

Director's Meeting Agenda

Revised

State Human Resources
Office of Financial Management

Meeting Date: Thursday, May 8, 2025

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: 818 1135 0765

Passcode: 903984

Call-In Option: One Tap Mobile:

+12532158782, 81811350765#, *903984# US (Tacoma)

+12532050468, 81811350765#, *903984# US

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 253 205 0468 US

+1 719 359 4580 USB3275

+1 346 248 7799 US (Houston)

+1 669 444 9171 US

+1 669 900 9128 US (San Jose)

+1 689 278 1000 US

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 646 558 8656 US (New York)

+1 646 931 3860 US

Find your local number: <https://ofm-wa-gov.zoom.us/j/81811350765>

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

February 13, 2025

Section B: Exempt Compensation

Item 1	B1540 Deputy Assistant Director for Medicaid Programs Division – HCA.....	B1-B2
Item 2	B1556 Deputy Chief Legal Officer – HCA.....	B3-B4
Item 3	B2012 Director, Division of State Hospitals (Non-Medical) - DSHS.....	B5-B6
Item 4	B2563 Special Assistant Coordinator - COM.....	B7-B8
Item 5	B2564 Assistant Director, Division of Innovation and Technology - COM	B9-B10
Item 6	Department of Veteran’s Affairs	B11-B12
	▪ B5050 Administrator, Washington Veterans Home – DVA	
	▪ B5051 Administrator, Spokane Veterans Home – DVA	
	▪ B5055 Administrator, Walla Walla Veterans Home – DVA	
	▪ B5060 Administrator, Washington Soldiers Home and Colony – DVA	
Item 7	B5056 Director of Nursing Services – DVA.....	B13-B14

Section C: Classification

None.

Section D: Compensation

Item 8	University of Washington Special Pay Revised	D1-D2
	▪ 123F Human Resource Consultant Assistant 2	
	▪ 343E Community Worker	
Item 9	Washington State University Special Pay	D3-D4
	▪ 607F Control Technician	
	▪ 607G Control Technician Lead	

Section E: Rule Amendments

Rule 1:	Item #1 – Wildfire Disaster Leave.....	E1-E2
Rule 2:	Item #2 – Pandemic Vaccination Leave	E2-E5
Rule 3:	Item #3 – Bereavement Leave.....	E5-E7
Rule 4:	Item #4 – Wildfire Rest and Recuperation Leave	E7-E10
Rule 5:	Item #5 – Return to Work	E10-E11
Rule 6:	Item #6 – Sick Leave Cleanup	E11-E12

Website Information

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

Proposal Package Submittals

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

Meeting Coordinator

For question and concerns, contact the Meeting Coordinator at <mailto:classandcomp@ofm.wa.gov>.

Individuals with Disabilities

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

Alternate Publication Formats

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

What is a Revision

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

Section B: Exempt Compensation

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

Exempt Exhibit

Exempt Information

Item #: 1

Requester (Agency/Institution): Health Care Authority

C&C Specialist: Shelby Sheldon

Primary Action (check all that apply):

☐ Abolishment ☐ Establishment ☒ Exemption Change ☐ Substantial Scope Change

Secondary Action - As a result of Primary Action (check all that apply):

☐ Add Position ☐ Band Change ☐ Minor Scope Change ☐ Pay Outside Band
☐ Title Change ☐ Remove Position

Current Class Code/Title: B1540 Deputy Assistant Director for Medicaid Programs Division - HCA

Current EMS Band/Rate: EMS Band III (\$79,944 - \$ 142,512)

Proposed Class Code/Title: N/A

Proposed EMS Band/Rate: N/A

Current RCW Exemption (indicate number and description): RCW 41.06.070(3) Governor's Pool: "...involving directing and controlling program operations of an agency or major administrative division..."

Proposed RCW Exemption (indicate number and description): HCA Enabling Statute - RCW 41.05.021(1): "The director may employ...special assistants as may be needed to administer the authority..."

Effective Date: 5/9/2025

Scope

The Deputy Assistant Director for Medicaid Programs Division reports to the Assistant Director for MPD and is integral to the division's executive leadership team. This exempt class assists the Assistant Director in managing the priorities of the division; provides leadership in the development and monitoring of program performance accountability, data analysis, and research and reporting; and has substantial responsibilities in legislative relations, public information and the preparation and administration of the division budget. It leads the Business Operations section that is responsible for the agency's Language Access program, a team of Operations Specialists who provide process improvement, change management, and project management services to the division, and directs the division's Medicaid Transformation Waiver work. This exempt class provides leadership, coaching, organizational support, and strategic direction to the division and makes decisions on division resources, project management, strategic planning and performance measurement.

Explanation

Director's Meeting Agenda
Exempt Compensation
May 8, 2025

B1

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.

Health Care Authority is requesting HCA's enabling statute RCW 41.05.021(1) "The director may employ...special assistants as may be needed to administer the authority..." for exempt class B1540.

State HR Staff reviewed the position description and organization chart and supports the agency's request for an exemption change.

There is no cost associated with this request; therefore, a fiscal impact statement is not needed.

HRMS Information

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.

Director's Meeting Date: 5/8/2025

Management Type: Management

EEOC Code: 41 Officials & Administrators

Workforce Indicator: 80148586 At-Will

Date of Exempt Position Description on File: 8/26/2024

Current Number of Approved Position(s): 1

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.

