

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

**Revised**

- Meeting Date: Thursday, November 10, 2022
- Meeting Time: 8:30 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: 830 9875 7996
  - Passcode: 814462
- Call-In Option: Call-in option:  
+12532158782, 83098757996#, \*814462# US (Tacoma)  
+13462487799, 83098757996#, \*814462# 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  
+1 646 558 8656 US (New York)  
+1 646 931 3860 US  
+1 301 715 8592 US (Washington DC)  
+1 309 205 3325 US  
+1 312 626 6799 US (Chicago)  
+1 386 347 5053 US  
+1 564 217 2000 US
- Find your local number: <https://ofm-wa-gov.zoom.us/j/83098757996>
- Exhibits: The Exempt, Classification, Compensation and Rules items on the following pages have been submitted to staff for study and presentation to the State Human Resources Director at a quarterly scheduled public meeting.

## Section A: Previous Minutes Approval

Meeting Minutes for August 11, 2022

## Section B: Exempt Compensation

Item 1	B1802 Chief Information Officer - DSHS .....	B1-B2
Item 2	B1805 Dir., Budget and Finance, Tech. Innovations Administration - DSHS.....	B3-B4
Item 3	B2179 Deputy Assistant Secretary, FFAA - DSHS.....	B5-B6
Item 4	B2181 Dir., Admin. Operations, Tech. Innovation Administration – DSHS .....	B7-B8
Item 5	B3210 Executive Director – EFSEC .....	B9-B10
Item 6	B3385 Operations and Community Relations Manager - CAAA.....	B11-B12
Item 7	B4471 Director, Organizational Excellence - ESD.....	B13-B14
Item 8	B4475 Director, Equitable and Holistic Service Delivery - ESD.....	B15-B16
Item 9	B4940 Manager, EFSEC - UTC.....	B17
Item 10	B5946 Lead Budget Analyst - PSP.....	B18-B19
Item 11	B5947 Fiscal Analyst - PSP.....	B20-B21
Item 12	B5948 Budget Analyst - PSP.....	B22-B23
Item 13	B6291 Assistant Secretary, Women's Prison Division – DOC.....	B24-B25
Item 14	B7025 Community, Reentry and Parole Regional Administrator - DCYF .....	B26-B27
Item 15	B7140 Director of Marketing (LOTTERY).....	B28-B29
Item 16	B7210 Sales Operations Manager (Lottery) .....	B30-B31

## Section C: Classification - None

## Section D: Compensation

Item 17	Proposed V-Range Salary Schedule for Vancouver Certificated Teachers.....	D1-D2
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## Section E: Rule Amendments

Rule Item 1	<u>Service in an Elective Office/Legislative Service</u> .....	E1-E12
Rule Item 2	<u>Paid Family and Medical Leave – Supplemental benefits</u> .....	E13
Rule Item 3	<u>Cleanup (Classification, Compensation and Leave)</u> .....	E14-E18

## Website Information

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

## Proposal Package Submittals

All proposal packages should be routed to your assigned classification analyst. Classification and compensation email address [classandcomp@ofm.wa.gov](mailto:classandcomp@ofm.wa.gov).

## Meeting Coordinator

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

### **Individuals with Disabilities**

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

### **Alternate Publication Formats**

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

### **What is a Revision**

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

## Section B: Exempt Compensation

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

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<b>Item 1</b>	
<b>Requester (Agency/HE Institution)</b> Department of Social and Health Services	<b>Analyst</b> Angie Strozyk
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input checked="" type="checkbox"/> Exemption Change <input checked="" type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <input type="checkbox"/> Add Position <input checked="" type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Pay Outside Band <input checked="" type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
<b>Current Code/Title</b> B1802 Chief Information Officer - DSHS	<b>Current EMS Band/Rate</b> EMS Band IV (\$89,460 - \$154,140)
<b>Proposed Code/Title</b> B1802 Assistant Secretary, Technology Innovation Administration - DSHS	<b>Proposed EMS Band/Rate</b> EMS Band V (\$108,636 - \$176,532)
<b>Current RCW Exemption (indicate number and description)</b> RCW 41.06.070 (1)(v) "In each agency with fifty or more employees...or division directors...who report directly to the agency head or deputy agency heads"	<b>Proposed RCW Exemption (indicate number and description)</b> RCW 41.06.076 "...the provisions of this chapter shall not apply in the department of social and health services...not to exceed six assistant secretaries..."
<b>Effective Date</b> 11/11/2022	

### Scope

~~The Project Director for the Automated Client Eligibility System (ACES) reports to the Secretary of DSHS, and is also responsible to (1) an executive management committee comprised of the Department Directors, senior legislative staff, an ISM member from private industry, and a federal agency representative, and (2) an executive steering committee comprised of affected programs within DSHS and other stakeholder agencies.~~

~~The ACES Project Director directs, plans, and controls the selection, transfer, and adaption/modification of a Family Assistant Management Information System (FAMIS) from another state to meet the specific needs of the DSHS Income Assistance, Medicaid, and Food Stamp programs. The resulting ACES must meet federal certification requirements.~~

## Section B: Exempt Compensation

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The Assistant Secretary, Technology Innovation Administration - DSHS reports directly to the Secretary and manages and supervises all technology work for the agency. Oversees the development and management of the agency information technology strategy, policies, roadmap, standards, and enterprise architecture. Directs all agency IT projects and serves as the department's information technology representative for the Health and Human Services (HHS) Coalition. Oversees the Information Security Office and all IT security policies, practices, and infrastructure and directs the agency's IT governance process and governing body, setting the IT strategic direction and charters work on critical IT initiatives.

### Explanation

The agency is requesting a substantial scope change, exemption change, title change, and band change for this exempt class. The agency requests to change the title from Chief Information Officer to Assistant Secretary, Technology Innovation Administration based upon an organizational change that centralizes all IT functions for the agency into one new administration. This has greatly increased the scope of work for this class as well as additional duties having statewide impact. The scope for this exempt class has not been updated since 1992 and the work performed has evolved significantly.

The Assistant Secretary, Technology Innovation Administration meets the criteria for exemption under RCW 41.06.076 "...the provisions of this chapter shall not apply in the department of social and health services...not to exceed six assistant secretaries..."

State HR staff evaluated this class with a JVAC rating of E5Y-1410, which is within the EMS Band V. OFM Budget has reviewed and approved the fiscal impact statement and the agency can absorb all costs associated with this request.

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
<b>Director's Meeting Date</b> 11/10/2022	
<b>Management Type</b> Management	<b>Date of Exempt Position Description on File</b> 6/21/2022
<b>EEOC Code</b> 41 Officials & Administrators	<b>Current Number of Approved Position(s)</b> 1
<b>Workforce Indicator</b> 80148586 At-Will	<b>Total Number of Approved Position(s)</b> 1

## Section B: Exempt Compensation

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<b>Item 2</b>	
<b>Requester (Agency/HE Institution)</b> Department of Social and Health Services	<b>Analyst</b> Shelby Sheldon
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Pay Outside Band <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
<b>Current Code/Title</b> N/A	<b>Current EMS Band/Rate</b> N/A
<b>Proposed Code/Title</b> B1805 Director, Budget and Finance, Technology Innovations Administration - DSHS	<b>Proposed EMS Band/Rate</b> EMS Band III (\$74,628 – \$133,044)
<b>Current RCW Exemption (indicate number and description)</b> N/A	<b>Proposed RCW Exemption (indicate number and description)</b> RCW 41.06.070(3) Governor’s Pool”...involving directing and controlling program operations...or a major administrative division thereof... ”
<b>Effective Date</b> 11/11/2022	

### Scope

Reporting to the Deputy Chief Technology Innovations Officer, the Director, Budget and Finance leads the budget and finance services programs, the operating budget, accounting services, loss prevention and other administrative resources of the Technology Innovation Administration. The Director provides independent financial management, analysis, and support to the Assistant Secretary of TIA/Chief Technology Innovation Officer. This exempt class also provides budget and financial guidance to the executive team and is responsible for ensuring that the administration manages its resources in compliance with state and federal requirements.

## Section B: Exempt Compensation

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### Explanation

DSHS is requesting to establish a Director, Budget and Finance, TIA. This request is in response to the agency's changing business needs. DSHS has determined that to modernize and innovate technology in the agency, they must move the currently federated administration IT teams into a single administration that reports to an Assistant Secretary/Chief Technology Innovation Officer. Making this shift, DSHS IT will increase its ability to update and improve its IT systems by leveraging the collective capacity of IT staff in the department. It will also permit DSHS to operate more of its IT systems and structures as an enterprise.

This position is exempt from civil service in accordance with RCW 41.06.070(3) Governor's Pool "... involving directing and controlling program operations...or a major administrative division thereof... ". This exempt class leads the budget and financial services programs, the operating budget, accounting services, loss prevention and other administrative resources of the Technology Innovation Administration.

State HR and the agency evaluated this exempt class at C3Y-848, which meets the EMS Band III 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 the Human Resources Management System (HRMS) and CC Jobs.	
Director's Meeting Date 11/10/2022	
Management Type Management	Date of Exempt Position Description on File 06/23/2022
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.

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<b>Item 3</b>	
<b>Requester (Agency/HE Institution)</b> Department of Social and Health Services	<b>Analyst</b> Angie Strozyk
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Pay Outside Band <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
<b>Current Code/Title</b> N/A	<b>Current EMS Band/Rate</b> N/A
<b>Proposed Code/Title</b> B2179 Deputy Assistant Secretary, FFAA - DSHS	<b>Proposed EMS Band/Rate</b> EMS Band IV (\$89,460 - \$154,140)
<b>Current RCW Exemption (indicate number and description)</b> N/A	<b>Proposed RCW Exemption (indicate number and description)</b> RCW 41.06.070 (3) Governor's Pool "directing and controlling program operations of an agency..."
<b>Effective Date</b> 11/11/2022	

### Scope

The Deputy Assistant Secretary for the Facilities, Finance and Analytics Administration reports to the FFAA Assistant Secretary and is a member of the Administration's executive leadership team. Provides independent, financial management, analysis and support to the Assistant Secretary, the Secretary, and the executive leadership team. This exempt class has full delegated authority to act on behalf of the Assistant Secretary and to make decisions for all aspects of the Administration, including representing the Administration and the Secretary to the Legislature, the Governor's Office, the Office of Financial Management, and in other venues. Oversees daily operations and is directly responsible for operational issues that cross divisions and offices, strategic planning, performance management, human resources, employer relations, quality assurance, and risk management. This exempt class develops long-term strategic plans that support the administration's programs and services and develops and manages FFAA administrative policies and practices.



## Section B: Exempt Compensation

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### Explanation

DSHS is requesting the establishment of this exempt class in response to the reorganization of FFAA that occurred in 2020. Due to this reorganization, the Assistant Secretary's oversight and management responsibilities have increased in scope and the agency states that the establishment of the Deputy Assistant Secretary is necessary to manage and oversee the strategic development of the department's \$14 billion biennial budget. The deputy will also manage and oversee high-priority projects such as OneWashington implementation, Behavioral Health Transformation, and initiatives to reduce intergenerational poverty.

The Deputy Assistant Secretary, FFAA meets the criteria for exemption under RCW 41.06.070 (3) Governor's Pool "directing and controlling program operations of an agency..."

State HR staff evaluated this class with a JVAC rating of D4Y-1012, which is within the EMS Band IV. OFM Budget has reviewed and approved the fiscal impact statement and the agency can absorb all costs associated with this request.

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director's Meeting Date 11/10/2022	
Management Type Management	Date of Exempt Position Description on File 8/31/2022
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.

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<b>Item 4</b>	
<b>Requester (Agency/HE Institution)</b> Department of Social and Health Services	<b>Analyst</b> Chelsea Lee
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Pay Outside Band <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
<b>Current Code/Title</b> N/A	<b>Current EMS Band/Rate</b> N/A
<b>Proposed Code/Title</b> B2181 Director, Administration Operations, Technology Innovation Administration – DSHS	<b>Proposed EMS Band/Rate</b> EMS Band IV (\$89,460 - \$154,140)
<b>Current RCW Exemption (indicate number and description)</b> N/A	<b>Proposed RCW Exemption (indicate number and description)</b> RCW 41.06.070(3) Governor’s Pool: “...is a senior expert in enterprise information technology...”
<b>Effective Date</b> 11/11/2022	

### Scope

The Director, Administration Operations, reports to the Assistant Secretary of the Technology Innovation Administration, and is designated as an appointing authority. This exempt class is a senior expert that leads the work of six administration-specific IT teams, and oversees the strategic and operational IT activities which directly support the administrations’ lines of business. This exempt class is responsible for IT decisions, setting work priorities, and for policy setting and for directing IT resources statewide to meet the needs of agency staff and clients.

### Explanation

The Department of Social and Health Services is requesting to establish a Director, Administration Operations in response to the agency’s changing business needs. DSHS has determined that to modernize and innovate technology in the agency, they must move the currently federated administration IT teams into a single administration that reports to an Assistant Secretary/Chief Technology Innovation Officer. By making this shift, DSHS IT will increase its ability to update and improve its IT systems by leveraging the collective capacity of IT staff in the department. It will also permit DSHS to operate more of its IT systems and structures as an enterprise.

## Section B: Exempt Compensation

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

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This exempt class is exempt from civil service and meets the criteria for exemption under RCW 41.06.070(3) Governor's Pool "...is a senior expert in enterprise information technology..." as it will lead the work of six administration-specific IT teams, and oversee the strategic and operational IT activities, which directly support the administrations' lines of business. This exempt class is also responsible for making and setting IT policy and directing IT resources statewide.

State HR scored this exempt class at D4Y – 1012, which meets the EMS Band IV level. OFM Budget confirmed the agency can absorb all costs associated with this exempt class.

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 11/10/2022	
<b>Management Type</b> Management	<b>Date of Exempt Position Description on File</b> 06/27/2022
<b>EEOC Code</b> 41 Officials & Administrators	<b>Current Number of Approved Position(s)</b> N/A
<b>Workforce Indicator</b> 80148587 At-Will Governor's Pool	<b>Total Number of Approved Position(s)</b> 1

## Section B: Exempt Compensation

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<b>Item 5</b>	
<b>Requester (Agency/HE Institution)</b> Energy Facility Site Evaluation Council	<b>Analyst</b> Tricia Mackin
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
<b>Current Code/Title</b> N/A	<b>Current EMS Band/Rate</b> N/A
<b>Proposed Code/Title</b> B3210 Executive Director – EFSEC	<b>Proposed EMS Band/Rate</b> EMS Band IV (\$89,460 – \$154,140)
<b>Current RCW Exemption (indicate number and description)</b> N/A	<b>Proposed RCW Exemption (indicate number and description)</b> RCW 41.06.070(3) “Governor’s pool involving directing and controlling program operations of an agency...”
<b>Effective Date</b> 11/11/2022	

### Scope

Serving as the Executive Director, reporting to the EFSEC Chair, this exempt class directs, manages and oversees all agency functions, programs and staff. This exempt class is responsible for siting reviews and compliance activities for all energy projects including energy production facilities, energy facility component manufacturers, green hydrogen production and energy storage facilities to ensure the Governor’s goals of a carbon neutral electrical grid are met by 2045. This exempt class implements environmental permitting and compliance programs to ensure site certifications comply with state and federal laws protecting water and air quality and the development, application and implementation of agency administrative, fiscal and programmatic policies, guidelines and procedures.

### Explanation

The Energy Facility Site Evaluation Council is requesting the establishment of an exempt class, Executive Director. The EFSEC became an independent agency effective June 30, 2022, and this position was previously under the authority of the Utilities and Transportation Commission. This exempt class serves as the Executive Director overseeing the day-to-day management and administration of staff, human resources, budget, information technology, risk management, contracts, procurement and performance management to ensure efficient operation of the agency

## Section B: Exempt Compensation

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and compliance with state laws, policies and regulations. They are responsible for developing and implementing statewide policies, priorities and strategic plans and balancing short-term and long-term goals. This exempt class oversees energy facility siting and compliance programs to ensure facility construction and operation are conducted in compliance with environmental requirements and permits for all certified facilities, including the operation of the Columbia Generating Station, the northwest's only operating commercial nuclear generating facility. Based on the roles and responsibilities, this exempt class meets the criteria for RCW 41.06.070(3) "Governor's pool involving directing and controlling program operations of an agency..."

In order to begin this work and meet organizational needs, State Human Resources temporarily approved adding a position, Executive Director – EFSEC to exempt class, B3190 Executive Director – UTC effective July 1, 2022 through November 10, 2022. The agency indicates they plan to remove the temporary EMS position upon approval for the establishment of the Executive Director – EFSEC.

SHR supports the agency's request to establish an exempt class, Executive Director– EFSEC at the EMS Band IV level. The agency and SHR staff reviewed the position description for Executive Director and rated it with a JVAC score of C5Y-948, which meets the EMS Band IV level.

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

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 11/10/2022	
<b>Management Type</b> Management	<b>Date of Exempt Position Description on File</b> 7/12/2022
<b>EEOC Code</b> 41 Officials & Administrators	<b>Current Number of Approved Position(s)</b> N/A
<b>Workforce Indicator</b> 80148587 At-Will Governor's Pool	<b>Total Number of Approved Position(s)</b> 1

## Section B: Exempt Compensation

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<b>Item 6</b>	
<b>Requester (Agency/HE Institution)</b> Commission on African American Affairs	<b>Analyst</b> Cindy Wulff
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Pay Outside Band <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
<b>Current Code/Title</b> N/A	<b>Current EMS Band/Rate</b> N/A
<b>Proposed Code/Title</b> B3385 Operations and Community Relations Manager - CAAA	<b>Proposed EMS Band/Rate</b> EMS Band II (\$64,356 - \$118,116)
<b>Current RCW Exemption (indicate number and description)</b> N/A	<b>Proposed RCW Exemption (indicate number and description)</b> RCW 41.06.070 (3) Governor's Pool "...responsible for the formulation of basic agency or executive policy..."
<b>Effective Date</b> 11/11/2022	

### Scope

Reporting to the Executive Director, the Operations and Community Relations Manager – CAAA is responsible for planning, developing, and administering a comprehensive outreach and communication plan for the Washington Commission on African American Affairs that provides accurate and timely information to agency staff, stakeholders, media, and the public. Provides leadership and direction through the development of agency policy and strategic plans. This position serves as public relations counsel to the Executive Director and agency staff for communication management and media relations, strategies and activities. Position cultivates and maintains working relationships with the Governor's Office, other state agencies, members of legislature, and external stakeholders.

