
State Government Committee

HB 2384

Brief Description: Employing managers under the state civil service law.

Sponsors: Representatives Armstrong, Simpson, McMorris, Ruderman, Morell, Hunt, Dickerson, Eickmeyer, Anderson, Lisk, Schoesler, Chandler, Woods, Delvin, Buck, Conway, Alexander, Cody, Campbell and Haigh.

Brief Summary of Bill

- Narrows the definition of "manager" for purposes of qualifying for the Washington Management Service (WMS).
- Limits the number of employees who can participate in the WMS to seven percent of an agency's work force.

Hearing Date: 2/7/02

Staff: Kimberly Berry (786-7291).

Background:

The WMS was established in 1993 as a separate personnel system for management positions within the executive branch of state government. Its purpose is to develop and maintain a professional managerial workforce, and to provide agencies increased flexibility for their management positions in the areas of hiring and setting compensation.

The WMS applies to all non-exempt management positions within the state's main civil service system for the executive branch, known as Merit System 1. According to the Joint Legislative Audit and Review Committee (JLARC) Report 02-2, as of July 2001, there were approximately 5,000 employees in the WMS, which was just less than 9 percent of the total Merit System 1 workforce of approximately 57,000. There are two groups of executive branch managers not included within the WMS:

- Exempt status positions that are statutorily exempted from civil service rules such as many of the highest ranking positions within an agency, including agency directors, deputy directors, assistant directors or division directors and high-ranking policy assistants; and

- other personnel systems such as higher education, marine transportation, and state printer employees.

The Director of the Department of Personnel is authorized to adopt separate rules for managers covered by the WMS. The rules for the WMS govern recruitment, appointment, classification and allocation of positions, examination, training and career development, hours of work, probation, certification, compensation, transfer, affirmative action, promotion, layoff, re-employment, performance appraisals, discipline, and any other personnel practices for managers.

For the purpose of qualifying for the WMS, a "manager" is defined as any employee who performs at least one of the five following functions:

- Formulates state-wide policy or directs the work of an agency or agency subdivision;
- is responsible to administer one or more state-wide policies or programs of an agency or agency subdivision;
- manages, administers, and controls a local branch office of an agency or agency subdivision, including the physical, financial, or personnel resources;
- has substantial responsibility in personnel administration, legislative relations, public information, or the preparation and administration of budgets; or
- functionally is above the first level of supervision and exercises authority that is not merely routine or clerical in nature and requires the consistent use of independent judgment.

Summary of Bill:

The definition of manager is narrowed by eliminating the management and administration of an agency subdivision or local branch office and requiring a manager to perform an increased number of functions.

For the purpose of qualifying for the WMS, a "manager" is defined as any employee who performs these functions:

- (1) Formulates state-wide policy or directs the work of an agency or agency subdivision;
- (2) is responsible to administer one or more state-wide policies or programs of an agency; and
- (3) (a) functionally is above the first level of supervision and exercises authority that is not merely routine or clerical in nature and requires the consistent use of independent judgment; or (b) has substantial responsibility in personnel administration, legislative relations, public information, or the preparation and administration of budgets.

Additionally, the number of personnel within an agency who may be in the WMS is limited to seven percent of an agency's total work force.

Rulemaking Authority: No express authority.

Appropriation: None.

Fiscal Note: Requested on January 31, 2001.

Effective Date: Ninety days after adjournment of session in which bill is passed.