Exempt Exhibit

Exempt Information

Item #: 2

Requester (Agency/Institution): Health Care Authority

C&C Specialist: Shelby Sheldon

Primary Action (check all that apply):

☐ Abolishment ☐ Establishment ☒ Exemption Change ☐ Substantial Scope Change

Secondary Action - As a result of Primary Action (check all that apply):

☐ Add Position ☐ Band Change ☐ Minor Scope Change ☐ Pay Outside Band
☐ Title Change ☐ Remove Position

Current Class Code/Title: B1556 Deputy Chief Legal Officer - HCA

Current EMS Band/Rate: EMS Band III (\$79,944 - \$ 142,512)

Proposed Class Code/Title: N/A

Proposed EMS Band/Rate: N/A

Current RCW Exemption (indicate number and description): RCW 41.06.070(3) Governor's Pool:..."involving directing and controlling program operations of an agency or major administrative division..."

Proposed RCW Exemption (indicate number and description): HCA Enabling Statute - RCW 41.05.021(1): "The director may employ...special assistants as may be needed to administer the authority..."

Effective Date: 5/9/2025

Scope

The Deputy Chief Legal Officer provides executive-level direction and legal/policy support on behalf of the Chief Legal Officer to program areas including Public Employees Benefits Board, School Employees Benefits Board, Behavioral Health/Involuntary Commitment, Medicaid, Children's Health Insurance Program, and a variety of state-funded only programs such as Apple Health Expansion. This exempt class has delegated signature authority for settlement agreements on behalf of the Health Care Authority Director and is the Director's designee, as assigned by the Chief Legal Officer, to manage, conduct, and decide disputes and appeals that arise outside of the state's Administrative Procedures Act (e.g. Medicaid rates appeals, contract dispute appeals, etc.), public records disputes, and disputes related to HCA's ADA anti-discrimination program. This exempt class provides guidance and support to the Director, Deputy Director, Administrative Services Director, Medicaid Director, PEBB/SEBB Director, Behavioral Health Director, Chief Medical Director, and other members of the executive leadership team on legal and risk management matters affecting the agency.

Section B: Exempt Compensation

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

Explanation

Health Care Authority is requesting HCA's enabling statute RCW 41.05.021(1) "The director may employ...special assistants as may be needed to administer the authority..." for exempt class B1556.

State HR Staff reviewed the position description and organization chart and supports the agency's request for an exemption change.

There is no cost associated with this request; therefore, a fiscal impact statement is not needed.

HRMS Information

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.

Director's Meeting Date: 5/8/2025

Management Type: Management

EEOC Code: 41 Officials & Administrators

Workforce Indicator: 80148586 At-Will

Date of Exempt Position Description on File: 7/30/2024

Current Number of Approved Position(s): 1

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.

Exempt Exhibit

Exempt Information

Item #: 3

Requester (Agency/Institution): Department of Social and Health Services

C&C Specialist: Angie Strozyk

Primary Action (check all that apply):

☒ Abolishment ☐ Establishment ☐ Exemption Change ☐ Substantial Scope Change

Secondary Action - As a result of Primary Action (check all that apply):

☐ Add Position ☐ Band Change ☐ Minor Scope Change ☐ Pay Outside Band
☐ Title Change ☐ Remove Position

Current Class Code/Title: B2012 Director, Division of State Hospitals (Non-Medical) - DSHS

Current EMS Band/Rate: EMS Band IV (\$95,832 - \$165,120)

Proposed Class Code/Title: N/A

Proposed EMS Band/Rate: N/A

Current RCW Exemption (indicate number and description): RCW 41.06.070 (1)(v) "In each agency with 50 or more employees...assistant directors...who report directly to the agency head or deputy agency head."

Proposed RCW Exemption (indicate number and description): N/A

Effective Date: 5/9/2025

Scope

Responsible for all planning, policy development, and administration of the State Psychiatric Hospital System for quality compliance, program integrity, and quality improvement initiatives. Oversees services delivery to both adult and children populations at the three state psychiatric hospitals (Eastern State Hospital, Western State Hospital, and the Child Study and Treatment Center). Develops and maintains strong relations and partnerships with a wide variety of internal and external stakeholders. Represents the Division at legislative hearings.

Explanation

The Department of Social and Health Services is requesting to abolish B2012 Director, Division of State Hospitals (Non-Medical) – DSHS due to changing business needs and growing responsibilities in the Behavioral Health Administration. The incumbent previously in this exempt class has been placed under the exempt class B2060 Deputy Assistant Secretary, Behavioral Health Administration – DSHS, bringing the total position count to two. This action has been processed through administrative action.

Section B: Exempt Compensation

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

The Director, Division of State Hospitals (Non-Medical) is exempted under RCW 41.06.070 (1)(v) "In each agency with 50 or more employees...assistant directors...who report directly to the agency head or deputy agency head."

An FIS was submitted and OFM Budget confirmed there is no cost associated with this request.

HRMS Information

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.

Director's Meeting Date: 5/8/2025

Management Type: Management

EEOC Code: 41 Officials & Administrators

Workforce Indicator: 80148586 At-Will

Date of Exempt Position Description on File: 12/18/2024

Current Number of Approved Position(s): 1

Total Number of Approved Position(s): N/A

Section B: Exempt Compensation

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

Exempt Exhibit

Exempt Information

Item #: 4

Requester (Agency/Institution): Department of Commerce

C&C Specialist: Cindy Wulff

Primary Action (check all that apply):

☐ Abolishment ☒ Establishment ☐ Exemption Change ☐ Substantial Scope Change

Secondary Action - As a result of Primary Action (check all that apply):

☐ Add Position ☐ Band Change ☐ Minor Scope Change ☐ Pay Outside Band
☐ Title Change ☐ Remove Position

Current Class Code/Title: N/A

Current EMS Band/Rate: N/A

Proposed Class Code/Title: B2563 Special Assistant Coordinator - COM

Proposed EMS Band/Rate: EMS Band I (\$52,236 - \$106,548)

Current RCW Exemption (indicate number and description): N/A

Proposed RCW Exemption (indicate number and description): Department of Commerce enabling statute - RCW 43.330.040 (2)(d) "...the director shall have the following powers and duties: ...Appoint...up to seven special assistants as may be needed to administer the department. These employees are exempt from the provisions of chapter 41.06 RCW.".