## Section B: Exempt Compensation

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### Explanation

The Washington State Commission on African American Affairs requests establishment of exempt class B3385 Operations and Community Relations Manager to support development of public policy and effective delivery of government services to the African American residents of Washington state. This exempt class will develop agency policy and provide strategic direction and serve as the Executive Director's public relations counsel for all communications and external relations for the agency. This exempt class cultivates and maintains successful working relationships with internal and external partners to support the agency's legislative goals.

State Human Resources supports the agency's request to establish an exempt class, Operations and Community Relations Manager – CAAA at the EMS Band II level. State HR and the agency evaluated this exempt class at B3W-562, which meets the EMS Band II level. Based on the roles and responsibilities, this exempt class meets the Governors Pool exemption as they have substantial responsibility for the formulation of executive policy.

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

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director's Meeting Date 11/10/2022	
Management Type Policy	Date of Exempt Position Description on File 8/30/22
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.

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<b>Item 7</b>	
<b>Requester (Agency/HE Institution)</b> Employment Security Department	<b>Analyst</b> Tricia Mackin
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
<b>Current Code/Title</b> N/A	<b>Current EMS Band/Rate</b> N/A
<b>Proposed Code/Title</b> B4471 Director, Organizational Excellence - ESD	<b>Proposed EMS Band/Rate</b> EMS Band IV (\$89,460 – \$154,140)
<b>Current RCW Exemption (indicate number and description)</b> N/A	<b>Proposed RCW Exemption (indicate number and description)</b> RCW 41.06.070(1)(v) “in each agency with fifty or more employees: Deputy agency heads, assistant directors or division directors...”
<b>Effective Date</b> 11/11/2022	

### Scope

Serving as the Director, Organizational Excellence, reporting to the Commissioner, this exempt class leads the Central Services Leadership Team and oversees the Administrative Services, Human Resources and Information Technology Services divisions. This exempt class is responsible for establishing and modifying policies and procedures to ensure compliance with federal and state regulations and articulating the agency’s vision and strategic direction to ensure efficient and effective operations of the agency’s activities and programs.

### Explanation

The Employment Security Department is requesting the establishment of an exempt class, Director, Organizational Excellence, due to a reorganization. This exempt class serves as Director, Organizational Excellence overseeing three divisions and provides leadership, management and strategic direction ensuring efficient and effective operations of the agency’s activities and programs. They are responsible for establishing, modifying and articulating policies and ensuring compliance with federal and state regulations, policies and procedures. This exempt class assists with controlling operations, developing and implementing projects and overseeing development of regulations, policies and operating procedures having long-term impact on the agency’s mission and operational effectiveness. Based on the roles and responsibilities, this exempt class meets the criteria for RCW 41.06.070(1)(v) “in each agency with fifty or more employees: Deputy agency heads, assistant directors or division directors...”



## Section B: Exempt Compensation

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

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In order to begin this work and meet organizational needs, State Human Resources temporarily approved adding a position, Director, Organizational Excellence – ESD, to exempt class, B4493 Assistant Commissioner, Tax and Wage Administration – ESD effective July 16, 2022 through November 10, 2022. The agency indicates they plan to remove the temporary EMS position upon approval for the establishment of the Director, Organizational Excellence – ESD.

SHR supports the agency's request to establish an exempt class, Director, Organizational Excellence – ESD at the EMS Band IV level. The agency and SHR staff reviewed the position description for Director, Organizational Excellence and rated it with a JVAC score of D5Y-1136, which meets the EMS Band IV level.

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

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 11/10/2022	
<b>Management Type</b> Management	<b>Date of Exempt Position Description on File</b> 7/25/2022
<b>EEOC Code</b> 41 Officials & Administrators	<b>Current Number of Approved Position(s)</b> N/A
<b>Workforce Indicator</b> 80148586 At-Will	<b>Total Number of Approved Position(s)</b> 1

## Section B: Exempt Compensation

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

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<b>Item 8</b>	
<b>Requester (Agency/HE Institution)</b> Employment Security Department	<b>Analyst</b> Tricia Mackin
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
<b>Current Code/Title</b> N/A	<b>Current EMS Band/Rate</b> N/A
<b>Proposed Code/Title</b> B4475 Director, Equitable and Holistic Service Delivery - ESD	<b>Proposed EMS Band/Rate</b> EMS Band V (\$108,636 – \$176,532)
<b>Current RCW Exemption (indicate number and description)</b> N/A	<b>Proposed RCW Exemption (indicate number and description)</b> RCW 41.06.070(1)(v) “in each agency with fifty or more employees: Deputy agency heads, assistant directors or division directors...”
<b>Effective Date</b> 11/11/2022	

### Scope

Serving as the Director, Equitable and Holistic Service Delivery, reporting to the Commissioner, this exempt class oversees all business supported by the Leave Care, Unemployment Insurance, Employment Connections, Program Fraud and Compliance, Data Architecture, Transformation and Analysis, and Program Communications and Strategic Partnerships services on behalf of the agency. This exempt class is responsible for developing and implementing laws, policies, process improvements and a modernization plan related to the agency’s delivery of programs and services that results in consolidating service delivery platforms and creating redundancy within the customer service workforce to support and service multiple programs and customer experience.

### Explanation

The Employment Security Department is requesting the establishment of an exempt class, Director, Equitable and Holistic Service Delivery, due to a reorganization. This exempt class serves as Director, Equitable and Holistic Service Delivery overseeing the agency’s customer service divisions to develop and improve methods and approaches to services, customer experience and respond to the economic crisis. They are responsible for developing and approving policies impacting holistic service delivery and implementing and delivering a consistent customer experience between all agency products utilizing consistent technology that is accessible, developing multiple entry points into services, making all services available from all locations and focusing on marginalized communities, leveraging innovation and modernizing policies. Based on the roles and responsibilities, this exempt class meets the criteria for RCW 41.06.070(1)(v) “in each agency with fifty or more employees: Deputy agency heads, assistant directors or division directors...”

## Section B: Exempt Compensation

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

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In order to begin this work and meet organizational needs, State Human Resources temporarily approved adding a position, Director, Equitable and Holistic Service Delivery – ESD, to exempt class, B4400 Deputy Commissioner, Employment Security – ESD effective July 16, 2022 through November 10, 2022. The agency indicates they plan to remove the temporary EMS position upon approval for the establishment of the Director, Equitable and Holistic Service Delivery – ESD.

SHR supports the agency's request to establish an exempt class, Director, Equitable and Holistic Service Delivery – ESD at the EMS Band V level. The agency and SHR staff reviewed the position description for Director, Equitable and Holistic Service Delivery and rated it with a JVAC score of E5Y-1410, which meets the EMS Band V level.

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

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 11/10/2022	
<b>Management Type</b> Management	<b>Date of Exempt Position Description on File</b> 7/25/2022
<b>EEOC Code</b> 41 Officials & Administrators	<b>Current Number of Approved Position(s)</b> N/A
<b>Workforce Indicator</b> 80148586 At-Will	<b>Total Number of Approved Position(s)</b> 1

## Section B: Exempt Compensation

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

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<b>Item 9</b>	
<b>Requester (Agency/HE Institution)</b> Utilities and Transportation Commission	<b>Analyst</b> Tricia Mackin
<b>Primary Action (check all that apply)</b> <input checked="" type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
<b>Current Code/Title</b> B4940 Manager, EFSEC - UTC	<b>Current EMS Band/Rate</b> Salary Range 62
<b>Proposed Code/Title</b> N/A	<b>Proposed EMS Band/Rate</b> N/A
<b>Current RCW Exemption (indicate number and description)</b> RCW 41.06.070(3) "Governor's pool involving substantial responsibility for the formulation of basic agency or executive policy..."	<b>Proposed RCW Exemption (indicate number and description)</b> N/A
<b>Effective Date</b> 11/11/2022	

### Explanation

The Utilities and Transportation Commission is requesting abolishment of exempt class B4940 Manager, EFSEC - UTC. The agency states the Energy Facility Site Evaluation Council became an independent agency effective June 30, 2022, and this position was previously under the authority of the Utilities and Transportation Commission. Due to establishment of new agency this exempt class is no longer needed and will be abolished due to formal establishment of a separate exempt class for the Executive Director - EFSEC effective November 11, 2022.

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

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 11/10/2022	
<b>Management Type</b> Policy	<b>Date of Exempt Position Description on File</b> 5/8/2003
<b>EEOC Code</b> 41 Officials & Administrators	<b>Current Number of Approved Position(s)</b> 1
<b>Workforce Indicator</b> 80148587 At-Will Governor's Pool	<b>Total Number of Approved Position(s)</b> 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.

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<b>Item 10</b>	
<b>Requester (Agency/HE Institution)</b> Puget Sound Partnership	<b>Analyst</b> Cindy Wulff
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
<b>Current Code/Title</b> N/A	<b>Current EMS Band/Rate</b> N/A
<b>Proposed Code/Title</b> B5946 Lead Budget Analyst - PSP	<b>Proposed EMS Band/Rate</b> Range 59 (\$61,632 – \$82,896)
<b>Current RCW Exemption (indicate number and description)</b> N/A	<b>Proposed RCW Exemption (indicate number and description)</b> RCW 41.06.098 “this chapter shall not apply...to all professional staff.”
<b>Effective Date</b> 11/11/2022	

### Scope

Reporting to the Fiscal Program Manager, this exempt class serves as the agency’s designated lead budget analyst with supervisory responsibilities. This exempt class is responsible for budget monitoring and projections, coordinating fiscal year and biennial close out activities and the development of fiscal processes and training. Under the direction of the Fiscal Program Manager this position participates in the developing, maintaining, and executing of the agency’s biennial and supplemental budgets.

