	13837	13973	14117	14258	14400	14542
A8	B8	C8	D8	E8	F8	G8	H8	I8	J8	K8	L8	M8	N8	O8	P8	Q8	R8	S8	T8	U8	V8	W8	X8	Y8	Z8
14689	14835	14984	15133	15286	15438	15593	15749	15905	16065	16225	16386	16552	16716	16883	17052	17223	17394	17570	17744	17922	18102	18283	18467	18652	18839
A9	B9	C9	D9	E9	F9	G9	H9	I9	J9	K9	L9	M9	N9	O9	P9	Q9	R9	S9	T9	U9	V9	W9	X9	Y9	Z9
19027	19217	19409	19603	19799	19997	20197	20399	20603	20809	21017	21227	21439	21653	21870	22089	22310	22533	22758	22986	23216	23448	23682	23919	24158	24400
A10	B10	C10	D10	E10	F10	G10	H10	I10	J10	K10	L10	M10	N10	O10	P10	Q10	R10	S10	T10	U10	V10	W10	X10	Y10	Z10
24644	24890	25139	25390	25644	25900	26159	26421	26685	26952	27222	27494	27769	28047	28327	28610	28896	29185	29477	29772	30070	30371	30675	30982	31292	31605

If you have questions or comments please contact Mindy Portschy at Mindy.Portschy@ofm.wa.gov or (360) 790-1384.
Prepared by UW Human Resources Compensation
Effective July 1, 2023

Section D: Compensation

Item 39	
Requester (Agency/HE Institution) Washington State School for the Blind (SFB) and Washington State Center for Childhood Deafness and Hearing Loss	Analyst Mindy Portschy
Action V-Range Salary Schedule (Certificated Teaching Salary Rate Adjustment)	Effective Date 9/1/2023

The 2023-2024 Certificated Teaching Salary rate adjustment on the following page is proposed for Adoption with an effective date of September 1, 2023.

By statute RCW 72.40.028, Washington State Center for Childhood Deafness and Hearing Loss and the School for the Blind are required to set their salaries according to "...Salaries of all certificated employees shall be based on the statewide average salary set forth in RCW 28A.150.410, adjusted by the regionalization factor that applies to the school district in which the program or facility is located."

Please contact Mindy Portschy at 360-790-1384 or Mindy.Portschy@ofm.wa.gov if you have any questions.

Internal Use Only
Director's Meeting Date 11/14/2023

Section D: Compensation

Item: 39 (continued)

2023-2024 VSD#37 Certificated Teaching Salary Rates - 180 days
Effective September 1, 2023

Annual dollars are rounded to whole dollar.