Effective Date: 5/9/2025

Scope

Reporting to the Chief of Staff, the Special Assistant Coordinator serves as the primary point of contact for the Director's office and is responsible for seamless coordination and execution of strategic initiatives, policy development, and performance management efforts. Provides administrative support to the Director, Chief of Staff, Deputy Director's, and Chief Operating Officer in the agency's administrations and assists the Director's office with budget planning and financial tracking, providing policy and operations research and analysis to support decision making, and monitoring project deadlines and outcomes to ensure agency goals and objectives are met.

Section B: Exempt Compensation

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

Explanation

The Department of Commerce is requesting the establishment of an exempt class Special Assistant Coordinator – COM at the EMS Band I level. The establishment of two positions in Special Assistant Coordinator exempt class is due to the restructuring of the organization to meet changing business needs. This exempt class is exempt from civil service in accordance with agency enabling statute RCW 43.330.040 (2)(d) "...the director shall have the following powers and duties: ...Appoint...up to seven special assistants as may be needed to administer the department. These employees are exempt from the provisions of chapter 41.06 RCW."

This exempt class reports to the Chief of Staff and is responsible for the coordination and execution of strategic initiatives, division-wide operations, policy development and performance management efforts. The Special Assistant Coordinator facilitates internal communications between the Director's office and the program teams, monitors project deadlines and outcomes to ensure agency goals and objectives are met and provides policy and operation research and analysis to support decision making.

State HR staff evaluated this exempt class with a JVAC score of A2X-452, which meets the EMS Band I level.

OFM Budget has reviewed the agency's Fiscal Impact Statement and verified the agency can absorb all costs associated with this request.

HRMS Information

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.

Director's Meeting Date: 5/8/2025

Management Type: Consultant

EEOC Code: 42 Professionals

Workforce Indicator: 80148586 At-Will

Date of Exempt Position Description on File: 2/18/2025

Current Number of Approved Position(s): N/A

Total Number of Approved Position(s): 2

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.

Exempt Exhibit

Exempt Information

Item #: 5

Requester (Agency/Institution): Department of Commerce

C&C Specialist: Cindy Wulff

Primary Action (check all that apply):

☐ Abolishment ☒ Establishment ☐ Exemption Change ☐ Substantial Scope Change

Secondary Action - As a result of Primary Action (check all that apply):

☐ Add Position ☐ Band Change ☐ Minor Scope Change ☐ Pay Outside Band
☐ Title Change ☐ Remove Position

Current Class Code/Title: N/A

Current EMS Band/Rate: N/A

Proposed Class Code/Title: B2564 Assistant Director, Division of Innovation and Technology - COM

Proposed EMS Band/Rate: EMS Band IV (\$95,832 - \$165,120)

Current RCW Exemption (indicate number and description): N/A

Proposed RCW Exemption (indicate number and description): Department of Commerce enabling statute - RCW 43.330.040 (2)(d) "... Appoint such...assistant directors.. as may be needed to administer the department. These employees are exempt from the provisions of chapter 41.06 RCW;".

Effective Date: 5/9/2025

Scope

Reporting to the Chief of Staff, the Assistant Director, Division of Innovation and Technology is a member of the executive leadership team and is responsible for the direct oversight of the Division of Innovation and Technology. This exempt class is designated as an appointing authority and is responsible for providing long-term strategic direction to the agency on technology. Partners with agency executives to implement such strategies, policies, and governance to ensure technology investments and initiatives driven by agency business needs meet operational requirements. The assistant director drives innovation, mitigates risks, and advocates for necessary resources. This exempt class maintains the highest standards of agile project delivery, quality, risk mitigation and project success to support the mission of the agency.

Section B: Exempt Compensation

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

Explanation

The Department of Commerce is requesting the establishment of an exempt class Assistant Director, Division of Innovation and Technology – COM at an EMS Band IV level. The establishment of an AD, Division of Innovation and Technology (dba Chief Information Officer) is due to restructuring of the organization to meet growing business needs.

This exempt class is exempt from civil service in accordance with agency enabling statute RCW 43.330.040 (2)(d) "... Appoint such...assistant directors.. as may be needed to administer the department."

This exempt class is designated as an appointing authority and provides executive leadership, direction, and oversight of the IT division. This exempt class is responsible for defining the agency's information technology strategy to address the competing business needs of different parts of the agency and directs information technology resources to meet the needs of multiple business lines simultaneously. Currently the agency does not have anyone performing this scope of work.

State HR staff evaluated this exempt class with a JVAC score of D5Y-1136, which meets the EMS Band IV level.

OFM Budget has reviewed the Fiscal Impact Statement and verified the agency can absorb all costs associated with this request.

HRMS Information

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.

Director's Meeting Date: 5/8/2025

Management Type: Management

EEOC Code: 41 Officials & Administrators

Workforce Indicator: 80148586 At-Will

Date of Exempt Position Description on File: 2/18/2025

Current Number of Approved Position(s): N/A

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.