### Explanation

The Puget Sound Partnership requested to establish a new exempt class at a Pay Range 59 due to fiscal program reorganization to address capacity needs and to comply with agency enabling statute. This class falls under RCW 41.06.098 which states all professional staff must be established in the Exempt Management System. This class does not, however, meet the EMS JVAC criteria. The WGS Budget Analyst 1 job specification definition identifies this class series as professional level work, thereby requiring the agency to place this work as exempt, per their enabling statute. State HR reviewed the position description and due to the higher-level duties and accountability, staff determined salary range 59 is appropriate for this class.

## Section B: Exempt Compensation

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

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This exempt class serves as the agency's designated lead budget analyst with supervisory responsibilities and is responsible for budget monitoring and projections, coordinating agency's fiscal year and biennial close out activities and the development of fiscal processes and training.

This budget work is currently being performed by B5929 Fiscal Program Manager - PSP. This exempt class will assume some of the duties and responsibilities of the Fiscal Program Manager to create capacity for the manager to take on a new supervisory role.

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

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 11/10/2022	
<b>Management Type</b> N/A	<b>Date of Exempt Position Description on File</b> 8/11/2022
<b>EEOC Code</b> 42 Professionals	<b>Current Number of Approved Position(s)</b> N/A
<b>Workforce Indicator</b> 80148586 At-Will	<b>Total Number of Approved Position(s)</b> 1

## Section B: Exempt Compensation

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

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<b>Item 11</b>	
<b>Requester (Agency/HE Institution)</b> Puget Sound Partnership	<b>Analyst</b> Cindy Wulff
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
<b>Current Code/Title</b> N/A	<b>Current EMS Band/Rate</b> N/A
<b>Proposed Code/Title</b> B5947 Fiscal Analyst - PSP	<b>Proposed EMS Band/Rate</b> Range 50 (\$49,404 – \$66,420)
<b>Current RCW Exemption (indicate number and description)</b> N/A	<b>Proposed RCW Exemption (indicate number and description)</b> RCW 41.06.098 “this chapter shall not apply... to all professional staff.”
<b>Effective Date</b> 11/11/2022	

### Scope

Reporting to the Lead Budget Analyst, this exempt class serves as the Travel Expense Management System administrator approving and releasing submittals for final processing. This exempt class manages and processes the agency’s account payables/receivables and leave accounting, monthly fiscal statements, financial reports and provides process improvement and policy recommendations to management for accounts payable and receivable processes, travel, and purchase processes.

### Explanation

The Puget Sound Partnership is requesting the establishment of an exempt class, Fiscal Analyst - PSP, at a range 50 due to a reorganization and to comply with agency enabling statute. This class falls under RCW 41.06.098 which states all professional staff must be established in the Exempt Management System. This class does not, however, meet the EMS JVAC criteria. The WGS Fiscal Analyst classified job specification identifies this job class series as professionals within the class series concept, thereby requiring the agency to place this work as exempt, per their enabling statute.

## Section B: Exempt Compensation

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

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The work is currently being performed primarily by a WGS Fiscal Analyst 3 position. State HR reviewed the position description and due to the accountability and level of work, staff determined salary range 50 is appropriate for this class.

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

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director's Meeting Date 11/10/2022	
Management Type N/A	Date of Exempt Position Description on File 6/28/2022
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.

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<b>Item 12</b>	
<b>Requester (Agency/HE Institution)</b> Puget Sound Partnership	<b>Analyst</b> Cindy Wulff
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
<b>Current Code/Title</b> N/A	<b>Current EMS Band/Rate</b> N/A
<b>Proposed Code/Title</b> B5948 Budget Analyst - PSP	<b>Proposed EMS Band/Rate</b> Range 54 (\$54,492 - \$73,260)
<b>Current RCW Exemption (indicate number and description)</b> N/A	<b>Proposed RCW Exemption (indicate number and description)</b> RCW 41.06.098 "this chapter shall not apply...to all professional staff."
<b>Effective Date</b> 11/11/2022	

### Scope

Reporting to the Lead Budget Analyst, the Budget Analyst ensures expenditures are made in accordance with state and federal law, the budget and expenditure data is accurately reflected in the agency's accounting records, and the fiscal policy and procedures are established in accordance with Generally Accepted Accounting Principles (GAAP) and the State Accounting and Administrative Manual (SAAM). This exempt class is responsible for the planning, monitoring and controlling of budgets for assigned agency programs including tracking budget performance, providing monthly budget expenditure reports, performing budget analysis and recommending corrective actions. This exempt class coordinates with stakeholders on agency work planning and resource allocation, reviews proposed program spending plans and recommends approval, modification, or disapproval of allotment requests.

## Section B: Exempt Compensation

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

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### Explanation

The Puget Sound Partnership requested to establish a new exempt class at a Pay Range 54 (commensurate with the Budget Analyst 3 classification in the Washington General Service) due to fiscal program reorganization to address capacity needs and to comply with agency enabling statute. This class falls under RCW 41.06.098 which states all professional staff must be established in the Exempt Management System. This class does not, however, meet the EMS JVAC criteria. The WGS Budget Analyst 1 job specification definition identifies this class series as professional level work, thereby requiring the agency to place this work as exempt, per their enabling statute.

This budget work is currently being performed by B5929 Fiscal Program Manager - PSP. This exempt class will assume some of the duties and responsibilities of the Fiscal Program Manager to create capacity for the manager to take on a new supervisory role. State HR reviewed the position description and due to the duties and level of work, staff determined it best aligned with the Budget Analyst 3 classification in the Washington General Service, salary range 54.

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

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
<b>Director's Meeting Date</b> 11/10/2022	
<b>Management Type</b> N/A	<b>Date of Exempt Position Description on File</b> 8/23/22
<b>EEOC Code</b> 42 Professionals	<b>Current Number of Approved Position(s)</b> N/A
<b>Workforce Indicator</b> 80148586 At-Will	<b>Total Number of Approved Position(s)</b> 1

## Section B: Exempt Compensation

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

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<b>Item 13</b>	
<b>Requester (Agency/HE Institution)</b> Department of Corrections	<b>Analyst</b> Melissa Bovenkamp
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
<b>Current Code/Title</b> N/A	<b>Current EMS Band/Rate</b> N/A
<b>Proposed Code/Title</b> B6291 Assistant Secretary, Women’s Prisons Division - DOC	<b>Proposed EMS Band/Rate</b> EMS Band V (\$108,636 - \$176,532)
<b>Current RCW Exemption (indicate number and description)</b> N/A	<b>Proposed RCW Exemption (indicate number and description)</b> RCW 41.06.071 “...the provisions of this chapter shall not apply...to the...assistant deputy secretaries...”
<b>Effective Date</b> 11/11/2022	

### Scope

Responsible for providing overall leadership, strategic vision and direction in the comprehensive administration, integration, accountability, and operations within the Department of Corrections Women’s Prison Division. Responsible for agency strategic development, leadership and oversight of agency transgender and nonconforming individuals’, and gender responsive policy(ies). Provide operational and security direction with gender responsiveness and trauma informed consideration within all areas under the jurisdiction of the DOC. Provide leadership for the creation and implementation of gender responsive trauma informed programs and in partnership with agency divisions and external stakeholders i.e., other Washington state agencies, county jails, Washington State Supreme Court Gender Justice Commission, and others. Serves as a key member of the Secretary’s leadership team.

### Explanation

The Department of Corrections is requesting the establishment of an exempt class, Assistant Secretary, Women’s Prison Division at the EMS Band V level. This exempt class is responsible for providing overall leadership, oversight and strategic direction for the women’s correctional facilities as well as for the administration and integration of the agency’s initiative regarding gender-responsive and trauma informed operations and programs. Based on the roles and responsibilities, this exempt class meets the criteria for RCW 41.06.071 “...the provisions of this chapter shall not apply...to the...assistant deputy secretaries...”

## Section B: Exempt Compensation

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

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To begin this work and meet DOC's organizational needs, State Human Resources conditionally approved adding a position, Assistant Secretary, Women's Prison Division – DOC, to exempt class, B6282 Assistant Secretary, Prisons – DOC effective 9/8/21. Upon review of the position description later submitted by the agency, SHR determined the establishment of an exempt class for the Women's Prison Division Assistant Secretary position was appropriate rather than maintaining it as an additional position within EMS B6282, due to the unique nature of the position.

SHR supports the agency's request to establish an exempt class, Assistant Secretary, Women's Prison Division – DOC at the EMS Band V level. SHR staff reviewed the position description for the Assistant Secretary, Women's Prison Division and evaluated this class with a JVAC score of E5Y-1410, which meets the EMS Band V level.

A Fiscal Impact Statement was submitted and approved by OFM Budget on 9/9/21, confirming the agency can absorb all costs associated with this request.

