



PROPOSED RULE MAKING

CR-102 (July 2022)
(Implements RCW 34.05.320)
Do **NOT** use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: December 23, 2025
TIME: 3:30 PM

WSR 26-01-196

Agency: Office of Financial Management (OFM)

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR _____ ; or

Expedited Rule Making--Proposed notice was filed as WSR _____ ; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject)

WAC 357-04-040 Which student employees of higher education employers are exempt from civil service rules?

WAC 357-13-065 Must the employer's procedure allow an employee to request a review of their position?

WAC 357-13-083 What happens if an employee requests a director's review of their allocation or files an exception to the director's decision and is laid off before a decision is issued?

WAC 357-16-085 What are the requirements for developing and administering examinations?

WAC 357-16-157 Is an individual's name removed from applicant and/or candidate pools when they are appointed to a position?

WAC 357-16-177 What procedure must an employer use to review an applicant's or candidate's examination results or the removal of their name from an applicant or candidate pool under the provisions of WAC 357-16-170?

WAC 357-19-193 What happens if a permanent employee, who has received approval to participate in the state internship program, leaves a classified position to participate in the state internship program created under RCW 43.06.410?

WAC 357-19-330 What notices must employees and their employers provide to each other when an employee accepts an appointment to a project position?

WAC 357-19-340 What return rights must an employer provide to a permanent employee who accepts an appointment to a project position?

WAC 357-19-350 May a permanent WGS employee accept an acting Washington management service (WMS) appointment and what notices must the employee and employer provide each other when an employee accepts the acting appointment?

WAC 357-19-442 What happens to an employee's salary and periodic increment date when the employee is temporarily appointed to the higher level class under provisions of WAC 357-19-435(2)?

WAC 357-22-020 Can an employee review their personnel file?

WAC 357-22-045 When may an employee add information in their personnel file?

WAC 357-28-050 What is the periodic increment date (PID)?

WAC 357-28-130 How is an employee's base salary determined if the director creates, abolishes, or revises a class?

WAC 357-28-150 How is an employee's salary determined upon reversion?

WAC 357-28-252 Under what conditions can the employer change an overtime-eligible employee's assigned hours?

WAC 357-31-045 If an employee resigns, is dismissed, or separated during a month in which there is a holiday, will the employee be compensated for the holiday?

WAC 357-31-080 What happens if an employee requests to use their personal holiday in accordance with the employer's leave procedures and the employer denies the request?

WAC 357-31-095 If an employee donates a personal holiday to another employee and a portion of the personal holiday is returned, can the donating employee use the remaining hours?

WAC 357-31-220 What must be included in the statement of necessity for excess vacation leave?

WAC 357-31-340 When an employee returns from authorized leave without pay, what position will they be returned to?

WAC 357-31-420 What rate of pay is the employee receiving shared leave paid?

WAC 357-31-425 What types of leave can an employee donate for the purposes of the state leave sharing program?

WAC 357-31-445 What happens to leave that was donated under the state leave sharing program and was not used by the recipient?

WAC 357-31-450 Must an employee who receives shared leave repay the value of the leave that they used?

WAC 357-31-605 What rate of pay is the participant who withdraws sick leave from the pool paid?

WAC 357-31-615 When a participating employee uses leave from a sick leave pool will the employee be required to

recontribute such sick leave to the pool?
WAC 357-31-625 When an employee cancels their membership in a sick leave pool, can the employee withdraw the days of sick leave they had contributed to the pool?
WAC 357-31-630 Can a participant who moves from one general government position to a different general government position transfer from one sick leave pool to another sick leave pool?
WAC 357-31-685 What types of leave can an employee donate for the purposes of the uniformed service shared leave pool?
WAC 357-31-695 How is the maximum shared leave pay, which will be granted from the uniformed service shared leave pool calculated?
WAC 357-31-705 What rate of pay is paid to the employee receiving leave under the uniformed service shared leave pool?
WAC 357-40-010 Can an appointing authority take disciplinary action?
WAC 357-43-008 What happens if an employee chooses to not be a part of the employee business unit?
WAC 357-46-057 When is an employee considered to have a break in state service?
WAC 357-46-065 Under the provisions of temporary layoff, what happens if an employer has less than 20 hours per week of work for an employee to perform?
WAC 357-46-068 At the conclusion of a temporary layoff, does an employee have the right to return to the position they held immediately prior to being temporarily laid off?
WAC 357-46-130 How long is an individual eligible to have their name on an employer's internal and statewide layoff list?
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?
WAC 357-46-150 If an employee wants to resign from employment, how much notice should the employee give the employer?
WAC 357-46-180 Can an employee be separated during the probationary period?

