

**WAC 415-112-487 Are optional payments considered earnable compensation?** If you receive an additional payment only on the condition of taking an action other than providing service to your employer, the payment is not earnable compensation.

**Example:** An employer offers to make a contribution to Joe's deferred compensation plan only if Joe agrees to have a portion of his salary deferred. Because Joe does not have a right to receive the contribution based solely on providing service, the payment is not earnable compensation.

[Statutory Authority: RCW 41.50.050(5) and 41.32.010(10). WSR 05-12-108, § 415-112-487, filed 5/27/05, effective 6/27/05. Statutory Authority: RCW 41.50.050. WSR 97-03-016, § 415-112-487, filed 1/6/97, effective 2/6/97.]