



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: 10:45 AM

WSR 24-18-070

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: The amendments to WAC 357-31-165(1) and WAC 357-31-166(1) are housekeeping in nature and to align with the WAC style guide. The amendment to WAC 357-31-165(2) is to align with the intent of the original rulemaking to allow employers to have flexibility to authorize a lump-sum accrual of vacation leave and/or accelerate the vacation leave accrual rate. This was an oversight when WAC 357-31-165 was originally adopted and this amendment aligns with WAC 357-58-175. The amendment to WAC 357-31-165(3)(b) is to mirror the language in WAC 357-31-166(3)(b) to provide clarity that employment exempt by the provisions of WAC 357-04-040, 357-04-045, 357-04-050 and 357-04-055 is not credited for the purposes of computing the rate of vacation leave accrual. The amendment to WAC 357-31-165(3)(c) is to clarify exempt employment with an employer (not just limited to a general government employer as previously stated) is credited when computing a general government employee's rate of vacation leave accrual. The amendment to WAC 357-31-166(3)(a) is to replace language from "full-time faculty and/or administrative exempt" to "exempt academic and professional personnel" in order to provide clarity and for consistency to align with higher education institution practice. The amendments to WAC 357-31-166(3)(c) and (d) are to mirror the language in WAC 357-31-165(3). The amendments to WAC 357-46-067, WAC 357-58-470, and WAC 357-58-554 are to remove obsolete language. The amendments to WAC 357-58-175 are to replace "can" with "may" and "or" with "and/or" in the WAC title for consistency with the body of the WAC and to meet the original intent of the rule, and to match the body of the WAC with the title of the WAC. The amendments to WAC 357-58-180 are to align the title of the WAC with the body of the WAC to meet the original intent of the rule. The amendment to WAC 357-58-210 is to correct the reference from "management band" to "same salary standard and/or same evaluation points".

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: WAC 357-31-165, WAC 357-31-166, WAC 357-46-067, WAC 357-58-175, WAC 357-58-180, WAC 357-58-210, WAC 357-58-470, WAC 357-58-554
- Suspended:

Statutory authority for adoption: RCW 41.06.133

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 24-14-104 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	8	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	8	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	8	Repealed	0

Date Adopted: 8-29-24

Name: Nathan Sherrard

Title: Legal Affairs Counsel
Office of Financial Management

Signature:

