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OFFICE OF FINANCIAL MANAGEMENT

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**TO:** Executive and Small Cabinet Agencies

**FROM:** K.D. Chapman-See  
Director

**SUBJECT: DIRECTIVE ON IMPLEMENTATION OF NEW GENERATIVE ARTIFICIAL INTELLIGENCE TECHNOLOGIES FOR REPRESENTED EMPLOYEES**

### Background

On January 30, 2024, Governor Inslee issued [Executive Order 24-01](#), which acknowledged that “the Washington state workforce is vital to Washington’s continued prosperity and the state seeks to harness the potential of [GenAI] in an ethical and equitable way for the benefit of the state government workforce.” Artificial intelligence technologies that provide services and perform government functions must be used by agencies responsibly.

The goal of the following requirements is to ensure our labor partners have ample time for review of any use of Generative Artificial Intelligence (GenAI) technologies contemplated by an agency that will result in a consequential change in employee wages, hours, or working conditions of any classifications represented by the union. It also ensures that human review is incorporated into any output of a GenAI system used for employment-related decisions.

### Agency requirements

Agencies will disclose to labor organizations any GenAI technologies they decide to use, the reasons for doing so, intended business outcomes, the date they intend to implement the technologies, and any anticipated effects on employees. Those labor organizations may then file a demand to bargain over the impact of the use of GenAI technology in the workplace, including but not limited to, training. For the purposes of this directive, the definition of Generative AI can be found [here](#) on WaTech’s website.

Agencies will provide six months’ notice to labor organizations of their intent to implement any new GenAI technology that will result in a consequential change in employee wages, hours, or working conditions of any classifications represented by the union. Please copy OFM State Human Resources at [StateHR@ofm.wa.gov](mailto:StateHR@ofm.wa.gov) on your notice. For questions about what constitutes a “consequential change,” please contact your agency’s labor negotiator. The union may request negotiations consistent with the terms of the applicable collective bargaining agreement. However, bargaining will not delay the implementation of GenAI in the workplace unless the agency elects to change the implementation date.

Before implementing any new GenAI technologies or policies, every agency must also satisfy any additional collective bargaining obligations with respect to mandatory subjects of bargaining. Please work with your labor negotiator when considering new GenAI technologies or policies to ensure we are meeting our obligations.

Agencies may not rely exclusively on GenAI when making employment-related decisions. For purposes of this directive, employment-related decisions include those related to hiring, promotion, disciplinary actions, or any other decision regarding a bargaining unit member’s work performance. If your agency

uses or intends to use a GenAI decision-making system(s) in relation to bargaining unit members, you must ensure that the system's outputs — such as recommendations, evaluations, or other determinations — are reviewed and validated through direct human oversight. This oversight must be conducted by individuals with experience and authority relevant to the subject matter and the GenAI system's use. Each agency is responsible for determining who meets this standard based on the context of the system's application.

I invite statewide elected officials, non-cabinet agencies, boards and commissions, and institutions of higher education to also follow the provisions of this directive.

If you have any questions, please work with your assigned labor negotiator at OFM State Human Resources.

cc: Mia Navarro, Interim Chief Human Resources Officer, OFM