

Infraction

- | Code | Act/Omission |
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| 847 | - Receiving a positive test result for use of unauthorized drugs, controlled substances or intoxicants. |
| 851 | - Lying to a hearing committee. |
| 852 | - Lying to a staff member which causes an innocent person to be penalized, disciplined, or proceeded against. |
| 853 | - Intentionally or recklessly setting a fire. |
| 854 | - Intentionally or recklessly destroying or damaging state property, or the property of another person. |
| 855 | - Stealing (theft) or knowingly possessing stolen property. |
| 856 | - Refusing to submit to a body search when lawfully ordered to do so by staff. |
| 857 | - Refusing and/or failing to work or attend regularly scheduled assignments. |
| 858 | - Intentionally interfering with a staff member in the performance of his/her duties. |
| 859 | - Gambling. |
| 860 | - Possessing money or other negotiable instruments without prior authorization. |
| 861 | - Performing or participating in a marriage ceremony in the facility or on the facility grounds, except when such marriage was approved by the supervisor. |
| 870 | - Rioting. |
| 871 | - Inciting others to riot. |
| 872 | - Engaging in or inciting prohibited group demonstration. |
| 873 | - Intentionally interfering with the taking of count. |
| 874 | - Counterfeiting, forging, falsification, or unauthorized reproduction of any document, article of identification, money, security, or official paper. |
| 875 | - Making intoxicants, narcotics, or other controlled substances. |
| 876 | - Giving or offering any official staff member or volunteer a bribe or anything of value for favor or unauthorized service. |
| 877 | - Committing four or more general infractions within a ninety-day period all of which arise out of separate incidents and have been reported in writing. |
| 878 | - Intentionally failing to comply with an administrative or post-hearing sanction. |
| 900 | - Attempting to commit or aiding another person to commit a serious infraction as enumerated in this section. Such action shall be considered the same as commission of the offense itself. |
| 901 | - Operating a motor vehicle without permission. |

[99-16-078, § 137-56-110, filed 8/3/99, effective 8/18/99; 94-07-065, § 137-56-110, filed 3/14/94, effective 5/1/94. Statutory Authority: RCW 72.65.100. 86-06-012 (Order 86-02), § 137-56-110, filed 2/21/86.]

Reviser's note: Under RCW 34.05.030 (1)(c), as amended by section 103, chapter 288, Laws of 1988, the above section was **not** amended under the Administrative Procedure Act, chapter 34.05 RCW, but was published in the Washington State Register and codified into the Washington Administrative Code exactly as shown by the agency filing with history notes added by the code reviser's office.

Title 143 WAC

INFORMATION SERVICES, DEPARTMENT OF

(Formerly: Data Processing Authority)

Chapters**143-06****Practice and procedure of agency—Public records.****Chapter 143-06 WAC****PRACTICE AND PROCEDURE OF AGENCY—
PUBLIC RECORDS****WAC**

143-06-020	Definitions.
143-06-030	Description of organization.
143-06-040	Repealed.
143-06-060	Public records officer.
143-06-070	Office hours.
143-06-090	Copying.
143-06-100	Exemptions.
143-06-120	Protection of public records.
143-06-130	Records index.
143-06-140	Communications with the board and department.
143-06-150	Repealed.
143-06-160	Records in possession of data processing service centers.

**DISPOSITION OF SECTIONS FORMERLY
CODIFIED IN THIS CHAPTER**

143-06-040	Operations and procedures. [Statutory Authority: Chapter 43.105 RCW. 81-07-004 (Order 004), § 143-06-040, filed 3/6/81; Order 0002, § 143-06-040, filed 9/12/73.] Repealed by 00-01-028, filed 12/7/99, effective 1/7/00. Statutory Authority: Chapter 42.17 RCW.
143-06-150	Adoption of form. [Statutory Authority: Chapter 42.17 RCW. 88-21-029 (Order 88-1), § 143-06-150, filed 10/11/88. Statutory Authority: Chapter 43.105 RCW. 81-07-004 (Order 004), § 143-06-150, filed 3/6/81; Order 0002, § 143-06-150, filed 9/12/73.] Repealed by 00-01-028, filed 12/7/99, effective 1/7/00. Statutory Authority: Chapter 42.17 RCW.

