

Chapter 357-13 WAC

CLASSIFICATION

WAC

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WAC 357-13-010 Who adopts the classification plan? The director adopts a comprehensive classification plan and any subsequent revisions to the plan. Following twenty calendar days of notice, the director must hold open, public hearings prior to the adoption or revision of the plan.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-201, § 357-13-010, filed 12/21/04, effective 7/1/05.]

WAC 357-13-015 What must the classification plan be based upon? The classification plan must be based on a review and analysis of duties and responsibilities, and must include a description of each class.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-201, § 357-13-015, filed 12/21/04, effective 7/1/05.]

WAC 357-13-020 When and how is the classification plan to be revised? The classification plan is prepared and revised, as needed, in consultation with employers, employee organizations, and other interested parties.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-201, § 357-13-020, filed 12/21/04, effective 7/1/05.]

WAC 357-13-025 What criteria must be met in order for the director to adopt revisions or salary adjustments to the classification plan? (1) The following criteria must be

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met for the director to adopt revisions or salary adjustments to the classification plan:

(a) The office of financial management has reviewed the fiscal impact statement of the affected employer and concurs that the biennial cost of the revision or salary adjustment is absorbable within the employer's current authorized level of funding for the current fiscal biennium and subsequent fiscal biennia; and

(b) The revision or salary adjustment is due to one of the following causes, as defined by the director in the classification and pay guidelines:

- (i) Documented recruitment or retention difficulties;
- (ii) Salary compression or inversion;
- (iii) Classification plan maintenance;
- (iv) Higher level duties and responsibilities; or
- (v) Inequities.

(2) The provisions of subsection (1) of this section do not apply to the higher education hospital special pay plan or to any adjustments to the classification plan that are due to emergency conditions requiring the establishment of positions necessary for the preservation of the public health, safety, or general welfare.

[Statutory Authority: Chapter 41.06 RCW. WSR 11-23-054, § 357-13-025, filed 11/10/11, effective 12/13/11; WSR 08-07-062, § 357-13-025, filed 3/17/08, effective 4/18/08; WSR 07-17-127, § 357-13-025, filed 8/20/07, effective 9/20/07; WSR 05-01-201, § 357-13-025, filed 12/21/04, effective 7/1/05.]

WAC 357-13-030 Must employers maintain position descriptions? Employers must maintain a current position description for each position.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-201, § 357-13-030, filed 12/21/04, effective 7/1/05.]

WAC 357-13-035 Must a standard form be used for each position description? A standard form developed by the director or one containing components similar to those found in the director's form must be used for each position description.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-201, § 357-13-035, filed 12/21/04, effective 7/1/05.]

WAC 357-13-040 What must be included in each position description? Each position description must:

- (1) List the primary duties and responsibilities currently assigned to the position
- (2) List the required competencies as determined by the employer;
- (3) Identify the essential functions; and
- (4) Include any other job-related information as needed.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-201, § 357-13-040, filed 12/21/04, effective 7/1/05.]

WAC 357-13-045 Who is responsible for completing the position description form? The manager of the position is responsible for completing the position description form. If the position is filled, input from the incumbent is recommended.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-201, § 357-13-045, filed 12/21/04, effective 7/1/05.]

WAC 357-13-050 Who is responsible for allocating or reallocating each position? The employer must allocate or reallocate each classified position to an established class in the classification plan.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-201, § 357-13-050, filed 12/21/04, effective 7/1/05.]

WAC 357-13-055 What must allocations or reallocations be based upon? Allocations or reallocations must be based upon a review and analysis of the duties and responsibilities of the position.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-201, § 357-13-055, filed 12/21/04, effective 7/1/05.]

WAC 357-13-060 Must employers have a procedure that addresses when positions are to be reviewed for reallocation? The employer must establish a procedure that specifies when positions are to be reviewed for reallocation based upon substantive and permanent changes in job duties and scope of responsibility.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-201, § 357-13-060, filed 12/21/04, effective 7/1/05.]