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 11/10/2022	
<b>Management Type</b> Management	<b>Date of Exempt Position Description on File</b> 8/22/2022
<b>EEOC Code</b> 41 Officials & Administrators	<b>Current Number of Approved Position(s)</b> N/A
<b>Workforce Indicator</b> 80148586 At-Will	<b>Total Number of Approved Position(s)</b> 1

## Section B: Exempt Compensation

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

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<b>Item 14</b>	
<b>Requester (Agency/HE Institution)</b> Department of Children, Youth and Families	<b>Analyst</b> Shelby Sheldon
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Pay Outside Band <input type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
<b>Current Code/Title</b> N/A	<b>Current EMS Band/Rate</b> N/A
<b>Proposed Code/Title</b> B7025 Community, Reentry and Parole Regional Administrator - DCYF	<b>Proposed EMS Band/Rate</b> EMS Band II (\$64,356 - \$118,116)
<b>Current RCW Exemption (indicate number and description)</b> N/A	<b>Proposed RCW Exemption (indicate number and description)</b> DCYF enabling statute: RCW 41.06.0971 "this chapter does not apply...to the...Regional Secretaries..."
<b>Effective Date</b> 11/11/2022	

### Scope

The Community, Reentry and Parole Regional Administrator reports to the Community, Reentry and Parole Director. This exempt class serves as an appointing authority and has overall responsibility for planning, organizing, evaluating and monitoring all state operated and contracted regional parole service activities and operation of 24/7 least restrictive community-based residential facilities. This exempt class provides oversight of operations for community-based residential minimum-security facilities and parole aftercare programs and services within the youth and family centered rehabilitation service model for the state's juvenile justice system. Positions in this exempt class are responsible for three geographic area encompassing 6 regions.

### Explanation

As a result of the passage of the Second Engrossed Second Substitute House Bill 1661 the Department of Children, Youth and Families (DCYF) was created on July 1, 2018, which involved the transition of Children's Administration from DSHS to DCYF. Juvenile Rehabilitation transitioned from DSHS to DCYF on July 1, 2019. This exempt class will work to ensure service delivery supports customer needs, sets goals, and operates strategies in coordination with the department's vision, and sets expectations and models the highest level of integrity and standards of service.

## Section B: Exempt Compensation

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

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DCYF is requesting establishment under RCW 41.06.0971, "this chapter does not apply...to the...Regional Secretaries". State HR concurs with this RCW exemption as this exempt class is a Regional Administrator. State HR Staff reviewed the position descriptions and scored this exempt class at B4X-604, which is the same as the agency JVAC and meets the EMS Band II level.

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

<b>This information is entered into the Human Resources Management System (HRMS) and CC Jobs.</b>	
<b>Director's Meeting Date</b> 11/10/2022	
<b>Management Type</b> Management	<b>Date of Exempt Position Description on File</b> 09/20/2019
<b>EEOC Code</b> 41 Officials & Administrators	<b>Current Number of Approved Position(s)</b> N/A
<b>Workforce Indicator</b> 80148586 At-Will	<b>Total Number of Approved Position(s)</b> 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.

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<b>Item 15</b>	
<b>Requester (Agency/HE Institution)</b> State Lottery Commission	<b>Analyst</b> Lynley Coffman
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input type="checkbox"/> Exemption Change <input checked="" type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <input type="checkbox"/> Add Position <input checked="" type="checkbox"/> Band Change <input type="checkbox"/> Minor Scope Change <input type="checkbox"/> Pay Outside Band <input checked="" type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
<b>Current Code/Title</b> B7140 Director of Marketing (LOTTERY)	<b>Current EMS Band/Rate</b> EMS Band III (\$74,628 – 133,044)
<b>Proposed Code/Title</b> B7140 Assistant Director of Marketing - LOT	<b>Proposed EMS Band/Rate</b> EMS Band II (\$64,356 - \$118,116)
<b>Current RCW Exemption (indicate number and description)</b> RCW 67.70.050(2) "appoint...assistant directors as may be required to carry out the functions of his or her office..."	<b>Proposed RCW Exemption (indicate number and description)</b> N/A
<b>Effective Date</b> 11/11/2022	

### Scope

~~The Director of Marketing will work in combination with the Director and Deputy Director to direct brands and brand management. This person will provide strategic marketing leadership to the entire organization, ensuring strategies are translated into practice through actionable programs and influencing the development of the brand architecture. Determines the overall marketing architecture of the agency and oversees demand creation, including consumer advertising, related promotions, media planning, and online content. Leads the functional activities of marketing strategy, brand management, new product development, and advertising through traditional and new media.~~

Reporting to the Director of Sales and Marketing, the Assistant Director of Marketing manages the agency's marketing division activities, while focusing on marketing returns on investments. This exempt class works in conjunction with the Assistant Director of Sales to develop program goals and objectives, ensuring marketing activities are integrated with sales and product management. Provides oversight and direction regarding programs set by the division director; manages and tracks annual marketing plan; marketing budgets; marketing strategies; marketing execution; brand management; product development; advertising; and identifies opportunities for improvement and works with subordinate staff to develop process improvement tactics.

## Section B: Exempt Compensation

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

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### Explanation

The primary request from the State Lottery Commission is for a substantial scope change. Since this exempt class was established in 2009, the agency has had a reorganization, which changed the reporting relationship; nature of management; decision making and scope of management for this position. In addition, the agency is requesting a band and title change of B7140 Director of Marketing (LOTTERY) to the Assistant Director of Marketing – LOT. The proposed changes reflect that this exempt class no longer reports to the agency director providing strategic marketing leadership to the entire organization, including determining and directing the overall marketing architecture of the agency. This exempt class is now responsible for the oversight and management of marketing activities specific to the division.

The State Lottery Commission evaluated this class with a JVAC score of B3X-586, EMS Band II. State Human Resources staff reviewed the updated position description, dated February 15, 2022, and evaluated this class with a JVAC score of B3W-562, which still meets the EMS Band II level.

There is no fiscal impact associated with this request.

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
Director's Meeting Date 11/10/2022	
Management Type Management	Date of Exempt Position Description on File February 15, 2022
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.

<b>Item 16</b>	
<b>Requester (Agency/HE Institution)</b> State Lottery Commission	<b>Analyst</b> Lynley Coffman
<b>Primary Action (check all that apply)</b> <input type="checkbox"/> Abolishment <input type="checkbox"/> Establishment <input checked="" type="checkbox"/> Exemption Change <input type="checkbox"/> Substantial Scope Change	
<b>Secondary Action - As a result of Primary Action (check all that apply)</b> <input type="checkbox"/> Add Position <input type="checkbox"/> Band Change <input checked="" type="checkbox"/> Minor Scope Change <input type="checkbox"/> Pay Outside Band <input checked="" type="checkbox"/> Title Change <input type="checkbox"/> Remove Position	
<b>Current Code/Title</b> B7210 Sales Operations Manager (Lottery)	<b>Current EMS Band/Rate</b> EMS Band II (\$64,356 - \$118,116)
<b>Proposed Code/Title</b> B7210 Assistant Director of Sales - LOT	<b>Proposed EMS Band/Rate</b> N/A
<b>Current RCW Exemption (indicate number and description)</b> RCW 67.70.050(3) "appoint such professional...employees as necessary to perform the duties imposed by this chapter..."	<b>Proposed RCW Exemption (indicate number and description)</b> RCW 67.70.050(2) "appoint...assistant directors as may be required to carry out the functions of his or her office..."
<b>Effective Date</b> 11/11/2022	

### Scope

Under general direction from Reporting to the Director of Sales and Marketing, the Assistant Director of Sales manages the agency's sales division and its activities to increase sales and revenue for regional office operations, Scratch inventory operations, and customer/retailer services. This exempt class works in conjunction with the Assistant Director of Marketing to develop program goals and objectives, ensuring sales activities are integrated with marketing and product management. this Provides oversight and direction regarding programs set by the division Ddirector of Sales; assists with the development and delivery of retailer programs; in establishing program goals and objectives; evaluates models and methods for services; monitors and measures sales and service of Lottery products operations progress toward goals; and identifies opportunities for improvement and works with subordinate staff to develop process improvement tactics. manages statewide sales and service meetings, conferences, and workshops.

## Section B: Exempt Compensation

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

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### Explanation

The Lottery Commission is requesting an exemption, minor scope and title change of B7210 Sales Operations Manager (Lottery) to the Assistant Director of Sales - LOT. This exempt class was established in 1991 as the Customer Service Manager (salary range 56) under RCW 67.70.050(3) "...professional...employees...". In 1999, this exempt class was broad banded and placed in the EMS Band II; at that time a JVAC was not performed by the agency or State HR. Since the last update of this exempt class in 2009, the agency has had a reorganization, making it necessary to update the position's roles, responsibilities and exemption criteria 67.70.050(2) "...assistant directors...".

The State Lottery Commission evaluated this class with a JVAC score of B3X-586, EMS Band II. SHR staff reviewed the updated position description, dated December 28, 2021, and evaluated this class with a JVAC score of B3W-562, which still meets the EMS Band II level.

There is no fiscal impact associated with this request.

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.	
<b>Director's Meeting Date</b> 11/10/2022	
<b>Management Type</b> Management	<b>Date of Exempt Position Description on File</b> December 28, 2021
<b>EEOC Code</b> 41 Officials & Administrators	<b>Current Number of Approved Position(s)</b> 1
<b>Workforce Indicator</b> 80148586 At-Will	<b>Total Number of Approved Position(s)</b> 1

## **Section C: Classification**

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There are no classification items for this meeting.