RANGE	YEARS																
	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
BA + 0 (annual)	\$ 54,471	\$ 55,205	\$ 55,904	\$ 56,623	\$ 57,330	\$ 58,059	\$ 58,809	\$ 60,125	\$ 62,053	\$ 62,053	\$ 62,053	\$ 62,053	\$ 62,053	\$ 62,053	\$ 62,053	\$ 62,053	\$ 62,053
Monthly (12 mo/yr)	\$ 4,539.25	\$ 4,600.42	\$ 4,658.67	\$ 4,718.58	\$ 4,777.50	\$ 4,838.25	\$ 4,900.75	\$ 5,010.42	\$ 5,171.08	\$ 5,171.08	\$ 5,171.08	\$ 5,171.08	\$ 5,171.08	\$ 5,171.08	\$ 5,171.08	\$ 5,171.08	\$ 5,171.08
Daily (180 days/yr)	\$ 302.62	\$ 306.69	\$ 310.58	\$ 314.57	\$ 318.50	\$ 322.55	\$ 326.72	\$ 334.03	\$ 344.74	\$ 344.74	\$ 344.74	\$ 344.74	\$ 344.74	\$ 344.74	\$ 344.74	\$ 344.74	\$ 344.74
Hourly (1440 hrs/yr)	\$ 37.83	\$ 38.34	\$ 38.82	\$ 39.32	\$ 39.81	\$ 40.32	\$ 40.84	\$ 41.75	\$ 43.09	\$ 43.09	\$ 43.09	\$ 43.09	\$ 43.09	\$ 43.09	\$ 43.09	\$ 43.09	\$ 43.09
BA + 15 (annual)	\$ 55,944	\$ 56,695	\$ 57,410	\$ 58,143	\$ 58,917	\$ 59,653	\$ 60,368	\$ 61,709	\$ 63,722	\$ 65,810	\$ 65,810	\$ 65,810	\$ 65,810	\$ 65,810	\$ 65,810	\$ 65,810	\$ 65,810
Monthly (12 mo/yr)	\$ 4,662.00	\$ 4,724.58	\$ 4,784.17	\$ 4,845.25	\$ 4,909.75	\$ 4,971.08	\$ 5,030.67	\$ 5,142.42	\$ 5,310.17	\$ 5,484.17	\$ 5,484.17	\$ 5,484.17	\$ 5,484.17	\$ 5,484.17	\$ 5,484.17	\$ 5,484.17	\$ 5,484.17
Daily (180 days/yr)	\$ 310.80	\$ 314.97	\$ 318.94	\$ 323.02	\$ 327.32	\$ 331.41	\$ 335.38	\$ 342.83	\$ 354.01	\$ 365.61	\$ 365.61	\$ 365.61	\$ 365.61	\$ 365.61	\$ 365.61	\$ 365.61	\$ 365.61
Hourly (1440 hrs/yr)	\$ 38.85	\$ 39.37	\$ 39.87	\$ 40.38	\$ 40.91	\$ 41.43	\$ 41.92	\$ 42.85	\$ 44.25	\$ 45.70	\$ 45.70	\$ 45.70	\$ 45.70	\$ 45.70	\$ 45.70	\$ 45.70	\$ 45.70
BA + 30 (annual)	\$ 57,467	\$ 58,241	\$ 58,970	\$ 59,722	\$ 60,504	\$ 61,255	\$ 62,025	\$ 63,387	\$ 65,441	\$ 67,613	\$ 69,811	\$ 69,811	\$ 69,811	\$ 69,811	\$ 69,811	\$ 69,811	\$ 69,811
Monthly (12 mo/yr)	\$ 4,788.92	\$ 4,853.42	\$ 4,914.17	\$ 4,976.83	\$ 5,042.00	\$ 5,104.58	\$ 5,168.75	\$ 5,282.25	\$ 5,453.42	\$ 5,634.42	\$ 5,817.58	\$ 5,817.58	\$ 5,817.58	\$ 5,817.58	\$ 5,817.58	\$ 5,817.58	\$ 5,817.58
Daily (180 days/yr)	\$ 319.26	\$ 323.56	\$ 327.61	\$ 331.79	\$ 336.13	\$ 340.31	\$ 344.58	\$ 352.15	\$ 363.56	\$ 375.63	\$ 387.84	\$ 387.84	\$ 387.84	\$ 387.84	\$ 387.84	\$ 387.84	\$ 387.84
Hourly (1440 hrs/yr)	\$ 39.91	\$ 40.45	\$ 40.95	\$ 41.47	\$ 42.02	\$ 42.54	\$ 43.07	\$ 44.02	\$ 45.45	\$ 46.95	\$ 48.48	\$ 48.48	\$ 48.48	\$ 48.48	\$ 48.48	\$ 48.48	\$ 48.48
BA + 45 (annual)	\$ 58,995	\$ 59,835	\$ 60,688	\$ 61,493	\$ 62,338	\$ 63,192	\$ 64,056	\$ 65,530	\$ 67,762	\$ 70,018	\$ 72,389	\$ 74,829	\$ 77,191	\$ 77,191	\$ 77,191	\$ 77,191	\$ 77,191
Monthly (12 mo/yr)	\$ 4,916.25	\$ 4,986.25	\$ 5,057.33	\$ 5,124.42	\$ 5,194.83	\$ 5,266.00	\$ 5,338.00	\$ 5,460.83	\$ 5,646.83	\$ 5,834.83	\$ 6,032.42	\$ 6,235.75	\$ 6,432.58	\$ 6,432.58	\$ 6,432.58	\$ 6,432.58	\$ 6,432.58
Daily (180 days/yr)	\$ 327.75	\$ 332.42	\$ 337.16	\$ 341.63	\$ 346.32	\$ 351.07	\$ 355.87	\$ 364.06	\$ 376.46	\$ 388.99	\$ 402.16	\$ 415.72	\$ 428.84	\$ 428.84	\$ 428.84	\$ 428.84	\$ 428.84
Hourly (1440 hrs/yr)	\$ 40.97	\$ 41.55	\$ 42.14	\$ 42.70	\$ 43.29	\$ 43.88	\$ 44.48	\$ 45.51	\$ 47.06	\$ 48.62	\$ 50.27	\$ 51.96	\$ 53.60	\$ 53.60	\$ 53.60	\$ 53.60	\$ 53.60
BA + 90 (annual)	\$ 65,307	\$ 66,034	\$ 66,763	\$ 67,458	\$ 68,182	\$ 68,922	\$ 69,678	\$ 71,095	\$ 73,325	\$ 75,579	\$ 77,952	\$ 80,390	\$ 82,928	\$ 85,553	\$ 88,255	\$ 90,551	\$ 92,362
Monthly (12 mo/yr)	\$ 5,442.25	\$ 5,502.83	\$ 5,563.58	\$ 5,621.50	\$ 5,681.83	\$ 5,743.50	\$ 5,806.50	\$ 5,924.58	\$ 6,110.42	\$ 6,298.25	\$ 6,496.00	\$ 6,699.17	\$ 6,910.67	\$ 7,129.42	\$ 7,354.58	\$ 7,545.92	\$ 7,696.83
Daily (180 days/yr)	\$ 362.82	\$ 366.86	\$ 370.91	\$ 374.77	\$ 378.79	\$ 382.90	\$ 387.10	\$ 394.97	\$ 407.36	\$ 419.88	\$ 433.07	\$ 446.61	\$ 460.71	\$ 475.29	\$ 490.31	\$ 503.06	\$ 513.12
Hourly (1440 hrs/yr)	\$ 45.35	\$ 45.86	\$ 46.36	\$ 46.85	\$ 47.35	\$ 47.86	\$ 48.39	\$ 49.37	\$ 50.92	\$ 52.49	\$ 54.13	\$ 55.83	\$ 57.59	\$ 59.41	\$ 61.29	\$ 62.88	\$ 64.14
MA + 0 (annual)	\$ 65,307	\$ 66,034	\$ 66,763	\$ 67,458	\$ 68,182	\$ 68,922	\$ 69,678	\$ 71,095	\$ 73,325	\$ 75,579	\$ 77,952	\$ 80,390	\$ 82,928	\$ 85,553	\$ 88,255	\$ 90,551	\$ 92,362
Monthly (12 mo/yr)	\$ 5,442.25	\$ 5,502.83	\$ 5,563.58	\$ 5,621.50	\$ 5,681.83	\$ 5,743.50	\$ 5,806.50	\$ 5,924.58	\$ 6,110.42	\$ 6,298.25	\$ 6,496.00	\$ 6,699.17	\$ 6,910.67	\$ 7,129.42	\$ 7,354.58	\$ 7,545.92	\$ 7,696.83
Daily (180 days/yr)	\$ 362.82	\$ 366.86	\$ 370.91	\$ 374.77	\$ 378.79	\$ 382.90	\$ 387.10	\$ 394.97	\$ 407.36	\$ 419.88	\$ 433.07	\$ 446.61	\$ 460.71	\$ 475.29	\$ 490.31	\$ 503.06	\$ 513.12
Hourly (1440 hrs/yr)	\$ 45.35	\$ 45.86	\$ 46.36	\$ 46.85	\$ 47.35	\$ 47.86	\$ 48.39	\$ 49.37	\$ 50.92	\$ 52.49	\$ 54.13	\$ 55.83	\$ 57.59	\$ 59.41	\$ 61.29	\$ 62.88	\$ 64.14
MA + 45* (annual)	\$ 70,209	\$ 70,986	\$ 71,703	\$ 72,383	\$ 73,141	\$ 73,862	\$ 74,595	\$ 76,083	\$ 78,383	\$ 80,755	\$ 83,195	\$ 85,751	\$ 88,374	\$ 91,059	\$ 93,937	\$ 96,380	\$ 98,307
Monthly (12 mo/yr)	\$ 5,850.75	\$ 5,915.50	\$ 5,975.25	\$ 6,031.92	\$ 6,095.08	\$ 6,155.17	\$ 6,216.25	\$ 6,340.25	\$ 6,531.92	\$ 6,729.58	\$ 6,932.92	\$ 7,145.92	\$ 7,364.50	\$ 7,588.25	\$ 7,828.08	\$ 8,031.67	\$ 8,192.25
Daily (180 days/yr)	\$ 390.05	\$ 394.37	\$ 398.35	\$ 402.13	\$ 406.34	\$ 410.34	\$ 414.42	\$ 422.68	\$ 435.46	\$ 448.64	\$ 462.19	\$ 476.39	\$ 490.97	\$ 505.88	\$ 521.87	\$ 535.44	\$ 546.15
Hourly (1440 hrs/yr)	\$ 48.76	\$ 49.30	\$ 49.79	\$ 50.27	\$ 50.79	\$ 51.29	\$ 51.80	\$ 52.84	\$ 54.43	\$ 56.08	\$ 57.77	\$ 59.55	\$ 61.37	\$ 63.24	\$ 65.23	\$ 66.93	\$ 68.27
MA + 90 (annual)	\$ 73,370	\$ 74,124	\$ 74,875	\$ 75,635	\$ 76,417	\$ 77,202	\$ 77,950	\$ 79,533	\$ 81,958	\$ 84,453	\$ 87,014	\$ 89,645	\$ 92,388	\$ 95,192	\$ 98,108	\$ 100,657	\$ 102,671
Monthly (12 mo/yr)	\$ 6,114.17	\$ 6,177.00	\$ 6,239.58	\$ 6,302.92	\$ 6,368.08	\$ 6,433.50	\$ 6,495.83	\$ 6,627.75	\$ 6,829.83	\$ 7,037.75	\$ 7,251.17	\$ 7,470.42	\$ 7,699.00	\$ 7,932.67	\$ 8,175.67	\$ 8,388.08	\$ 8,555.92
Daily (180 days/yr)	\$ 407.61	\$ 411.80	\$ 415.97	\$ 420.19	\$ 424.54	\$ 428.90	\$ 433.06	\$ 441.85	\$ 455.32	\$ 469.18	\$ 483.41	\$ 498.03	\$ 513.27	\$ 528.84	\$ 545.04	\$ 559.21	\$ 570.39
Hourly (1440 hrs/yr)	\$ 50.95	\$ 51.48	\$ 52.00	\$ 52.52	\$ 53.07	\$ 53.61	\$ 54.13	\$ 55.23	\$ 56.92	\$ 58.65	\$ 60.43	\$ 62.25	\$ 64.16	\$ 66.11	\$ 68.13	\$ 69.90	\$ 71.30

*MA + 45 pay line: Current Employees on BA+135 will be grandfathered at MA+45. Employees hired after September 4, 2018 with BA+135 will be placed at BA+90.

Substitute Teachers:
\$189.00 daily (4 or more hours per day)
\$108.00 half day (less than 4 hours per day)

State of Washington, Office of Financial Management

Section E: Rule Amendments

Item #1 – Return from Exempt

Staff note: [ESHB 1361](#) passed during the 2023 legislative session, Chapter 148, Laws of 2023, effective July 23, 2023. Section 3 of this bill amends RCW 41.06.070, Exemptions to chapter – Right of reversion, 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 is proposing to amend WAC 357-04-030, 357-19-195 and 357-19-200 to state that if a permanent employee exercises their return to classified service from exempt service, the right of return may not be exercised if the employee is terminated from an exempt position for gross misconduct or malfeasance, or during the pendency of an investigation if the employee has been given written notice that they are the subject of an active workplace investigation which may result in a finding of gross misconduct or malfeasance. Staff is also proposing to create WAC 357-19-197 to address what information a receiving employer must verify when a permanent employee exercises their right to return to classified service from an exempt appointment.

For purposes of these rules, “written notice” includes notice sent by email to the employee’s work email address; and “pendency of an investigation” lasts until the employer has taken final appropriate action based on the finding of the investigation.

Staff is proposing permanent adoption effective January 1, 2024.

AMENDATORY SECTION

WAC 357-04-030 What right does an employee have to return to the classified service from exempt service?

