



# RULE-MAKING ORDER PERMANENT RULE ONLY

## CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: May 27, 2022

TIME: 4:41 PM

WSR 22-12-075

**Agency:** Office of Financial Management (OFM)

**Effective date of rule:**

**Permanent Rules**

- 31 days after filing.
- Other (specify) July 1, 2022 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes  No If Yes, explain:

**Purpose:** To amend WACs 357-04-045, 357-19-435, WAC 357-19-450 to align with the July 1, 2022, part-time/temporary/nonpermanent implementation effective date. RCW 41.06.070 previously exempted both part-time and temporary employees, as defined by the Office of Financial Management, from state civil service rules (Title 357 WAC). In 2018, the legislature amended RCW 41.06.070 by removing part-time employees from the exemption; only temporary employees, as defined by OFM, are now exempt from civil service rules. Title 357 WAC does not distinguish between part-time and temporary employees for higher education employers; therefore, OFM worked with both higher education employers and union organizations to amend Title 357 WAC to align with the new law. The rule amendments redefine temporary higher education appointments and expand the current general government nonpermanent rules to include higher education employers. These rules were proposed for permanent adoption at the June 10th Special Director's Meeting. David Schumacher, OFM Director, adopted these rules on a permanent basis effective on January 1, 2022. On December 15, 2021, an extension was filed with the Code Revisers Office to extend the implementation rule effective date for the part-time/temporary/non-permanent rules from January 1, 2022, to July 1, 2022. The purpose of this extension was to allow an appropriate amount of time for 1) the Washington State Public Employment Relations Commission to finalize rulemaking and to clarify bargaining unit descriptions; 2) higher education employers and unions to bargain changes for represented employees; and 3) and higher education employers to configure their payroll systems. This rulemaking aligns certain timelines in the adopted rules with the current effective date of the rules.

**Citation of rules affected by this order:**

New:  
 Repealed:  
 Amended: 357-04-045, 357-19-435, 357-19-450  
 Suspended:

**Statutory authority for adoption:** Chapter 41.06 RCW

**Other authority:**

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 22-08-025 on March 25, 2022 (date).  
 Describe any changes other than editing from proposed to adopted version:

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:  
 Address:  
 Phone:  
 Fax:  
 TTY:  
 Email:  
 Web site:

Other:

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	3	Repealed	___

**The number of sections adopted at the request of a nongovernmental entity:**

New	___	Amended	___	Repealed	___
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**The number of sections adopted on the agency's own initiative:**

New	___	Amended	3	Repealed	___
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	___	Amended	___	Repealed	___
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**The number of sections adopted using:**

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	3	Repealed	___

**Date Adopted:** 05/27/2022

**Name:** Roselyn Marcus

**Title:** Assistant Director of Legal and Legislative Affairs

**Signature:**