WAC 143-06-020 Definitions. (1) Public record shall have the meaning described in RCW 42.17.020(36).

(2) Writing shall have the meaning described in RCW 42.17.020(42).

(3) The Washington state department of information services is the agency created by chapter 504, Laws of 1987, hereinafter referred to as the department.

(4) The Washington state information services board is appointed in the manner described in RCW 43.105.032. The Washington state information services board shall hereinafter be referred to as the board.

[Statutory Authority: Chapter 42.17 RCW. 00-01-028, § 143-06-020, filed 12/7/99, effective 1/7/00; 88-21-029 (Order 88-1), § 143-06-020, filed 10/11/88. Statutory Authority: Chapter 43.105 RCW. 81-07-004 (Order 004), § 143-06-020, filed 3/6/81; Order 0002, § 143-06-020, filed 9/12/73.]

WAC 143-06-030 Description of organization. (1) The board shall conduct its business through the administrative office of the department. The administrative office is located in the Jefferson Building, 1110 Jefferson Street S.E., Olympia, Wash., 98504.

(2) The board is composed of those members described in RCW 43.105.032 to carry out the duties contained in chapter 43.105 RCW as amended. The administrative head of the board is the director of the department of information services, hereinafter referred to as the director. All communications, requests and business shall be forwarded to the director at the aforesaid designated administrative office of the board.

(3) The board and department are chartered by the legislature to provide for coordinated planning and management of state information services.

[Statutory Authority: Chapter 42.17 RCW. 00-01-028, § 143-06-030, filed 12/7/99, effective 1/7/00; 88-21-029 (Order 88-1), § 143-06-030, filed 10/11/88. Statutory Authority: Chapter 43.105 RCW. 81-07-004 (Order 004), § 143-06-030, filed 3/6/81; Order 0002, § 143-06-030, filed 9/12/73.]

WAC 143-06-040 Repealed. See Disposition Table at beginning of this chapter.

WAC 143-06-060 Public records officer. The board and the department's public records shall be in the charge of the public records officer designated by the director. The person so designated shall be located in the administrative office of the board and the department. The public records officer shall be responsible for the following: The implementation of the board and the department's rules and regulations regarding release of public records, and generally ensuring compliance with the public records disclosure requirements of chapter 42.17 RCW.

[Statutory Authority: Chapter 42.17 RCW. 00-01-028, § 143-06-060, filed 12/7/99, effective 1/7/00; 88-21-029 (Order 88-1), § 143-06-060, filed 10/11/88. Statutory Authority: Chapter 43.105 RCW. 81-07-004 (Order 004), § 143-06-060, filed 3/6/81; Order 0002, § 143-06-060, filed 9/12/73.]

WAC 143-06-070 Office hours. Public records shall be available for inspection and copying during the customary office hours of the administrative office.

[Statutory Authority: Chapter 42.17 RCW. 00-01-028, § 143-06-070, filed 12/7/99, effective 1/7/00; 88-21-029 (Order 88-1), § 143-06-070, filed 10/11/88. Statutory Authority: Chapter 43.105 RCW. 81-07-004 (Order 004), § 143-06-070, filed 3/6/81; Order 0002, § 143-06-070, filed 9/12/73.]

WAC 143-06-090 Copying. No fee shall be charged for the inspection of public records. The amount for copying shall be as provided for in RCW 42.17.300. This charge is the amount necessary to reimburse the department for its actual costs incident to such copying.

[Statutory Authority: Chapter 42.17 RCW. 00-01-028, § 143-06-090, filed 12/7/99, effective 1/7/00; 88-21-029 (Order 88-1), § 143-06-090, filed 10/11/88. Statutory Authority: Chapter 43.105 RCW. 81-07-004 (Order 004), § 143-06-090, filed 3/6/81; Order 0002, § 143-06-090, filed 9/12/73.]

