



RULE-MAKING ORDER PERMANENT RULE ONLY

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

CODE REVISER USE ONLY

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STATE OF WASHINGTON
FILED

DATE: May 30, 2025

TIME: 10:21 AM

WSR 25-12-067

Agency: Office of Financial Management (OFM)

Effective date of rule:

Permanent Rules

- ☐ 31 days after filing.
- ☒ Other (specify) July 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 changes stemming from the 2025-2027 tentative collective bargaining agreements for represented employees. A policy decision was made to extend the rest and recuperation leave, pandemic vaccination leave, and the wildfire disaster leave to nonrepresented employees, provided this leave is funded in the 2025 enacted budget. A policy decision was also made to repeal the COVID-19 vaccination leave to mirror the leave provisions for represented employees. The amendment to WAC 357-28-255(2) is to clarify the exceptions provided in WAC 357-28-265. The amendment to WAC 357-28-265(1) is to state that leave with pay (LWP) during the employee's regular work schedule is not considered time worked except for when leave is taken to travel and receive the Centers for Disease Control and Prevention recommended vaccine(s) and remove the requirement to provide LWP for an employee to travel and receive each dose or booster of COVID-19 vaccine. The amendments to WAC 357-28-265(2) are to state LWP during the employee's regular work schedule is not considered time worked except for when leave is taken on the employee's regularly scheduled workday for the purpose of rest and recuperation in accordance with WAC 357-31-326, and clarify that if LWP falls on the employee's regularly scheduled day off it is not considered hours worked for the calculation of the overtime rate. The amendment to WAC 357-31-325(5) is to remove the requirement for an employer to grant LWP for a general government employee to take a reasonable amount of LWP to travel and receive each dose or booster of COVID-19 vaccine if the vaccine is not offered at the workplace and instead require an employer to grant LWP for an employee, not limited to only general government, to take a reasonable amount of LWP to travel and receive the CDC recommended vaccine(s) during a declared state of emergency due to a pandemic if the vaccine is not offered in the workplace. The amendment to WAC 357-31-326(3) is to state the department of natural resources may grant two additional days of LWP for rest and recuperation after 14 consecutive calendar days performing emergency work under an incident command system and that additional days may only be granted if they fall on the employee's regularly scheduled workday and are taken consecutively. LWP under this subsection is subject to the overtime provisions in WAC 357-28-265. The amendments to WAC 357-31-326(4) and 357-31-326(5) are to remove the ability for an employer to grant LWP to an employee to receive each dose or booster of COVID-19 vaccine if the vaccine is or is not offered in the workplace; The amendment to WAC 357-31-326(4) is to add new language to allow an employer to grant up to 24 hours of LWP per occurrence to employees who are experiencing extraordinary or severe impacts of a wildfire disaster in the event the governor declares a state of emergency in any area of the state of Washington where the employee resides. The LWP must be used within three months from the date the state of emergency was declared, an employer may require verification of the extraordinary or severe impacts regarding the use of LWP, and the employer may consider emergency operations requirements and/or program and staffing replacement requirements in the approval and scheduling of LWP in order to ensure continued essential services to the public.

Citation of rules affected by this order:

New:

Repealed:

Amended: WAC 357-28-255, WAC 357-28-265, WAC 357-31-325, WAC 357-31-326

Suspended:

Statutory authority for adoption: RCW 41.06.133

Other authority: RCW 41.06.133

PERMANENT RULE (Including Expedited Rule Making)Adopted under notice filed as WSR 25-08-076, 25-08-079, 25-08-080 on April 1, 2025 (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 | 4 | Repealed | ___ |

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

| | | | | | |
|-----|-----|---------|-----|----------|-----|
| New | ___ | Amended | ___ | Repealed | ___ |
|-----|-----|---------|-----|----------|-----|

The number of sections adopted on the agency's own initiative:

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|-----|-----|---------|---|----------|-----|
| New | ___ | Amended | 4 | Repealed | ___ |
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

| | | | | | |
|-----|-----|---------|-----|----------|-----|
| New | ___ | Amended | ___ | Repealed | ___ |
|-----|-----|---------|-----|----------|-----|

The number of sections adopted using:

| | | | | | | |
|--------------------------------|-----|-----|---------|-----|----------|-----|
| Negotiated rule making: | New | ___ | Amended | ___ | Repealed | ___ |
| Pilot rule making: | New | ___ | Amended | ___ | Repealed | ___ |
| Other alternative rule making: | New | ___ | Amended | 4 | Repealed | ___ |

Date Adopted: 5-30-25**Name:** Nathan Sherrard**Title:** Legal Affairs Counsel
Office of Financial Management**Signature:**