As required by RCW 41.06.070, any employee having permanent status in a classified position who accepts an appointment in an exempt position has the right to return to classified service in accordance with WAC 357-19-195, 357-19-200, and 357-19-205. ~~((As long as the employee was not terminated from the exempt position for gross misconduct or malfeasance,))~~ The employee has the right to return to the highest class of position in which the employee previously held permanent status or to a position of similar nature and salary. The right of return may not be exercised if the employee is terminated from the exempt position for gross misconduct or malfeasance, or during the pendency of an investigation if the employee has been given written notice that they are the subject of an active workplace investigation which may result in a finding of gross misconduct or malfeasance.

For purposes of this section:

(1) "Written notice" includes notice sent by email to the employee's work email address; and

(2) "Pendency of an investigation" lasts until the employer has taken final appropriate action based on the finding of the investigation.

AMENDATORY SECTION

WAC 357-19-195 If a permanent employee in a classified position accepts an appointment to an exempt position, what is the employee's right to return to a position in the classified service?

A permanent employee who accepts an appointment to an exempt position has the right to return to classified service at any time ~~((as long as the employee was not))~~. However, the right of return may not be exercised if the employee is terminated from an exempt position for gross misconduct or malfeasance, or during the pendency of an investigation if the employee has been given written notice that they are the subject of an active workplace investigation which may result in a finding of gross misconduct or malfeasance.

The employee's right is to a position in the highest class in which the employee previously held permanent status or to a position of similar nature and salary. The return right is to the most recent employer

Section E: Rule Amendments

with which permanent status in the highest class was held. A position in the highest class does not necessarily mean return to the most recent employer.

If upon an employee being returned to a classified position there are fewer positions than there are employees entitled to such positions, the employer's layoff procedure applies.

For purposes of this section:

(1) "Written notice" includes notice sent by email to the employee's work email address; and

(2) "Pendency of an investigation" lasts until the employer has taken final appropriate action based on the finding of the investigation.

NEW SECTION

WAC 357-19-197 What information must a receiving employer verify when a permanent employee exercises their right to return to classified service from an exempt appointment?

(1) When a permanent employee exercises their right to return to classified service from an exempt appointment in accordance with RCW 41.06.070, the receiving employer must verify:

(a) The employee is not the subject of an active pending workplace investigation of which the employee was given written notice, and which may result in a finding of gross misconduct or malfeasance; and
(b) The employee was not terminated from the exempt position for gross misconduct or malfeasance.

(2) For purposes of this section:

(a) "Written notice" includes notice sent by email to the employee's work email address; and

(b) "Pendency of an investigation" lasts until the employer has taken final appropriate action based on the finding of the investigation.

AMENDATORY SECTION

WAC 357-19-200 When must an employee apply to return to classified service from exempt service?

Employees exercising return rights should provide as much advance notice as is practicable to the receiving employer. The employee must apply to return to classified service within (~~thirty~~) 30 calendar days of:

- Separation from employment in the exempt position, or
- Separation from employment in any subsequent exempt position if there is no break in state service of more than (~~thirty~~) 30 calendar days between initial and subsequent exempt appointments.

Employees who apply for return to classified service within (~~thirty~~) 30 calendar days must be returned to a position at the time of separation from the exempt appointment or the time of application, whichever is later.

The right of return may not be exercised if the employee is terminated from the exempt position for gross misconduct or malfeasance, or during the pendency of an investigation if the employee has been given written notice that they are the subject of an active workplace investigation which may result in a finding of gross misconduct or malfeasance.

For purposes of this section:

(1) "Written notice" includes notice sent by email to the employee's work email address; and

(2) "Pendency of an investigation" lasts until the employer has taken final appropriate action based on the finding of the investigation.

Section E: Rule Amendments

Item #2 – Wage and Salary

Staff note: [ESSB 5761](#) passed during the 2022 legislative session, Chapter 242, Laws 2022, 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 posting for a job opening. It also states 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 is proposing to amend WAC 357-16-017 to repeal the requirement for an employer to provide the salary range or management band upon request of an individual for employment after an employer has initially offered the individual the position; add language to require an employer to disclose the salary range or management band in each job posting which includes a general description of all the benefits and other compensation; and to define the terms “salary range” and “management band” for the section.

Note regarding WAC 357-16-017(2): The Washington State Department of Labor and Industries (LNI) interprets the movement between positions (transfer/promotion/ voluntary or involuntary demotion/reversions/in-training appointments/WMS acting appointments/nonpermanent appointments) would **likely be** considered internal transfers and thus employers must provide the wage scale or salary range to employees upon request.

Staff is proposing to amend WAC 357-16-220(2) to define “negotiation” to include an offer of employment with compensation by the employer and acceptance of the offer by the applicant. This change is based on LNI’s interpretation that an offer of employment with compensation by the employer and acceptance of the offer by the applicant would constitute the element of “negotiation.”

In addition, during the 2019 (HB 1696) rule making the nonpermanent appointment language was inadvertently missed. Staff is proposing to amend:

- WAC 357-19-377 to add subsection (5) to require nonpermanent appointments to also be in compliance with the requirements governing wage and salary information (RCW [49.58.100](#), [49.58.110](#), [WAC 357-16-017](#), [357-16-215](#), and [357-16-220](#)).
- WAC 357-19-380 to clarify other chapters of the civil service rules may apply to nonpermanent employees where specifically stated.

Staff is proposing permanent adoption effective January 1, 2024.

AMENDATORY SECTION

WAC 357-16-017 When must an employer (~~(provide)~~) disclose the salary range or management band, other compensation and a description of benefits for a position?

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

(1) (~~Upon request of an individual for employment after an employer has initially offered the individual the position~~) In each job posting which includes a general description of all the benefits and other compensation; and

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

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

(3) For the purposes of this section:

Section E: Rule Amendments

(a) "Employer" also includes those employers with fewer than ~~((fifteen))~~ 15 employees;

(b) "Salary range" includes Step M; and

(c) "Management band" is the most reasonable and genuinely expected range that an agency has identified within their salary administration policy for Washington management services.

AMENDATORY SECTION

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

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

(1) The individual has voluntarily disclosed their wage or salary history; or

(2) After the employer has negotiated an offer and made an offer of employment including compensation to the individual. Negotiation includes an offer of employment with compensation by the employer and acceptance of the offer by the applicant.

For the purposes of this section "employer" also includes those employers with fewer than ~~((fifteen))~~ 15 employees.

AMENDATORY SECTION

WAC 357-19-377 What provisions apply to nonpermanent appointments?

Nonpermanent appointments are subject to the following provisions:

(1) Nonpermanent appointees must meet the competencies and other requirements of the position to which they are appointed.

(2) Nonpermanent appointments may be filled on a noncompetitive basis which means the employer is not required to comply with the rules on recruitment, assessment and certification as provided in chapter 357-16 WAC.

(3) Nonpermanent appointments may be filled using the competitive process specified in chapter 357-16 WAC as long as the eligible applicant indicates a willingness to accept a nonpermanent appointment.

(4) Employers may underfill a position with a nonpermanent appointment.

(5) 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 357-19-380 What provisions of the civil service rules apply to nonpermanent employees?

The leave and holiday provisions of chapter 357-31 WAC and compensation provisions of chapter 357-28 WAC apply to employees in nonpermanent appointments. Other chapters of civil service rules may apply where specifically stated.

Section E: Rule Amendments

Item #3 – Cleanup (Compensation and Leave)

Staff note: Staff is proposing to:

