



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: August 29, 2024

TIME: 10:42 AM

WSR 24-18-066

Agency: Office of Financial Management (OFM)

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) October 1, 2024 (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 align WAC 357-25-027 with the requirements in Engrossed Substitute House Bill (ESHB) 1795, Chapter 133, Laws of 2022. ESHB 1795 passed during the 2022 legislative session with an effective date of June 9, 2022. This bill prohibits nondisclosure and non-disparagement provisions from employers regarding illegal acts of discrimination, harassment, retaliation, wage and hour violations, and sexual assault. This bill repeals RCW 49.44.210 and replaces it with RCW 49.44.211. The amendments to WAC 357-25-027 repeal subsection 17 to replace it with updated language and amend the "employee" definition reference from RCW 49.44.210 to RCW 49.44.211 to align with the changes in law.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: WAC 357-25-027
- Suspended:

Statutory authority for adoption: RCW 41.06.150

Other authority: RCW 49.44.211

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 24-14-105 on July 1, 2024 (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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	0	Amended	1	Repealed	0

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New	___	Amended	___	Repealed	___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	0	Amended	1	Repealed	0
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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	0	Amended	1	Repealed	0

Date Adopted: 8-29-24

Name: Nathan Sherrard

Title: Legal Affairs Counsel
Office of Financial Management

Signature:

