



# 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: September 08, 2023

TIME: 3:12 PM

WSR 23-19-019

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

**Effective date of rule:**

**Permanent Rules**

- 31 days after filing.
- Other (specify) December 31, 2023 (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:** The repeal of WAC 357-28-245 is to allow general government employers the flexibility to manage overtime eligibility rather than require approval from the Director of the Office of Financial Management. The amendment to WAC 357-58-160 is remove the reference to WAC 357-28-245 due to the repeal of WAC 357-28-245. General government employers will no longer be required to request director approval when a non-represented employee's position is changed from overtime eligible to overtime exempt.

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

New:  
 Repealed: 357-28-245  
 Amended: 357-58-160  
 Suspended:

**Statutory authority for adoption:** RCW 41.06.133

**Other authority:**

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

Adopted under notice filed as WSR 23-12-084 on June 6, 2023 (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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New		Amended	1	Repealed	1

**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New	___	Amended	___	Repealed	___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New		Amended	1	Repealed	1
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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	1	Repealed	1

<b>Date Adopted:</b> 9-8-23	<b>Signature:</b> 
<b>Name:</b> Nathan Sherrard	
<b>Title:</b> Assistant Legal Affairs Counsel Office of Financial Management	