- Amend WAC 357-28-082 to align with WAC 357-28-090 allowing an employee to be appointed to step M upon initial hire for recruitment, retention, or other business related reasons.
- Amend WAC 357-28-084 to add to subsections (3), (4) and (5) to clarify an employee may be appointed to step M if the demotion is a result of a reasonable accommodation; or as a result of layoff in accordance with WAC 357-28-135; or for recruitment and retention or other business related reasons in accordance with WAC 357-28-090.
- Amend WAC 357-28-086(1) to state an employee may be appointed to step M as a result of a layoff option to align in accordance with WAC 357-28-088.
- Amend WAC 357-28-088 to clarify that if an employee was demoted as a result of a reasonable accommodation or due to a layoff action, the employee may be placed at step M and to correct the WAC reference.
- Amend WAC 357-28-120 to clarify that an employee’s base salary may be set higher than step M until the employee vacates the position, or their salary falls within the new salary range and to reflect gender neutral pronouns.
- Amend WAC 357-28-135 to state an employee whose previous base salary was at step M of a salary range when accepting a layoff option to a position with a lower salary range maximum at the time of being appointed must be placed at step M of the new salary range; and to clarify an employee whose previous base salary was at step L of a salary range when accepting a layoff option to a position with a lower salary range, any previous time spent at step L will count towards the requirement to progress to step M of the new salary range. Additionally, staff is proposing to re-organize the layout of the section for clarity. These changes are not intended to modify the intent of the section.
- Amend WAC 357-28-155 to add subsection (2) to state if the demotion is a result of a reasonable accommodation, the employee may be appointed to step M in accordance with WAC 357-28-084.
- Amend WAC 357-31-480 to update the correct reference from RCW 49.78.390 to RCW 50A.15.110. RCW 49.78.390 was repealed in 2018 therefore is no longer applicable. Parental leave is in addition to any leave for sickness or temporary disability as provided under the Federal Family and Medical Leave Act of 1993 and the Washington Paid Family and Medical Leave Act.
- Amend WAC 357-31-500 to remove the term “permanent”. Under Washington State Law Against Discrimination (Chapter 49.60 RCW) and Title VII of the Civil Rights Act of 1964 or the Pregnancy Discrimination Act an employee does not have to hold permanent status to qualify for a leave of absence for reasons of pregnancy disability and childbirth. Prior to Civil Service Reform, Disability Leave was addressed under Higher Education, Title 251 WAC and not under General Government Title 356 WAC. The current language in WAC 357-31-500 stemmed from the former language in the higher education rules, Title 251 WAC.
- Amend WAC 357-31-687 to remove the requirement for an employee to use all of their accrued vacation leave and paid military leave before receiving shared leave from the Uniformed Service Shared Leave Pool because an employee may maintain up to 40 hours of vacation leave and 40 hours of paid military leave.

Section E: Rule Amendments

- Amend WAC 357-31-797 to remove the requirement for an employee to use all of their accrued vacation leave and sick leave before receiving shared leave from the Veterans' In-State Service Shared Leave Pool because an employee may maintain up to 40 hours of vacation leave and 40 hours of sick leave.
- Amend WAC 357-58-141 to clarify when an employee must receive location-based premium pay. It has been brought to our attention that WAC 357-58-141 should state location-based premium must be paid when an employee is assigned to work on McNeil Island **or** assigned to a permanent duty station in King County.

Staff is proposing permanent adoption effective January 1, 2024.

AMENDATORY SECTION

WAC 357-28-082 Is step M on the salary schedule different than other salary steps?

Step M is a longevity step. An employee cannot be appointed to step M upon initial hire unless for recruitment and retention or other business related reasons in accordance with WAC 357-28-090.

AMENDATORY SECTION

WAC 357-28-084 (~~Can~~) May an employee be appointed to step M upon demotion (voluntary or involuntary)?

An employee cannot be appointed to step M upon demotion (voluntary or involuntary) unless:

- (1) The employee was at step M of the salary range from which the employee is demoting (~~(or)~~);
- (2) The employee was previously at step M in the salary range of the class the employee is demoting to;
- (3) The demotion is a result of a reasonable accommodation;
- (4) The employee was appointed to a position due to layoff action in accordance with WAC 357-28-135; or
- (5) It is for recruitment and retention or other business related reasons in accordance with WAC 357-28-090.

AMENDATORY SECTION

WAC 357-28-086 When may an employee progress to step M of the salary range?

(1) If an employee is currently at step L of a salary range, the employee will progress to step M of that same salary range six years from the date they were advanced or appointed to step L. The progression to step M is regardless of what has transpired in the six years since the employee was appointed to step L, provided that the employee is at step L in the same pay range as the pay range the employee was in at the beginning of the six-year period except in accordance with WAC 357-28-088.

- (2) With director approval, higher education institutions may make all movements to step M effective:
 - (a) The first of the current month for actions occurring between the first and the (~~(fifteenth))~~ 15th of the month; or
 - (b) The first of the following month for actions occurring between the (~~(sixteenth))~~ 16th and the end of the month.

Section E: Rule Amendments

AMENDATORY SECTION

WAC 357-28-088 If an employee transfers or demotes will the time spent at step L count towards the six years to qualify for step M in the new position?

If an employee transfers to a position the time at step L in the previous position will count towards the six years to qualify for step M in the new position.

If an employee is demoted (voluntary or involuntary), the time at step L in the previous position will not count towards the six years to qualify for step M except if the demotion is a result of a reasonable accommodation or due to layoff action in accordance with WAC 357-28-135~~((2))~~ (4).

AMENDATORY SECTION

WAC 357-28-120 What is the base salary of an employee occupying a position that is reallocated to a class with the same or lower salary range?

An employee occupying a position that is reallocated to a class with the same or lower salary range must be placed within the new salary range at an amount equal to ~~((his/her))~~ their previous base salary. If the previous base salary exceeds the new salary range, the employee's base salary must be set equal to step M of the salary range for the reallocated position. The employee's base salary may be set higher than step M if allowed by the employer's salary determination policy, but not exceeding the previous base salary, ~~((if allowed by the employer's salary determination policy))~~ until such time as the employee vacates the position or their salary falls within the new salary range.

AMENDATORY SECTION

WAC 357-28-135 How is an employee's salary determined when the employee is appointed to a position due to a layoff action?

(1) The base salary of an employee ~~((appointed to a position due to a layoff action must be))~~ who accepts a layoff option must have their salary determined as follows:

~~((1))~~ (a) An employee who accepts a layoff option to a different position with the same salary range keeps the same base salary.

~~((2))~~ (b) An employee who ~~((accepts a demotion in lieu of layoff or))~~ accepts a layoff option to a position with a lower salary range maximum must be placed within the new range at a salary equal to the employee's previous base salary. If the previous base salary exceeds the new range, the employee's base salary must be set equal to step M of the new salary range~~((If the employee's previous base salary was at step M of the salary range the employee must be placed at step M of the new salary range)).~~

~~((3))~~ (2) The base salary of an employee who is appointed from an internal or statewide layoff list must have their salary determined as follows:

(a) An employee who is appointed to a position with the same range as the position from which the employee was laid off must be placed within the range at a salary equal to the employee's previous base salary.

~~((4))~~ (b) An employee who is appointed ~~((from an internal or statewide layoff list))~~ to a position with a lower range maximum than the position from which the employee was laid off must have the salary determined by the employer's salary determination policy.

(3) An employee whose previous base salary was at step M of a salary range when accepting a layoff option to a position with a lower salary range maximum at the time of being appointed must be placed at step M of the new salary range.

(4) An employee whose previous base salary was at step L of a salary range when accepting a layoff option to a position with a lower salary range, any previous time spent at step L will count towards the requirement to get to step M of the new salary range.

Section E: Rule Amendments

AMENDATORY SECTION

WAC 357-28-155 How is an employee's salary determined upon demotion?

(1) The base salary of an employee who accepts a demotion in lieu of layoff must be set in accordance with WAC 357-28-135.

(2) If the demotion is a result of a reasonable accommodation, they may be appointed to step M in accordance with WAC 357-28-084.

(3) An employee demoted for any other reason must be paid within the salary range of the class to which the position is allocated. The employee's base salary must be determined in accordance with the employer's salary determination policy.

AMENDATORY SECTION

WAC 357-31-480 Is parental leave in addition to any leave for sickness or temporary disability because of pregnancy and/or childbirth?

~~((Under RCW 49.78.390,))~~ Consistent with RCW 50A.15.110, parental leave under Title 50A RCW and the family leave required by the Federal Family and Medical Leave Act of 1993 (Act Feb. 5, 1993, P.L. 103-3, 107 Stat. 6) must be in addition to any leave for sickness or temporary disability because of pregnancy or childbirth as provided in WAC 357-31-500.

AMENDATORY SECTION

WAC 357-31-500 When must disability leave due to pregnancy and/or childbirth be granted?

Leave of absence must be granted for the period of time that ~~((a permanent))~~ an employee is sick or temporarily disabled because of pregnancy and/or childbirth.

AMENDATORY SECTION

WAC 357-31-687 Must employees use their own leave before receiving shared leave from the uniformed service shared leave pool?

Employees who are eligible to receive shared leave from the uniformed service shared leave pool must first use all accrued compensatory time, accrued holiday credit, recognition leave as described in WAC 357-31-565, and personal holiday~~((, vacation leave, and paid military leave allowed under RCW 38.40.060))~~ before receiving shared leave from the uniformed service shared leave pool. The employee is not required to deplete all of their accrued vacation leave and paid military leave allowed under RCW 38.40.060 and can maintain up to 40 hours of vacation leave and 40 hours of paid military leave.

AMENDATORY SECTION

WAC 357-31-797 Must employees use their own leave before receiving shared leave from the veterans' in-state service shared leave pool?