Exempt Exhibit

Item 6

Action: Exemption Change

Effective Date: 5/09/25

Requesting Agency: Department of Veterans Affairs

C&C Analyst: Melissa Bovenkamp

Exempt “B” Code: B5050

Current Title: Administrator, Washington Veterans Home - DVA

EMS Band: Band III

Current RCW Exemption: RCW 41.06.070(1)(v)

Proposed RCW Exemption: RCW 41.06.077

Exempt “B” Code: B5051

Current Title: Administrator, Spokane Veterans Home

EMS Band: Band III

Current RCW Exemption: RCW 41.070(3) Governor’s Pool

Proposed RCW Exemption: RCW 41.06.077

Exempt “B” Code: B5055

Current Title: Administrator, Walla Walla Veterans Home - DVA

EMS Band: Band III

Current RCW Exemption: RCW 41.070(3) Governor’s Pool

Proposed RCW Exemption: RCW 41.06.077

Exempt “B” Code: B5060

Current Title: Administrator, Washington Soldiers Home and Colony - DVA

EMS Band: Band III

Current RCW Exemption: RCW 41.06.070(1)(v)

Proposed RCW Exemption: RCW 41.06.077

Explanation:

This exhibit is housekeeping in nature to change the exemption of the above exempt classes from their current exemption to DVA’s enabling statute. With the passing of Senate Bill 5323 and approval in May 2023, RCW 41.06.077 was amended to include that the administrators at each state veterans’ home be exempted from civil service rules. RCW 41.06.077 reads in relevant part, “In addition to the exemptions set forth in RCW 41.06.070, the provisions of this

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.

chapter shall not apply in the department of veterans affairs to the...administrators...at each state veterans' home...".

There is no fiscal impact, and the effective date of this action is May 9, 2025.

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.

Director's Meeting Date: 5/8/2025

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.

Exempt Exhibit

Exempt Information

Item #: 7

Requester (Agency/Institution): Department of Veterans Affairs

C&C Specialist: Melissa Bovenkamp

Primary Action (check all that apply):

☐ Abolishment ☒ Establishment ☐ Exemption Change ☐ Substantial Scope Change

Secondary Action - As a result of Primary Action (check all that apply):

☐ Add Position ☐ Band Change ☐ Minor Scope Change ☐ Pay Outside Band
☐ Title Change ☐ Remove Position

Current Class Code/Title: N/A

Current EMS Band/Rate: N/A

Proposed Class Code/Title: B5056 Director of Nursing Services - DVA

Proposed EMS Band/Rate: EMS Band III (\$79,944 - \$142,512)

Current RCW Exemption (indicate number and description): N/A

Proposed RCW Exemption (indicate number and description): RCW 72.36.020 "The director of the department of veterans affairs shall appoint...director of nursing services for each state veterans' home... The director of nursing services shall be a registered nurse licensed in the state of Washington and is a position exempt from chapter 41.06 RCW."

Effective Date: 5/9/2025

Scope

The Director of Nursing Services – DVA leads, directs, and manages the nursing services administered to the residents of a Department of Veterans Affairs home. Oversees and assures the development of facility nursing policies and procedures and ensures their adoption and implementation in accordance with all requirements and standards. Responsible to assure that care, treatment requirements, and ancillary nursing services are successfully operating to meet individual and medical requirements, standards of care, and regulatory compliance. Work cooperatively with the facility departments, medical director, and outside service and treatment providers. Serves as a member of the home's leadership team.

Section B: Exempt Compensation

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

Explanation

The Department of Veterans affairs is requesting to establish an exempt class, Director of Nursing Services – DVA with a total of four positions for each of the veteran’s homes in accordance with RCW 72.36.020 which states, “The director of the department of veterans affairs shall appoint...director of nursing services for each state veterans' home... The director of nursing services shall be a registered nurse licensed in the state of Washington and is a position exempt from chapter 41.06 RCW.”

This exempt class leads and directs the nursing services and treatment of the residents within the DVA home and is responsible to assure that care, treatment requirements, and ancillary nursing services are successfully operating to meet individual and medical requirements, standards of care, and regulatory compliance.

This work is currently being performed by WMS Band III positions. The agency will abolish those positions upon establishment of this EMS class.

State HR and the agency evaluated this exempt class at C2X – 704, 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.

HRMS Information

This information is entered into the Human Resources Management System (HRMS) and CC Jobs.

Director’s Meeting Date: 5/8/2025

Management Type: Management

EEOC Code: 41 Officials & Administrators

Workforce Indicator: 80148586 At-Will

Date of Exempt Position Description on File: 4/10/2025

Current Number of Approved Position(s): N/A

Total Number of Approved Position(s): 4

Section C: Classification

There are no classification items for this meeting.

Higher Education Special Pay Exhibit

Revised

WAC 357-28-025 - The director may adopt special pay salary ranges for positions based upon pay practices found in private industry or other governmental units. This includes special pay salary ranges and/or compensation practices for higher education institutions and related higher education boards as authorized in RCW 41.06.133. The classes or positions assigned special pay ranges and the associated special salary schedule must be specified in the compensation plan.

Item #: 8

Requester (HE Institution): University of Washington

C&C Specialist: Shelby Sheldon

Action: ☐ Abolishment ☐ Establishment ☒ Revision

Effective Date: 5/16/2025

Class Title: Human Resource Consultant Assistant 2

Class Code: 123F

Current Salary Range or Special Pay Range: Range 42

Proposed Special Pay Range: Range 44

Proposed Special Pay Increase: 5%

Class Title: Community Worker

Class Code: 343 E

Current Salary Range or Special Pay Range: Range 31

Proposed Special Pay Range: Range 44

Proposed Special Pay Increase: W2-D4 (29%)

Category (select all that apply):

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

Explanation:

The University of Washington is requesting special pay increases for Human Resource Consultant Assistant 1, Human Resource Consultant Assistant 2 and the Community Worker job classifications, affecting 19 employees in the HRCA 2 job class.

State HR staff supports with modifications the university's request to apply special pay based for the following job classes.

