

AMENDATORY SECTION (Amending WSR 16-05-056, filed 2/12/16, effective 3/14/16)

WAC 357-37-050 May an employer factor in employee performance when granting recognition leave ((and when making layoff decisions))? An employer may factor in an employee's performance when granting recognition leave ((and when making layoff decisions)) if the employer has received choice performance ((management)) confirmation.

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WAC 357-37-055 How does an employer receive choice performance ((management)) confirmation which enables them to factor in employee performance when granting recognition leave ((and when making layoff decisions))? Employers may request choice performance ((management)) confirmation from the director. The director will use the elements listed in WAC 357-37-060 to assess and evaluate an employer's readiness to fairly and objectively factor in employee performance when granting recognition leave ((and when making layoff decisions)). If the director determines that the employer has developed a performance management program that encompasses the necessary elements, the employer will be granted choice performance ((management)) confirmation.

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WAC 357-37-060 What elements will the director evaluate to determine if an employer should be granted choice performance ((management)) confirmation? The director will evaluate the following elements to determine if an employer should receive choice performance ((management)) confirmation:

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