Employees who are eligible to receive shared leave from the veterans' in-state service shared leave pool must first use all accrued compensatory time, accrued holiday credit, recognition leave as described in WAC 357-31-565, and personal holiday~~((, sick leave, and vacation leave))~~ before receiving shared leave from the veterans' in-state service shared leave pool. The employee is not required to deplete all of their accrued vacation leave and sick leave and can maintain up to 40 hours of vacation leave and 40 hours of sick leave.

Section E: Rule Amendments

AMENDATORY SECTION

WAC 357-58-141 When must a Washington management service (WMS) employee receive location based premium pay?

Location based premium pay at the rate specified in the compensation plan must be paid when a WMS employee is:

- (1) Assigned to work on McNeil Island at the special commitment center and for each day the employee is physically working on the island. Days in paid status not working on the island will not qualify for premium pay; ~~(and)~~ or
- (2) Assigned to a permanent duty station in King County. When an employee is no longer permanently assigned to a King County duty station they will not be eligible for location based premium pay.

Section E: Rule Amendments

Item #4 – Cleanup (COVID-19 Pandemic and Sick Leave Restoration)

Staff note:

COVID-19 Pandemic Cleanup

Health Emergency Labor Standards Act (HELSEA) codified as [RCW 49.17.062](#) 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, 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 HELSEA, amendments were made to Chapter 357-31 WAC effective July 1, 2022, to allow high-risk employees, as defined in [RCW 49.17.062](#), to utilize leave if no accommodation is reasonable during a public health emergency as defined in [RCW 49.17.062](#).

Existing WAC language does not require a declared public health emergency, therefore, may be interpreted to allow for a high-risk employee to utilize all leave types as an accommodation if no other accommodation is reasonable as long as the employee meets the definition of being high-risk. A decision has 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 is reasonable will be limited to the duration of a declared public health emergency as defined in [RCW 49.17.062](#).

Additionally, a policy decision was made to amend WAC 357-31-330(14) to remove the reference to coronavirus 2019 (COVID-19) 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 will 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 that 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.

Sick Leave Restoration Cleanup

The proposed amendment to WAC 357-31-160 is to coincide with a longstanding rule interpretation. Staff is also proposing to amend WAC 357-31-100 to add subsection (13) which states 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 is proposing to amend:

- WAC 357-28-265 to state leave with pay during the employee’s regular work schedule **is not** considered time worked **except** when leave is taken to travel and receive each dose or booster of COVID-19 vaccination in accordance with WAC 357-31-325 and 357-31-326.
- WAC 357-31-027 to add subsection (8) to require that a higher education employer must allow a part-time high-risk employee to utilize accrued holiday credit to protect themselves from risk of exposure to

Section E: Rule Amendments

an infectious or contagious disease if no accommodation is reasonable besides the use of leave. This WAC was inadvertently missed when the July 1, 2022, amendments were adopted on WSR 22-01-022.

- WAC 357-31-070(1)(f) to clarify an employer must approve any high-risk employee's request to use their personal holiday when the employee is seeking an accommodation to protect themselves from the risk of exposure to an infectious or contagious disease if the employer determines no other accommodation is reasonable besides the use of leave. A high-risk employee is no longer limited to the definition of an employee who is high-risk as defined in RCW 49.17.062.
- WAC 357-31-100(9) to clarify an employer must have a policy that allows any high-risk employee who is seeking an accommodation to protect themselves from the risk of exposure to an infectious or contagious disease and is requesting to use their accrued leave, must be allowed to do so if the employer determines no other accommodation is reasonable besides the use of leave. A high-risk employee is no longer limited to the definition of an employee who is high-risk as defined in RCW 49.17.062. Also, to remove the requirement for an employer to grant leave without pay for this reason and new language is added to state the employer may require that the employee's request be supported by verification or documentation.
- WAC 357-31-100 add a subsection (10) to require an employer's leave policy to allow a high-risk employee seeking an accommodation to protect themselves from risk of exposure to an infectious or contagious disease during a public health emergency to use leave without pay if the employer determines no other accommodation is reasonable beside the use of leave in accordance with RCW 49.17.062.
- WAC 357-31-100 add subsection (13) to require an employer's leave policy to 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.
- WAC 357-31-130(3) to clarify an employer must allow any high-risk employee who requests to use their accrued sick leave when the employee is seeking an accommodation to protect themselves from the risk of exposure to an infectious or contagious disease if the employer determines no other accommodation is reasonable besides the use of leave. A high-risk employee is no longer limited to the definition of an employee who is high-risk as defined in RCW 49.17.062.
- WAC 357-31-160 to add language to clarify that separation is from state service and to clarify that former employees who are re-employed after being separated from state service for five years or longer may be restored unused sick leave credits in accordance with the employer's leave policy to coincide with a longstanding rule interpretation.
- WAC 357-31-200(1)(h) to clarify an employer must grant any high-risk employee who requests to use their vacation leave when the employee is seeking an accommodation to protect themselves from the risk of exposure to an infectious or contagious disease if the employer determines no other accommodation is reasonable besides the use of leave. A high-risk employee is no longer limited to the definition of an employee who is high-risk as defined in RCW 49.17.062.
- WAC 357-31-230(8) to clarify an employer must grant any high-risk employee who requests to use their accrued compensatory time when the employee is seeking an accommodation to protect themselves from the risk of exposure to an infectious or contagious disease if the employer determines no other accommodation is reasonable besides the use of leave. A high-risk employee is no longer limited to the definition of an employee who is high-risk as defined in RCW 49.17.062.

Section E: Rule Amendments

- WAC 357-31-327(6) to clarify an employer must allow a high-risk employee seeking an accommodation to protect themselves from the risk of exposure to an infectious or contagious disease during a public health emergency to use leave without pay if the employer determines no other accommodation is reasonable besides the use of leave in accordance with RCW 49.17.062.
- WAC 357-31-330(14) to expand when an employer may grant LWOP to risks related to exposure to an infectious or contagious disease.
- WAC 357-31-567(1)(d) to clarify an employer must grant any high-risk employee use of their recognition leave when the employee is seeking an accommodation to protect themselves from the risk of exposure to an infectious or contagious disease if the employer determines no other accommodation is reasonable besides the use of leave. A high-risk employee is no longer limited to the definition of an employee who is high-risk as defined in RCW 49.17.062.

Staff is proposing permanent adoption effective January 1, 2024.

AMENDATORY SECTION

WAC 357-28-265 For the purpose of computing eligibility for overtime compensation, are holidays and leave with pay considered time worked?

For purposes of computing eligibility for overtime compensation, paid holidays during the employee's regular work schedule **are** considered time worked. Leave with pay during the employee's regular work schedule is **not** considered time worked except for:

(1) When leave is taken to travel and receive each dose or booster of COVID-19 vaccine in accordance with WAC 357-31-325; or

(2) When leave is taken to receive each dose or booster of COVID-19 vaccine in accordance with WAC 357-31-326.

AMENDATORY SECTION

WAC 357-31-027 When must a higher education employer allow a part-time employee to use accrued holiday credit?

Higher education employers must allow a part-time employee as defined in WAC 357-01-2290(2) to use accrued holiday credit for the following reasons:

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

(2) An employee must be granted the use of accrued holiday credit 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 holiday credit may be subject to verification that the condition exists.

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

(4) In accordance with WAC 357-31-373, an employee must be granted the use of accrued holiday credit 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

Section E: Rule Amendments

domestic partner is on leave from deployment.

(5) An employee must be granted the use of accrued holiday credit 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) Employers may require that accumulated holiday credit be used before vacation leave is approved, except in those instances where this requirement would result in loss of accumulated vacation leave.

(7) If the employee requests to use their accrued holiday credit when granted a temporary leave of absence for legislative service in accordance with WAC 357-31-374(2).

(8) When a high-risk employee seeks an 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.

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

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

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

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

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

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

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

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

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

(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) 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;

(f) When a high-risk employee(~~(, as defined in RCW 49.17.062,)~~) seeks ~~((a reasonable))~~ an 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; or

(g) If the employee requests to use their personal holiday when granted a temporary leave of absence for legislative service in accordance with WAC 357-31-374(2).