Section D: Compensation

Community Worker:

State HR supports a special pay increase for the Community Worker job class based on effective operations and is substantiated by the 2024 Milliman Northwest Health Care Salary Survey shows UW lagging the market midpoint for the classifications identified. This special pay would increase the median monthly pay for this job class identified but would not exceed the market average. These increases will aid UW's efforts to remain competitive and to recruit and retain highly skilled individuals.

Human Resource Consultant Assistant 2:

State HR supports with modifications special pay based on retention challenges for the Human Resource Consultant Assistant 2 job class. The application of this special pay aims to provide competitive salaries for their non-represented jobs within the local market.

UW has certified the funding does not come from tuition dollars and they have identified local funds to support these healthcare special pay salary increases.

UW is requesting an effective date of May 16, 2025.

Internal Use Only

Director's Meeting Date: 5/8/2025

Higher Education Special Pay Exhibit

WAC 357-28-025 - The director may adopt special pay salary ranges for positions based upon pay practices found in private industry or other governmental units. This includes special pay salary ranges and/or compensation practices for higher education institutions and related higher education boards as authorized in RCW 41.06.133. The classes or positions assigned special pay ranges and the associated special salary schedule must be specified in the compensation plan.

Item #: 9

Requester (HE Institution): Washington State University

C&C Specialist: Marty Graf

Action: ☐ Abolishment ☐ Establishment ☒ Revision

Effective Date: 5/9/2025

Class Title: Control Technician

Class Code: 607F

Current Salary Range or Special Pay Range: 47G(\$56,880-\$66,012)

Proposed Special Pay Range: 51G (\$62,892-\$72,924)

Proposed Special Pay Increase: 10%

Class Title: Control Technician Lead

Class Code: 607G

Current Salary Range or Special Pay Range: 50G (\$61,404-\$71,148)

Proposed Special Pay Range: 54G (\$67,716-\$78,468)

Proposed Special Pay Increase: 10%

Category (select all that apply):

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

Explanation:

State HR Staff **supports** the request from WSU to provide a four-range increase for the Control Technician classification from range 47G to 51G due to recruitment issues and a four-range increase for the Control Technician Lead classification from range 50G to 54G due to salary inversion with the Control Technician classification. WSU is working to resolve recruitment and retention of Control Technicians, which are essential to the continued and effective operations of university facilities and infrastructure. In the past eighteen months, WSU has lost five members of the Control shop to better paying positions or retirement. During that same period, WSU has had multiple failed recruitments.

Section D: Compensation

WSU currently has three vacant Control Technician positions and one vacant Control Technician Lead position. They run their recruitments open continuous and have had a recruitment open since April 2023 with no hires to date. They had one candidate in October 2023, to whom they offered a position, but the candidate turned it down due to low salary. In May 2024, they had one qualified applicant who was asked to interview, but the candidate turned down the interview due to low salary. They haven't received any qualified applicants since May 2024.

For their Control Technician Lead vacancy, WSU has decided not to fill it until they fill their Control Technician positions. The Lead positions are typically filled internally by experienced Control Technicians so filling their Lead position now would mean one less staff performing the Control Technician duties.

WSU submitted a Fiscal Impact Statement which was approved by OFM Budget, showing they can pay for the increased funding and the institution has confirmed within the FIS that tuition dollars will not be used to fund this request.

Internal Use Only

Director's Meeting Date: 5/8/2025

Section E: Rule Amendments

Item #1 – Wildfire Disaster Leave

Staff note: Staff is proposing to amend WAC 357-31-326 to add subsection (6) to allow an employer to grant up to 24 hours of leave with pay for each occurrence to employees who are experiencing extraordinary or severe impacts of a wildfire disaster in the event the Governor declares a state of emergency.

These changes are stemming from the 2025-2027 tentative collective bargaining agreements for represented employees. A policy decision was made to extend this leave to non-represented employees provided that this leave is funded in the 2025 enacted budget.

Staff is proposing a July 1, 2025, permanent effective date.

AMENDATORY SECTION

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

- (1) A general government employer **may** grant leave with pay for an employee to perform civil duties as a volunteer including, but not limited to, firefighting, search and rescue efforts, or donating blood. Leave granted to participate in blood and plasma donations must not exceed five days in a two-year period.
- (2) A higher education employer may grant leave with pay for an employee to perform civil duties as a volunteer including, but not limited to, firefighting, search and rescue efforts, participating in life-giving procedures, or donating blood. Leave granted to participate in life-giving procedures must not exceed five days in a two-year period.
- (3) In the department of natural resources, leave with pay equivalent to one regular workshift **may** be allowed for the purpose of rest and recuperation after 10 consecutive calendar days performing emergency work under an incident command system, defined in RCW 38.52.010. The employer may grant one additional day of leave with pay for rest and recuperation after 21 consecutive calendar days performing emergency work under an incident command system.
- (4) A general government employer may grant a reasonable amount of leave with pay for an employee to receive each dose or booster of COVID-19 vaccine if the vaccine is offered at the workplace. An employer may authorize leave in excess of one day for receipt of the vaccine in extraordinary circumstances, such as to accommodate travel where the vaccine is unavailable locally. The employer may require that the request for leave be supported by documentation, which may include proof of the vaccination. This subsection no longer applies if state or federal law otherwise provides paid leave specifically for employees to receive the COVID-19 vaccine.

Section E: Rule Amendments

(5) A higher education employer may grant a reasonable amount of leave with pay for an employee to receive each dose or booster of COVID-19 vaccine if the vaccine is not offered at the workplace. An employer may authorize leave in excess of one day for receipt of the vaccine in extraordinary circumstances, such as to accommodate travel where the vaccine is unavailable locally. The employer may require that the request for leave be supported by documentation, which may include proof of the vaccination. This subsection no longer applies if state or federal law otherwise provides paid leave specifically for employees to receive the COVID-19 vaccine.

