

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 a break in ~~((his/her))~~ their 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 is))~~ they are 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))~~ they 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))~~ they held immediately prior to being temporarily laid off. The employee returns with the same status and percentage of appointment ~~((he/she))~~ they 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))~~ they 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))~~ their probationary period.