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

Section E: Rule Amendments

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 18 weeks in accordance with WAC 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;

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

(9) Allow a high-risk employee (~~as defined in RCW 49.17.062,~~) seeking ~~((a reasonable))~~ an 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. The employer may require that the employees request be supported by verification or documentation;

(10) Allow a high-risk employee seeking an accommodation to protect themselves from the risk of exposure to an infectious or contagious disease during a public health emergency to use leave without pay if the employer determines no other accommodation is reasonable besides the use of leave in accordance with RCW 49.17.062;

~~(11)~~ Allow an employee to use unpaid leave when the employee is granted a temporary leave of absence for service in an elective office in accordance with WAC 357-31-374(1); ~~((and~~

~~(11))~~ (12) Allow an employee to use unpaid and/or accrued paid leave when the employee is granted a temporary leave of absence for legislative service in accordance with WAC 357-31-374(2). The policy must state employees who request a leave of absence for legislative service must provide notice to the employer at least 30 days in advance for a regular legislative session or as soon as the session is proclaimed for a special session; and

(13) Address whether former employees who are reemployed after five years of separation from state service may be restored unused sick leave credits in accordance with WAC 357-31-160.

AMENDATORY SECTION

WAC 357-31-130 When 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.

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

(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.

(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.

(3) When a high-risk employee (~~as defined in RCW 49.17.062,~~) seeks ~~((a reasonable))~~ an accommodation to protect themselves from the risk of exposure to an infectious or contagious disease and

Section E: Rule Amendments

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.

(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.

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

(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 (6) of this section.

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

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

(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.

(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.

(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.

(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 18 weeks. Sick leave for this purpose must be taken during the first year following the child's birth or placement.

(13) If the employee requests to use sick leave when granted a temporary leave of absence for legislative service in accordance with WAC 357-31-374(2).

AMENDATORY SECTION

WAC 357-31-160 When a former employee is ((re-employed)) reemployed, is sick leave restored?

Former employees who are ((re-employed)) reemployed within five years of their separation from state service must be restored unused sick leave credits, if any, to which they were entitled at the time of separation. Former employees who are reemployed after five years of their separation from state service may be restored unused sick leave credits in accordance with the employer's leave policy. 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)) reemployed, 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.

Section E: Rule Amendments

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))~~ an 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.
 - (i) When the employee requests to use their vacation leave when granted a temporary leave of absence for legislative service in accordance with WAC 357-31-374(2).
- (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 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, 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 60 days of a biennium.

Section E: Rule Amendments

(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) A high-risk employee(~~(, as defined in RCW 49.17.062,))~~ seeking ~~((a reasonable))~~ an 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.

(9) An employee must be granted the use of compensatory time when granted a temporary leave of absence for legislative service in accordance with WAC 357-31-374(2).

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))~~ an accommodation to protect themselves from the risk of exposure to an infectious or contagious disease during a public health emergency and the employer determines no other accommodation is reasonable besides the use of leave in accordance with RCW 49.17.062.

(7) When an employee is granted a temporary leave of absence for service in an elective office or for legislative service in accordance with WAC 357-31-374.

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;
- (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;

Section E: Rule Amendments

(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)))~~ risk of exposure to an infectious or contagious disease. In determining whether to grant leave, an employer may consider current workload demands and business needs that require employees to perform their duties.

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 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;

(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;

(d) When a high-risk employee ~~((, as defined in RCW 49.17.062,))~~ seeks ~~((a reasonable))~~ an 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; and

(e) When an employee requests to use recognition leave when granted a temporary leave of absence for legislative service in accordance with WAC 357-31-374(2).

(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.

REFERENCE ONLY

RCW 49.17.062 Employer—Public health emergency—Infectious or contagious diseases—Positive tests—Reporting, duty, and procedure.

(1) During a public health emergency:

(a) An employer with more than 50 employees at a workplace or worksite, within 24 hours of confirming that 10 or more of their employees at the workplace or worksite in this state have tested positive for the infectious or contagious disease that is the subject of the public health emergency, must report the positive tests to the department in a form prescribed by the department.

(b) The department must consult with the department of health on the infectious or contagious disease that is the subject of the public health emergency:

(i) Before issuing regulatory guidance, rules, directives, or orders for health care facilities under this section; and

Section E: Rule Amendments

(ii) When investigating health care entities and issuing citations under this section.

(c) The report required in (a) of this subsection may not include any employee names or personal identifying information.

(2) The department may use the reports in subsection (1) of this section to identify potential clusters of infections at specific workplaces or industries and investigate workplaces for violations of this chapter.

(3) During a public health emergency, the name, email and residential addresses, license plate number, and other personally identifiable information regarding employees of the department are exempt from disclosure under chapter [42.56](#) RCW to the extent that the disclosure would violate their right to privacy or pose a risk to their personal safety or security.

(4) This section does not require an employee to disclose any medical condition or diagnosis to their employer.

(5) This section does not alter or eliminate any other reporting obligations an employer has under state or federal law.

(6)(a) 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:

(i) Seeking accommodation that protects them from the risk of exposure to the infectious or contagious disease; or

(ii) 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.

(b) This subsection (6) does not alter or diminish any existing remedy available to the worker under current state or federal law.

(c) For the purposes of this subsection (6), "an employee who is high risk" means an employee who:

(i) Due to age or an underlying health condition, is at a high risk of severe illness from the disease that is the subject of the public health emergency, as defined by the centers for disease control and prevention; and

(ii) A medical provider has recommended the employee's removal from the workforce because of their high risk of severe illness.

(7) For the purposes of this section, "public health emergency" means a declaration or order concerning any infectious or contagious diseases, including a pandemic and is issued as follows:

(a) The president of the United States has declared a national or regional emergency that covers every county in the state of Washington; or

(b) The governor of Washington has declared a state of emergency under RCW [43.06.010](#)(12) in every county in the state.

Section E: Rule Amendments

Item #5 – Family Member Definition Cleanup

Staff note: Engrossed Substitute Senate Bill 1320 ([ESSB 1320](#)) passed during the 2021 legislative session, chapter 215, Laws of 2021. 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 is proposing to amend WAC 357-01-172, Definition Family Member, to replace the reference to RCW 26.50.010 with [RCW 49.76.020](#).

Note: The “dating relationship” definition as previously defined in RCW 26.50.010 is the same as the “dating relationship” definition in RCW 49.76.020.

Staff is proposing permanent adoption effective January 1, 2024.

AMENDATORY SECTION

WAC 357-01-172 Family members.

Individuals considered to be members of the family are parent, sibling, parent-in-law, spouse, registered domestic partner, grandparent, grandchild, minor/dependent child, and child. For the purpose of domestic violence, sexual assault, or stalking provisions within Title 357 WAC family member also includes a domestic partner as defined in RCW 26.60.020 or a person with whom the employee has a dating relationship as defined in RCW (~~26.50.010~~) [49.76.020](#).

References:

RCW 49.76.020 Definitions.

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Child," "spouse," "parent," "parent-in-law," "grandparent," and "sick leave and other paid time off" have the same meanings as in RCW [49.12.265](#).

(2) "Dating relationship" has the same meaning as in RCW [7.105.010](#).

(3) "Department," "director," "employer," and "employee" have the same meanings as in RCW [49.12.005](#).

(4) "Domestic violence" has the same meaning as in RCW [7.105.010](#).

(5) "Family member" means any individual whose relationship to the employee can be classified as a child, spouse, parent, parent-in-law, grandparent, or person with whom the employee has a dating relationship.

(6) "Intermittent leave" is leave taken in separate blocks of time due to a single qualifying reason.

(7) "Reduced leave schedule" means a leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.

(8) "Sexual assault" has the same meaning as in RCW [70.125.030](#).

(9) "Stalking" has the same meaning as in RCW [9A.46.110](#).

Section E: Rule Amendments

RCW 7.105.010 Definitions.

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Abandonment" means action or inaction by a person or entity with a duty of care for a vulnerable adult that leaves the vulnerable adult without the means or ability to obtain necessary food, clothing, shelter, or health care.

(2) "Abuse," for the purposes of a vulnerable adult protection order, means intentional, willful, or reckless action or inaction that inflicts injury, unreasonable confinement, intimidation, or punishment on a vulnerable adult. In instances of abuse of a vulnerable adult who is unable to express or demonstrate physical harm, pain, or mental anguish, the abuse is presumed to cause physical harm, pain, or mental anguish. "Abuse" includes sexual abuse, mental abuse, physical abuse, personal exploitation, and improper use of restraint against a vulnerable adult, which have the following meanings:

(a) "Improper use of restraint" means the inappropriate use of chemical, physical, or mechanical restraints for convenience or discipline, or in a manner that: (i) Is inconsistent with federal or state licensing or certification requirements for facilities, hospitals, or programs authorized under chapter [71A.12](#) RCW; (ii) is not medically authorized; or (iii) otherwise constitutes abuse under this section.