(6) An employer may grant up to 24 hours of leave with pay per occurrence to employees who are experiencing extraordinary or severe impacts of a wildfire disaster in the event the governor declares a state of emergency in any area of the state of Washington where the employee resides. Examples of extraordinary or severe impacts are displacement from their home temporarily or permanently through evacuation, or significant damage or loss. The employer may require verification of the extraordinary or severe impacts regarding the use of leave with pay. In order to ensure continued essential services to the public, the employer may consider emergency operations requirements and/or program and staffing replacement requirements in the approval and scheduling of leave under this subsection. Leave under this subsection must be used within three months from the date the state of emergency was declared.

Item #2 – Pandemic Vaccination Leave

Staff note: Staff is proposing to:

- Amend WAC 357-28-265 to state: “leave with pay during the employee’s regular work schedule is not considered time worked except for when leave is taken to travel and receive the CDC-recommended vaccine(s)”.
- Amend WAC 357-31-325(5) to require an employer to grant leave with pay to allow an employee to take a reasonable amount of leave with pay for the employee to travel and receive the Centers for Disease Control and Prevention (CDC) recommended vaccine(s) during a declared state of emergency due to a pandemic if the vaccine is not offered at the workplace and remove the requirement for an employer to grant leave with pay for an employee to travel and receive each dose or booster of COVID-19 vaccine.
- Repeal WAC 357-31-326(4) and WAC 357-31-326(5) to remove leave with pay for an employee to receive and/or travel to receive a COVID-19 vaccination.

Section E: Rule Amendments

These changes are stemming from the 2025-2027 tentative collective bargaining agreements for represented employees. A policy decision was made to extend this leave to non-represented employees provided that this leave is funded in the 2025 enacted budget.

Staff is proposing a July 1, 2025, permanent effective date.

AMENDATORY SECTION

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

For purposes of computing eligibility for overtime compensation, paid holidays during the employee's regular work schedule **are** considered time worked. Leave with pay during the employee's regular work schedule is **not** considered time worked except for ~~((1))~~ when leave is taken to travel and receive ((each dose or booster of COVID-19)) the Centers for Disease Control and Prevention recommended vaccine(s) in accordance with WAC 357-31-325 ~~((; or~~
~~(2) When leave is taken to receive each dose or booster of COVID-19 vaccine in accordance with WAC 357-31-326))~~.

AMENDATORY SECTION

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

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

- (1) To allow an employee to receive assessment from the employee assistance program.
- (2) When an employee is scheduled to take an examination or participate in an interview for a position with a state employer during scheduled work hours.
 - (a) Employers may limit the number of occurrences or the total amount of paid leave that will be granted to an employee to participate in an interview or take an examination during scheduled work hours.
 - (b) Employers may deny an employee's request to participate in an interview or take an examination during scheduled work hours based upon operational necessity.
- (3) When an employee is required to appear during working hours for a physical examination to determine physical fitness for military service.
- (4) To allow a general government employee to take paid leave, not to exceed 30 days in a two-year period to participate in life-giving procedures, such as medical procedures, including testing, sampling, or donation of organs, tissues, and other body components for

Section E: Rule Amendments

the purpose of donation, without compensation. For this subsection blood or plasma donations are not considered life-giving procedures.

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

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

(5) To allow ~~((a general government))~~ an employee to take a reasonable amount of leave with pay ~~((for the employee))~~ to travel and receive ~~((each dose or booster of COVID-19 vaccine))~~ the Centers for Disease Control and Prevention (CDC) recommended vaccine(s) during a declared state of emergency due to a pandemic if the vaccine is not offered at the workplace. An employer may authorize leave in excess of one day in extraordinary circumstances, such as to accommodate travel where the ~~((vaccine is))~~ CDC recommended vaccines are unavailable locally. The employer may require that the request for leave be supported by documentation, which may include proof of the vaccination. ~~((This subsection no longer applies if state or federal law otherwise provides paid leave specifically for employees to receive the COVID-19 vaccine.))~~

AMENDATORY SECTION

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

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

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

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

~~((4) A general government employer may grant a reasonable amount of leave with pay for an employee to receive each dose or booster of COVID-19 vaccine if the vaccine is offered at the workplace. An employer may authorize leave in excess of one day for receipt of the vaccine in extraordinary circumstances, such as to accommodate travel where the vaccine is unavailable locally. The employer may require that the request for leave be supported by~~

Section E: Rule Amendments

documentation, which may include proof of the vaccination. This subsection no longer applies if state or federal law otherwise provides paid leave specifically for employees to receive the COVID-19 vaccine.

(5) A higher education employer may grant a reasonable amount of leave with pay for an employee to receive each dose or booster of COVID-19 vaccine if the vaccine is not offered at the workplace. An employer may authorize leave in excess of one day for receipt of the vaccine in extraordinary circumstances, such as to accommodate travel where the vaccine is unavailable locally. The employer may require that the request for leave be supported by documentation, which may include proof of the vaccination. This subsection no longer applies if state or federal law otherwise provides paid leave specifically for employees to receive the COVID-19 vaccine.)