WAC 143-06-100 Exemptions. (1) The department may determine that a public record requested in accordance with the procedures outlined in WAC 143-06-080 is exempt under the provisions of RCW 42.17.310.

(2) In addition, pursuant to RCW 42.17.260, the department may delete identifying details when it makes available or publishes any public record, in any cases where there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 42.17 RCW. The public records officer will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the records withheld.

[Statutory Authority: Chapter 42.17 RCW. 00-01-028, § 143-06-100, filed 12/7/99, effective 1/7/00; 88-21-029 (Order 88-1), § 143-06-100, filed 10/11/88. Statutory Authority: Chapter 43.105 RCW. 81-07-004 (Order 004), § 143-06-100, filed 3/6/81; Order 0002, § 143-06-100, filed 9/12/73.]

WAC 143-06-120 Protection of public records. (1) No person shall knowingly alter, deface or destroy public records of the board and department.

(2) Original copies of public records of the board and department shall not be removed from the administrative offices of the board and department.

(3) Records furnished for public inspection or copying shall be returned in good condition and in the same file sequence or organization as when furnished.

(4) Disruptive conduct by those requesting public records of the board and department shall not be permitted.

[Statutory Authority: Chapter 42.17 RCW. 00-01-028, § 143-06-120, filed 12/7/99, effective 1/7/00; 88-21-029 (Order 88-1), § 143-06-120, filed 10/11/88. Statutory Authority: Chapter 43.105 RCW. 81-07-004 (Order 004), § 143-06-120, filed 3/6/81; Order 0002, § 143-06-120, filed 9/12/73.]

WAC 143-06-130 Records index. The department has available to all persons a current index which provides identifying information as to the records of the board and department. Agency records are indexed and retained as follows:

The generic index for department records is located in the office of the DIS Public Records Officer, at 1110 Jefferson Street S.E., Olympia, Washington 98504. This index lists public records as required by RCW 42.17.260, and indicates the division of the department in which they are located. Specific forms and documents are retained in the divisions as identified on the records retention schedules established by the division of state archives of the office of the secretary of state. These schedules are available to the public through the public records officer.

[Statutory Authority: Chapter 42.17 RCW. 00-01-028, § 143-06-130, filed 12/7/99, effective 1/7/00. Statutory Authority: RCW 43.17.060. 91-07-033, § 143-06-130, filed 3/15/91, effective 4/15/91. Statutory Authority: Chapter 42.17 RCW. 88-21-029 (Order 88-1), § 143-06-130, filed 10/11/88. Statutory Authority: Chapter 43.105 RCW. 81-07-004 (Order 004), § 143-06-130, filed 3/6/81; Order 0002, § 143-06-130, filed 9/12/73.]

WAC 143-06-140 Communications with the board and department. All communications with the board and department including but not limited to the submission of materials pertaining to its operations and/or the administration or enforcement of chapter 42.17 RCW and these rules; requests for copies of the board and department's decisions and other matters, shall be addressed as follows: Washington

State Department of Information Services, c/o Public Records Officer, Jefferson Building, 1110 Jefferson Street S.E., Olympia, Wash. 98504.

[Statutory Authority: Chapter 42.17 RCW. 00-01-028, § 143-06-140, filed 12/7/99, effective 1/7/00; 88-21-029 (Order 88-1), § 143-06-140, filed 10/11/88. Statutory Authority: Chapter 43.105 RCW. 81-07-004 (Order 004), § 143-06-140, filed 3/6/81; Order 0002, § 143-06-140, filed 9/12/73.]

WAC 143-06-150 Repealed. See Disposition Table at beginning of this chapter.

WAC 143-06-160 Records in possession of data processing service centers. No public records of users of department services shall be made available for public inspection or copying by the department without the express written authorization of the user.

Requests for inspection or copying of public records of the user, held or maintained by the center, shall be referred to the user for determination as to the right of public access to such records, pursuant to chapter 42.17 RCW. Costs incurred by the department in providing access to or copies of public records of the user pursuant to chapter 42.17 RCW shall be paid by the user.