## Section D: Compensation

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Item 17	
<b>Requester (Agency/HE Institution)</b> Washington State School for the Blind (SFB) and Washington State Center for Childhood Deafness and Hearing Loss	<b>Analyst</b> Mindy Portschy
<b>Action</b> V-Range Salary Schedule (Certificated Teaching Salary Rate Adjustment)	<b>Effective Date</b> 9/1/2022

The 2022-2023 Certificated Teaching Salary rate adjustment on the following page is proposed for adoption. The effective date of the salary schedule was September 1, 2022.

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](mailto:Mindy.Portschy@ofm.wa.gov) if you have any questions.

Internal Use Only
<b>Director's Meeting Date</b> 11/10/2022

## Section D: Compensation

2022-2023 VSD#37 Certificated Teaching Salary Rates - 180 days  
Effective September 1, 2022

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)	\$51,534	\$52,228	\$52,889	\$53,570	\$54,238	\$54,928	\$55,638	\$56,883	\$58,707	\$58,707	\$58,707	\$58,707	\$58,707	\$58,707	\$58,707	\$58,707	\$58,707
Monthly (12 mo/yr)	4,294.50	4,352.33	4,407.42	4,464.17	4,519.83	4,577.33	4,636.50	4,740.25	4,892.25	4,892.25	4,892.25	4,892.25	4,892.25	4,892.25	4,892.25	4,892.25	4,892.25
Daily (180 days/yr)	286.30	290.16	293.83	297.61	301.32	305.16	309.10	316.02	326.15	326.15	326.15	326.15	326.15	326.15	326.15	326.15	326.15
Hourly (1440 hrs/yr)	35.79	36.27	36.73	37.20	37.67	38.14	38.64	39.50	40.77	40.77	40.77	40.77	40.77	40.77	40.77	40.77	40.77
BA + 15 (annual)	\$52,927	\$53,638	\$54,314	\$55,008	\$55,740	\$56,436	\$57,113	\$58,381	\$60,286	\$62,261	\$62,261	\$62,261	\$62,261	\$62,261	\$62,261	\$62,261	\$62,261
Monthly (12 mo/yr)	4,410.58	4,469.83	4,526.17	4,584.00	4,645.00	4,703.00	4,759.42	4,865.08	5,023.83	5,188.42	5,188.42	5,188.42	5,188.42	5,188.42	5,188.42	5,188.42	5,188.42
Daily (180 days/yr)	294.04	297.99	301.74	305.60	309.67	313.53	317.29	324.34	334.92	345.89	345.89	345.89	345.89	345.89	345.89	345.89	345.89
Hourly (1440 hrs/yr)	36.75	37.25	37.72	38.20	38.71	39.19	39.66	40.54	41.87	43.24	43.24	43.24	43.24	43.24	43.24	43.24	43.24
BA + 30 (annual)	\$54,368	\$55,100	\$55,790	\$56,501	\$57,241	\$57,952	\$58,680	\$59,969	\$61,912	\$63,967	\$66,046	\$66,046	\$66,046	\$66,046	\$66,046	\$66,046	\$66,046
Monthly (12 mo/yr)	4,530.67	4,591.67	4,649.17	4,708.42	4,770.08	4,829.33	4,890.00	4,997.42	5,159.33	5,330.58	5,503.83	5,503.83	5,503.83	5,503.83	5,503.83	5,503.83	5,503.83
Daily (180 days/yr)	302.04	306.11	309.94	313.89	318.01	321.96	326.00	333.16	343.96	355.37	366.92	366.92	366.92	366.92	366.92	366.92	366.92
Hourly (1440 hrs/yr)	37.76	38.26	38.74	39.24	39.75	40.24	40.75	41.65	42.99	44.42	45.87	45.87	45.87	45.87	45.87	45.87	45.87
BA + 45 (annual)	\$55,814	\$56,608	\$57,415	\$58,177	\$58,976	\$59,784	\$60,602	\$61,996	\$64,108	\$66,242	\$68,485	\$70,794	\$73,028	\$73,028	\$73,028	\$73,028	\$73,028
Monthly (12 mo/yr)	4,651.17	4,717.33	4,784.58	4,848.08	4,914.67	4,982.00	5,050.17	5,166.33	5,342.33	5,520.17	5,707.08	5,899.50	6,085.67	6,085.67	6,085.67	6,085.67	6,085.67
Daily (180 days/yr)	310.08	314.49	318.97	323.21	327.64	332.13	336.68	344.42	356.16	368.01	380.47	393.30	405.71	405.71	405.71	405.71	405.71
Hourly (1440 hrs/yr)	38.76	39.31	39.87	40.40	40.96	41.52	42.08	43.05	44.52	46.00	47.56	49.16	50.71	50.71	50.71	50.71	50.71
BA + 90 (annual)	\$61,785	\$62,473	\$63,163	\$63,820	\$64,505	\$65,205	\$65,921	\$67,261	\$69,371	\$71,503	\$73,748	\$76,055	\$78,456	\$80,939	\$83,496	\$85,668	\$87,381
Monthly (12 mo/yr)	5,148.75	5,206.08	5,263.58	5,318.33	5,375.42	5,433.75	5,493.42	5,605.08	5,780.92	5,958.58	6,145.67	6,337.92	6,538.00	6,744.92	6,958.00	7,139.00	7,281.75
Daily (180 days/yr)	343.25	347.07	350.91	354.56	358.36	362.25	366.23	373.67	385.39	397.24	409.71	422.53	435.87	449.66	463.87	475.93	485.45
Hourly (1440 hrs/yr)	42.91	43.38	43.86	44.32	44.80	45.28	45.78	46.71	48.17	49.65	51.21	52.82	54.48	56.21	57.98	59.49	60.68
MA + 0 (annual)	\$61,785	\$62,473	\$63,163	\$63,820	\$64,505	\$65,205	\$65,921	\$67,261	\$69,371	\$71,503	\$73,748	\$76,055	\$78,456	\$80,939	\$83,496	\$85,668	\$87,381
Monthly (12 mo/yr)	5,148.75	5,206.08	5,263.58	5,318.33	5,375.42	5,433.75	5,493.42	5,605.08	5,780.92	5,958.58	6,145.67	6,337.92	6,538.00	6,744.92	6,958.00	7,139.00	7,281.75
Daily (180 days/yr)	343.25	347.07	350.91	354.56	358.36	362.25	366.23	373.67	385.39	397.24	409.71	422.53	435.87	449.66	463.87	475.93	485.45
Hourly (1440 hrs/yr)	42.91	43.38	43.86	44.32	44.80	45.28	45.78	46.71	48.17	49.65	51.21	52.82	54.48	56.21	57.98	59.49	60.68
MA + 45* (annual)	\$66,423	\$67,158	\$67,836	\$68,480	\$69,197	\$69,879	\$70,572	\$71,980	\$74,156	\$76,400	\$78,709	\$81,127	\$83,608	\$86,149	\$88,871	\$91,183	\$93,006
Monthly (12 mo/yr)	5,535.25	5,596.50	5,653.00	5,706.67	5,766.42	5,823.25	5,881.00	5,998.33	6,179.67	6,366.67	6,559.08	6,760.58	6,967.33	7,179.08	7,405.92	7,598.58	7,750.50
Daily (180 days/yr)	369.02	373.10	376.87	380.44	384.43	388.22	392.07	399.89	411.98	424.44	437.27	450.71	464.49	478.61	493.73	506.57	516.70
Hourly (1440 hrs/yr)	46.13	46.64	47.11	47.56	48.05	48.53	49.01	49.99	51.50	53.06	54.66	56.34	58.06	59.83	61.72	63.32	64.59
MA + 90 (annual)	\$69,413	\$70,127	\$70,837	\$71,556	\$72,296	\$73,039	\$73,746	\$75,244	\$77,538	\$79,899	\$82,322	\$84,811	\$87,406	\$90,059	\$92,817	\$95,229	\$97,134
Monthly (12 mo/yr)	5,784.42	5,843.92	5,903.08	5,963.00	6,024.67	6,086.58	6,145.50	6,270.33	6,461.50	6,658.25	6,860.17	7,067.58	7,283.83	7,504.92	7,734.75	7,935.75	8,094.50
Daily (180 days/yr)	385.63	389.59	393.54	397.53	401.64	405.77	409.70	418.02	430.77	443.88	457.34	471.17	485.59	500.33	515.65	529.05	539.63
Hourly (1440 hrs/yr)	48.20	48.70	49.19	49.69	50.21	50.72	51.21	52.25	53.85	55.49	57.17	58.90	60.70	62.54	64.46	66.13	67.45

\*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: \$180.39 daily (4 or more hours per day)  
\$103.08 half day (less than 4 hours per day)

## Section E: Rule Amendments

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### Item #1 - Service in an Elective Office/Legislative Service

**Staff note:** HB 1927 passed during the 2022 legislative session, Chapter 271, 2022 Laws, effective June 9, 2022. The bill adds a new chapter to Title 49 RCW (Labor Regulations), encouraging citizens to serve in the legislature by creating leave provisions for legislative service. Section 3 *requires* an employer to grant a temporary leave of absence without loss of **job status** or **seniority** to an employee who is a member of the state legislature to perform any official duty during regular and special legislative sessions. The leave granted *may* be unpaid, or the employee may substitute **any** accrued paid leave.

