

AMENDATORY SECTION (Amending WSR 05-12-073, filed 5/27/05, effective 7/1/05)

WAC 357-46-057 When is an employee considered to have a break in state service? An employee ((has)) is considered to have a break in ((his/her)) continuous state service if the employee is separated, dismissed, or resigns from state service. A furlough for the purposes of temporary layoff as provided in WAC 357-46-063 is not considered a break in continuous state service.

AMENDATORY SECTION (Amending WSR 05-12-074, filed 5/27/05, effective 7/1/05)

WAC 357-46-065 Under the provisions of temporary layoff, what happens if an employer has less than ((twenty)) 20 hours per week of work for an employee to perform? If an employer has less than ((~~twenty~~)) 20 hours per week of work for an employee to perform during a period of temporary layoff, the employer must notify the employee that ((he/she)) the employee is being furloughed. The employer may then offer the available work hours to the employee as a nonpermanent appointment under the provisions of WAC 357-19-360 or temporary appointment under the provisions of WAC 357-19-435.

AMENDATORY SECTION (Amending WSR 05-12-074, filed 5/27/05, effective 7/1/05)

WAC 357-46-068 At the conclusion of a temporary layoff, does an employee have the right to return to the position ((he/she)) the employee held immediately prior to being temporarily laid off? At the conclusion of the temporary layoff, the employee has the right to resume the position ((he/she)) the employee held immediately prior to being temporarily laid off. The employee returns with the same status and percentage of appointment ((he/she)) the employee held prior to the layoff.

AMENDATORY SECTION (Amending WSR 04-18-114, filed 9/1/04, effective 7/1/05)

WAC 357-46-130 How long is an individual eligible to have ((his/her)) their name on an employer's internal and statewide layoff list? An individual is eligible to have ((his/her)) their name on an employer's internal and statewide layoff lists for two years from the effective date of the qualifying action.

AMENDATORY SECTION (Amending WSR 11-23-054, filed 11/10/11, effective 12/13/11)

WAC 357-46-145 To whom and by when must an individual request a review of the removal from an internal or statewide layoff list? (1) Requests for review of removal from a layoff list must be made to the employer when:

(a) The removal is based on the employer's determination that good and sufficient reason exists under the provisions of WAC 357-46-135 (2)(d); or

(b) The employer is responsible for maintaining the layoff list and removed the individual for a reason listed in WAC 357-46-135 (2)(b) or (c).

If the individual is not in agreement with the results of the employer's review, (~~he/she~~) the individual may request a director's review of the removal.

(2) Requests for review of removal from a layoff list must be made in accordance with WAC 357-49-010 when:

(a) The removal is based on the determination by the director's office that good and sufficient reason exists under the provisions of WAC 357-46-135 (2)(d);

(b) The department of enterprise services is responsible for maintaining the layoff list and removed the individual for a reason listed in WAC 357-46-135 (2)(a), (b) or (c); or

(c) The individual is not in agreement with the results of the employer's review of the removal.

(3) The request for a review must be received at the employer's office within (~~twenty~~) 20 calendar days or the director's office within (~~thirty~~) 30 calendar days following notice of the action for which a review is requested.

AMENDATORY SECTION (Amending WSR 04-18-114, filed 9/1/04, effective 7/1/05)

WAC 357-46-150 If an employee wants to resign from employment, how much notice should the employee give the employer? An employee who intends to resign from state service should provide (~~his/her~~) their resignation to the appointing authority or employing official at least (~~fifteen~~) 15 calendar days before the effective date of the resignation.

AMENDATORY SECTION (Amending WSR 04-18-114, filed 9/1/04, effective 7/1/05)

WAC 357-46-180 Can an employee be separated during the probationary period? An appointing authority may separate a probationary employee who has not completed (~~his/her~~) the probationary period.