(b) "Mental abuse" means an intentional, willful, or reckless verbal or nonverbal action that threatens, humiliates, harasses, coerces, intimidates, isolates, unreasonably confines, or punishes a vulnerable adult. "Mental abuse" may include ridiculing, yelling, swearing, or withholding or tampering with prescribed medications or their dosage.

(c) "Personal exploitation" means an act of forcing, compelling, or exerting undue influence over a vulnerable adult causing the vulnerable adult to act in a way that is inconsistent with relevant past behavior, or causing the vulnerable adult to perform services for the benefit of another.

(d) "Physical abuse" means the intentional, willful, or reckless action of inflicting bodily injury or physical mistreatment. "Physical abuse" includes, but is not limited to, striking with or without an object, slapping, pinching, strangulation, suffocation, kicking, shoving, or prodding.

(e) "Sexual abuse" means any form of nonconsensual sexual conduct including, but not limited to, unwanted or inappropriate touching, rape, molestation, indecent liberties, sexual coercion, sexually explicit photographing or recording, voyeurism, indecent exposure, and sexual harassment. "Sexual abuse" also includes any sexual conduct between a staff person, who is not also a resident or client, of a facility or a staff person of a program authorized under chapter [71A.12](#) RCW, and a vulnerable adult living in that facility or receiving service from a program authorized under chapter [71A.12](#) RCW, whether or not the sexual conduct is consensual.

(3) "Chemical restraint" means the administration of any drug to manage a vulnerable adult's behavior in a way that reduces the safety risk to the vulnerable adult or others, has the temporary effect of restricting the vulnerable adult's freedom of movement, and is not standard treatment for the vulnerable adult's medical or psychiatric condition.

(4)(a) "Coercive control" means a pattern of behavior that is used to cause another to suffer physical, emotional, or psychological harm, and in purpose or effect unreasonably interferes with a person's free will and personal liberty. In determining whether the interference is unreasonable, the court shall consider the context and impact of the pattern of behavior from the perspective of a similarly situated person. Examples of coercive control include, but are not limited to, engaging in any of the following:

(i) Intimidation or controlling or compelling conduct by:

(A) Damaging, destroying, or threatening to damage or destroy, or forcing the other party to relinquish, goods, property, or items of special value;

(B) Using technology to threaten, humiliate, harass, stalk, intimidate, exert undue influence over, or abuse the other party, including by engaging in cyberstalking, monitoring, surveillance, impersonation, manipulation of electronic media, or distribution of or threats to distribute actual or fabricated intimate images;

(C) Carrying, exhibiting, displaying, drawing, or threatening to use, any firearm or any other weapon apparently capable of producing bodily harm, in a manner, under circumstances, and at a time and place that

Section E: Rule Amendments

either manifests an intent to intimidate the other party or that warrants alarm by the other party for their safety or the safety of other persons;

(D) Driving recklessly with the other party or minor children in the vehicle;

(E) Communicating, directly or indirectly, the intent to:

(I) Harm the other party's children, family members, friends, or pets, including by use of physical forms of violence;

(II) Harm the other party's career;

(III) Attempt suicide or other acts of self-harm; or

(IV) Contact local or federal agencies based on actual or suspected immigration status;

(F) Exerting control over the other party's identity documents;

(G) Making, or threatening to make, private information public, including the other party's sexual orientation or gender identity, medical or behavioral health information, or other confidential information that jeopardizes safety; or

(H) Engaging in sexual or reproductive coercion;

(ii) Causing dependence, confinement, or isolation of the other party from friends, relatives, or other sources of support, including schooling and employment, or subjecting the other party to physical confinement or restraint;

(iii) Depriving the other party of basic necessities or committing other forms of financial exploitation;

(iv) Controlling, exerting undue influence over, interfering with, regulating, or monitoring the other party's movements, communications, daily behavior, finances, economic resources, or employment, including but not limited to interference with or attempting to limit access to services for children of the other party, such as health care, medication, child care, or school-based extracurricular activities;

(v) Engaging in vexatious litigation or abusive litigation as defined in RCW [26.51.020](#) against the other party to harass, coerce, or control the other party, to diminish or exhaust the other party's financial resources, or to compromise the other party's employment or housing; or

(vi) Engaging in psychological aggression, including inflicting fear, humiliating, degrading, or punishing the other party.

(b) "Coercive control" does not include protective actions taken by a party in good faith for the legitimate and lawful purpose of protecting themselves or children from the risk of harm posed by the other party.

(5) "Consent" in the context of sexual acts means that at the time of sexual contact, there are actual words or conduct indicating freely given agreement to that sexual contact. Consent must be ongoing and may be revoked at any time. Conduct short of voluntary agreement does not constitute consent as a matter of law. Consent cannot be freely given when a person does not have capacity due to disability, intoxication, or age. Consent cannot be freely given when the other party has authority or control over the care or custody of a person incarcerated or detained.

(6)(a) "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose. "Course of conduct" includes any form of communication, contact, or conduct, including the sending of an electronic communication, but does not include constitutionally protected free speech. Constitutionally protected activity is not included within the meaning of "course of conduct."

(b) In determining whether the course of conduct serves any legitimate or lawful purpose, a court should consider whether:

(i) Any current contact between the parties was initiated by the respondent only or was initiated by both parties;

(ii) The respondent has been given clear notice that all further contact with the petitioner is unwanted;

(iii) The respondent's course of conduct appears designed to alarm, annoy, or harass the petitioner;

(iv) The respondent is acting pursuant to any statutory authority including, but not limited to, acts

which are reasonably necessary to:

(A) Protect property or liberty interests;

(B) Enforce the law; or

(C) Meet specific statutory duties or requirements;

Section E: Rule Amendments

(v) The respondent's course of conduct has the purpose or effect of unreasonably interfering with the petitioner's privacy or the purpose or effect of creating an intimidating, hostile, or offensive living environment for the petitioner; or

(vi) Contact by the respondent with the petitioner or the petitioner's family has been limited in any manner by any previous court order.

(7) "Court clerk" means court administrators in courts of limited jurisdiction and elected court clerks.

(8) "Dating relationship" means a social relationship of a romantic nature. Factors that the court may consider in making this determination include: (a) The length of time the relationship has existed; (b) the nature of the relationship; and (c) the frequency of interaction between the parties.

(9) "Domestic violence" means:

(a) Physical harm, bodily injury, assault, or the infliction of fear of physical harm, bodily injury, or assault; nonconsensual sexual conduct or nonconsensual sexual penetration; coercive control; unlawful harassment; or stalking of one intimate partner by another intimate partner; or

(b) Physical harm, bodily injury, assault, or the infliction of fear of physical harm, bodily injury, or assault; nonconsensual sexual conduct or nonconsensual sexual penetration; coercive control; unlawful harassment; or stalking of one family or household member by another family or household member.

(10) "Electronic monitoring" has the same meaning as in RCW [9.94A.030](#).

(11) "Essential personal effects" means those items necessary for a person's immediate health, welfare, and livelihood. "Essential personal effects" includes, but is not limited to, clothing, cribs, bedding, medications, personal hygiene items, cellular phones and other electronic devices, and documents, including immigration, health care, financial, travel, and identity documents.

(12) "Facility" means a residence licensed or required to be licensed under chapter [18.20](#) RCW, assisted living facilities; chapter [18.51](#) RCW, nursing homes; chapter [70.128](#) RCW, adult family homes; chapter [72.36](#) RCW, soldiers' homes; chapter [71A.20](#) RCW, residential habilitation centers; or any other facility licensed or certified by the department of social and health services.

(13) "Family or household members" means: (a) Persons related by blood, marriage, domestic partnership, or adoption; (b) persons who currently or formerly resided together; (c) persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren, or a parent's intimate partner and children; and (d) a person who is acting or has acted as a legal guardian.