Staff is proposing to amend Title 357 WAC to align with the new law, specifically to:

- Require an employer to grant an employee's request to use their accrued leave or leave without pay;
- Allow an employee who is serving a probationary period, trial service period, transitional review period or Washington Management Service review period to resume/complete their review period when the employee returns from the leave of absence due to legislative service;
- State employees who are on an approved leave of absence for legislative service must not have their seniority date adjusted for time spent during a leave of absence for legislative service; and
- Exclude legislative service leave violations under chapter 49.100 RCW from rule violation appeals.

When reviewing the Civil Service Rules for impacts due to the passage of HB 1927, staff realized that the leave of absence provided under RCW 41.04.120 is not reflected in Title 357 WAC. RCW 41.04.120 (Chapter 164, 1957 Laws) requires an employer to preserve an employee's civil service status and seniority while on a leave of absence by reason of having been elected or appointed to an elective office (service in an elective office). Unlike HB 1927, RCW 41.04.120 is not restricted to regular and special legislative sessions and an employee may only request to use unpaid leave.

Staff is proposing to amend Title 357 WAC to align with the existing law specifically to:

- Require an employer to grant an employee's request to use leave without pay for service in an elective office in accordance with RCW 41.04.120;
- Allow an employee who is serving a probationary period, trial service period, transitional review period or Washington Management Service review period to resume/complete their review period when the employee returns from the leave of absence due to service in an elective office; and
- State employees who are on an approved leave of absence due to service in an elective office must not have their seniority date adjusted for time spent during a leave of absence for service in an elective office.

Staff is proposing permanent adoption effective January 1, 2023.

## Section E: Rule Amendments

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### AMENDATORY SECTION

#### **WAC 357-01-304 Seniority date (higher education).**

For higher education employees, the seniority date is determined in accordance with the employer's layoff procedure. The employer's layoff procedure must specify a uniform method for determining the seniority date for employees of the higher education institution or related board who are covered by the civil service rules. ~~((Employees on military leave as provided in WAC 357-31-370 must not have their seniority date adjusted for the time spent on military leave without pay.))~~ Seniority dates will not be adjusted for any time period an employee is on approved leave without pay for reasons defined in WAC 357-46-053.

### 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 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.

## Section E: Rule Amendments

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(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).

### AMENDATORY SECTION

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

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

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

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

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

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

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

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

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

(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; ~~((or))~~

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



## Section E: Rule Amendments

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### AMENDATORY SECTION

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

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

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

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

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

(4) Address advance notice from the employee when the employee is seeking leave under subsections (2) and (3) of this section. When advance notice cannot be given because of an emergency or unforeseen circumstances due to domestic violence, sexual assault or stalking, the employee or the employee's designee must give notice to the employer no later than the end of the first day that the employee takes such leave;

(5) Allow an employee to use sick leave for the purpose of parental leave to bond with a newborn, adoptive or foster child. The policy must state the total amount of sick leave allowed to be used beyond 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; ((and))

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

(10) 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) 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.

## Section E: Rule Amendments

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### 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 accommodation to protect themselves from the risk of exposure to an infectious or contagious disease and the employer determines no other accommodation is reasonable besides the use of leave.

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

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

(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.

## Section E: Rule Amendments

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

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

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

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

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

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

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

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

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

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

(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).

## Section E: Rule Amendments

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(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.

(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 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).

## Section E: Rule Amendments

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### AMENDATORY SECTION

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

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

(1) When an employee who is a volunteer firefighter is called to duty to respond to a fire, natural disaster, or medical emergency;

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

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

(4) When an employee requests a day off for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization in accordance with WAC 357-31-052.

(5) When an employee is on approved paid family and/or medical leave under Title 50A RCW. Leave taken under this subsection may be subject to verification that the employee has been approved to receive benefits for paid family and/or medical leave under Title 50A RCW and qualifies for employment protection in accordance with RCW 50A.35.010.

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

(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.

### NEW SECTION

#### **WAC 357-31-374 When must an employer grant a temporary leave of absence for service in an elective office or for legislative service?**

An employer must grant a temporary leave of absence for:

(1) Service in an elective office without loss of job status or seniority to an employee by reason of having been elected or appointed to an elective office in accordance with RCW 41.04.120.

(2) Legislative service without loss of job status or seniority to an employee who is a member of the state legislature in order for the employee to perform any special duty as a member of the legislature during regular and special legislative sessions in accordance with chapter 49.100 RCW.

(a) The leave of absence may be unpaid or the employee may substitute any combination of accrued paid leave.

## Section E: Rule Amendments

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- (b) An employee seeking a temporary leave of absence must provide notice to the employer:
  - (i) At least 30 days in advance for a regular legislative session; or
  - (ii) As soon as the session is proclaimed for a special session.

### NEW SECTION

#### **WAC 357-31-3745 How does a temporary leave of absence for service in an elective office or for legislative service impact an employee's probationary period, trial service period, or transition review period?**

When an employee is granted a temporary leave of absence for service in an elective office or for legislative service during a probationary period, trial service period, or transition review period, the employer must suspend the employee's probationary period, trial service period, or transition review period and allow the employee to resume when they return from their leave of absence.

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

## Section E: Rule Amendments

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### AMENDATORY SECTION

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

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

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

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

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

(4) Employees on an approved leave of absence in accordance with WAC 357-31-374 must not have their seniority date adjusted for time spent on the leave of absence.

### AMENDATORY SECTION

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

(1) For a full-time general government employee, the seniority date is the employee's most recent date of hire into state service (including exempt service) as adjusted for any period of leave without pay which exceeds (~~fifteen~~) 15 consecutive calendar days except when the leave without pay is taken for:

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

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

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

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

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

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

(g) Leave for service in an elective office or legislative service as provided in WAC 357-31-374.

(2) When an employee is on leave without pay for more than (~~fifteen~~) 15 consecutive calendar days and the absence is not due to one of the reasons listed above, the employee's seniority date must be moved forward in an amount equal to the number of calendar days on leave without pay.

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

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

## Section E: Rule Amendments

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- (b) Compensable work-related injury or illness leave;
- (c) Government service leave not to exceed two years and one month;
- (d) Educational leave, contingent upon successful completion of the coursework;
- (e) Reducing the effects of layoff; ~~((and/or))~~
- (f) Leave without pay as authorized by a proclamation issued by the governor directly related to health and safety; and/or
- (g) Leave for service in an elective office or legislative service as provided in WAC 357-31-374.

### AMENDATORY SECTION

#### **WAC 357-52-010 What actions may be appealed?**

(1) Within WGS, the following actions may be appealed:

(a) Any permanent WGS employee subject to the statutory jurisdiction of the board who is dismissed, suspended, demoted, or separated or whose base salary is reduced may appeal to the board.

(b) Any employee, subject to the statutory jurisdiction of the board who adversely is affected by a violation of the state civil service law (chapter 41.06 RCW) or the rules contained in Title 357 WAC, may appeal to the board as follows:

(i) For a violation of state civil service law or rules relating to a layoff action, excluding removal from a layoff list, the employee may appeal directly to the board.

(ii) For a violation of state civil service law or rules relating to any other subject, including removal from a layoff list, the employee may appeal directly to the board, except as provided in WAC 357-49-010(1) and chapter 49.100 RCW.

(c) An employee in a position at the time of its allocation or reallocation or the employer may appeal to the personnel resources board by filing written exceptions to the director's review determination.

(d) An employee whose position has been exempted from chapter 41.06 RCW or the exclusive bargaining unit representative for a vacant position that has been exempted from chapter 41.06 RCW may appeal the exemption to the board.

(e) An individual or the employer may appeal remedial action to the board by filing written exceptions to the director's review determination.

(2) Within WMS, the following actions may be appealed:

(a) Any permanent Washington management service employee who is dismissed, suspended, demoted, laid off, or separated, or whose base salary is reduced may appeal to the board. A determination of which Washington management service positions will be eliminated in a layoff action is not subject to appeal.

(b) For a violation of state civil service law or rules pertaining to WMS employees, a WMS employee who is adversely affected by a violation of the state civil service law (chapter 41.06 RCW) or the rules pertaining to WMS employees (chapter 357-58 WAC) may appeal directly to the board, except violations under chapter 49.100 RCW.

(c) An employee whose position has been exempted from chapter 41.06 RCW may appeal the exemption to the board.



## Section E: Rule Amendments

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### AMENDATORY SECTION

**WAC 357-58-300** Does time spent on leave without pay ~~((or))~~, shared leave, or time spent on a temporary leave of absence for service in an elective office or legislative service count towards completion of an employee's review period?

(1) Time spent on leave without pay or shared leave counts towards completion of the employee's review period if the total time does not exceed ~~((one hundred seventy four))~~ 174 hours. If the total time on leave without pay or shared leave exceeds ~~((one hundred seventy four))~~ 174, the employer determines whether or not the time in excess of ~~((one hundred seventy four))~~ 174 hours will count towards completion of the review period. The granting of leave shall be in compliance with chapter 357-31 WAC and the Fair Labor Standards Act.

(2) Time spent on a temporary leave of absence for service in an elective office or legislative service does not count towards the completion of the employee's review period. Employees who are granted a temporary leave of absence for service in an elective office or legislative service while serving a review period must have their review period suspended and be allowed to resume when they return from their leave of absence.

## Section E: Rule Amendments

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### **Item #2 - Paid Family and Medical Leave – Supplemental benefits**

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

Second Substitute Senate Bill 5649 passed during the 2022 legislative session with an effective date of June 9, 2022. The bill expanded Title 50A RCW to provide seven calendar days of leave to an employee following the death of their child when the employee would have:

1. been approved for medical leave for the birth of their child; or
2. approved for family leave to bond with their child during the first 12 months after the child’s birth or placement.

Staff is proposing to amend WAC 357-31-248 to add bereavement leave as a supplemental benefit during a period an employee is receiving partial wage replacement for paid family and/or medical leave for the death of an employee’s family member or household member.

Staff is proposing permanent adoption effective January 1, 2023.

### **AMENDATORY SECTION**

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

An employee may use vacation leave, sick leave, personal holiday, compensatory time, holiday credit, recognition leave, bereavement leave, or holiday pay during a period when the employee is receiving partial wage replacement under Title 50A RCW as a supplemental benefit. The use of bereavement leave as a supplemental benefit is limited to the death of an employee's family member or household member in accordance with WAC 357-31-250.

## Section E: Rule Amendments

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### Item #3 – Cleanup (Classification, Compensation and Leave)

**Staff note:** Staff is proposing to clarify the following WACs:

- Amend [WAC 357-13-090](#) to state when an employee is reallocated to a higher class, the employee must advance to a step of the range for the new class that is nearest to five percent above their previous salary, not to exceed step M of the range as provided in WAC 357-28-115. This amendment mirrors WAC 357-28-115. Effective May 1, 2020, WACs [357-28-110](#) and [357-28-115](#) were amended to include the nearest to five percent language but WAC 357-13-090 was inadvertently missed. The ITPS salary schedules for ranges 1-11 are not square, which means that the current “two step promotional language” does not work for those employees who move in and out of the ITPS.
- Amend [WAC 357-28-190](#) to add the word “regularly” to subsection (a) and add sub-section (c) to clarify that the compensation plan allows for dayshift employees, who are temporarily assigned to work the majority of their hours between 6:00 pm and 6:00 am are eligible to receive a shift premium. [WAC 357-28-190](#) states an employee must receive a shift premium when an employee is scheduled to work a shift in which the majority of hours worked daily or weekly are between 6:00 pm and 6:00 am.; or when an employee is scheduled to work a shift which is split with a minimum of four intervening hours not worked. Prior guidance and the Compensation Plan state that employees who are temporarily assigned to work between 6:00 pm and 6:00 am are also eligible to receive the shift premium.
- Amend [WAC 357-28-203](#) to clarify when an employee must receive location-based premium pay, specifically to replace “and” with “or”. It has been brought to our attention that it 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. This was an oversight when the section became effective on September 23, 2019.
- Amend [WAC 357-28-215](#) to clarify the supervisory differential is in addition to their base salary, not base pay.
- Amend WAC 357-31-133(3) to reference the correct subsection under WAC 357-31-130(12) as a clean-up item.
- Repeal WAC 357-31-345 as a clean-up item. WAC 357-31-350 has similar language making WAC 357-31-345 redundant.

Staff is proposing permanent adoption effective January 1, 2023.

## Section E: Rule Amendments

This table is used to determine how an employee whose position is reallocated is affected.			
	Employee's position reallocated to:		
	Class with a higher salary range maximum	Class with an equal salary range maximum	Class with a lower salary range maximum
<p>Reallocation results from:</p> <p>A position review requested by the employee or initiated by the employer</p>	<p><i>If the employee has performed the higher level duties for at least six months and meets the competencies and other position requirements:</i></p> <p>→ The employee remains in the position and is appointed with permanent status provided the probationary or trial service period for the class to which the position is reallocated is six months in duration. If the probationary period or trial service period is longer than six months and the employee has not performed higher level duties for the length of the probationary period or trial service period, the employer may require the employee serve the remainder of the probationary or trial service period before gaining permanent status in the reallocated position.</p> <p><i>If the reallocation is the result of a change in the duties of the position and the employee has not performed the higher level duties for six months or more:</i></p> <p>→ The employer must give the employee the opportunity to compete for the position. The employer may choose to promote the employee without competition as long as the employee meets the competencies and any other position requirements.</p> <p>If the employee is not selected for the position, the employer's layoff procedure applies. If the employee is appointed and <del>((he/she))</del> has already gained permanent status,</p>	<p><i>If the employee meets the competencies and other position requirements:</i></p> <p>→ The employee remains in the position and retains existing appointment status.</p> <p>→ The employee retains the previous base salary in accordance with WAC 357-28-120.</p> <p><i>If the employee does not meet the competencies and other position requirements:</i></p>	<p><i>If the employee meets the competencies and other position requirements and chooses to remain in the reallocated position:</i></p> <p>→ The employee retains appointment status; has the right to be placed on the employer's internal layoff list and in the general government transition pool; and has <del>((his/her))</del> <u>their</u> salary set in accordance with WAC 357-28-120.</p> <p><i>If the employee chooses to vacate the position or does not meet the competencies and other position requirements:</i></p> <p>→ The employer's layoff procedure applies.</p>

## Section E: Rule Amendments

This table is used to determine how an employee whose position is reallocated is affected.			
	<p>the employee must serve a trial service period. If the employee has not completed the probationary period, then the new trial service period will overlap provided the higher and lower classes are in the same or a closely related field. If the classes are not in the same or closely related field, then the employee will start their probationary period over in the new class.</p> <p>Upon appointment to the higher class, the <del>((employee's base salary must be increased a minimum of a two step increase))</del> <u>employee must advance to a step of the range for the new class that is nearest to five percent above their previous salary</u>, not to exceed step M of the range as provided in WAC 357-28-115.</p>		
		→ The employer's layoff procedure applies.	
The director revising the classification plan.	The employee remains in the position and keeps existing appointment status. See WAC 357-28-130 for determining the employee's salary.		

### AMENDATORY SECTION

#### **WAC 357-28-190 When must an employee receive shift premium?**

(1) Shift premium at the rate specified in the compensation plan must be paid when:

- (a) An employee is regularly scheduled to work a shift in which the majority of hours worked daily or weekly are between 6:00 p.m. and 6:00 a.m.; ~~((or))~~
- (b) An employee is scheduled to work a shift which is split with a minimum of four intervening hours not worked; or
- (c) An employee is regularly scheduled to work a day shift but is assigned to work a night or evening shift in which the majority of hours worked are between 6:00 p.m. and 6:00 a.m.

(2) Shift premium must be paid for the entire daily or weekly shift that qualifies under subsection (1) of this section. Additionally, these employees are entitled to shift premium for all hours that the employees work adjoining that evening or night shift.

(3) Shift premium may be paid at a monthly rate as specified in the compensation plan for full time employees regularly assigned to a qualifying shift.

(4) An employee assigned to a shift that qualifies for shift premium pay must receive the same shift premium for authorized periods of paid leave and holidays and for up to five days of a temporary

## Section E: Rule Amendments

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assignment to a shift that does not qualify. Continued payment of shift premium for a temporary assignment exceeding five days is at the discretion of the employer.

(5) Compensation under the provisions of this section must be in accordance with the employer's policy, as approved by the director, for the following individuals:

(a) Employees dispatched to emergency response duty under an incident command system as defined in RCW 38.52.010; and

(b) Employees of the department of corrections who are in charge of offenders assigned to assist in forest fire suppression and other emergency incidents.

(6) Exceptions to shift premium provisions may be approved by the director.

(7) For higher education employers, shift premium must not apply to police and fire officers where special pay salaries are correlated with a rotating shift in accordance with local practice.

(8) Employees may waive shift premium.

(9) Employees who voluntarily request to work a shift as described in subsection (1)(a) ~~((and))~~, (b), and (c) of this section will not be eligible for shift premium.

### AMENDATORY SECTION

#### **WAC 357-28-203 When must an employee receive location based premium pay?**

Location based premium pay at the rate specified in the compensation plan must be paid when an 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.

(a) This subsection does not apply to employees who are employed by the University of Washington.

(b) When an employee is no longer permanently assigned to a King County duty station they will not be eligible for location based premium pay.

### AMENDATORY SECTION

#### **WAC 357-28-215 When must an employee receive supervisory pay differential?**

Employees within the information technology professional structure who are in the entry, journey and senior/specialist levels designated as and performing all the duties of a supervisor, in accordance with WAC 357-01-317, must receive a five percent supervisory pay differential in addition to their base ~~((pay))~~ salary as long as they meet the definition of supervisor.

## Section E: Rule Amendments

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### AMENDATORY SECTION

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

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

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

- (1) For condolence or bereavement;
- (2) When an employee is unable to report to work due to inclement weather in accordance with the employer's policy on inclement weather as described in WAC 357-31-255;
- (3) To bond with a newborn, adoptive or foster child for a period beyond 18 weeks as allowed in WAC 357-31-130 (~~((4)(j))~~) (12). Sick leave for this purpose must be taken during the first year following the child's birth or placement. The total amount of sick leave allowed to be used, beyond WAC 357-31-130 (~~((4)(i))~~) (12) must be addressed in the employer's leave policy in accordance with WAC 357-31-100; or
- (4) When a child is a family member of an employee or member of an employee's household and:
  - (a) The child's school or place of care has been closed by order or recommendation of a public official for any health-related reason; or
  - (b) The child has been exposed to a contagious disease and is required to quarantine.

### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 357-31-345	How does leave without pay affect a general government employee's seniority date?
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Reference Only:

#### **WAC 357-31-345 How does leave without pay affect a general government employee's seniority date?**

A general government employee's seniority date is adjusted for leave without pay in accordance with WAC 357-46-055.