



# 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: November 27, 2024

TIME: 11:17 AM

WSR 24-24-061

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

**Effective date of rule:**

**Permanent Rules**

- 31 days after filing.
- Other (specify) January 1, 2025 (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 the civil service rules (Title 357 WAC) with the requirements of the new law. Engrossed Substitute Senate Bill 5793, Chapter 356, Laws of 2024, passed during the 2024 legislative session, effective January 1, 2025. Section 1 of this bill amends RCW 49.46.210(1)(b)(iii) to clarify that an employee is authorized to use paid sick leave when the employee's child's school or place of care has been closed after the declaration of an emergency by a local or state government or agency, or federal government. Section 1 also amends RCW 49.46.210(2) to expand the definition of a family member to include any individual who regularly resides in the employee's home or where the relationship creates an expectation the employee cares for the person and that individual depends on the employee for care, except it does not include an individual who simply resides in the same home with no expectation the employee care for the individual. The definition of a child was also expanded to include a child's spouse and registered domestic partner. A policy decision was made to expand the definition of a family member for all sick leave reasons provided in WAC 357-31-130, not just limiting to ones included in RCW 49.46.210, and apply these changes to both overtime-eligible and overtime-exempt employees to allow for equal treatment of all employees. The amendment to WAC 357-01-072 expands the definition of child for the purpose of using accrued sick leave under WAC 357-31-130 to include a child's spouse or child's registered domestic partner. The amendment to WAC 357-01-172 expands the definition of family member for the purpose of using accrued sick leave under WAC 357-31-130 to include any individual who regularly resides in the employee's home or where the relationship creates an expectation that the employee care for the person, and that individual depends on the employee for care. Family members do not include an individual who simply resides in the same home with no expectation that the employee care for the individual for the purposes of WAC 357-31-130. The amendment to WAC 357-31-130(5) is to align with the changes made to RCW 49.46.210(1)(b)(iii).

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

- New:
- Repealed:
- Amended: WAC 357-01-072, WAC 357-01-172, WAC 357-31-130
- Suspended:

**Statutory authority for adoption:** RCW 41.06.133

**Other authority:** RCW 49.46.210

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

Adopted under notice filed as WSR 24-20-131 on October 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	3	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	3	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	3	Repealed	0

**Date Adopted:** 11-27-24

**Name:** Nathan Sherrard

**Title:** Legal Affairs Counsel  
Office of Financial Management

**Signature:**