Hearing location(s):

| Date: | Time: | Location: (be specific) | Comment: |
|-------------------|--------------|--|--|
| February 12, 2026 | 8:30 a.m. | Zoom Meeting (with call in option) ID: 816 3872 1176 Call in: (253) 215-8782 Passcode: 497654 | Zoom link: https://ofm-wa.gov.zoom.us/j/81638721176?pwd=fZiSV1cxiwljSEPvpDaghZnKBmEhVW.1 Passcode if needed: 497654 |

Date of intended adoption: February 19, 2026 (Note: This is **NOT** the **effective** date)

| | |
|---|--|
| <p>Submit written comments to: Name: Brandy Chinn Address: Office of Financial Management 1500 Jefferson Street SE PO Box 47500, Olympia, WA 98504 Email: brandy.chinn@ofm.wa.gov Fax: Other: By (date) 11:59 p.m. February 5, 2026</p> | <p>Assistance for persons with disabilities: Contact Office of Financial Management Phone: Fax: TTY: 7-1-1 or 1-800-833-6384 Email: Other: By (date) 11:59 p.m. February 5, 2026</p> |
|---|--|

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The proposed amendments to Title 357 WAC are to reflect gender-neutral references.

Reasons supporting proposal: Housekeeping in nature.

Statutory authority for adoption: RCW 41.06.133

Statute being implemented: RCW 41.06.133

Is rule necessary because of a:

| | | |
|-------------------------|------------------------------|--|
| Federal Law? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Type of proponent: Private Public Governmental
Name of proponent: (person or organization) Office of Financial Management

Name of agency personnel responsible for:

| | Name | Office Location | Phone |
|-----------|--------------|---|--------------|
| Drafting: | Brandy Chinn | 1500 Jefferson Street SE, Olympia, WA 98504 | 360-878-2901 |

| | | | |
|-----------------|--------------|---|--------------|
| Implementation: | Brandy Chinn | 1500 Jefferson Street SE, Olympia, WA 98504 | 360-878-2901 |
| Enforcement: | Brandy Chinn | 1500 Jefferson Street SE, Olympia, WA 98504 | 360-878-2901 |

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Is a cost-benefit analysis required under [RCW 34.05.328](#)?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

No: Please explain: Rules are related to internal government operations and are not subject to violation by a nongovernmental party. See RCW 34.05.328(5)(b)(ii) for exemption.

Regulatory Fairness Act and Small Business Economic Impact Statement
 Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:
 This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.
 Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570\(2\)](#) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:

| | |
|--|---|
| <input checked="" type="checkbox"/> RCW 34.05.310 (4)(b) (Internal government operations) | <input type="checkbox"/> RCW 34.05.310 (4)(e) (Dictated by statute) |
| <input type="checkbox"/> RCW 34.05.310 (4)(c) (Incorporation by reference) | <input type="checkbox"/> RCW 34.05.310 (4)(f) (Set or adjust fees) |
| <input type="checkbox"/> RCW 34.05.310 (4)(d) (Correct or clarify language) | <input type="checkbox"/> RCW 34.05.310 (4)(g) (i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#) (does not affect small businesses).

This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of how the above exemption(s) applies to the proposed rule:

(2) Scope of exemptions: Check one.

The rule proposal is fully exempt (*skip section 3*). Exemptions identified above apply to all portions of the rule proposal.

- The rule proposal is partially exempt (*complete section 3*). The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):
- The rule proposal is not exempt (*complete section 3*). No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. _____
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
 Address:
 Phone:
 Fax:
 TTY:
 Email:
 Other:

| | |
|---|---|
| Date: 12-23-25 | Signature:  |
| Name: Nathan Sherrard | |
| Title: Legal Affairs Counsel Office of Financial Management | |