WAC 357-13-065 Must the employer's procedure allow an employee to request a review of his/her position? The employer's procedure must allow an employee to request the employer to review his/her position at least every six months.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-201, § 357-13-065, filed 12/21/04, effective 7/1/05.]

WAC 357-13-070 Must an employer notify an employee when the employee's position is reallocated? Employers must provide written notice to an employee when the employee's position is reallocated. If the reallocation is to a class with a lower salary range maximum, the employee must receive at least fifteen calendar days' written notice of the reallocation. The employee may request to waive or shorten the fifteen day notice period.

For purposes of this rule, written notice of reallocation, excluding reallocation to a class with a lower salary range maximum, may be provided using alternative methods such as e-mail, campus mail, the state mail service, or commercial parcel delivery in accordance with WAC 357-04-105.

[Statutory Authority: Chapter 41.06 RCW. WSR 05-01-201, § 357-13-070, filed 12/21/04, effective 7/1/05.]

WAC 357-13-075 Must the notice of reallocation inform the employee of the right to request a director's review of the reallocation? Notice of reallocation must include information regarding the employee's right to request a director's review of the reallocation per WAC 357-13-080.

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[Statutory Authority: Chapter 41.06 RCW. WSR 11-23-054, § 357-13-075, filed 11/10/11, effective 12/13/11; WSR 05-01-201, § 357-13-075, filed 12/21/04, effective 7/1/05.]

WAC 357-13-080 Can an employee request a director's review of a position review or reallocation of the employee's position? An employee may request a director's review of the results of a position review or reallocation of the employee's position, per WAC 357-49-010. The employee must request the director's review within thirty calendar days of being provided the results of a position review or the notice of reallocation.

[Statutory Authority: Chapter 41.06 RCW. WSR 11-23-054, § 357-13-080, filed 11/10/11, effective 12/13/11; WSR 05-01-201, § 357-13-080, filed 12/21/04, effective 7/1/05.]

WAC 357-13-083 What happens if an employee requests a director's review of his or her allocation or files an exception to the director's decision and is laid off before a decision is issued? When an employee's position has been reallocated as part of a board or director's decision on allocation and when the employee was laid off prior to the board or director's decision being issued, the following applies:

(1) The employee's position is reallocated effective as of the date the request for a position review was filed with the employer;

(2) If the employee was reallocated to a class with a higher salary range, the employee is due back pay from the effective date of the allocation to the effective date of the lay-off;

(3) The layoff action (including options afforded to the employee) is not impacted; and

(4) The employee shall have layoff list rights to the class the employee's former position was reallocated to in accordance with WAC 357-46-070 and 357-46-080.

[Statutory Authority: Chapter 41.06 RCW. WSR 09-17-061 and 09-19-026, § 357-13-083, filed 8/13/09 and 9/8/09, effective 9/16/09 and 10/9/09.]

WAC 357-13-085 How is the effective date of a reallocation determined? The effective date of a reallocation is determined as follows:

(1) The effective date of a reallocation resulting from the director's revisions to the classification plan is the effective date of the director's action.

(2) The effective date of an employer-initiated reallocation is determined by the employer. Notice of a reallocation to a class with a lower salary range maximum must be provided in accordance with WAC 357-13-070.

(3) The effective date of a reallocation resulting from an employee request for a position review is the date the request was filed with the employer unless the result of the position review is a reallocation to a class with a lower salary range maximum. Notice of reallocation to a class with a lower salary range maximum must be provided in accordance with WAC 357-13-070.

(4) The effective date of a reallocation to a class with a lower salary range maximum resulting from a director's review determination to reallocate to a lower classification than the employer's determination is thirty calendar days from the date of the director's determination unless the

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review determination is appealed to the board. The effective date of a reallocation to a class with a lower salary range maximum resulting from a board order to reallocate to a lower classification than the employer's determination is thirty calendar days from the date of the board's order.