[Statutory Authority: Chapter 42.17 RCW. 00-01-028, § 143-06-160, filed 12/7/99, effective 1/7/00; Order 0005, § 143-06-160, filed 4/17/75.]

Title 162 WAC

HUMAN RIGHTS COMMISSION

(Formerly: Discrimination, Board Against)

Chapters

162-12	Preemployment inquiry guide.
162-16	Employment.
162-18	Corrective employment programs.
162-20	Age discrimination in public employment.
162-22	Employment—Handicapped persons.
162-26	Public accommodations, disability discrimination.
162-28	Public schools—Equal education—Equal rights—National origin minority group children.
162-30	Sex discrimination.
162-38	Real estate transactions, disability discrimination.
162-40	Credit transactions.

Chapter 162-12 WAC PREEMPLOYMENT INQUIRY GUIDE

WAC

162-12-100	Purpose.
162-12-120	General approach.
162-12-130	Discriminatory inquiries are prohibited.
162-12-135	Bona fide occupational qualifications.
162-12-140	Preemployment inquiries.
162-12-150	Required inquiries.
162-12-160	Data for legitimate purposes.
162-12-170	Conditions for inquiries to applicants.
162-12-180	Post employment records.

WAC 162-12-100 Purpose. (1) These regulations carry out the law against discrimination as stated generally in RCW 49.60.010 and 49.60.030, and interpret RCW 49.60.180 and 49.60.200 which declare certain preemployment inquiries to be unfair practices.

(2) The commission generally follows chapter 49.60 RCW and federal court decisions that interpret comparable statutes and rules. The commission will not follow federal precedents when a different interpretation of state statutes and rules will better carry out the purposes of chapter 49.60 RCW.

(3) This regulation cannot cover every question that might arise in connection with inquiries prior to employment. The commission expects that in most cases these rules, either directly or by analogy, will guide those who are covered by the law.

(4) Definition: In this chapter, the following words are used in the meaning given, unless the context clearly indicates another meaning.

"Protected status" is short for the phrase, "age, sex, marital status, race, creed, color, national origin, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a disabled person," and means the full phrase (see RCW 49.60.180).

[Statutory Authority: RCW 49.60.120(3). 00-01-177, § 162-12-100, filed 12/21/99, effective 1/21/00; 96-21-054, § 162-12-100, filed 10/14/96, effective 11/14/96; Order 16, § 162-12-100, filed 5/22/74; Order 9, § 162-12-100, filed 9/23/71; § 162-12-100, filed 10/23/67.]

WAC 162-12-120 General approach. (1) Inquiries that convey to a reasonable person that applicants in a protected class will be discriminated against are prohibited whether or not they are connected to a discriminatory purpose.

(2) The commission recognizes the legitimate interests of employers and employment agencies with respect to making preemployment inquiries that are consistent with the purpose of the law against discrimination, or where required by government or to carry out an employer's policy of nondiscrimination. In the absence of safeguards, preemployment inquiries or records of applicants' protected status can be misused for discriminatory purposes. The rules in WAC 162-12-140 identify common fair and unfair preemployment inquiries so that employers and employment agencies do not convey the impression that applicants will be discriminated against based on protected status.

[Statutory Authority: RCW 49.60.120(3). 00-01-177, § 162-12-120, filed 12/21/99, effective 1/21/00; 96-21-054, § 162-12-120, filed 10/14/96, effective 11/14/96; Order 16, § 162-12-120, filed 5/22/74; Order 9, § 162-12-120, filed 9/23/71; § 162-12-120, filed 10/23/67.]

WAC 162-12-130 Discriminatory inquiries are prohibited. Any preemployment inquiry or the keeping of any record of protected status before employment for a discriminatory purpose is prohibited and may be evidence of an unfair practice when connected to the applicant's protected status unless the particular quality inquired about is a bona fide occupational qualification.

[Statutory Authority: RCW 49.60.120(3). 00-01-177, § 162-12-130, filed 12/21/99, effective 1/21/00; 96-21-054, § 162-12-130, filed 10/14/96, effective 11/14/96; Order 16, § 162-12-130, filed 5/22/74; Order 9, § 162-12-130,