(14) "Financial exploitation" means the illegal or improper use of, control over, or withholding of, the property, income, resources, or trust funds of the vulnerable adult by any person or entity for any person's or entity's profit or advantage other than for the vulnerable adult's profit or advantage. "Financial exploitation" includes, but is not limited to:

(a) The use of deception, intimidation, or undue influence by a person or entity in a position of trust and confidence with a vulnerable adult to obtain or use the property, income, resources, government benefits, health insurance benefits, or trust funds of the vulnerable adult for the benefit of a person or entity other than the vulnerable adult;

(b) The breach of a fiduciary duty, including, but not limited to, the misuse of a power of attorney, trust, or a guardianship or conservatorship appointment, that results in the unauthorized appropriation, sale, or transfer of the property, income, resources, or trust funds of the vulnerable adult for the benefit of a person or entity other than the vulnerable adult; or

(c) Obtaining or using a vulnerable adult's property, income, resources, or trust funds without lawful authority, by a person or entity who knows or clearly should know that the vulnerable adult lacks the capacity to consent to the release or use of the vulnerable adult's property, income, resources, or trust funds.

(15) "Firearm" means a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder. "Firearm" does not include a flare gun or other pyrotechnic visual distress signaling device, or a powder-actuated tool or other device designed solely to be used for construction purposes. "Firearm" also includes parts that can be assembled to make a firearm.

(16) "Full hearing" means a hearing where the court determines whether to issue a full protection order.

(17) "Full protection order" means a protection order that is issued by the court after notice to the

Section E: Rule Amendments

respondent and where the parties had the opportunity for a full hearing by the court. "Full protection order" includes a protection order entered by the court by agreement of the parties to resolve the petition for a protection order without a full hearing.

(18) "Hospital" means a facility licensed under chapter [70.41](#) or [71.12](#) RCW or a state hospital defined in chapter [72.23](#) RCW and any employee, agent, officer, director, or independent contractor thereof.

(19) "Interested person" means a person who demonstrates to the court's satisfaction that the person is interested in the welfare of a vulnerable adult, that the person has a good faith belief that the court's intervention is necessary, and that the vulnerable adult is unable, due to incapacity, undue influence, or duress at the time the petition is filed, to protect his or her own interests.

(20) "Intimate partner" means: (a) Spouses or domestic partners; (b) former spouses or former domestic partners; (c) persons who have a child in common regardless of whether they have been married or have lived together at any time, unless the child is conceived through sexual assault; or (d) persons who have or have had a dating relationship where both persons are at least 13 years of age or older.

(21)(a) "Isolate" or "isolation" means to restrict a person's ability to communicate, visit, interact, or otherwise associate with persons of his or her choosing. Isolation may be evidenced by acts including, but not limited to:

(i) Acts that prevent a person from sending, making, or receiving his or her personal mail, electronic communications, or telephone calls; or

(ii) Acts that prevent or obstruct a person from meeting with others, such as telling a prospective visitor or caller that the person is not present or does not wish contact, where the statement is contrary to the express wishes of the person.

(b) The term "isolate" or "isolation" may not be construed in a manner that prevents a guardian or limited guardian from performing his or her fiduciary obligations under *chapter [11.92](#) RCW or prevents a hospital or facility from providing treatment consistent with the standard of care for delivery of health services.

(22) "Judicial day" means days of the week other than Saturdays, Sundays, or legal holidays.

(23) "Mechanical restraint" means any device attached or adjacent to a vulnerable adult's body that the vulnerable adult cannot easily remove that restricts freedom of movement or normal access to the vulnerable adult's body. "Mechanical restraint" does not include the use of devices, materials, or equipment that are (a) medically authorized, as required, and (b) used in a manner that is consistent with federal or state licensing or certification requirements for facilities, hospitals, or programs authorized under chapter [71A.12](#) RCW.

(24) "Minor" means a person who is under 18 years of age.

(25) "Neglect" means: (a) A pattern of conduct or inaction by a person or entity with a duty of care that fails to provide the goods and services that maintain the physical or mental health of a vulnerable adult, or that fails to avoid or prevent physical or mental harm or pain to a vulnerable adult; or (b) an act or omission by a person or entity with a duty of care that demonstrates a serious disregard of consequences of such a magnitude as to constitute a clear and present danger to the vulnerable adult's health, welfare, or safety including, but not limited to, conduct prohibited under RCW [9A.42.100](#).

(26) "Nonconsensual" means a lack of freely given consent.

(27) "Nonphysical contact" includes, but is not limited to, written notes, mail, telephone calls, email, text messages, contact through social media applications, contact through other technologies, or contact through third parties.

(28) "Petitioner" means any named petitioner or any other person identified in the petition on whose behalf the petition is brought.

(29) "Physical restraint" means the application of physical force without the use of any device, for the purpose of restraining the free movement of a vulnerable adult's body. "Physical restraint" does not include (a) briefly holding, without undue force, a vulnerable adult in order to calm or comfort him or her, or (b) holding a vulnerable adult's hand to safely escort him or her from one area to another.

(30) "Possession" means having an item in one's custody or control. Possession may be either actual or constructive. Actual possession occurs when the item is in the actual physical custody of the person charged with possession. Constructive possession occurs when there is no actual physical possession, but there is

Section E: Rule Amendments

dominion and control over the item.

(31) "Respondent" means the person who is identified as the respondent in a petition filed under this chapter.

(32) "Sexual conduct" means any of the following:

(a) Any intentional or knowing touching or fondling of the genitals, anus, or breasts, directly or indirectly, including through clothing;

(b) Any intentional or knowing display of the genitals, anus, or breasts for the purposes of arousal or sexual gratification of the respondent;

(c) Any intentional or knowing touching or fondling of the genitals, anus, or breasts, directly or indirectly, including through clothing, that the petitioner is forced to perform by another person or the respondent;

(d) Any forced display of the petitioner's genitals, anus, or breasts for the purposes of arousal or sexual gratification of the respondent or others;

(e) Any intentional or knowing touching of the clothed or unclothed body of a child under the age of 16, if done for the purpose of sexual gratification or arousal of the respondent or others; or

(f) Any coerced or forced touching or fondling by a child under the age of 16, directly or indirectly, including through clothing, of the genitals, anus, or breasts of the respondent or others.

(33) "Sexual penetration" means any contact, however slight, between the sex organ or anus of one person by an object, the sex organ, mouth, or anus of another person, or any intrusion, however slight, of any part of the body of one person or of any animal or object into the sex organ or anus of another person including, but not limited to, cunnilingus, fellatio, or anal penetration. Evidence of emission of semen is not required to prove sexual penetration.

(34) "Stalking" means any of the following:

(a) Any act of stalking as defined under RCW [9A.46.110](#);

(b) Any act of cyber harassment as defined under RCW [9A.90.120](#); or

(c) Any course of conduct involving repeated or continuing contacts, attempts to contact, monitoring, tracking, surveillance, keeping under observation, disrupting activities in a harassing manner, or following of another person that:

(i) Would cause a reasonable person to feel intimidated, frightened, under duress, significantly disrupted, or threatened and that actually causes such a feeling;

(ii) Serves no lawful purpose; and

(iii) The respondent knows, or reasonably should know, threatens, frightens, or intimidates the person, even if the respondent did not intend to intimidate, frighten, or threaten the person.

(35) "Temporary protection order" means a protection order that is issued before the court has decided whether to issue a full protection order. "Temporary protection order" includes ex parte temporary protection orders, as well as temporary protection orders that are reissued by the court pending the completion of a full hearing to decide whether to issue a full protection order. An "ex parte temporary protection order" means a temporary protection order that is issued without prior notice to the respondent.

(36) "Unlawful harassment" means:

(a) A knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, harasses, or is detrimental to such person, and that serves no legitimate or lawful purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial emotional distress to the petitioner; or

(b) A single act of violence or threat of violence directed at a specific person that seriously alarms, annoys, harasses, or is detrimental to such person, and that serves no legitimate or lawful purpose, which would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial emotional distress to the petitioner. A single threat of violence must include: (i) A malicious and intentional threat as described in RCW [9A.36.080](#)(1)(c); or (ii) the presence of a firearm or other weapon.

(37) "Vulnerable adult" includes a person:

(a) Sixty years of age or older who has the functional, mental, or physical inability to care for himself or herself; or

(b) Subject to a guardianship under RCW [11.130.265](#) or adult subject to conservatorship under

Section E: Rule Amendments

RCW [11.130.360](#); or

(c) Who has a developmental disability as defined under RCW [71A.10.020](#); or

(d) Admitted to any facility; or

(e) Receiving services from home health, hospice, or home care agencies licensed or required to be licensed under chapter [70.127](#) RCW; or

(f) Receiving services from a person under contract with the department of social and health services to provide services in the home under chapter [74.09](#) or [74.39A](#) RCW; or

(g) Who self-directs his or her own care and receives services from a personal aide under chapter [74.39](#) RCW.