Item #3 – Bereavement Leave

Staff note: Staff is proposing to:

- Amend WAC 357-01-072 to expand the definition of child for paid bereavement leave reasons provided in WAC 357-31-250.
- Amend WAC 357-01-172(3) to expand the definition of family members for paid bereavement leave reasons provided in WAC 357-31-250.
- Amend WAC 357-31-248 to add loss of pregnancy if the employee uses bereavement leave as a supplemental benefit if the employee is receiving a partial wage replacement for paid family and/or medical leave.
- Amend WAC 357-31-250 to expand the number of days employees are entitled to receive paid bereavement leave from three to five days and to expand the reasons in which an employee is entitled to receive paid bereavement leave to include loss of pregnancy. Staff is proposing to add subsection 4 to define loss of pregnancy.

These changes are stemming from the 2025-2027 tentative collective bargaining agreements for represented employees. A policy decision was made to extend this leave to non-represented employees provided that this leave is funded in the 2025 enacted budget. These changes are stemming from the 2025-2027 tentative collective bargaining agreements for represented employees. A policy decision was made to extend this leave to non-represented employees provided that this leave is funded in the 2025 enacted budget.

Staff is proposing a July 1, 2025, permanent effective date.

Section E: Rule Amendments

AMENDATORY SECTION

WAC 357-01-072 Child.

A biological, adopted, foster child, stepchild, legal ward, or a child of a person standing *in loco parentis*, a child of a legal guardian, or a child of a de facto parent, regardless of age or dependency status. For the purpose of using accrued sick leave under WAC 357-31-130 and paid bereavement leave under WAC 357-31-250, child also includes a child's spouse or child's registered domestic partner.

AMENDATORY SECTION

WAC 357-01-172 Family members.

(1) Individuals considered to be members of the family are parent, sibling, parent-in-law, spouse, registered domestic partner, grandparent, grandchild, minor/dependent child, and child.

(2) For the purpose of domestic violence, sexual assault, or stalking provisions within Title 357 WAC, in addition to subsection (1) of this section, family member also includes a domestic partner as defined in RCW 26.60.020 or a person with whom the employee has a dating relationship as defined in RCW 49.76.020.

(3) For the purpose of using accrued sick leave under WAC 357-31-130 and paid bereavement leave under WAC 357-31-250, in addition to subsection (1) of this section family member also includes any individual who regularly resides in the employee's home or where the relationship creates an expectation that the employee care for the person, and that individual depends on the employee for care. Family member does not include an individual who simply resides in the same home with no expectation that the employee cares for the individual.

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

Section E: Rule Amendments

employee's family member ~~((or))~~, household member, or loss of pregnancy in accordance with WAC 357-31-250.

AMENDATORY SECTION

WAC 357-31-250 Are employees entitled to paid bereavement leave?

(1) If an employee's family member or household member dies, or for loss of pregnancy, the employee is entitled to ~~((three))~~ five days of paid bereavement leave. An employee may request less than ~~((three))~~ five days of paid bereavement leave.

(2) In accordance with the employer's leave policy, the employer may require verification of the ~~((family member's or household member's death))~~ paid bereavement leave reasons provided in subsection (1) of this section.

(3) In addition to paid bereavement leave, the employer may approve an employee's request to use paid leave (accrued compensatory time, accrued holiday credit, sick leave, vacation leave, and/or a personal holiday) or to take leave without pay for purposes of bereavement, including loss of pregnancy.

(4) For the purpose of this section, loss of pregnancy, a qualifying pregnancy is defined as the pregnancy of the employee, including as a surrogate, or employee parent-to-be, including through surrogacy or adoption, where the employee would have been the parent.

Item #4 – Wildfire Rest and Recuperation Leave

Staff note: Staff is proposing to amend:

- WAC 357-28-255(2) to clarify exceptions provided in WAC 357-28-265, in which leave with pay during the employee's regular work schedule is considered time worked for the purposes of determining overtime eligibility.
- WAC 357-28-265 to add subsection 3 to state leave with pay during the employee's regular work schedule is not considered time worked except for when leave is taken on the employee's regularly scheduled workday for the purpose of rest and recuperation in accordance with WAC 357-31-326 and to state if leave falls on the employee's regularly scheduled day off, it is not considered hours worked for the calculation of the overtime rate.
- WAC 357-31-326(3) to state Department of Natural Resources may grant two additional days of leave with pay for rest and recuperation after 14 consecutive calendar days. Additional days may only be granted if they fall on the employee's regularly scheduled workday and are taken consecutively. Leave with pay under this subsection is subject to the overtime provisions in WAC 357-28-265.

Section E: Rule Amendments

These changes are stemming from the 2025-2027 tentative collective bargaining agreements for represented employees. A policy decision was made to extend this leave to non-represented employees provided that this leave is funded in the 2025 enacted budget.

Staff is proposing a July 1, 2025, permanent effective date.

AMENDATORY SECTION

WAC 357-28-255 What constitutes overtime for an overtime eligible employee?

- (1) The following conditions constitute overtime for overtime eligible employees:
 - (a) Work in excess of 40 hours in one workweek, except for law enforcement positions or hospital personnel assigned to a 14-day schedule.
 - (i) For hospital personnel assigned to a 14-day schedule, work in excess of eight hours in any workday or 80 hours in a 14-day period constitutes overtime.
 - (ii) For law enforcement positions, work in excess of the 160-hour, 28-day work period constitutes overtime.
 - (b) Work on a holiday per WAC 357-28-200.
 - (c) For full-time employees, work on a scheduled day off when assigned by the employer.
- (2) All paid holidays including the use of holiday credit during the employee's regular work schedule **are** considered time worked. Leave with pay during the employee's regular work schedule is **not** considered time worked for purposes of determining overtime eligibility, except as provided in WAC 357-28-265.
- (3) When an overtime eligible employee experiences a schedule change which causes an overlap in workweeks and requires work in excess of 40 hours in either the previous or current workweek, the employee must receive overtime compensation.
- (4) 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 and department of social and health services who are in charge of offenders assigned to assist in forest fire suppression and other emergency incidents.