[Statutory Authority: Chapter 41.06 RCW. WSR 11-23-054, § 357-13-085, filed 11/10/11, effective 12/13/11; WSR 10-23-042, § 357-13-085, filed 11/10/10, effective 12/13/10; WSR 05-01-201, § 357-13-085, filed 12/21/04, effective 7/1/05.]

WAC 357-13-090 How is an employee affected when his/her position is reallocated?

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| This table is used to determine how an employee whose position is reallocated is affected. | | | |
| | Employee's position reallocated to: | | |
| | Class with a higher salary range maximum | Class with an equal salary range maximum | Class with a lower salary range maximum |
| Reallocation results from: | | | |
| A position review requested by the employee or initiated by the employer | <p><i>If the employee has performed the higher level duties for at least six months and meets the competencies and other position requirements:</i></p> <p>→ The employee remains in the position and is appointed with permanent status provided the probationary or trial service period for the class to which the position is reallocated is six months in duration. If the probationary period or trial service period is longer than six months and the employee has not performed higher level duties for the length of the probationary period or trial service period, the employer may require the employee serve the remainder of the probationary or trial service period before gaining permanent status in the reallocated position.</p> <p><i>If the reallocation is the result of a change in the duties of the position and the employee has not performed the higher level duties for six months or more:</i></p> <p>→ The employer must give the employee the opportunity to compete for the position. The employer may choose to promote the employee without competition as long as the employee meets the competencies and any other position requirements.</p> <p>If the employee is not selected for the position, the employer's layoff procedure applies. If the employee is appointed and he/she has already gained permanent status, the employee must serve a trial service period. If the employee has not completed the probationary period, then the new trial service period will overlap provided the higher and lower classes are in the same or a closely related field. If the classes are not in the same or closely related field, then the employee will start their probationary period over in the new class.</p> | <p><i>If the employee meets the competencies and other position requirements:</i></p> <p>→ The employee remains in the position and retains existing appointment status.</p> <p>→ The employee retains the previous base salary in accordance with WAC 357-28-120.</p> <p><i>If the employee does not meet the competencies and other position requirements:</i></p> | <p><i>If the employee meets the competencies and other position requirements and chooses to remain in the reallocated position:</i></p> <p>→ The employee retains appointment status; has the right to be placed on the employer's internal layoff list; and has his/her salary set in accordance with WAC 357-28-120.</p> <p><i>If the employee chooses to vacate the position or does not meet the competencies and other position requirements:</i></p> <p>→ The employer's layoff procedure applies.</p> |

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| | Employee's position reallocated to: | | |
| | Class with a higher salary range maximum | Class with an equal salary range maximum | Class with a lower salary range maximum |
| Reallocation results from: | | | |
| A position review requested by the employee or initiated by the employer | <i>If the employee has performed the higher level duties for at least six months and meets the competencies and other position requirements:</i> Upon appointment to the higher class, the employee's base salary must be increased a minimum of a two step increase, not to exceed step L of the range as provided in WAC 357-28-115. | <i>If the employee meets the competencies and other position requirements:</i> → The employer's layoff procedure applies. | <i>If the employee meets the competencies and other position requirements and chooses to remain in the reallocated position:</i> |
| The director revising the classification plan. | The employee remains in the position and keeps existing appointment status. See WAC 357-28-130 for determining the employee's salary. | | |

[Statutory Authority: Chapter 41.06 RCW. WSR 13-19-043, § 357-13-090, filed 9/13/13, effective 10/18/13; WSR 11-23-054, § 357-13-090, filed 11/10/11, effective 12/13/11; WSR 06-23-090, § 357-13-090, filed 11/14/06, effective 12/18/06; WSR 05-12-088, § 357-13-090, filed 5/27/05, effective 7/1/05; WSR 05-01-201, § 357-13-090, filed 12/21/04, effective 7/1/05.]