Section E: Rule Amendments

AMENDATORY SECTION

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

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

- (1) When leave is taken to travel and receive each dose or booster of COVID-19 vaccine in accordance with WAC 357-31-325; ~~((or))~~
- (2) When leave is taken to receive each dose or booster of COVID-19 vaccine in accordance with WAC 357-31-326; or
- (3) When leave is taken on the employee's regularly scheduled workday for the purpose of rest and recuperation in accordance with WAC 357-31-326. However, if leave falls on the employee's regularly scheduled day off, it is **not** considered hours worked for the calculation of the overtime rate.

AMENDATORY SECTION

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

- (1) A general government employer **may** grant leave with pay for an employee to perform civil duties as a volunteer including, but not limited to, firefighting, search and rescue efforts, or donating blood. Leave granted to participate in blood and plasma donations must not exceed five days in a two-year period.
- (2) A higher education employer may grant leave with pay for an employee to perform civil duties as a volunteer including, but not limited to, firefighting, search and rescue efforts, participating in life-giving procedures, or donating blood. Leave granted to participate in life-giving procedures must not exceed five days in a two-year period.
- (3) In the department of natural resources, leave with pay equivalent to one regular workshift **may** be allowed for the purpose of rest and recuperation after 10 consecutive calendar days performing emergency work under an incident command system, defined in RCW 38.52.010. The employer may grant ~~((one))~~ two additional days of leave with pay for rest and recuperation after ~~((21))~~ 14 consecutive calendar days performing emergency work under an incident command system. Additional days may only be granted if they fall on the employee's regularly scheduled workday and are taken consecutively. Leave with pay under this subsection is subject to the overtime provisions in WAC 357-28-265.
- (4) A general government employer may grant a reasonable amount of leave with pay for an employee to receive each dose or booster of COVID-19 vaccine if the vaccine is offered at the workplace. An employer may authorize leave in excess of one day for receipt of the vaccine in

Section E: Rule Amendments

extraordinary circumstances, such as to accommodate travel where the vaccine is unavailable locally. The employer may require that the request for leave be supported by documentation, which may include proof of the vaccination. This subsection no longer applies if state or federal law otherwise provides paid leave specifically for employees to receive the COVID-19 vaccine.

(5) A higher education employer may grant a reasonable amount of leave with pay for an employee to receive each dose or booster of COVID-19 vaccine if the vaccine is not offered at the workplace. An employer may authorize leave in excess of one day for receipt of the vaccine in extraordinary circumstances, such as to accommodate travel where the vaccine is unavailable locally. The employer may require that the request for leave be supported by documentation, which may include proof of the vaccination. This subsection no longer applies if state or federal law otherwise provides paid leave specifically for employees to receive the COVID-19 vaccine.

Item #5 – Return to Work

Staff note: [House Bill 1197](#) passed during the 2023 legislative session, Chapter 171, Laws of 2023, effective July 1, 2025, and applies retroactively. Section 7 of this bill amends [RCW 51.32.090](#) to replace all references of a physician or licensed advanced registered nurse practitioner to an attending provider. Section 2 of the bill created [RCW 51.08.200](#) to define an attending provider. [RCW 41.06.490](#)(2) requires the OFM Director to adopt rules that “provide for eligibility in the return-to-work program, for a minimum of two years from the date the temporary disability commenced, for any permanent employee who is receiving compensation under RCW 51.32.090 and who is, by reason of his or her temporary disability, unable to return to his or her previous work, but is physically capable of carrying out work of a lighter or modified nature”.

Staff is proposing to amend [WAC 357-19-530](#)(3), to reflect gender-neutral pronouns and to replace the reference to “a physician or licensed mental health professional” with “an attending provider as defined in RCW 51.08.200”.

Staff is proposing a July 1, 2025, permanent effective date.

Section E: Rule Amendments

AMENDATORY SECTION

WAC 357-19-530 Who is eligible to participate in the employer's return-to-work program?

Employees are eligible to participate in the return-to-work employer's program under the following conditions:

- (1) The employee is a permanent employee.
- (2) The employee is receiving compensation under RCW 51.32.090.
- (3) The employee has a temporary disability which makes ~~((him/her))~~ them temporarily unable to return to ~~((his or her))~~ their previous work, but who is capable of carrying out work of a lighter or modified nature as evidenced by a written statement from ~~((a physician or licensed mental health professional))~~ an attending provider as defined in RCW 51.08.200.

Item #6 – Sick Leave Cleanup

Staff note: Staff is proposing to amend WAC 357-31-130(5) by removing a displaced comma.

Staff is proposing a July 1, 2025, permanent effective date.

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

Section E: Rule Amendments

(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 health-related reason((;)) or after the declaration of an emergency by a local or state government or agency, or by the federal government.

(6) To allow an employee to provide care for a family member with a mental or physical illness, injury or health condition; care of a family member who needs medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; or care for a family member who needs preventive medical care.

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

(8) When an employee is required to be absent from work to care for members of the employee's household or relatives of the employee or relatives of the employee's spouse/registered domestic partner who experience an illness or injury, not including situations covered by subsection (6) of this section.

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

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

(9) When requested as a supplemental benefit while receiving a partial wage replacement for paid family and/or medical leave under Title 50A RCW as provided in WAC 357-31-248. Leave taken under this subsection may be subject to verification that the employee has been approved to receive benefits for paid family and/or medical leave under Title 50A RCW.

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

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

(12) When an employee requests to use sick leave for the purpose of parental leave to bond with a newborn, adoptive or foster child for a period up to 18 weeks. Sick leave for this purpose must be taken during the first year following the child's birth or placement.

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